

**298712**

RESOLUTION NUMBER R-\_\_\_\_\_

ADOPTED ON DEC 08 2003

A RESOLUTION APPROVING PLANS AND SPECIFICATIONS; AUTHORIZING PREVAILING WAGE, ESTABLISHMENT OF PHASE FUNDING, AND AWARD OF PUBLIC WORKS CONTRACT; AND TAKING RELATED ACTIONS.

WHEREAS, the Council of the City of San Diego has the discretion to require that prevailing wages be paid on its public works municipal affair projects when the Council determines that doing so will provide an economic benefit to the City; and

WHEREAS, City of San Diego Council Resolution No. R-298185 [Resolution] directs the City Manager to advertise and include a prevailing wage specification on all City public works municipal affair water and/or sewer fund projects when the engineer's estimate for the construction of the project exceeds ten million dollars [Water and/or Sewer Fund Projects]; and

WHEREAS, the Resolution further provides that the City Council will determine on a project-by-project basis, based on the evidence in the record, whether a Water and/or Sewer Fund Project will be awarded subject to prevailing wage requirements; and

WHEREAS, the Sorrento Valley Trunk Sewer and Pump Station 89 Project is a Water and/or Sewer Fund Project falling within the parameters of the Resolution; NOW,

THEREFORE,

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

1. That the Council finds and determines that requiring the payment of prevailing wages on the Project will provide an economic benefit as follows:

- a. Stimulate advantageous marketplace competition by providing both union and non-union contractors equal opportunity to compete for the contract;
- b. Provide a cost benefit to the public by ensuring that the project will be adequately built by a skilled labor force and minimize the occurrence of costly delays that could result from the use of an unskilled labor force; and
- c. The public benefits described above will outweigh any potential increase in costs.

2. That the plans and specifications for the construction of the Project, including the prevailing wage specification, filed in the office of the City Clerk as Document No.

W.O. 173771, are approved.

3. That, after advertising for bids in accordance with law, the City Manager is authorized to establish contract funding phases and to award the Project contract to the lowest responsible and reliable bidder in an amount not to exceed \$11,885,973, 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.

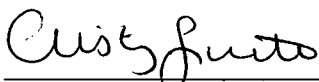
4. That the City Auditor and Comptroller is authorized to transfer an amount not to exceed \$377,054 from Sewer Fund 41506, CIP No. 40-928.0, South Pacific Highway Trunk Sewer – Phase II, to Sewer Fund 41506, CIP No. 46-197.0, Sorrento Valley Trunk Sewer and Pump Station 89, for the Project.

5. That the City Auditor and Comptroller is authorized to expend, solely and exclusively, an amount not to exceed \$13,756,413 from Sewer Fund 41506, of which \$12,740,518 is from CIP No. 46-197.0, Sorrento Valley Trunk Sewer and Pump Station 89, for construction and


Project related costs, and \$1,015,895 is from Sewer Fund 41506, Annual Allocation – Pooled Contingency, for Project contingency costs, provided that the City Auditor and Comptroller first furnishes one or more certificates certifying that the funds necessary for expenditure 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   
Cristy Lorente  
Deputy City Attorney

CL:pev:lc  
11/24/03  
Or.Dept: E&CP  
R-2004-150

 298712

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

**CERTIFICATE OF UNALLOTTED BALANCE**

ORIGINATING

AC 2400324

DEPT. NO. 773

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: \$744,187.00

Purpose: Authorizing the transfer of \$377,054 from CIP 40-928.0 S. Pacific Highway TS and the expenditures of funds for the construction and related costs for phase 1 of the Sorrento Valley TS and PS 89 project CIP 461970

Date: September 19, 2003

*Victoria DeLoza*

ACCOUNTING DATA											
ACCTG. LINE	CY PY	FUND	DEPT	ORG.	ACCOUNT	JOB ORDER	OPERATION ACCOUNT	BENF/	EQUIP	FACILITY	AMOUNT
1	0	41506	773	960	4278	175780					\$377,054.00
2	0	41506	773	960	4278	173770					\$367,133.00
TOTAL AMOUNT											\$744,187.00

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: \_\_\_\_\_

Vendor: \_\_\_\_\_

Purpose: \_\_\_\_\_

Date: \_\_\_\_\_

By: \_\_\_\_\_

AUDITOR AND COMPTROLLER'S DEPARTMENT

ACCOUNTING DATA											
ACCTG. LINE	CY PY	FUND	DEPT	ORG.	ACCOUNT	JOB ORDER	OPERATION ACCOUNT	BENF/	EQUIP	FACILITY	AMOUNT
TOTAL AMOUNT											

FUND OVERRIDE

*R.* 298712

DEC 08 2003

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