

ORDINANCE NUMBER O-\_\_\_\_\_19847\_\_\_\_\_ (NEW SERIES)

DATE OF FINAL PASSAGE MAY 14 2009

AN ORDINANCE OF THE COUNCIL OF THE CITY OF SAN DIEGO AUTHORIZING A THIRD AMENDMENT TO THE CONSULTANT AGREEMENT WITH KENNEDY/JENKS CONSULTANTS IN CONNECTION WITH THE SPECIFIC CANYON TRUNK SEWER PROJECT GROUP 2

WHEREAS, on September 9, 2002, the City of San Diego [City] and Kennedy/Jenks Consultants [Consultant] entered into an Agreement, which is on file in the Office of the City Clerk as Document RR – 297031 to provide consultant design services for Upgrades to Specific Canyon Trunk Sewer Group 2 [Project];

WHEREAS, on October 26, 2005, the City and Consultant mutually agreed to amend the Agreement to revise the insurance provision for NO COST, via Amendment No. 1, Document C-13454;

WHEREAS, on April 23, 2008, the City and Consultant mutually agreed to amend the Agreement to extend the Agreement an additional one-year, to September 8, 2008, via Amendment No. 2, Document No. 00-19738;

WHEREAS, the City now desires to execute a Third Amendment to the Agreement for the Consultant to provide extended Professional Services for an additional four years at no cost. This will allow continuation of services by Consultant for design, construction, and as-built support for Lake Murray In Canyon Trunk Sewer and USIU Projects; and

WHEREAS, under San Diego Charter section 99, no contract, agreement or obligation extending for a period of more than five years may be authorized except by ordinance adopted by a two-thirds majority vote of the City Council, NOW, THEREFORE,

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

Section 1. That the Mayor or his designee is authorized to execute the Third Amendment to the Agreement with Kennedy/Jenks Consulting for the purpose of extending the agreement an additional four (4) years from the expiration of the existing contract for additional design, construction, as-built and consulting services for the Project, under the terms and conditions set forth in the Third Amendment to the Agreement on file in the Office of the City Clerk as Document No. OO - 1984.7

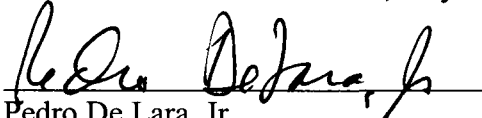
Section 2. That this activity is statutorily exempt from the California Environmental Quality Act [CEQA] pursuant to CEQA Guidelines section 15262 because it involves only feasibility or planning studies for future action.

Section 3. That the City Comptroller, upon advice from the administrative department is authorized to transfer excess funds, if any, to the appropriate reserves.

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.

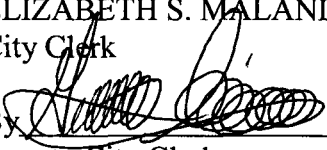
APPROVED: JAN I. GOLDSMITH, City Attorney

By   
Pedro De Lara, Jr.  
Deputy City Attorney

PDJ:js  
02/02/2009  
Or.Dept: E&CP  
O-2009-97

I hereby certify that the foregoing Ordinance was passed by the Council of the City of San Diego, at this meeting of MAY 05 2009.

ELIZABETH S. MALAND  
City Clerk

By   
Deputy City Clerk

Approved: 5.14.09  
(date)

  
JERRY SANDERS, Mayor

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

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