

RESOLUTION NUMBER R- 298188

ADOPTED ON JUL 14 2003

A RESOLUTION AUTHORIZING ESTABLISHMENT OF
PHASE FUNDING, AWARD OF PUBLIC WORKS
CONTRACT, AND ADDITIONAL EXPENDITURE OF FUNDS;
AND TAKING RELATED ACTIONS.

WHEREAS, on April 21, 2003, by Resolution Number R-297874, the City Council authorized the award and expenditure of funds for the construction of the Miramar Water Treatment Plant Upgrade and Expansion - Contract A [Project]; and

WHEREAS, the Project was advertised and the apparent lowest responsible and reliable bid for the Project was higher than the Engineer's estimate; and

WHEREAS, the City Manager or designee has determined that re-advertising the Project is unlikely to result in lower bids; and

WHEREAS, additional funds are needed for expenditure on the Project; NOW,
THEREFORE,

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

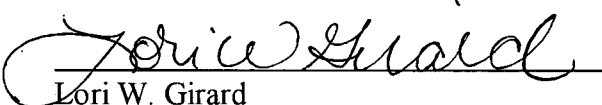
1. That the City Manager is authorized to establish contract funding phases and to award the phase-funded Project contract to Western Summit Constructors, Inc., in an amount not to exceed \$81,352,723, contingent upon the passage of the FY 2004 Capital Improvements Program and Appropriation Ordinance budgets, and provided that the City Auditor and Comptroller first furnishes one or more certificates certifying that the funds necessary for expenditure under established contract funding phases are, or will be, on deposit with the City Treasurer.

2. That the additional expenditure of an amount not to exceed \$6,658,271 is authorized solely and exclusively for the purpose of providing funds for the Project and related costs as follows: a \$9,067,279 increase in Water Fund 41500, CIP 73-284.0, Miramar Water Treatment Plant Upgrade & Expansion, and a \$2,409,008 decrease in Water Fund 41500, CIP No. 73-331.0, Annual Allocation - Water Pooled Contingency, contingent upon the passage of the FY 2004 Capital Improvements Program and Appropriation Ordinance budgets, and provided that the City Auditor and Comptroller first furnishes one or more certificates certifying that the funds are, or will be, on deposit with the City Treasurer.

3. That Funding Phase No. 1 of the Project Contract is authorized, contingent upon the passage of the FY 2004 Capital Improvements Program and Appropriation Ordinance budgets, and provided that the City Auditor and Comptroller first furnishes one or more certificates certifying that the funds are, or will be, on deposit with the City Treasurer.

4. That the City Auditor and Comptroller is authorized, upon advice from the administering department, to transfer excess budgeted funds, if any, to the appropriate reserves.

APPROVED: CASEY GWINN, City Attorney

By 
Lori W. Girard
Deputy City Attorney

LWG:lc
06/17/03
06/20/03 COR.COPY
Aud.Cert: 2400019
Or.Dept: Water
Bid No: K03482C
R-2003-1499
Form=AddFundsPhaseFund.frm
Rev. 03/03

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

CERTIFICATE OF UNALLOTTED BALANCE

ORIGINATING

AC 2400019
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: \$5,297,131.00 Fund: 41500

Purpose: Authorizing the additional expenditure of related costs of the construction of Miramar Water Treatment Plant Upgrade and Expansion - Contract A, CIP73-284.0.

Date: June 17, 2003 By: Emusan
AUDITOR AND COMPTROLLER'S DEPARTMENT

ACCOUNTING DATA										
ACCTG. LINE	CY PY	FUND	DEPT	ORG.	ACCOUNT	JOB ORDER	OPERATION ACCOUNT	BENF/ EQUIP	FACILITY	AMOUNT
01	0	41500	760	391040	4278	182480				\$2,515,551.00
02	0	41500	760	391040	4909	733310				\$581,580.00
TOTAL AMOUNT										\$3,097,131.00

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: \$9,693,000.00

Vendor: Western Summit Constructors, Inc.

Purpose: To Award and Authorize the expenditure of funds for the construction of Miramar Water Treatment Plant Upgrade & Expansion - Contract A, CIP 73-284.0.

Date: June 17, 2003 By: Emusan
AUDITOR AND COMPTROLLER'S DEPARTMENT

ACCOUNTING DATA										
ACCTG. LINE	CY PY	FUND	DEPT	ORG.	ACCOUNT	JOB ORDER	OPERATION ACCOUNT	BENF/ EQUIP	FACILITY	AMOUNT
02	0	41500	760	391040	4278	182484				\$9,693,000.00
TOTAL AMOUNT										\$12,790,131.00

FUND OVERRIDE

AC-361 (REV 2-92)

** Contingent upon approval of the FY04 Budget.

AC 2400019

2-298188

JUL 14 2003