

RESOLUTION NUMBER R- 299738

ADOPTED ON OCT 11 2004

A RESOLUTION AUTHORIZING AWARD OF PUBLIC WORKS CONTRACT AND ADDITIONAL EXPENDITURE OF FUNDS; AND TAKING RELATED ACTIONS PERTAINING TO MISSION BAY BOAT LAUNCHING FACILITIES UPGRADE PROJECT.

WHEREAS, on June 7, 2004, by Resolution Number R- 299286, the City Council authorized the award and expenditure of funds for the construction of Mission Bay Boat Launching Facilities Upgrade [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

WHEREAS, the State of California [SOC] awards grants to local public agencies for the construction, development, improvement, restoration, and enhancement of boat launching facilities [Grant Program]; and

WHEREAS, the City desires to apply for a grant pursuant to the Grant Program [Grant] to provide for construction of 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 award the Project contract to Reyes Construction, Inc., in an amount not to exceed \$3,322,000, provided that the City Auditor and

Comptroller first furnishes one or more certificates certifying that the funds necessary for expenditure are, or will be, on deposit with the City Treasurer.

2. That the City Manager or his representative is authorized to apply to the SOC for the Grant in the amount of \$245,437 in Roberti-Z'berg-Harris Per Capita funds under the California Clean Water, Clean Air, Safe Neighborhood Parks, and Coastal Protection Act of 2002.

3. That the City Manager or his representative is authorized to take all necessary actions to secure the Grant and to negotiate and execute all agreements necessary to comply with the SOC's grant requirements.

4. That the City Manager is authorized to accept the Grant if it is secured.

5. That the City Auditor and Comptroller is authorized to establish a special interest-bearing fund for the Grant.

6. That the City Auditor and Comptroller is authorized to transfer \$160,000 from CIP No. 22-948.0, Santa Clara Recreation Center, to CIP No. 22-953.0, Mission Bay Boat Launching Facilities Upgrade, Fund No. 38103, for the Project.

7. That the City Auditor and Comptroller is authorized to increase by \$50,000 the Fiscal Year 2005 Capital Improvement Program Budget, CIP No. 22-953.0, Mission Bay Boat Launching Facilities Upgrade, Fund No. 10507, Sludge Mitigation Fund, for the Project.

8. That the City Auditor and Comptroller is authorized to appropriate and expend an amount not to exceed \$50,000 from CIP No. 22-953.0, Mission Bay Boat Launching Facilities Upgrade, Fund No. 10507, Sludge Mitigation Fund, for the Project.

9. That the City Auditor and Comptroller is authorized to transfer \$300,000 from CIP No. 22-958.0, Mission Bay-Fiesta Island Access Road, Fund No. 10507, Sludge Mitigation

Fund, to CIP No. 22-953.0, Mission Bay Boat Launching Facilities Upgrade, Fund No. 10507, Sludge Mitigation Fund, for the Project.

10. That upon receipt of a fully executed grant agreement, a \$245,437 increase is authorized in the Fiscal Year 2005 Capital Improvements Program Budget in CIP No. 22-953.0, Mission Bay Boat Launching Facilities Upgrade, 2002 Resources Bond Per Capita funding.

11. That the City Auditor and Comptroller is authorized to appropriate and expend \$245,437 from CIP 22-953.0, Mission Bay Boat Launching Facilities Upgrade, 2002 Resources Bond per Capita funding, for the Project, contingent upon receipt of a fully executed grant agreement.

12. That the City Auditor and Comptroller, upon advice from the administering department, is authorized to transfer excess funds, if any, to the appropriate reserves.

APPROVED: CASEY GWINN, City Attorney

By Shannon M. Thomas
Shannon M. Thomas
Deputy City Attorney

SMT:cdk
09/21/04
Or.Dept:P&R
A/C #2500300
R-2005-334

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

CERTIFICATE OF UNALLOTTED BALANCE

AC 2500300

ORIGINATING

DEPT. NO.:

443

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: \$3,322,000.00

Vendor: Reyes Construction, Inc.

Purpose: Authorizing the expenditure of funds for the Mission Bay Launching Facilities Upgrade project.

Date: September 27, 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
1	0		30244	104	4279	229480		38103		\$160,000.00
2	0	10507		9544						50,000.00
3	0		30244	104	4279	229580		10507		300,000.00
4	0		30244	107	4279	229530				2,812,000.00
TOTAL AMOUNT										\$3,322,000.00

AC-361 (REV 2-92)

FUND OVERRIDE

AC 2500300

OCT 11 2004

R 299738