

ORDINANCE NUMBER O- 19688

DATE OF FINAL PASSAGE DEC 05 2007

AN ORDINANCE AUTHORIZING EXECUTION OF AN AMENDMENT TO AN AGREEMENT WITH CDM FOR DESIGN AND CONSTRUCTION SERVICES FOR MIRAMAR WATER TREATMENT PLANT; FOR EXPENDITURE OF FUNDS; AND TAKING RELATED ACTIONS.

WHEREAS, on August 5, 2002, the Council of the City of San Diego adopted Resolution R- 296927 authorizing the execution of an Agreement with Camp Dresser and McKee, Inc. [CDM], for consultant services for the Miramar Water Treatment Plant Upgrade and Expansion Project [Agreement]; and

WHEREAS, on February 9, 2004, the Council of the City of San Diego adopted Resolution R-298874 authorizing the execution of a First Amendment to the Agreement with CDM, for consultant services for the Miramar Water Treatment Plant Upgrade and Expansion Project [First Amendment]; and

WHEREAS, the Water Department of the City of San Diego has determined that it is necessary to increase the compensation to CDM for consultant services under the Agreement and to extend the term of the Agreement beyond five (5) years; 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 hereby authorized to execute a Second Amendment to the Agreement with CDM increasing the funding for the Agreement by an amount not to exceed \$3,700,000 from Water Fund 41500, CIP 73-284.0, Miramar Water Treatment Plant – Upgrade and Expansion Project [Second Amendment], on file in the Office of the City Clerk as Document No. OO- 19688.

Section 2. That the Mayor or his designee is hereby authorized by Ordinance to execute the Second Amendment to the Agreement to extend the Agreement term beyond five (5) years and increase the compensation to CDM by an amount not to exceed \$3,700,000.

Section 3. That the expenditure of an amount not to exceed \$3,700,000 from Water Fund 41500, CIP 73-284.0, Miramar Water Treatment Plant Upgrade and Expansion Project for the Second Amendment to the Agreement with CDM is authorized solely and exclusively for the purpose of providing funds for project related costs, provided that the City Auditor and Comptroller first furnishes one or more certificates certifying that the funds are, or will be, on deposit with the City Treasurer.

Section 4. That the Mayor or his designee is authorized to execute funding phases of the Agreement with CDM in an amount not to exceed \$3,700,000 as authorized in the FY2009 and FY2010 Budget Document.

Section 5. That the City Auditor and Comptroller is authorized to reallocate previously authorized funds (R-298874) in the amount of \$2,800,000 from Water Fund 41500, CIP 73-284.0, Miramar Water Treatment Plant Upgrade and Expansion Project – Contract A to Miramar Treatment Plant Upgrade and Expansion – Contract B (\$1,350,000), Contract C (\$1,350,000) and Contract D (\$100,000) in FY2008.

Section 6. That the City Auditor and Comptroller is authorized, upon advice from the administering department, to transfer excess budgeted funds, if any, to the appropriate reserves.

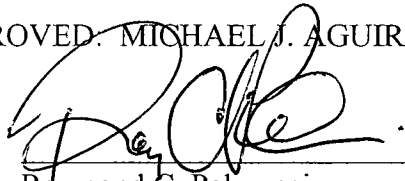
Section 7. That the City Council finds that this activity is covered under the Miramar Water Treatment Plant Upgrade & Expansion EIR, LDR No. 99-0704, that there is no change in circumstance, additional information or project changes to warrant additional environmental

review and that this project is not a separate project for purposes of review under the California Environmental Quality Act [CEQA], per CEQA Guidelines Sections 15060(c)(3) and 15378(c).

Section 8. 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 9. That this Ordinance shall take effect and be in force on the thirtieth (30th) day from and after its final passage.

APPROVED: MICHAEL J. AGUIRRE, City Attorney

By 
Raymond C. Palmucci
Deputy City Attorney

RCP:js
10/15/2007
Or.Dept:Water
O-2008-53

I hereby certify that the foregoing Ordinance was passed by the Council of the City of San Diego, at this meeting of NOV 20 2007.

ELIZABETH S. MALAND
City Clerk

By 
Deputy City Clerk

Approved: 12-5-07
(date)


JERRY SANDERS, Mayor

Vetoed: _____
(date)

JERRY SANDERS, Mayor