(O-2008-136)

52)

ORDINANCE NUMBER O- (NEW SERIES)

DATE OF FINAL PASSAGE MAY 3 0 2008

AN ORDINANCE OF THE COUNCIL OF THE CITY OF SAN DIEGO APPROVING THE FIRST AMENDMENT TO THE AGREEMENT BETWEEN THE CITY AND THE BLACK & VEATCH CORPORATION FOR DESIGN AND CONSTRUCTION SUPPORT SERVICES FOR OTAY II PIPELINE IMPROVEMENTS PROJECTS-CAST IRON REPLACEMENT PHASE.

WHEREAS, the primary objective of the Otay II Pipeline Improvement Project is to maintain a reliable source of potable water through maintenance, repair, or replacement of the existing pipeline; and

WHEREAS, the Cast Iron Replacement Phase Project [Project] is one of the eight phases of the Otay II Pipeline Improvements Project; and

WHEREAS, an agreement between the City and the Black & Veatch Corporation for design and construction support services, was approved by City Council Resolution Number R-297241 on October 28, 2002; and

WHEREAS, the plans and specifications for the construction of the Project were approved on October 16, 2007, by City Council Resolution Number R-303080; and

WHEREAS, the agreement with the Black & Veatch Corporation has reached its five year term and a first amendment to the agreement will be added; and

WHEREAS, the continued participation by Black & Veatch Corporation during the construction of the Project is essential to the overall Project success; and

WHEREAS, the additional cost for the First Amendment to the Agreement with Black & Veatch Corporation is \$298,000, funding is available from the enterprise fund in CIP No. 73-286.0, Otay II Pipeline Improvements, Fund 41500, Water; NOW, THEREFORE,

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

Section 1. That the Mayor be and he is hereby authorized and empowered to execute, for and on behalf of said City, a First Amendment to the Black & Veatch Corporation Agreement for design and construction support services for the Otay II Pipeline Improvement Project - Cast Iron Replacement Phase, in the amount of \$298,000, under the terms and conditions set forth in the agreement on file in the Office of the City Clerk as Document No. OO-

Section 2. That the City Auditor and Comptroller, upon advice from the administering department, to transfer excess budgeted funds, if any, to the appropriate reserves.

Section 3. This activity is not subject to the California Environmental Quality Act pursuant to CEQA Guidelines 15378(c) and 15060(c)(3). This activity is a subsequent discretionary approval covered under Otay II Pipeline Improvements Project Environmental Impact Report, Project No. 5503. The activity is adequately addressed in the environmental document and there is no change in circumstance, additional information, or project changes to warrant additional environmental review pursuant to CEQA Guidelines section 15177.

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 final passage.

APPROVED: MICHAEL J. AGUIRRE, City Atto	rney
By Mark M. Mercer Deputy City Attorney	
MMM:nda 04/08/08 Or.Dept:E&CP O-2008-136	
I hereby certify that the foregoing Ordinance was p Diego, at this meeting of <u>MAY 2 7 2008</u> .	assed by the Council of the City of San
	ELIZABETH S. MALAND City Clerk
	By Olympia Deputy City Clerk
Approved:(date)	JERRY SANDERS, Mayor
Vetoed:(date)	JERRY SANDERS, Mayor

The City of San Diego CERTIFICATE OF CITY AUDITOR AND COMPTROLLER

CERTIFICATE OF UNALLOTTED BALANCE

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