

RESOLUTION NUMBER R- 298872

ADOPTED ON FEB 09 2004

WHEREAS, two water main breaks occurred along Pacific Coast Highway, and another water main break occurred at Caesar Chavez and Harbor Drive, between March and June of 2003 during construction work on nearby sewer lines, requiring emergency services for pollution assessment and repair; and

WHEREAS, due to the urgent nature of the water main breaks regarding potential impact on the health and safety of the public, the City contracted with Foss Environmental Services to perform various emergency repair, cleanup, and environmental testing work such breaks; and

WHEREAS, the contract for services with Foss Environmental was not competitively bid and services were immediately rendered to address the emergency; and

WHEREAS, Foss Environmental has completed the work on such main breaks at an approximate cost of \$1,170,000: and

WHEREAS, the City is pursuing full recovery of all expenses incurred as a result of two of the water main breaks from Cal Southwest Construction and its insurance carrier; and


WHEREAS, to date, the Water Department has paid approximately \$945,000 and an additional amount of \$225,000 has been identified by the Metropolitan Wastewater Department to cover the remaining balance due to Foss Environmental; NOW, THEREFORE,

BE IT RESOLVED, by the Council of the City of San Diego, that the City Manager, or designee, is authorized and empowered to negotiate and execute, for and on behalf of said City, invoices for the completed emergency water main break services provided by Foss Environmental Services.

BE IT FURTHER RESOLVED, that the expenditure of an amount not to exceed \$225,000 from Sewer Fund 41506, Department 776, Job Order 776420, Org. 455, Object Account 4118, is authorized for the purpose of providing funds for payment of the remaining invoices with Foss Environmental Services.

APPROVED: CASEY GWINN, City Attorney

By


John F. Kirk
Deputy City Attorney

JFK:amp
01/29/04
Or.Dept: Water
Aud.Cert.: 2400751
R-2004-833

The City of San Diego
CERTIFICATE OF CITY AUDITOR AND COMPTROLLER

CERTIFICATE OF UNALLOTTED BALANCE

ORIGINATING

AC 2400751

DEPT. NO.: 776

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: _____ Fund: _____

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 ☐

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: \$225,000.00

Vendor: Foss Environmental Services

Purpose: Authorizing the expenditure of funds for completed emergency water main break services.

Date: January 29, 2004 By: *Ann Jones Jantol*

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	41506	776	455	4118	776420				\$225,000.00
TOTAL AMOUNT										\$225,000.00

AC-361 (REV 2-92)

FUND OVERRIDE ☐

AC 2400751

R 298872

FEB 09 2004