

RESOLUTION NUMBER R- 296974
ADOPTED ON AUG 05 2002

BE IT RESOLVED, by the Council of The City of San Diego, that the City Manager be and he is hereby authorized and empowered to negotiate and execute, for and on behalf of said City, Construction Change Order No. 4 (for differing site conditions) to the North Metro Interceptor Diversion 3A Project, for an amount not to exceed \$278,000 with Mitchell Pacific Constructors, Inc.

BE IT FURTHER RESOLVED, that the City Manager be and he is hereby authorized and empowered to negotiate and execute, for and on behalf of said City, Construction Change Order No. 6 (for dewatering fee) to the North Metro Interceptor Diversion 3A Project, for an amount not to exceed \$1,280,000 with Mitchell Pacific Constructors, Inc.

BE IT FURTHER RESOLVED that the City Auditor is hereby authorized to transfer \$1,278,000 from Fund 41508, CIP 45-937.0, Point Loma - Site Improvements to Fund 41508, CIP 46-104.0, North Metro Interceptor Diversion 3A.

BE IT FURTHER RESOLVED that the expenditure of an amount not to exceed \$1,278,000 from Fund 41508, CIP 46-104.0, North Metro Interceptor Diversion 3A, is hereby authorized, solely and exclusively for additional project contingency provided that the City Auditor and Comptroller first furnishes one or more certificates demonstrating that the funds necessary for expenditure are, or will be, on deposit in the City Treasury.

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BE IT FURTHER RESOLVED, that the City Auditor and Comptroller is authorized to transfer excess budgeted funds, if any, to the appropriate reserves on advice of the administering department.

APPROVED: CASEY GWINN, City Attorney

By Frederick W. Chute
for Thomas C. Zeleny
Deputy City Attorney

TCZ:ccm
7/9/02
Aud.Cert:2201246
Or.Dept:MWWD
R-2003-106
Form=co2r.frm

R- 296974

**The City of San Diego
CERTIFICATE OF CITY AUDITOR AND COMPTROLLER**

CERTIFICATE OF UNALLOTTED BALANCE

ORIGINATING AC 2201246
DEPT. NO.: 778

I HEREBY CERTIFY that the money required for the allotment of funds for the purpose set forth in the foregoing resolution is available in the Treasury, or is anticipated to come into the Treasury, and is otherwise unallotted.

Amount 1,278,000.00 Fund 41508

Purpose Authorizing the transfer of \$1,278,000 for the North Metro Interceptor Diversion 3A.

Date June 26, 2002 By: Lu Ann Jones Santa

AUDITOR AND COMPTROLLER'S DEPARTMENT

ACCOUNTING DATA

| ACCTG. LINE | CY PY | FUND | DEPT | ORG. | ACCOUNT | JOB ORDER | OPERATION ACCOUNT | BENF/ EQUIP | FACILITY | AMOUNT |
|--------------|-------|-------|------|------|---------|-----------|-------------------|-------------|----------|----------------|
| 1 | 0 | 41508 | 778 | | 4278 | 175180 | | | | \$1,278,000.00 |
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| TOTAL AMOUNT | | | | | | | | | | |

FUND OVERRIDE

CERTIFICATION OF UNENCUMBERED BALANCE

I HEREBY CERTIFY that the indebtedness and obligation to be incurred by the contract or agreement authorized by the hereto attached resolution, can be incurred without the violation of any of the provisions of the Charter of the City of San Diego; and I do hereby further certify, in conformity with the requirements of the Charter of the City of San Diego, that sufficient moneys have been appropriated for the purpose of said contract, that sufficient moneys to meet the obligations of said contract are actually in the Treasury, or are anticipated to come into the Treasury, to the credit of the appropriation from which the same are to be drawn, and that the said money now actually in the Treasury, together with the moneys anticipated to come into the Treasury, to the credit of said appropriation, are otherwise unencumbered.

Not to Exceed \$ 1,278,000.00

Vendor Mitchell Pacific Constructors, Inc.

Purpose Authorizing the expenditure of funds for the North Metro Interceptor Diversion 3A for Change

Orders 4 and 6.

Date June 26, 2002 By: Lu Ann Jones Santa

AUDITOR AND COMPTROLLER'S DEPARTMENT

ACCOUNTING DATA

| ACCTG. LINE | CY PY | FUND | DEPT | ORG. | ACCOUNT | JOB ORDER | OPERATION ACCOUNT | BENF/ EQUIP | FACILITY | AMOUNT |
|--------------|-------|-------|------|------|---------|-----------|-------------------|-------------|----------|----------------|
| 2 | 0 | 41508 | 778 | | 4278 | 171710 | | | | \$1,278,000.00 |
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| TOTAL AMOUNT | | | | | | | | | | \$2,556,000.00 |

FUND OVERRIDE

R. 296974

AUG 05 2002