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(R-2003-753) (COR.COPY)

RESOLUTION NUMBER R- 297475

ADOPTED ON DEC 09 2002

WHEREAS, on July 23, 2001, pursuant to Resolution R-295170, the Council for the City of San Diego authorized the advertisement of bids for the Sewer Pump Stations 77A and 77B Rehabilitation Project; and

WHEREAS, on October 4, 2001, the bids for the Project were opened and subsequently rejected in order to clarify the plans and specifications; and

WHEREAS, the Project was re-bid and it has been determined that the low bid is 6 percent over the most recent engineer's estimate; and

WHEREAS, the Metropolitan Wastewater Department has requested additional funding for the Project in an amount not to exceed \$661,251 over the amount previously authorized by the Council on April 2, 2002, by Resolution R-296277 in order to (1) fund the unanticipated additional cost of the Project, (2) provide funding for assistance from the Wastewater Collection Division, and (3) provide for additional security measures at the pump stations; NOW

THEREFORE,

BE IT RESOLVED, by the Council for the City of San Diego, that an amount not to exceed \$3,293,892 be transferred from Fund 41506, CIP No. 46-168.0, Telemetry Control System - SCADA, to Fund No. 41506, CIP No. 46-106.0, Annual Allocation - Pump Stations Restorations.

BE IT FURTHER RESOLVED, that an additional expenditure of an amount not to exceed \$661,251 from Fund 41506, CIP No. 46-106.0, Annual Allocation - Pump Station Restorations, is authorized for the Project for construction, construction management services, contingency, and related costs for a total project cost not to exceed \$6,237,650, provided that the City Auditor first furnishes one or more certificates certifying that funds necessary for expenditure under established contract phases are, or will be, on deposit with the City Treasurer.


BE IT FURTHER RESOLVED, that the City Manager be and he is hereby authorized and empowered to execute, for and on behalf of said City, a Phase Funded Agreement with Orion Construction Corporation to perform Rehabilitation of Sewer Pump Stations 77A and 77B in the amount of \$4,893,000 under the terms and conditions set forth in the Agreement on file in the office of the City Clerk as Document No. RR- 297475.

BE IT FURTHER RESOLVED, that funding for Phase 1 of the Project is hereby authorized in the amount of \$4,360,950 of which \$3,439,000 is for construction, and \$921,950 is for construction management, contingency, and related costs, provided that the City Auditor first furnishes one or more certificates certifying that funds necessary for expenditure are, or will be, on deposit with the City Treasurer.

BE IT FURTHER RESOLVED, that the City Manager is hereby authorized to award Phase 2 of the Project in the amount of \$1,876,700, contingent upon subsequent City Council

approval of the Metropolitan Wastewater Department's operating budget for Fiscal Year 2004 and provided that the City Auditor first furnishes one or more certificates certifying that funds necessary for expenditure are, or will be, on deposit with the City Treasurer.

APPROVED: CASEY GWINN, City Attorney

By   
James W. Lancaster  
Deputy City Attorney

JWL:kat  
11/25/02  
12/09/02 COR.COPY  
Aud.Cert:2300606  
Or.Dept:MWWD  
R-2003-753  
Form=auagr.frm

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

2270

**CERTIFICATE OF UNALLOTTED BALANCE**

AC 2300606

ORIGINATING

DEPT. NO.: 773

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 \$ 4,215,842.00 Funds 41506  
 Purpose Authorizing the transfer of \$3,293,892 and the expenditure of funds of \$921,950 for the related and contingency costs for Sewer Pump Stations 77A and 77B Rehabilitation.  
 Date \_\_\_\_\_ Robert Barrera

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	41506	773	960	4278	172700				\$3,293,892.00
2	0	41506	773	960	4278	173910				\$921,950.00
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: \$ 3,439,000.00  
 Vendor Orion Construction Corporation  
 Purpose Authorizing the expenditure of funds for the construction of Sewer Pump Stations 77A and 77B Rehabilitation.  
 Date November 21, 2002 By: Robert Barrera

AUDITOR AND COMPTROLLER'S DEPARTMENT

ACCOUNTING DATA										
ACCTG. LINE	CY PY	FUND	DEPT.	ORG.	ACCOUNT	JOB ORDER	OPERATION ACCOUNT	BENF/ EQUIP	FACILITY	AMOUNT
3	0	41506	773	960	4220	173914				\$3,439,000.00
TOTAL AMOUNT										\$7,654,842.00

CIVIL DIVISION  
 02 NOV 22 PM 3:34  
 ATTORNEY

R- 297475

DEC 09 2002

FUND OVERRIDE