

ORDINANCE NUMBER O- 19615 (NEW SERIES)

DATE OF FINAL PASSAGE MAY 14 2007

AN ORDINANCE OF THE COUNCIL OF THE CITY OF SAN DIEGO APPROVING THE THIRD AMENDMENT TO THE CONSULTANT AGREEMENT BETWEEN THE CITY OF SAN DIEGO AND TETRA TECH FOR SEWER PUMP STATION 18 PHASE II.

WHEREAS, on August 2, 1999, the City Manager of the City of San Diego approved a consultant agreement between the City of San Diego and Tetra Tech (formerly known as ASL Consulting Engineers), on file in the office of the City Clerk as Document No. RR-292037, to provide engineering services for the pre-design studies for both Sewer Pump Stations 18 and 19; and

WHEREAS, on August 7, 2000, the Council of the City of San Diego approved the First Amendment to the Agreement between the City of San Diego and Tetra Tech to include engineering services for the design of both pump stations, on file in the office of the City Clerk as Document No. RR-293649; and

WHEREAS, on September 10, 2004, the Council of the City of San Diego approved by Ordinance the Second Amendment to the Agreement between the City of San Diego and Tetra Tech to cover additional cost incurred for permitting, design and construction support for both Sewer Pump Station 18 and 19, on file in the office of the City Clerk as Document No. O-19314; and

WHEREAS, the City of San Diego now desires a Third Amendment to the Agreement to complete Sewer Pump Station 18 Phase II. The Phase II construction will complete the upper

structure of the building, replace the settling tank, as well as upgrade all electrical and mechanical equipment to meet current codes; and

WHEREAS, under San Diego Charter Section 99 no contract, agreement or obligation extending for a period of more than five years may be authorized except by ordinance adopted by a two-thirds' majority vote of the City Council; NOW, THEREFORE,

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

Section 1. That the Mayor or his designee is authorized to execute the Third Amendment to the Agreement with Tetra Tech for additional engineering consulting services for Sewer Pump Station 18, Phase II, in an additional amount not to exceed \$92,396 for a total contract amount of \$950,447, provided that the City Auditor and Comptroller first furnishes a certificate certifying that the funds necessary for expenditure are, or will be, on deposit with the City Treasurer.

Section 2. That the additional expenditure of \$92,396 from CIP No. 46-604.6, Sewer Pump Station 18 Phase II, Fund No. 41506 Sewer Fund, is authorized for Tetra Tech engineering consulting services for the upgrades on Sewer Pump Station 18.

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

Section 4. That this activity is not subject to the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines 15378(c). This activity is a subsequent discretionary approval covered under Mitigated Negative Declaration, PTS No. 2830, September 25, 2002. The activity is adequately addressed in the environmental document and there is no change in circumstances, additional information, or project changes to warrant additional environmental review pursuant to CEQA Guidelines section 15162.

Section 5. 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 6. That this ordinance shall take effect and be in force on the thirtieth day from and after its final passage. Agreement with Tetra Tech is on file in the Office of the City Clerk as Document No. 00-19615.

APPROVED: MICHAEL J. AGUIRRE, City Attorney

By Christina Bellows
Christina Bellows
Deputy City Attorney

CB:sc
03/12/07
Aud.Cert.: 2700559
Or.Dept:E&CP
O-2007-110

I hereby certify that the foregoing Ordinance was passed by the Council of the City of San Diego, at this meeting of ~~MAY 08 2007~~.

ELIZABETH S. MALAND
City Clerk

By Mary Zumaeta
Deputy City Clerk

Approved: 5-14-07
(date)

JSL
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 2700559
DEPT. _____
NO. 773

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: \$92,396.00

Vendor: Tetra Tech

Purpose: Authorizing the expenditure of funds for Amendment No. 3 to the Agreement with Tetra Tech for Sewer Pump Station 18 Phase II.

Date: February 15, 2007

By: *Robert B. Medina*
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	41506	773	960	4118	140322				\$92,396.00
TOTAL AMOUNT										\$92,396.00

FUND OVERRIDE