(R-2005-1111)

COLLITION MILIMIDED D	30043

MAY 16 2005

ADOPTED ON

A RESOLUTION OF THE COUNCIL OF THE CITY OF SAN DIEGO AUTHORIZING THE CITY MANAGER TO EXECUTE THE FIFTH AMENDMENT TO THE AGREEMENT WITH LUTH AND TURLEY, INC., PERTAINING TO REPLACEMENT CONSTRUCTION FOR THE IRVING SOLOMON ACTIVITY CENTER.

BE IT RESOLVED, by the Council of the City of San Diego, that the City Manager is authorized and empowered to execute, for and on behalf of said City, a Fifth Amendment to Agreement with Luth and Turley, Inc., for the purpose of replacement construction of the Irving Solomon Activity Center, in the amount of \$589,210, under the terms and conditions set forth in the Agreement on file in the office of the City Clerk as Document No. RR-

BE IT FURTHER RESOLVED, that the expenditure of an amount not to exceed \$589,210 from the following sources: Fund No. 10155, Dept. No. 10155, OA No. 4222, and JO No. 010155, San Ysidro Community Center (\$79,123); Fund No. 10220, TOT, Dept. No. 924, Org No. 3013, OA No. 4222, and JO No. 003013 (\$124,385); Fund No. 100, P&R/Community Parks II, Dept. No. 444, Org. No. 2003, OA No. 4222, and JO No. 447223 (\$24,987); and Fund No. 81140, Public Liability Reserve, Dept. No. 81140, OA No. 4222, and JO No. 082240 (\$360,715), is authorized for the purpose of executing this Fifth Amendment to Agreement.

APPROVED: MICHAEL J. AGUIRRE, City Attorney

Shannon M. Thomas

Deputy City Attorney

SMT:als 04/27/05

Or. Dept: Park & Rec.

Aud.Cert:2500907

R-2005-1111

MMS#1863

The City of San Diego CERTIFICATE OF CITY AUDITOR AND COMPTROLLER

CERTIFICATE OF UNALLOTTED BALANCE

2500907 AC

	HEREB e in the	Treasury,	or is anticipa	ated to com	ie into the Tre	asury, and is.	J	nanottou.		
Amount	t:						Fund:			
Purpose	e: _								1	
					· · · · · · · · · · · · · · · · · · ·				`	
Date:						By:			·	
								AUDITOR AND	COMPTROLLER'	S DEPARTMENT
ACCTG.	Т Т				AC	COUNTING DATA	OPERATION	1	T	
LINE	CY PY	FUND	DEPT	ORG.	ACCOUNT	JOB ORDER	ACCOUNT	BENF/ EQUIP	FACILITY	AMOUNT
-	 								<u> </u>	
Bi -	† †								· ·	
			,				<u> </u>			
				•				TOTAL	AMOUNT	
										FUND OVERRIDE
attached further of for the p	t resolu ertify, i purpose	ition, can b n conformit e of said c	e incurred water that the reconstruct, the	vithout the vequirement equirement at sufficient	violation of an s of the Chart moneys to n	y of the provis ter of the City neet the oblig	sions of the of San Dieg pations of s	Charter of the go, that suffice aid contract	e City of Sar ent moneys are actually	n Diego; and I do hereby have been appropriated in the Treasury, or are
attached further of for the panticipate now acted otherwise	d resolutertify, in purpose ted to dually in the unen	ition, can b n conformit e of said c come into t	e incurred waty with the recontract, that he Treasury ury, togethe	vithout the vequirement at sufficient and the creer with the	violation of an is of the Chart moneys to n edit of the app moneys antic	y of the provis ter of the City neet the oblig propriation from	sions of the of San Dieg pations of s n which the	Charter of the go, that sufficient aid contract as same are to	e City of Sar ent moneys are actually be drawn,	authorized by the hereton Diego; and I do hereby have been appropriated in the Treasury, or are and that the said money f said appropriation, are
attached further of for the panticipate now acterios	d resolutertify, in purpose ted to dually in the unen	ition, can b n conformit e of said c come into th the Treas	e incurred waty with the recontract, that he Treasury ury, togethe	vithout the vequirement at sufficient and the creer with the	violation of an is of the Chart moneys to nedit of the app	y of the provis ter of the City neet the oblig propriation from	sions of the of San Dieg pations of s n which the	Charter of the go, that sufficient aid contract as same are to	e City of Sar ent moneys are actually be drawn,	n Diego; and I do hereby have been appropriated in the Treasury, or are and that the said money
attached further of for the panticipate now act otherwise Not to E	d resoluterify, in purpose ted to country in the co	ition, can b n conformit e of said c come into th the Treas	e incurred with with the recontract, that he Treasury tury, togethe	vithout the vequirement at sufficient or, to the creer with the	violation of an is of the Chart moneys to n edit of the app moneys antic	y of the provis ter of the City neet the oblig propriation from	sions of the of San Dieg pations of s n which the	Charter of the go, that sufficient aid contract as same are to	e City of Sar ent moneys are actually be drawn,	n Diego; and I do hereby have been appropriated in the Treasury, or are and that the said money
attached further of for the participat now act otherwis Not to E	d resoluterify, in purpose ted to country in the unen te unen	etion, can be necessary conformite of said come into the the Treas cumbered. Luth and Tue	e incurred with the recontract, that he Treasury sury, togethe	vithout the viequirement it sufficient in, to the creer with the	violation of and so of the Chart moneys to medit of the approperation of the solution of the s	y of the provision of the City neet the obligoropriation from cipated to continue to the original to the origi	sions of the of San Diegrations of s m which the ne into the	Charter of the go, that suffice aid contract a same are to Treasury, to	e City of Sai ent moneys are actually be drawn, the credit o	n Diego; and I do hereby have been appropriated in the Treasury, or are and that the said money
attached further of for the participal now act otherwis Not to E	d resoluterify, in purpose ted to country in the unen te unen	etion, can be necessary conformite of said come into the the Treas cumbered. Luth and Tue	e incurred with the recontract, that he Treasury sury, togethe	vithout the viequirement it sufficient in, to the creer with the	violation of and so of the Chart moneys to medit of the approperation of the solution of the s	y of the provision of the City neet the obligoropriation from cipated to con	sions of the of San Diegrations of s m which the ne into the	Charter of the go, that suffice aid contract a same are to Treasury, to	e City of Sai ent moneys are actually be drawn, the credit o	n Diego; and I do hereby have been appropriated in the Treasury, or are and that the said money f said appropriation, are
attached further of for the participal now act otherwis Not to E	d resoluterify, in purpose ted to country in the unen te unen	etion, can be necessary conformite of said come into the the Treas cumbered. Luth and Tue	e incurred with the recontract, that he Treasury sury, togethe	vithout the viequirement it sufficient in, to the creer with the	violation of and so of the Chart moneys to medit of the approperation of the solution of the s	y of the provision of the City neet the obligoropriation from cipated to continue to the original to the origi	sions of the of San Diegrations of s m which the ne into the	Charter of the go, that suffice aid contract a same are to Treasury, to	e City of Sai ent moneys are actually be drawn, the credit o	n Diego; and I do hereby have been appropriated in the Treasury, or are and that the said money f said appropriation, are
attached further of for the panticipate now act otherwis Not to E Vendor:	d resoluterify, in purpose ted to country in the unen te unen	etion, can be necessary conformite of said come into the the Treas cumbered. Luth and Tue	e incurred waty with the recontract, that he Treasury togethe urley, Inc. the expendent construction	vithout the viequirement it sufficient in, to the creer with the	violation of and so of the Chart moneys to medit of the approperation of the solution of the s	y of the provision of the City neet the obligoropriation from cipated to continue to the original to the origi	sions of the of San Dieg pations of some which the ne into the original agree er.	Charter of the go, that suffice aid contract the same are to the Treasury, to the ment with Luter and the Luter an	e City of Sai ent moneys are actually be drawn, the credit o	n Diego; and I do hereby have been appropriated in the Treasury, or are and that the said money f said appropriation, are
attached further of for the panticipate now act otherwis Not to E Vendor:	d resoluterify, in purpose ted to country in the unen te unen	etion, can be necessary conformite of said come into the the Treas cumbered. Luth and Tue	e incurred waty with the recontract, that he Treasury togethe urley, Inc. the expendent construction	vithout the sequirement it sufficient if, to the creer with the ser with the state on of the In	violation of and so of the Chart moneys to medit of the approperation of	ny of the provision of the City neet the obligoropriation from the construction of the	sions of the of San Dieg pations of some which the ne into the original agree er.	Charter of the go, that suffice aid contract the same are to the Treasury, to the ment with Luter and the Luter an	e City of Sai ent moneys are actually be drawn, the credit o	n Diego; and I do hereby have been appropriated in the Treasury, or are and that the said money f said appropriation, are
attached further of for the participal anticipal now act otherwise. Not to E Vendor: Purpose Date:	d resoluterify, in purpose ted to country in the unen te unen	etion, can be necessarily conformite of said come into the the Treas cumbered. Luth and Tue	e incurred waty with the recontract, that he Treasury sury, together urley, Inc. the expendent construction	vithout the sequirement it sufficient if, to the creer with the ser with the state on of the In	violation of and so of the Chart moneys to medit of the approperation of	ny of the provisiter of the City neet the oblig propriation from propriation from propriated to con ment to the ori Activity Center	sions of the of San Dieg pations of s m which the ne into the ginal agree er.	Charter of the go, that suffice aid contract the same are to the Treasury, to the ment with Luter and the Luter an	e City of Sai ent moneys are actually be drawn, the credit o	n Diego; and I do hereby have been appropriated in the Treasury, or are and that the said money f said appropriation, are
attached further of for the panticipal anticipal now act otherwise Not to E Vendor: Purpose Date: ACCTG. LINE	d resoluterity, in purpose ted to coually in the unen exceed:	etion, can be necessarily conformite of said conformite the Treas cumbered. Luth and Tue Authorizing replacement	e incurred waty with the recontract, that he Treasury togethe curley, Inc. the expendant construction April 1	vithout the sequirement it sufficient if, to the creer with the ser with the state on of the In	violation of and so of the Chart moneys to medit of the appropriate moneys antice 589,210.00 Fifth amendrying Solomon ACCOUNT	ment to the ori Activity Cente By: COUNTING DATA JOB ORDER	sions of the of San Dieg pations of some which the ne into the original agree er.	Charter of the go, that suffice aid contract the same are to the Treasury, to the ment with Luter and the Luter an	e City of Sai ent moneys are actually be drawn, the credit o	n Diego; and I do hereby have been appropriated in the Treasury, or are and that the said money f said appropriation, are y, Inc. for the purpose of S DEPARTMENT
attached further of for the panticipal anticipal now act otherwise Not to E Vendor: Purpose Date: ACCTG. LINE 001	d resoluterify, in purpose ted to cually in the unen exceed: L	etion, can be no conformition of said come into the the Treas cumbered. Luth and Tue Authorizing replacements FUND 10155	e incurred waty with the recontract, that he Treasury togethe curley, Inc. the expendant construction April 1	without the sequirement sufficient r, to the creer with the structure for the con of the Inc.	violation of and so of the Chart moneys to medit of the appropriate moneys antice 589,210.00 Fifth amendrying Solomon ACCOUNT 4222	ment to the ori Activity Cente By: COUNTING DATA JOB ORDER 010155	sions of the of San Dieg pations of s m which the ne into the ginal agree er.	Charter of the go, that suffice aid contract as same are to the same are to the same with Luter auditor and the same are to th	e City of Sai ent moneys are actually be drawn, the credit o	n Diego; and I do hereby have been appropriated in the Treasury, or are and that the said money f said appropriation, are y, Inc. for the purpose of S DEPARTMENT AMOUNT \$79,123.00
attached further of for the panticipal anticipal now act otherwise. Not to E Vendor: Purpose ACCTG. LINE 001 002	d resoluterity, in purpose ted to cually in se unen xceed: L r r r r r r r r r	etion, can be no conformitie of said come into the the Treas cumbered. Luth and Tue Authorizing eplacement 10155 10220	e incurred waty with the recontract, that he Treasury sury, together with the expendent construction April 1 DEPT 10155 924	vithout the sequirement it sufficient if, to the creer with the structure for the con of the Inc.	violation of and so of the Chart moneys to medit of the appropriate moneys antice of the solution of the solut	ment to the orientation of the consideration from the consideration	sions of the of San Dieg pations of s m which the ne into the ginal agree er.	Charter of the go, that suffice aid contract as same are to the same are to the same with Luter auditor and the same are to th	e City of Sai ent moneys are actually be drawn, the credit o	n Diego; and I do hereby have been appropriated in the Treasury, or are and that the said money f said appropriation, are said appropriation, are y, Inc. for the purpose of S DEPARTMENT AMOUNT \$79,123.00 124,385.00
attached further of for the panticipal anticipal now act otherwise Not to E Vendor: Purpose Date: ACCTG. LINE 001	d resoluterify, in purpose ted to cually in the unen exceed: L	etion, can be no conformition of said come into the the Treas cumbered. Luth and Tue Authorizing replacements FUND 10155	e incurred waty with the recontract, that he Treasury togethe curley, Inc. the expendant construction April 1	without the sequirement sufficient r, to the creer with the structure for the con of the Inc.	violation of and so of the Chart moneys to medit of the appropriate moneys antice of the appropriate of the	ment to the ori Activity Center COUNTING DATA JOB ORDER 010155 003013 082240	sions of the of San Dieg pations of s m which the ne into the ginal agree er.	Charter of the go, that suffice aid contract as same are to the same are to the same with Luter auditor and the same are to th	e City of Sai ent moneys are actually be drawn, the credit o	n Diego; and I do hereby have been appropriated in the Treasury, or are and that the said money f said appropriation, are said appropriation, are specified by Inc. for the purpose of Speaktment AMOUNT \$79,123.00 124,385.00 360,715.00
attached further of for the panticipal anticipal now act otherwise Not to E Vendor: Purpose ACCTG. LINE 001 002 003	d resoluterity, in purpose ted to cually in se unen xceed: L CY PY 0 0 0	etion, can be no conformitie of said of come into the the Treas cumbered. Luth and Tunch and Tu	e incurred water with the recontract, that he Treasury sury, together with the expendent construction. April 1 DEPT 10155 924 82240	vithout the sequirement it sufficient it, to the creer with the ser wi	violation of and so of the Chart moneys to medit of the appropriate moneys antice of the solution of the solut	ment to the orientation of the consideration from the consideration	sions of the of San Dieg pations of s m which the ne into the ginal agree er.	Charter of the go, that suffice aid contract as same are to the same are to the same with Luter auditor and the same are to th	e City of Sai ent moneys are actually be drawn, the credit o	n Diego; and I do hereby have been appropriated in the Treasury, or are and that the said money f said appropriation, are said appropriation, are y, Inc. for the purpose of S DEPARTMENT AMOUNT \$79,123.00 124,385.00
attached further of for the panticipal now act otherwise Not to E Vendor: Purpose Date: ACCTG. LINE 001 002 003 004	d resoluterify, in purpose ted to country in the unented ted ted ted ted ted ted ted ted ted	etion, can be no conformitie of said of come into the the Treas cumbered. Luth and Tunch and Tu	e incurred water with the recontract, that he Treasury sury, together with the expendent construction. April 1 DEPT 10155 924 82240	vithout the sequirement it sufficient it, to the creer with the ser wi	violation of and so of the Chart moneys to medit of the appropriate moneys antice of the appropriate of the	ment to the ori Activity Center COUNTING DATA JOB ORDER 010155 003013 082240	sions of the of San Dieg pations of s m which the ne into the ginal agree er.	Charter of the go, that suffice aid contract as same are to the same are to th	e City of Sai ent moneys are actually be drawn, the credit o	n Diego; and I do hereby have been appropriated in the Treasury, or are and that the said money f said appropriation, are said appropriation, are specified by Inc. for the purpose of Speaktment AMOUNT \$79,123.00 124,385.00 360,715.00
attached further of for the panticipal now act otherwise Not to E Vendor: Purpose ACCTG. LINE 001 002 003	d resoluterify, in purpose ted to country in the unented ted ted ted ted ted ted ted ted ted	etion, can be no conformitie of said of come into the the Treas cumbered. Luth and Tunch and Tu	e incurred water with the recontract, that he Treasury sury, together with the expendent construction. April 1 DEPT 10155 924 82240	vithout the sequirement it sufficient it, to the creer with the ser wi	violation of and so of the Chart moneys to medit of the appropriate moneys antice of the appropriate of the	ment to the ori Activity Center COUNTING DATA JOB ORDER 010155 003013 082240	sions of the of San Dieg pations of s m which the ne into the ginal agree er.	Charter of the go, that suffice aid contract as same are to the same are to th	e City of Sai ent moneys are actually be drawn, the credit o	n Diego; and I do hereby have been appropriated in the Treasury, or are and that the said money f said appropriation, are said