296975 (R-2002-1526)

RESOLUTION NUMBER R-\_\_\_\_

ADOPTED ON \_\_\_\_\_AUG 0 5 2002

WHEREAS, the City Manager had published notice to contractors calling for bids in connection with construction of the Alvarado Treatment Plant, Earl Thomas Reservoir Replacement Project; and

WHEREAS, the lowest bid submitted was determined to be non-responsive and, therefore, it is necessary for the City to accept the second lowest bid on this project which is 13.3% above the City Engineer's estimate; NOW, THEREFORE,

BE IT RESOLVED, by the Council of The City of San Diego, as follows:

- 1. That the City Manager is hereby authorized to accept the second lowest bid and award a phase funded construction contract to C.E. Wylie Construction Company for the Earl Thomas Reservoir Replacement Project in the amount of \$25,511,000, provided that the City Auditor and Comptroller first furnishes one or more certificates demonstrating that funds necessary for expenditure under established contract funding phases are, or will be, on deposit with the City Treasurer.
- 2. That the City Manager is hereby authorized to execute Contract Change Order No. 1, together with the changes set forth therein, in the amount of \$811,912, which transfers most of the cost of insuring this project from the City's Owner Controlled Insurance Program to C.E.

  Wylie Construction Company, which change order is on file in the office of the City Clerk as 296975

  Document No. RR-

3. That the additional expenditure of an amount not to exceed \$2,950,895 from Water Fund No. 41500, CIP 73-261.4, Alvarado Water Treatment Plant - Earl Thomas Reservoir; and \$637,762 from Water Fund No. 41500, CIP 73-331.0, Water Pooled Contingency, is hereby authorized, solely and exclusively to provide funds for this project, provided that the City Auditor and Comptroller first furnishes one or more certificates demonstrating that the funds necessary for expenditure under established contract funding phases are, or will be, on deposit with the City Treasurer.

4. That the City Manager is authorized to execute Phase 2 of the agreement with Malcolm Pirnie, Inc to provide engineering services for the Earl Thomas Reservoir Replacement in the amount of \$215,500.

5. That Funding Phase I (FY03) in the amount of \$2,916,971 from Water Fund No. 41500, CIP 73-261.4, Alvarado Water Treatment Plant - Earl Thomas Reservoir; and \$1,131,912 from Water Fund No. 41500, CIP 73-331.0, Water Pooled Contingency, is hereby authorized.

6. 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

Catherine Bradley
Deputy City Attorney

CB:mb

Date 06/12/02

Aud.Cert: 2300004, 2300006, 2300007

Or.Dept:Water CIP-14-02-45 R-2002-1526

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

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Funding is contingent upon adoption of the FY03 CIP Budget.
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## The City of San Diego CERTIFICATE OF CITY AUDITOR AND COMPTROLLER

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FUND OVERRIDE AC 2300007

TOTAL AMOUNT

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