

296975

(R-2002-1526)

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

ADOPTED ON AUG 05 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 Document No. RR-296975.

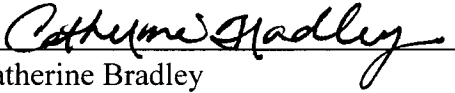
3. That the additional expenditure of an amount not to exceed \$2,950,895 from Water Fund No. 41500, CIP 73-261.4, Alvarado Water Treatment Plant - Earl Thomas Reservoir; and \$637,762 from Water Fund No. 41500, CIP 73-331.0, Water Pooled Contingency, is hereby authorized, solely and exclusively to provide 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  
Form=pcx.res



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

**CERTIFICATE OF UNALLOTTED BALANCE**

AC 2300006  
ORIGINATING DEPT. NO.: 760

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: \_\_\_\_\_ Fund: \_\_\_\_\_

Purpose: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Date: \_\_\_\_\_ By: \_\_\_\_\_

AUDITOR AND COMPTROLLER'S DEPARTMENT

| ACCOUNTING DATA |       |      |      |      |         |           |                   |             |          |        |
|-----------------|-------|------|------|------|---------|-----------|-------------------|-------------|----------|--------|
| ACCTG. LINE     | CY PY | FUND | DEPT | ORG. | ACCOUNT | JOB ORDER | OPERATION ACCOUNT | BENF/ EQUIP | FACILITY | AMOUNT |
|                 |       |      |      |      |         |           |                   |             |          |        |
|                 |       |      |      |      |         |           |                   |             |          |        |
|                 |       |      |      |      |         |           |                   |             |          |        |
|                 |       |      |      |      |         |           |                   |             |          |        |
| 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: \$811,912.00

Vendor: C.E. Wylie Construction Company

Purpose: Authorizing the expenditure of funds for Change Order #1, which transfer most of the cost of insuring the Project's construction from the City to the Contractor, for the construction of Earl Thomas Reservoir Replacement, CIP 732614.

Date: June 12, 2002 By: Esther Musan

AUDITOR AND COMPTROLLER'S DEPARTMENT

| ACCOUNTING DATA |       |       |      |        |         |           |                   |             |          |              |
|-----------------|-------|-------|------|--------|---------|-----------|-------------------|-------------|----------|--------------|
| ACCTG. LINE     | CY PY | FUND  | DEPT | ORG.   | ACCOUNT | JOB ORDER | OPERATION ACCOUNT | BENF/ EQUIP | FACILITY | AMOUNT       |
| 001             | 0     | 41500 | 760  | 391040 | 4905    | 186424    |                   |             |          | \$811,912.00 |
|                 |       |       |      |        |         |           |                   |             |          |              |
|                 |       |       |      |        |         |           |                   |             |          |              |
|                 |       |       |      |        |         |           |                   |             |          |              |
| TOTAL AMOUNT    |       |       |      |        |         |           |                   |             |          | \$811,912.00 |

AC-361 (REV 2-92)

FUND OVERRIDE

\*Funding is contingent upon adoption of the FY03 CIP Budget.

AC 2300006

*RC* - 296975

AUG 05 2002

