

RESOLUTION NUMBER R- 299336

ADOPTED ON JUN 14 2004

WHEREAS, on January 26, 2004, by Resolution Number R-298806, the City Council authorized the award and expenditure of funds for the construction of La Jolla Village Drive – Torrey Pines Road to Villa La Jolla Drive [Project]; and

WHEREAS, the Project was advertised and the apparent lowest responsible and reliable bid for the Project was higher than the Engineer's estimate; and

WHEREAS, the City Manager or designee has determined that re-advertising the Project is unlikely to result in lower bids; and

WHEREAS, additional funds are needed for expenditure on the Project and the City Auditor and Comptroller has furnished Certificate No. 2401149, certifying that the funds are available in the City Treasury for expenditure; NOW, THEREFORE,

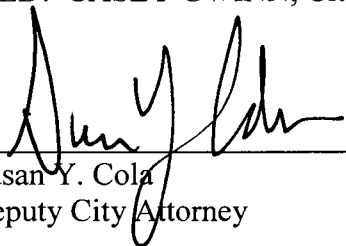
BE IT RESOLVED, by the Council of the City of San Diego, that the contract for the construction of La Jolla Village Drive – Torrey Pines Road to Villa La Jolla Drive, CIP No. 52-452.0, is hereby awarded to FCI Constructors, Inc. [FCI], in the amount of \$5,793,153.00, contingent upon FCI first providing a performance bond and insurance for the Project, in accordance with the bid specifications.

BE IT FURTHER RESOLVED, that the City Auditor and Comptroller is authorized to transfer an amount not to exceed \$700,000 from La Jolla Village Drive/Interstate 805 Interchange, CIP No. 52-485.0, Fund 79001, Facilities Benefit Assessment Fund to La Jolla Village Drive – Torrey Pines Road to Villa La Jolla Drive, CIP No. 52-452.0, Fund 79001, Facilities Benefit Assessment Fund.

BE IT FURTHER RESOLVED, that the appropriation and expenditure of \$700,000 for La Jolla Village Drive – Torrey Pines Road to Villa La Jolla Drive, CIP No. 52-452.0, Fund 79001, Facilities Benefit Assessment Fund is authorized exclusively for the purpose of construction of the above Project.

BE IT FURTHER RESOLVED, that the City Manager is authorized to replenish the transferred funds of \$700,000 to CIP No. 52-485.0, La Jolla Village Drive/Interstate 805 Interchange, Fund 79001, Facilities Benefit Assessment Fund when the Fiscal Year 2005 North University City Facilities Financing Plan and Fiscal Year 2005 Capital Improvements Program budget are approved.

APPROVED: CASEY GWINN, City Attorney

By  \_\_\_\_\_  
Susan Y. Cola  
Deputy City Attorney

SYC:sc  
06/07/04  
Aud.Cert.2401149  
Or.Dept: E&CP  
R-2004-1353

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

**CERTIFICATE OF UNALLOTTED BALANCE**

AC 2401149

ORIGINATING

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: \_\_\_\_\_ Fund: \_\_\_\_\_

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

Date: June 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
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.

Amount: \$5,793,153.00

Vendor: FCI Constructors

Purpose: To authorize the expenditure of funds for the purpose of entering into a construction contract for the completion of the La Jolla Village Dr. - Torrey Pines Road to Villa La Jolla Drive. Also authorizing the transfer of funds from CIP 524850, La Jolla Village Drive / I-805 Interchange to CIP 524850 for the purpose of funding the construction contract.

Date: June 4, 2004 By: *MS* *Carlyn McGriff*

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	30244	30244	107	4279	524850		79001		\$700,000.00
2	0	30244	30244	107	4279	524520		79001		\$5,093,153.00
TOTAL AMOUNT										\$5,793,153.00

FUND OVERRIDE

AC 2401149

*R*- 299336

JUN 14 2004