

#103
10/31/05

(R-2006-343 REV.)

RESOLUTION NUMBER R- 300992

ADOPTED ON OCT 31 2005

WHEREAS, on May 20, 2003 the City of San Diego [the City] approved a Consultant Agreement with Martinez + Cutri, which is on file with the City Clerk as Document R-297961, for the design of the Logan Heights Branch Library [the Project]; and

WHEREAS, additional Professional design services are needed, which include value engineering and revisions to the construction documents; and

WHEREAS, the Council of the City of San Diego [the Council] previously limited the amount of money to be used from Fund 102216 for the Library System Improvement Program to \$16,904,138 (R-297353); and

WHEREAS, an additional \$2,700,000 is available in Fund 102216, the Library System Improvement Fund; and

WHEREAS, the City of San Diego re-affirms the findings and declarations in Resolution R-297355, adopted November 18, 2002, to establish the City's intent to reimburse itself for the additional expenditure of \$2,700,000 with proceeds of indebtedness, with the understanding that this statement is not binding but is made solely for the purpose of establishing compliance with the requirements of Section 1.150-2 of the US Treasury Regulation(s); NOW THEREFORE

BE IT RESOLVED, that the City Auditor and Comptroller is authorized to appropriate and expend an amount not to exceed \$2,700,000 from Fund 102216 Library System Improvement Fund, increasing the amount authorized for interim Capital Improvement Program expenses related to the Library System Improvement Program, from \$16,904,138 to \$19,604,138.

BE IT FURTHER RESOLVED, that an increase of \$2,700,000 is authorized in the Fiscal Year 2006 Capital Improvements Program Budget in CIP No. 35-101.0, Logan Heights Branch Library.

BE IT FURTHER RESOLVED, by the Council of the City of San Diego, that the appropriation of \$2,700,000 from Fund No. 102216, Library System Improvement Fund, to CIP No. 35-101.0, Logan Heights Branch Library [the Project] is authorized.

BE IT FURTHER RESOLVED, that the City Manager, is authorized to execute for and on behalf of the City, a First Amendment to the Agreement with Martinez + Cutri Corporation for additional professional design services for the Project, in an amount not to exceed \$100,000.

BE IT FURTHER RESOLVED, that the City Engineer or his designee is authorized to approve the plans and specifications for the construction of the Project as will be advertised by Contract Services.

BE IT FURTHER RESOLVED, that the City Auditor and Comptroller is authorized to expend an amount not to exceed \$8,209,724 from CIP 35-101.0, Logan Heights Branch Library, for the purpose of Project design and construction, contingent upon the Auditor and Comptroller first certifying that funds are available.

BE IT FURTHER RESOLVED, that the City Manager is authorized to award a construction contract for the Project to the lowest responsible and reliable bidder, contingent upon the Auditor and Comptroller first certifying that funds are available for the purpose of project construction.

BE IT FURTHER RESOLVED, that the City Auditor and Comptroller is authorized upon advice from the administering department, to transfer excess funds, if any, to the appropriate reserves.

BE IT FURTHER RESOLVED, that the prior Environmental Document (LDR No. 42-0267) adequately addressed this activity as part of the previously approved project, and the activity is not a separate project for purposes of California Environmental Quality Act (CEQA) review per CEQA guidelines Section 15060(c)(3) and for purposes of National Environmental Policy Act (NEPA) review per Federal guidelines 24 C.F.R. 58.34(a)(2) and (a)(3).

APPROVED: MICHAEL J. AGUIRRE, City Attorney

Agreement with Martinez & Cutri Corp.

By



Christina L. Bellows
Deputy City Attorney

on file in the Office of the City
Clerk as Document No. RR-300992.

CLB:sc
10/19/05
10/27/05 REV.
Aud.Cert.: 2600316
Or.Dept: E&CP
R-2006-343

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

CERTIFICATE OF UNALLOTTED BALANCE

AC 2600316

ORIGINATING

DEPT. NO.: 545

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: \$2,700,000.00 102216

Purpose: Authorizing the appropriation and expenditure of \$2,700,000 into CIP 351010 from the Library System Improvement Fund.

Date: October 19, 2005

By: *Neatherbeagan*
AUDITOR AND COMPTROLLER'S DEPARTMENT

ACCOUNTING DATA

ACCTG. LINE	CY PY	FUND	DEPT	ORG.	ACCOUNT	JOB ORDER	OPERATION ACCOUNT	BENF/ EQUIP	FACILITY	AMOUNT
01	0	102216			9544					\$2,700,000.00
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: _____

Vendor: _____

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

AC-361 (REV 2-92)

FUND OVERRIDE

AC 2600316

R- 300992

OCT 31 2005