

(R-2004-76)

RESOLUTION NUMBER R- 298284

ADOPTED ON AUG 04 2003

A RESOLUTION AUTHORIZING ESTABLISHMENT
OF PHASE FUNDING AND AWARD OF CONSULTANT
AGREEMENT FOR THE OCEAN BEACH BIKE PATH/HOTEL
CIRCLE NORTH BIKEWAY DESIGN

WHEREAS, the Ocean Beach Bike Path/Hotel Circle North Bikeway design, CIP number 58-156.0, will extend the existing Ocean Beach Bike Path to the east approximately 3,900 feet and provide a link to the commercial/retail centers of Mission Valley; and

WHEREAS, the bikeway alignment was determined pursuant to a feasibility study conducted for this project; and

WHEREAS, consultants were interviewed in accordance with Council Policy 300-7 and Administrative Regulation 25.60; and

WHEREAS, Kimley-Horn and Associates, Inc. was selected as the consultant to provide the design services for this project; and

WHEREAS, the consultant agreement with Kimley-Horn and Associates, Inc. requires up to 70% completion of the project engineering design and all of the environmental scope of services in Phase I; and

WHEREAS, the remaining 30% of the project engineering design will be completed in Phase II of the agreement; NOW, THEREFORE,

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

1. 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 for Consultant Services between the City

of San Diego and Kimley-Horn and Associates, Inc. for an amount not to exceed \$396,387 for a two fiscal year period, under the terms and conditions set forth in the Agreement on file in the office of the City Clerk as Document No. RR- **298284**, together with any reasonably necessary modifications or amendments thereto which do not increase project scope or costs and which the City Manager shall deem necessary from time to time in order to carry out the purposes and intent of this project and agreement.

2. That funding for the two phases be allocated as follows:

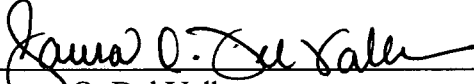
Phase I (FY 2003) = \$267,387; and Phase 2 (FY 2004) = \$129,000, with the execution of each Phase by the City Manager contingent upon City Council approval of the Originating Department's operating budget.

3. That the expenditure of an amount not to exceed \$267,387 for Phase I, from CIP No. 58-156.0, Ocean Beach Bike Path/Hotel Circle North Bikeway Project, of which \$117,387 is from Fund 390065, Local Transportation Facility (LTF) and \$150,000 is from Fund 30219, Gas Tax, is authorized solely and exclusively for the purpose of providing funds for the Project and related costs, 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 expenditure of an amount not to exceed \$129,000 for Phase II, for the remaining scope of work, contingent upon the receipt of the additional funds from SANDAG, is authorized solely and exclusively for the purpose of providing funds for the Project and related costs, 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 
Laura O. Del Valle
Deputy City Attorney

LDV:sc
07/21/03
Aud.Cert: 2301304
Or.Dept: E&CP
R-2004-76

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

CERTIFICATE OF UNALLOTTED BALANCE

AC 2301304

ORIGINATING DEPT. NO.: 547

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: \$32,613.00 Fund: 30244/107

Purpose: Authorizing the expenditure of funds for the construction of the Ocean Beach and Hotel Circle North Bike Paths

Date: July 1, 2003 By: 
AUDITOR AND COMPTROLLER'S DEPARTMENT

ACCOUNTING DATA											
ACCTG. LINE	CY PY	FUND	DEPT	ORG.	ACCOUNT	JOB ORDER	OPERATION ACCOUNT	BENF/	EQUIP	FACILITY	AMOUNT
3	1	30244	30244	107	4279	581560					\$32,613.00
TOTAL AMOUNT											\$32,613.00

FUND OVERRIDE

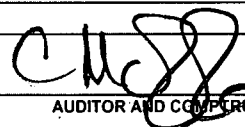
CERTIFICATION OF UNENCUMBERED BALANCE

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: \$267,387.00

Vendor: Kimley - Horn and Associates

Purpose: To authorize the expenditure of funds for the purpose of entering into a consulting agreement for the Ocean Beach Bike Path and Hotel Circle North Bikeway Design

Date: July 1, 2003 By: 
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	30244	30244	107	4279	581560			390065		\$117,387.00
2	0	30244	30244	107	4279	581560			30219		\$150,000.00
TOTAL AMOUNT											300,000 \$267,387.00

FUND OVERRIDE

AC 2301304