

RESOLUTION NUMBER R- 303982

DATE OF FINAL PASSAGE AUG 06 2008

A RESOLUTION APPROVING THE PLANS AND
SPECIFICATIONS AND EXPENDITURE OF FUNDS
REGARDING SEWER PUMP STATION 41

WHEREAS, Sewer Pump Station 41 [Project] is mandated by the Environmental Protection Agency;

WHEREAS, on August 2, 1999, the City of San Diego City Council [City] executed a consultant contract with Dudek & Associates (R-292033) for rehabilitation of Sewer Pump Station 41;

WHEREAS, and on May 28, 2002, the City executed a First Amendment to the contract with Dudek & Associates (R-296546) for additional consultant services for Sewer Pump Station 41; and

WHEREAS, this Project, which is located at 2723 De Anza Road in Mission Bay Park, will restore and improve the reliability of the pump station, and bring it up to current standards, will consist of constructing a new pump station, emergency overflow storage structure, 2,200 linear feet of primary and secondary force main to be located in the right-of-way; NOW, THEREFORE,

BE IT RESOLVED, that the plans and specifications for the construction of the Project as advertised by Purchasing and Contracting Department filed in the office of the City Clerk as Document No. wo. 175531, are approved.

BE IT FURTHER RESOLVED, that after advertising for bids in accordance with law, the Mayor or his designee is authorized to establish contract funding phases and execute a

contract with the lowest responsible and reliable bidder, provided the City 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 in the City Treasurer.

BE IT FURTHER RESOLVED, that the expenditure of an amount not to exceed \$8,895,544, of which \$8,323,986 is from Sewer Fund 41506, CIP No. 46-602.0, Sewer Pump Station 41, and \$571,558 is from Sewer Fund 41506, CIP No. 46-193.0, Annual Allocation – Muni Pooled Contingency is authorized solely for construction, contingency, and Project related costs, provided that the City Comptroller first furnishes one or more certificates certifying that the funds are, or will be, on deposit with the City Treasurer in the following manner:

- a) \$1,357, 500 – Current Appropriations;
- b) \$2,927,051 from Fiscal Year 2009 appropriations, contingent on City Council approval of funds for this purpose in the Fiscal Year 2009 CIP Budget;
- c) \$3,194,151 from Fiscal Year 2010 appropriations, contingent on City Council approval of funds for this purpose in the Fiscal Year 2010 CIP Budget;
- d) \$1,416,842 from Fiscal Year 2011 appropriations, contingent on City Council approval of funds for this purpose in the Fiscal Year 2011 CIP Budget.

BE IT FURTHER RESOLVED, that the City Auditor and Comptroller is authorized, upon advice from the administering department, to transfer excess funds, if any, to the appropriate reserves.

APPROVED: MICHAEL J. AGUIRRE, City Attorney

By *Pedro De Lara Jr.*
Pedro De Lara, Jr.
Deputy City Attorney

PDJ:js
07/11/2008
Or.Dept:E&CP
R-2008-1163

I hereby certify that the foregoing Resolution was passed by the Council of the City of San Diego, at this meeting of JUL 29 2008.

ELIZABETH S. MALAND
City Clerk

By *[Signature]*
Deputy City Clerk

Approved: 8-6-08
(date)

[Signature]
JERRY SANDERS, Mayor

Vetoed: _____
(date)

JERRY SANDERS, Mayor

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