

RESOLUTION NUMBER R- 304987

DATE OF FINAL PASSAGE JUN 25 2009

A RESOLUTION APPROVING THE PLANS AND SPECIFICATIONS, EXPENDITURE OF FUNDS, AND REQUIRING PREVAILING WAGES REGARDING LAKE MURRAY TRUNK SEWER

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;

WHEREAS, the Lake Murray Trunk Sewer [the Project], is part of the City of San Diego's contingency Annual Sewer Main Replacement program, mandated by the Environmental Protection Agency and the Final Consent Decree, is a public works "municipal affair" sewer fund project, falling within the parameters of the resolution;

WHEREAS, the Project is located in the Lake Murray and Mission Trails Regional Park communities, and the alignment runs through Mission Trails Golf Course, along and through Lake Murray Park where it terminates a few hundred feet past Lake Murray Dam, and includes the replacement of approximately 15,900 linear feet of existing 12, 15, and 18 inch diameter section of vitrified clay pipe; and

WHEREAS, the information contained in the Mitigated Negative Declaration, Project No. 31088, 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; 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. 178561, are approved.

BE IT FURTHER RESOLVED, that after advertising for bids in accordance with law, the Mayor, or his designee, is authorized to 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 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 \$250,000.00 from 461958, Miramar Road Trunk Sewer to the DRES Account (895045), and \$250,000.00 from the DRES Account (895045) to 461979, Lake Murray Trunk Sewer, Sewer Fund 41506.

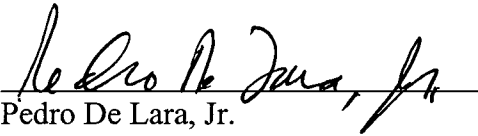
BE IT FURTHER RESOLVED, that the expenditure of an amount not to exceed \$17,422,272.30, of which \$16,126,604.30 is from Sewer Fund 41506, CIP No. 46-197.9, Lake Murray Trunk Sewer is authorized for the purpose of providing funds for this Project's

construction and related costs, and \$1,295,668 .00 is from Sewer Fund 41506, CIP No. 46- 1  
193.0, Annual Allocation – Muni Pooled Contingency is authorized for the purpose of providing  
funds for the Project's contingency, contingent upon the City Council approval of the Fiscal  
Year 2010 Appropriation Ordinance, and the City Comptroller first furnishing one or more  
certificates certifying that the funds necessary for expenditure 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.

APPROVED: JAN I. GOLDSMITH, City Attorney

By   
Pedro De Lara, Jr.  
Deputy City Attorney

PDJ:js  
05/19/09  
Or.Dept:/E&CP  
R-2009-1044

hereby certify that the foregoing Resolution was passed by the Council of the City of San Diego,  
at this meeting of JUN 16 2009

ELIZABETH S. MALAND  
City Clerk

By *Anna Richards*  
Deputy City Clerk

Approved: 6.25.09  
(date)

*JSL*  
JERRY SANDERS, Mayor

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

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JERRY SANDERS, Mayor