

RESOLUTION NUMBER R- 304274

DATE OF FINAL PASSAGE OCT 27 2008

A RESOLUTION APPROVING THE PLANS AND SPECIFICATIONS, EXPENDITURE OF FUNDS, AND REQUIRING PREVAILING WAGES REGARDING THE SOUTH MISSION VALLEY TRUNK SEWER PROJECT

WHEREAS, the Council of the City of San Diego [Council] has the discretion to require, on a case by case basis, based on the evidence in the record, that prevailing wages be paid on its public works municipal affair projects when the Council determines that doing so will provide an economic benefit to the City;

WHEREAS, Council Resolution No. R-298185 directs that advertising for bids include a prevailing wage specification on all City public works "municipal affair" water and / or sewer fund projects when the engineer's estimate for the construction of the project exceeds ten million dollars; and

WHEREAS, the South Mission Valley Trunk Sewer, phase I [the Project], mandated by the Environmental Protection Agency is a public works "municipal affair" sewer fund project falling within the parameters of the resolution; NOW, THEREFORE,

BE IT RESOLVED, by the Council that the plans and specifications for the construction of the Project, including the prevailing wage specifications, as advertised by the Purchasing and Contracting Department, filed in the office of the City Clerk as Document No. W.O. 176831, 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

construction contract with the lowest responsible and reliable bidder, provided that the City Comptroller first furnishes one or more certificates certifying that funds necessary for expenditure under established contract funding phases are, or will be, on deposit with the City Treasurer.

BE IT FURTHER RESOLVED, that the City Comptroller is authorized to transfer an amount not to exceed \$2,426,797 from Sewer Fund 41506, CIP No. 44-001.0, Annual Allocation – Sewer Main Replacement to Sewer Fund 41506, CIP 40-931.0, South Mission Valley Trunk Sewer.

BE IT FURTHER RESOLVED, that the expenditure of an amount not to exceed \$14,823,637, of which \$14,246,137 from Sewer Fund 41506, CIP No. 40-931.0, South Mission Valley Trunk Sewer is authorized for the purpose of providing funds for this Project's construction, contingency and related costs, and \$577,500 from Sewer Fund 41506, CIP 46-193.0, Annual Allocation – Muni Pooled Contingency is authorized for the purpose of providing funds for this Project's contingency and related costs, provided that the City Comptroller first furnishes one or more certificates certifying that the necessary funds for expenditure under established contract funding phases are, or will be, on deposit with the City Treasurer.

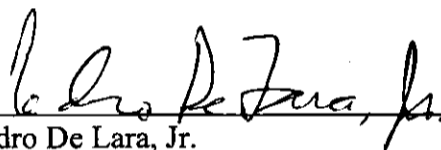
BE IT FURTHER RESOLVED, that the City Comptroller is authorized, upon advice from the administering department, to transfer excess budgeted funds, if any, to the appropriate reserves.

BE IT FURTHER RESOLVED, that the Mayor or his designee is further authorized to include state prevailing wage requirements in the contract awarded for this project.

BE IT FURTHER RESOLVED, that the that the City, stating for the record that the information contained in the Mitigated Negative Declaration No. 22528, including any comments received during the public review process, has been previously reviewed and considered by this Council and it is determined that no substantial changes or new information of substantial importance within the meaning of CEQA Guidelines section 15162 would warrant any additional environmental review in connection with approval of the Project.

BE IT FURTHER RESOLOVED, that the City Clerk is directed to file a Notice of Determination [NOD] with the Clerk of the Board of Supervisors for the County of San Diego regarding the above Project.

APPROVED: MICHAEL J. AGUIRRE, City Attorney

By   
Pedro De Lara, Jr.  
Deputy City Attorney

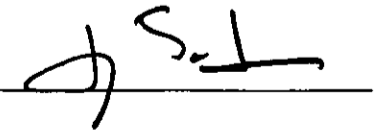
PDJ:sc  
10/17/08 Corr.  
08/25/08  
Aud.Cert.: AC2900133  
Or.Dept:/E&CP  
R-2009-200

I hereby certify that the foregoing Resolution was passed by the Council of the City of San Diego, at this meeting of OCT 21 2008.

ELIZABETH S. MALAND  
City Clerk

By   
Deputy City Clerk

Approved: 10-27-08

08 



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

**CERTIFICATE OF UNALLOTTED BALANCE**

ORIGINATING

AC 2900133

DEPT NO. 773

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: \$2,426,797.00 Fund: 41506

Purpose: Authorizing the transfer of funds for the construction of South Mission Valley Trunk Sewer.

Date: August 18, 2008

By: Robert Barreras  
AUDITOR AND COMPTROLLER'S DEPARTMENT

ACCOUNTING DATA

ACCTG. LINE	CY PY	FUND	DEPT	ORG.	ACCOUNT	JOB ORDER	OPERATION ACCOUNT	BENF/ EQUIP	FACILITY	AMOUNT
1	0	41506	773	960	4278	440010				2,426,797.00
TOTAL AMOUNT										\$2,426,797.00

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: \_\_\_\_\_

Vendor: \_\_\_\_\_

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										

AC-361 (REV 2-92)

FUND OVERRIDE

*R* 304274

OCT 21 2008

AC 2900133