

ORDINANCE NUMBER O- 19324 (NEW SERIES)

ADOPTED ON NOV 08 2004

AN ORDINANCE OF THE COUNCIL OF THE CITY OF SAN
DIEGO APPROVING THE SECOND AMENDMENT
TO THE CONSULTANT AGREEMENT BETWEEN THE CITY
OF SAN DIEGO AND PROJECT DESIGN CONSULTANTS

WHEREAS, on March 31, 1998, pursuant to Resolution No. R-289908, the Council of the City of San Diego approved a consultant agreement [Agreement] in the amount of \$411,817 between the City of San Diego and Earth Tech [Consultant], on file in the office of the City Clerk as Document No. RR-289908, to provide initial environmental studies and conceptual design work for the El Camino Real Bridge Replacement and Road Widening project [Project]; and

WHEREAS, on August 6, 2001, pursuant to Resolution No. R-295346, the Council of the City of San Diego approved the First Amendment to the Agreement in the amount of \$450,684, on file in the office of the City Clerk as Document No. RR-295346, to prepare a final environmental report and continue conceptual design for the Project; and

WHEREAS, due to changes in the environmental document scope and process, the City desires to enter into a Second Amendment to the Agreement to continue development of the environmental report and conceptual design; and

WHEREAS, the California Department of Transportation [CalTrans] has increased its grant amount for the Project to reflect progress on the environmental document and an increase in scope of the grant eligibility requested by City staff. NOW, THEREFORE,

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

Section 1. That the City Manager be and he is hereby authorized and empowered to execute the Second Amendment to the Agreement with Earth Tech in for professional services for El Camino Real – San Dieguito Road to Via De La Valle, in an amount not to exceed \$275,394, under the terms and conditions set forth in the Agreement on file in the office of the City Clerk as Document No. OO 19324, together with any reasonably necessary modifications or amendments thereto which do not increase project scope or cost 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 the expenditure of an amount not to exceed \$275,394 from CIP No. 52-479.0, El Camino Real – San Dieguito Road to Via De La Valle, Fund 38728, is authorized for the purpose of executing the Second Amendment to the Agreement with Earth Tech, provided that the City Auditor and Comptroller first furnishes a certificate certifying that funds are available.

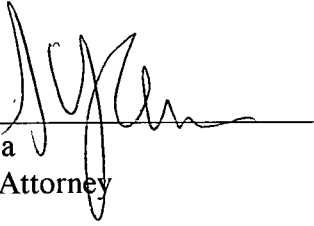
Section 3. That the City Auditor and Comptroller is authorized, upon advice from the Administering Department, to return excess funds, if any, to the appropriate reserves.

Section 4. That a full reading of this ordinance is dispensed with prior to its final passage, a written or printed copy having been available to the City Council and the public a day prior to its final passage.

Section 5. That this ordinance shall take effect and be in force on the thirtieth day from and after its passage.

APPROVED: CASEY GWINN, City Attorney

By



Susan Y. Cola
Deputy City Attorney

SYC:pev
10/04/04
Aud.Cert.:2500341
Or.Dept: E&CP
O-2005-49

The City of San Diego
CERTIFICATE OF CITY AUDITOR AND COMPTROLLER

CERTIFICATE OF UNALLOTTED BALANCE

ORIGINATING

AC 2500341

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: \$727,006.00 Fund: 38728

Purpose: Authorizing the increase to CIP 52-479.0 per the program supplement from the Department of Transportation

Date: October 4, 2004 By: 

AUDITOR AND COMPTROLLER'S DEPARTMENT

ACCOUNTING DATA

ACCTG. LINE	CY PY	FUND	DEPT	ORG.	ACCOUNT	JOB ORDER	OPERATION ACCOUNT	BENF/	EQUIP	FACILITY	AMOUNT
001		38728			9544						\$727,006.00
TOTAL AMOUNT											\$727,006.00

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: \$275,394.00

Vendor: Earth Tech

Purpose: Authorizing the execution of the second ammendment to the contract between Earth Tech and the City of San Diego

Date: October 4, 2004 By: 

AUDITOR AND COMPTROLLER'S DEPARTMENT

ACCOUNTING DATA

ACCTG. LINE	CY PY	FUND	DEPT	ORG.	ACCOUNT	JOB ORDER	OPERATION ACCOUNT	BENF/	EQUIP	FACILITY	AMOUNT
002	0	38728			9544						\$275,394.00
TOTAL AMOUNT											\$275,394.00

FUND OVERRIDE

AC-361 (REV 2-92)

AC 2500341

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