

101

02 11/14/06
(R-2007-80)

RESOLUTION NUMBER R- 302047
DATE OF FINAL PASSAGE NOV 22 2006

RESOLUTION OF THE CITY OF SAN DIEGO AWARDING THE LOW BID OF 3-D ENTERPRISES; TRANSFERRING AND EXPENDING FUNDS; AND FINDING NO NEW ENVIRONMENTAL IMPACT; IN CONNECTION WITH THE SOUTH CHOLLAS LANDFILL SLOPE MODIFICATION PROJECT.

WHEREAS, on November 28, 2005, the Council approved the plans and specifications and advertisement for the South Chollas Landfill Slope Modification Project, which will stabilize the landfill slopes along Highway 94 and replace deteriorated drainage pipes [Project]; and

WHEREAS, 3-D Enterprises was the lowest responsible bidder for the project; NOW, THEREFORE,

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

1. That the Mayor or his designee is authorized to award a construction contract to and to execute a construction contract with 3-D Enterprises, the lowest responsible and reliable bidder, for the Project in the amount of \$2,459,812.
2. That the City Auditor and Comptroller is authorized to transfer the amount of \$682,302 within Refuse Disposal Enterprise Fund No. 41201, from CIP 32-010.0, Unclassified Disposal Site Closure Fund, to CIP 32-020.0, South Chollas Landfill Improvements.
3. That the expenditure of an amount not to exceed \$1,461,202 from Fund 41201, CIP 32-020.0, South Chollas Landfill Improvements, is hereby authorized, solely and exclusively to provide funds for construction, contingency and related costs for the Project, the expenditure of an amount not to exceed \$1,900,500 having been previously authorized by Resolution R-301068 adopted on November 28, 2005, for a total not to exceed Project cost of \$3,361,702.

4. That this activity is not a separate project under the California Environmental Quality Act Guidelines sections 15060(c)(3) and 15378(c) because this activity is a subsequent discretionary approval of the Project adequately addressed in Negative Declaration LDR File No. 42-0126, which was reviewed, considered, and certified by the City Council per Resolution R-301069, adopted on November 28, 2005, and this subsequent discretionary approval does not involve any change in circumstance, additional information, or project change which warrants additional environmental review.

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

APPROVED: MICHAEL J. AGUIRRE, City Attorney

By Grace C. Lowenberg
Grace C. Lowenberg
Deputy City Attorney

GCL:mb:amp
10/10/06
Aud.Cert:2700241
Or.Dept:ESD
R-2007-80

I hereby certify that the foregoing resolution was passed by the Council of the City of San Diego, at its meeting of NOV 14 2006.

ELIZABETH S. MALAND, City Clerk

By Elizabeth S. Maland
Deputy City Clerk

Approved: 11-22-06
(date)

Jerry Sanders
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 2700241
DEPT. _____
NO.: 7521

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: \$682,302.00 Fund: 41201

Purpose: To authorize the transfer of funds from CIP 32-010.0, Unclassified Disposal/Burn Site Closures, to CIP 32-020.0, South Chollas Landfill Improvements.

Date: October 4, 2006 By: Debra Oestreich
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	30244	113	4278	320100					\$682,302.00
TOTAL AMOUNT											\$682,302.00

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: \$2,459,812.00

Vendor: 3-D Enterprises

Purpose: To authorize the expenditure of funds for the construction of the South Chollas Landfill Slope Modification Project.

Date: October 4, 2006 By: Debra Oestreich
AUDITOR AND COMPTROLLER'S DEPARTMENT

ACCOUNTING DATA											
ACCTG. LINE	CY PY	FUND	DEPT	ORG.	ACCOUNT	JOB ORDER	OPERATION ACCOUNT	BENF/	EQUIP	FACILITY	AMOUNT
02	0	30244	30244	113	4220	320200					\$1,777,510.00
03	0	30244	30244	113	4220	320200					682,302.00
TOTAL AMOUNT											\$2,459,812.00

FUND OVERRIDE

R- 302047 NOV 14 2006

Passed by the Council of The City of San Diego on NOV 14 2006, by the following vote:

Council Members	Yeas	Nays	Not Present	Ineligible
Scott Peters	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Kevin Faulconer	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Toni Atkins	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Anthony Young	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Brian Maienschein	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Donna Frye	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Jim Madaffer	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Ben Hueso	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

NOV 22 2006

Date of final passage _____

AUTHENTICATED BY:

JERRY SANDERS
Mayor of The City of San Diego, California.

ELIZABETH S. MALAND
City Clerk of The City of San Diego, California.

(Seal)

By *Mary Cepeda*, Deputy

Office of the City Clerk, San Diego, California
Resolution Number R- 302047