

100

(R-2008-1105)

RESOLUTION NUMBER R- 303837

DATE OF FINAL PASSAGE JUN 23 2008

A RESOLUTION OF THE COUNCIL OF THE CITY OF SAN DIEGO AUTHORIZING TO AWARD A CONSTRUCTION CONTRACT TO WESTERN SUMMIT CONSTRUCTORS, INC., TO COMPLETE CONSTRUCTION OF OTAY WATER TREATMENT PLANT [WTP] UPGRADES PHASE I AND PHASE II.

WHEREAS, the Phase I Upgrade to the Otay WTP will include the construction of a new flocculation and sedimentation basin, and upgrade the existing sixteen filters. This will greatly enhance the plant's operational flexibility and provide improved water quality; and

WHEREAS, the filter modifications, upgrades of the control system, a new programmable logic control, and the Supervisory Control and Data Acquisition [SCADA] will improve plant operations. These upgrades 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; and

WHEREAS, these improvements 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-Project [DPB] rules, and the Long-Term 2 [LT2] Enhanced Surface Water Treatment rule [ESWT]; and

WHEREAS, 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 the project; NOW, THEREFORE,

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

1. That the Mayor is authorized to establish contract funding phases and to award the construction contract for the Otay Water Treatment Plant Upgrades Phase I and Phase II Project to Western Summit Constructors, Inc. with an amount not to exceed \$23,989,300.00.
2. Authorizing the expenditure of \$28,614,700.00 (\$27,415,235.00 from Water Fund 41500, CIP No. 73-285.0, Otay WTP Upgrades Phase I, and Phase II for the purpose of construction and project related costs, and \$1,199,465.00 from Water Fund 41500, CIP No. 73-331.0, Pool Contingency Plan Upgrade for the purpose of providing funding for this project contingency), provided that the City Auditor and Comptroller first furnishes one or more certificates certifying that the funds necessary for expenditure under established contract funding phases are, or will be, on deposit with the City Treasurer.
3. Authorizing FY08 funding of \$9,017,409.28 from CIP No. 73-285.0, Otay WTP Upgrade Phase I and Phase II of which \$3,786,604.78, is for Otay WTP Phase I (\$3,350,100.00 for construction cost and \$436,504.78 for Project related cost) and \$5,230,804.50 is for Otay WTP Phase II (\$4,310,290.00 for construction cost and \$920,514.50 for Project related cost).
4. 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.

5. That this activity is not subject to the California Environmental Quality Act [CEQA] pursuant to CEQA Guidelines Section 15378(c). This activity is a subsequent discretionary approval 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 pursuant to CEQA Guidelines section 15162.

APPROVED: MICHAEL J. AGUIRRE, City Attorney

By Mark M. Mercer
Mark M. Mercer
Deputy City Attorney

MMM:nda
05/27/08
Or.Dept:E&CP
R-2008-1105

I hereby certify that the foregoing Resolution was passed by the Council of the City of San Diego, at this meeting of JUN 17 2008.

ELIZABETH S. MALAND
City Clerk

By [Signature]
Deputy City Clerk

Approved: 6-23-08
(date)

[Signature]
JERRY SANDERS, Mayor

Vetoed: _____
(date)

JERRY SANDERS, Mayor

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

CERTIFICATE OF UNALLOTTED BALANCE

AC 2800853
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: \$1,357,019.28 Fund: 41500

Purpose: Authorizing an expenditure of funds for project related costs for Otay Water Treatment Plant Upgrades Pahse I & II, CIP 732850/732852.

Date: June 2, 2008 By: Yeshu Bezuneh
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	391020	4116	182491				\$436,504.78
002	0	41500	760	391020	4116	188461				\$920,514.50
TOTAL AMOUNT										\$1,357,019.28

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: \$7,660,390.00

Vendor: Western Summit Constructors, Inc.

Purpose: Authorizing the expenditure of funds for Construction of Otay Water Treatment Plant Upgrades Phase I & II, CIP 732850.

Date: June 2, 2008 By: Yeshu Bezuneh
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	391040	4278	182490				\$7,660,390.00
TOTAL AMOUNT										\$7,660,390.00

FUND OVERRIDE

AC-361 (REV 2-92)

R. 303837

JUN 17 2008

AC 2800853