

RESOLUTION NUMBER R- 298353

ADOPTED ON SEP 09 2003

A RESOLUTION AUTHORIZING THE EXPENDITURE OF FUNDS UNDER AN AS-NEEDED CONSTRUCTION MANAGEMENT CONTRACT WITH EARTH TECH, INC FOR THE PUMP STATIONS 1 AND 2 INSTRUMENTATION UPGRADES PROJECT.

WHEREAS, the City currently has an agreement with Sverdrup Civil, Inc., to provide construction management services [Sverdrup Agreement] for, among other projects, the Pump Stations 1 and 2 Instrumentation Upgrade Work under the Wastewater Operations Management Network Project, CIP 45-920.0 [the Project] which is not expected to be completed until September 2004; and

WHEREAS, the Sverdrup Agreement will terminate in December 2003 prior to the completion of the Project; and

WHEREAS, the Metropolitan Wastewater Department has negotiated an agreement to have Earth Tech, Inc. provide construction management services for the Project under an existing as-needed construction managements services agreement with the City [the Earth Tech Agreement] for an amount not to exceed \$264,266. NOW, THEREFORE,

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

1. That the expenditure of an amount not to exceed \$264,266 from Sewer Fund No. 41509, CIP 45-920.0, is authorized solely and exclusively for the purpose of providing funds for construction management services for the Project to be provided under the Earth Tech Agreement and an amount not to exceed \$80,000 from Sewer Fund No. 41509, CIP 45-920.0, is authorized solely and exclusively for the purpose of providing contingency funds for the Project,

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.

2. 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



James W. Lancaster,  
Deputy City Attorney

JWL:kat:Civ

08/25/03

Aud.Cert: AC2400181

Or.Dept: MWWD

R-2004-249

Form=R-2004-249 Earth Tech.wpd

Rev. 12/02

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

**CERTIFICATE OF UNALLOTTED BALANCE**

ORIGINATING

AC 2400181

DEPT. NO.: 779

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: \$80,000.00 Fund: 41509

Purpose: Authorizing the expenditure of funds for project contingencies.

Date: August 12, 2003 By: *Anne Jones Kantor*  
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	41509	779		4278	195000				\$80,000.00	
TOTAL AMOUNT										\$80,000.00	

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: \$344,266.00

Vendor: Earth Tech, Inc.

Purpose: Authorizing the expenditure of funds for construction management costs for Pump Station 1 and 2 Instrumentation Upgrades.

Date: August 12, 2003 By: *Anne Jones Kantor*  
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	41509	779		4278	195000				\$264,266.00	
TOTAL AMOUNT										\$264,266.00	

FUND OVERRIDE

AC-361 (REV 2-92)

AC 2400181

R-298353

SEP 09 2003