

RESOLUTION NUMBER R- 298282

ADOPTED ON AUG 04 2003

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

WHEREAS, on March 17, 2003, by Resolution Number R-297716, the City Council authorized the award and expenditure of funds for the construction of Sewer Pump Stations 34 & 5 [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 T.C. Construction, Inc., in an amount not to exceed \$2,337,929, contingent upon the passage of the FY 2004 Capital Improvement 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 Fiscal Year 2004 Phase I in the amount of \$1,740,727 for the construction of Sewer Pump Stations 34 and 5 is approved.

3. That the City Auditor and Comptroller is authorized to transfer an amount not to exceed \$2,729,819 from Sewer Fund 41506, of which \$1,077,974 is from CIP No. 44-001.0, Annual Allocation – Sewer Replacements, \$866,542 is from CIP No. 46-195.0, Belt Street Trunk Sewer, and \$785,303 is from CIP No. 46-206.0, Annual Allocation – Emergency Construction, to CIP No. 46-106.0, Annual Allocation – Pump Station Restorations, contingent upon the passage of the FY 2004 Capital Improvement Program and Appropriation Ordinance budgets.

4. That the additional expenditure of an amount not to exceed \$975,929 from Sewer Fund 41506, CIP No. 64-106.0, Annual Allocation – Sewer Pump Station Restoration, is authorized solely and exclusively for the purpose of providing funds for the Project and related costs, contingent upon the passage of the FY 2004 Capital Improvement 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.

5. 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 Eric A. Swenson
Eric A. Swenson
Deputy City Attorney

EAS:lc
07/21/03
Aud.Cert: 2400077 and 2400078
Or.Dept: E&CP
Bid No: K03556C
R-2004-23
Form=AddFundsPhaseFund.frm
Rev. 03/03

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

CERTIFICATE OF UNALLOTTED BALANCE

ORIGINATING

AC 2400078

DEPT. NO.: 850

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: \$369,890.00 Fund: 41506

Purpose: Authorizing the expenditure of funds for the costs related to the Phase 1 construction of Sewer Pump Stations 34 & 5. (Contingent upon passage of the FY 2004 Budget and CIP Appropriation Ordinance.)

Date: July 18, 2003

By: *Robecky Weber*
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	176030					\$369,890.00
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: \$1,370,837.00

Vendor: TC Construction, Inc.

Purpose: Awarding the contract and authorizing the expenditure of funds for Phase 1 construction of Sewer Pump Station 34 & 5. (Contingent upon the passage of the FY 2004 Budget and CIP Appropriation Ordinance.)

Date: July 18, 2003

By: *Robecky Weber*
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	176034					\$1,370,837.00
TOTAL AMOUNT											\$1,740,727.00

FUND OVERRIDE

AC 2400078