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(O-2006-114)

5/16/06

ORDINANCE NUMBER O- 19492 (NEW SERIES)

DATE OF FINAL PASSAGE MAY 17 2006

ORDINANCE TO EXECUTE THIRD AMENDMENT TO AGREEMENT WITH DANIEL BOYLE ENGINEERING INC. FOR COASTAL LOW FLOW STORM DRAIN DIVERSION PROJECT

WHEREAS, the City of San Diego [City] and Daniel Boyle Engineering Inc. [Consultant] entered into an agreement for professional civil engineering design services for Phase III of the Coastal Sewer Spill/Low Flow Storm Drain Diversion project on October 28, 1999 [Agreement], which is on file in the Office of the City Clerk as Document No. C-09661; and

WHEREAS, City and Consultant desire to execute a third amendment to the agreement for additional engineering services; and

WHEREAS, the third amendment will extend the agreement beyond five years' duration, thereby requiring Council approval via ordinance; and

WHEREAS, this activity is exempt from the California Environmental Quality Act [CEQA] pursuant to State CEQA Guidelines section 15262; NOW, THEREFORE,

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

Section 1. That the Mayor is authorized to execute the third amendment to the Agreement with Daniel Boyle Engineering, Inc. for additional professional services, as set forth in Exhibit A-3 to the third amendment to the Agreement, which is on file in the Office of the City Clerk as Document No. 00- 19492, for an amount not to exceed \$35,918.

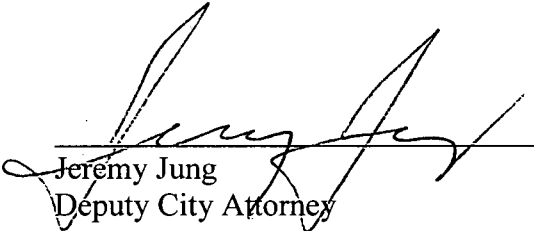
Section 2. That the City Auditor and Comptroller is authorized to appropriate and expend an amount not to exceed \$35,918 from CIP No. 12-124.0, Coastal Low Flow Storm Drain Diversion, for the purpose of executing the third amendment to the Agreement.

Section 3. That the City Auditor and Comptroller, upon advice from the administering department, is authorized to transfer excess funds if any to the appropriate reserves.

Section 4. That a full reading of this ordinance is dispensed with prior to its final passage, a written or printed copy having been available to the City Council and the public a day prior to its final passage.

Section 5. That this ordinance shall take effect and be in force on the thirtieth day from and after its passage.

APPROVED: MICHAEL J. AGUIRRE, City Attorney

By   
Jeremy Jung  
Deputy City Attorney

JAJ:cla  
4/03/2006  
Aud.Cert.:2600684  
Or.Dept:E&CP  
O-2006-114

I hereby certify that the foregoing Ordinance was passed by the Council of the City of San Diego, at its meeting of MAY 16 2006.

ELIZABETH S. MALAND  
City Clerk

By   
Deputy City Clerk

Approved: 5-17-06  
(date)

  
JERRY SANDERS, Mayor

Vetoed: \_\_\_\_\_  
(date)

\_\_\_\_\_  
JERRY SANDERS, Mayor

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

**CERTIFICATE OF UNALLOTTED BALANCE**

ORIGINATING

AC 2600684

DEPT. NO.: 547

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.

Amount: \$35,918.00

Vendor: Daniel Boyle Engineering Inc.

Purpose: Authorizing the expenditures of funds for 3rd Agreement Amendment from CIP 121240 - Coastal Low Flow Storm Drain Diversion Projects, Fund 10525.

Date: March 23, 2006 By: Marilyn Nguyen

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.	30244	30244	102	4279	121240		10525			\$35,918.00
TOTAL AMOUNT											\$35,918.00

AC-361 (REV 2-92)

FUND OVERRIDE

0-19492

MAY 16 2006

AC 2600684