

RESOLUTION NUMBER R- 298846

ADOPTED ON FEB 09 2004

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

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

1. That the City Manager is authorized to approve the plans and specifications for the construction of Lisbon Street from Imperial Avenue to 217 feet E/O 71st Street [Project] and directed to file said plans and specifications in the Office of the City Clerk upon approval.
2. 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 \$1,513,901 for all phases of the work with \$319,300 being from TransNet Funds for Phase One of the contract, \$932,298 being from Underground Surcharge Funds for Phase One of the contract, and \$262,303 being from TransNet Funds for Phase Two of the contract, 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.
3. That the expenditure of an amount not to exceed \$1,075,598 from CIP No. 37-028.0, Undergrounding of City Utilities, Fund 30101, 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 \$746,300 from CIP No. 52-654.0, Lisbon – Imperial Avenue to 217 feet E/O 71st Street (\$683,300 from TransNet funds and \$63,000 from Fund 79509, Skyline/Paradise Hills Development Impact Fees), is authorized solely and exclusively for the purpose of providing \$110,000 for acquisition of property rights, including related City staff labor charges and miscellaneous acquisition costs, and \$636,300 for the purpose of design, inspection, Phase One of 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 Fiscal Year 2004 Capital Improvement Program [CIP] Budget for CIP No. 52-347.0, Division Street from I-5 to 43rd Street, is amended by increasing the budget amount by \$350,000 for Fund 30306.

6. That the City Auditor and Comptroller is authorized to transfer an amount not to exceed \$350,000 from CIP No. 52-347.0, Division Street from I-5 to 43rd Street, Fund 30306, to CIP No. 52-654.0, Lisbon – Imperial Avenue to 217 feet E/O 71st Street.

7. That the appropriation and expenditure of an amount not to exceed \$350,000 from CIP No. 52-654.0, Lisbon – Imperial Avenue to 217 feet E/O 71st Street, TransNet Funds, is authorized solely and exclusively for the purpose of providing funds for inspection, Phase Two 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.

8. That the City Auditor and Comptroller, upon direction of the City Manager, is authorized to reallocate the funding sources for TransNet Funds between TransNet Cash and Commercial Paper funded projects as may be appropriate to maximize the use of TransNet Cash

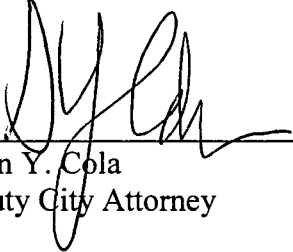
and minimize the use of Commercial Paper funding for CIP No. 52-654.0, Lisbon – Imperial Avenue to 217 feet E/O 71st Street.

9. That the City Auditor and Comptroller is authorized, upon advice from the administering department, to transfer excess budgeted funds, if any, from CIP No. 52-509.0, Jamacha Road Improvements, to CIP No. 52-654.0, Lisbon – Imperial Avenue to 217 feet E/O 71st Street.

10. That, if sufficient funds for the remainder of the Project costs are not authorized by subsequent action and upon direction of the City Manager, the City Auditor and Comptroller is authorized to transfer, appropriate, and expend an amount not to exceed \$50,000 from CIP No. 52-409.0, 43rd Street Widening, to CIP No. 52-654.0, Lisbon – Imperial Avenue to 217 feet E/O 71st Street, TransNet Funds, 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.

APPROVED: CASEY GWINN, City Attorney

By



Susan Y. Cola
Deputy City Attorney

SYC:lc
01/30/04
Or.Dept: E&CP
Aud.Cert.: N/A
R-2004-831