

RESOLUTION NUMBER R-303290

DATE OF FINAL PASSAGE JAN 18 2008

A RESOLUTION OF THE COUNCIL OF THE CITY OF  
SAN DIEGO APPROVING THE CONTRACT FOR DESIGN  
AND CONSTRUCTION MANAGEMENT, ADVERTISE  
AND AWARD FOR OTAY WATER PLANT

WHEREAS, the Otay Water Treatment Plant is one of the City of San Diego's [City] three water treatment plants, producing up to 34 million gallons of treated water each day that supplies water to San Diego's southern communities and also sells water to Otay Water and Cal-American Water Districts which distribute water to the cities of Coronado, Imperial Beach, and Chula Vista; and

WHEREAS, filter modifications, upgrades of the control system, and a new programmable logic control, that are required to help the City meet State and Federal drinking water quality regulations; and

WHEREAS, the Phase II Upgrade to the Otay WTP will include the construction of a chlorine dioxide [CL02] system, powder activated carbon [PAC] facility, granular activated carbon [GAC] filtration media, electrical support facilities, and instrumentation and control systems that will enable the Otay WTP to meet the water quality standards required by the State of California Department of Public Health [DPH], the United States Environmental Protection Agency [USEPA] Stage 2 Disinfection Bi-Product [DPB] Rules, and the Long-Term 2 [LT2] Enhanced Surface Water Treatment Rule. On June 14, 2007, Phase II was approved to receive the State of California Proposition 50 grant to cover up to 50 percent of the total cost of project; and

WHEREAS, upgrades to the Otay WTP will allow more use of local raw water and will reduce the City's dependency on imported water. In addition, the Otay WTP upgrades will meet the requirements outlined in the DPH letter (City of San Diego System No. 3710020, Otay Filtration Plant Inspection) dated December 1998, compliance code order amendment number 11 to compliance order 04-14-96CO-022, and the USEPA DBP and LT2 Rule; NOW THEREFORE

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

1. That the plans and specifications for the construction of Otay Water Treatment Plant Upgrades Phase I and Phase II, as advertised by Purchasing & Contracts and filed in the office of the City Clerk as Document No. w.o. 182491/188461, are approved.

2. That the Mayor or his designee is requested to return to City Council after bids are opened for the Otay Water Treatment Plant Upgrades Phase I and II to review the outreach efforts of the City's Equal Opportunity Contracting Program and the results thereof, at which time City Council will consider authorizing the award of a construction contract to the lowest responsible and reliable bidder.

3. That the Mayor or his designee is authorized to execute, for and on behalf of the City, an agreement in an amount not to exceed \$3,097,103 with Harris & Associates for construction management services for Otay Water Treatment Plant Upgrades, Phase I and Phase II, under the terms and conditions set forth in the Agreement filed in the office of the City Clerk as Document No. RR- **303290**.

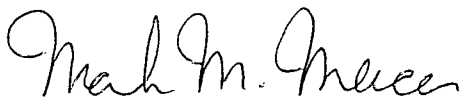
4. That the appropriation and expenditure of an amount not to exceed \$3,097,103 from Water Fund 41500, CIP 73-285.0, Otay Water Treatment Plant Upgrades Phase I and Phase II, is authorized, solely and exclusively to provide funds for the above Harris & Associates agreement;

provided that the City Auditor and Comptroller furnishes one or more certificates demonstrating that funds necessary for expenditure are, or will be, on deposit with the City Treasurer.

5. That the Mayor or his designee is authorized and empowered to do by City Forces the work in connection with construction of Otay Water Treatment Plant Upgrade Phase I and Phase II, pursuant to recommendation indicating that said work can be done by the City Forces more economically than if let by contract, with the cost of said work not to exceed \$958,320.67 from Water Fund 41500, CIP 73-285.00, Otay Water Treatment Plant Upgrades Ph I and Ph II.

6. That this activity is covered under Otay Water Treatment Plant Upgrade Mitigated Negative Declaration (LDR No 40-0932). 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. Since the prior environmental document adequately covered this activity as part of the previously approved project, the activity is not a separate project for purposes of CEQA review per CEQA Guidelines sections 15060(c)(3) and 15378(c).

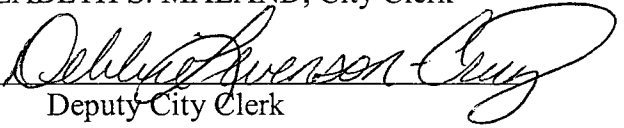
APPROVED: MICHAEL J. AGUIRRE, City Attorney

By   
Mark M. Mercer  
Deputy City Attorney

MMM:sb:mb  
11/19/07  
01/16/08 Revised  
Aud.Cert:2800405  
Or.Dept:Eng&CP  
R-2008-422

I hereby certify that the foregoing Resolution was passed by the Council of the City of San Diego,  
at its meeting of JAN 8 2008.

ELIZABETH S. MALAND, City Clerk

By   
Deputy City Clerk

Approved: 1.18.08  
(date)

  
JERRY SANDERS, Mayor

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

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

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

**CERTIFICATE OF UNALLOTTED BALANCE**

AC 2800405  
ORIGINATING DEPT. NO.: 760

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: \$653,488.73

Vendor: Harris and Associates

Purpose: Authorizing the expenditure of funds for professional construction management services for Otay Water Treatment Plant Upgrades Phase I, and Phase II, CIP 732850 / 732852.

Date: November 21, 2007 By: *Yeshi Bezumb*  
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	41500	760	391050	4159	188466				\$261,716.38
002	0	41500	760	391050	4159	182496				391,772.35
TOTAL AMOUNT										\$653,488.73

AC-361 (REV 2-92)

FUND OVERRIDE

*R.* 303290

JAN - 8 2008

AC 2800405