

RESOLUTION NUMBER R- 300433

ADOPTED ON MAY 16 2005

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- 300433.

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

By Shannon M. Thomas
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

AC 2500907

ORIGINATING

DEPT. NO.: 444

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: \$589,210.00

Vendor: Luth and Turley, Inc.

Purpose: Authorizing the expenditure for the Fifth amendment to the original agreement with Luth and Turley, Inc. for the purpose of replacement construction of the Irving Solomon Activity Center.

Date: April 12, 2005 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	10155	10155		4222	010155				\$79,123.00
002	0	10220	924	3013	4222	003013				124,385.00
003	0	81140	82240		4222	082240				360,715.00
004	0	100	444	2003	4222	447223				24,987.00
TOTAL AMOUNT										\$589,210.00

FUND OVERRIDE

AC-361 (REV 2-92)

AC 2500907

R - 300433

MAY 16 2005