RESOLUTION NUMBER R- 298188 ADOPTED ON JUL 1 4 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

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

AC 2400019

Amount:		\$5,297,131.00					Fund:		41500	
		Authorizing the additional expenditure of related costs of the c Expansion - Contract A, CIP73-284.0.						construction of Miramar Water Treatment Plant Upgrade and		
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