

RESOLUTION NUMBER R- 299472

ADOPTED ON JUL 26 2004

A RESOLUTION AUTHORIZING ESTABLISHMENT OF
PHASE FUNDING, AWARD OF PUBLIC WORKS
CONTRACT, AND ADDITIONAL EXPENDITURE OF FUNDS;
AND TAKING RELATED ACTIONS

WHEREAS, on November 12, 2002, by Resolution Number R-297261, the City Council approved the Environmental Impact Report for Black Mountain Ranch Recycled Water Storage Tank [Project]; and

WHEREAS, on August 4, 2003, by Resolution Number R-298279, the City Council authorized the award and expenditure of funds for the construction of the 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; NOW,
THEREFORE,

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

1. That the City Manager is authorized to establish contract funding phases and to award the Project contract to Orion Construction Corporation in an amount not to exceed \$3,343,245, 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.

2. That the City Manager is authorized to execute funding phase 1 of the construction contract with Orion Construction Corporation in the amount of \$1,900,000.

3. That the additional expenditure of an amount not to exceed \$1,198,163 for construction and related costs as follows: \$1,131,001 from Water Fund 41500, CIP No. 70-954.0 (Black Mountain Ranch RW Storage Tank) and \$67,162 from Water Fund 41500, CIP No. 70-942.0, Annual Allocation—Pooled Contingency, 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 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


John F. Kirk
Deputy City Attorney

JFK:amp
07/14/2004
7/16/04 COR.COPY
Aud. Cert.: AC2500032
Or.Dept: Water Dept.
R-2005-95

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

CERTIFICATE OF UNALLOTTED BALANCE

ORIGINATING

AC 2500032

DEPT. NO.: 760

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: \$513,400.00 Fund: 41500

Purpose: Authorizing the additional expenditure for construction and related costs. (CIP 709540)

Date: July 13, 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	0	41500	760	391040	4114	186801				\$513,400.00
TOTAL AMOUNT										\$513,400.00

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: \$1,900,000.00

Vendor: Orion Construction, Corp

Purpose: Authorizing the expenditure of funds for the Black Mountain Ranch Recycled Water Storage Tank. (CIP 709540)

Date: July 13, 2004 By: Mark Elliott

AUDITOR AND COMPTROLLER'S DEPARTMENT

ACCOUNTING DATA										
ACCTG. LINE	CY PY	FUND	DEPT	ORG.	ACCOUNT	JOB ORDER	OPERATION ACCOUNT	BENF/ EQUIP	FACILITY	AMOUNT
001	0	41500	760	391040	4220	186804				\$1,900,000.00
TOTAL AMOUNT										\$2,413,400.00

FUND OVERRIDE

AC-361 (REV 2-92)

AC 2500032

R- 299472

JUL 26 2004