

RESOLUTION NUMBER R- 305160

DATE OF FINAL PASSAGE JUL 31 2009

A RESOLUTION OF THE COUNCIL OF THE CITY OF SAN DIEGO AUTHORIZING CHANGE ORDER NO. 3 FOR THE CONSTRUCTION OF OTAY II PIPELINE IMPROVEMENTS – NORTH ENCANTO REPLACEMENT.

WHEREAS, the Otay II Pipeline, which serves as a critical backbone of the water transmission and distribution system for the City of San Diego, is currently undergoing improvements pursuant to Council Resolution R-303310 dated January 18, 2008; and

WHEREAS, in May 2009, the Water Department notified Engineering and Capital Projects Department that multiple water main breaks had been occurring on a 6-inch cast iron pipe in the North Encanto Community and requested assistance resolving the problem as emergency repair crews had responded to nine different water main breaks on the same pipe; and

WHEREAS, by authorizing the requested Change Order No. 3 to the work on this contract already under way in the area, a new 8-inch PVC pipe can be quickly and cost effectively installed, permanently resolving this problem; and

WHEREAS, the use of City Forces for the Otay II Pipeline [Project] is more economical than if let out by contract; and

WHEREAS, this activity is covered under the Otay II Pipeline Improvements Project (PTS No. 5503) Environmental Impact Report. 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 because the prior environmental

documents adequately cover this activity as part of the previously approved project. This activity is not a separate project for purposes of CEQA review per CEQA guidelines Sections 15060 (c) (3) and 15378 (c), NOW THEREFORE;

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

1. That the Mayor or his designee is authorized to execute Change Order No. 3, dated June 10, 2009, heretofore filed with the City Clerk as Document No. RR-305160 for an amount not to exceed \$827,242.50 for Otay II Pipeline Improvements, North Encanto, issued in connection with the contract between the City of San Diego and T.C. Construction, Inc., with said contract having been filed in the office of the City Clerk as Document No. RR-303310, is hereby approved, provided that the Comptroller first furnishes a certificate certifying that the funds necessary for expenditure are, or will be, on deposit with the City Treasurer, solely and exclusively for the purpose of funding this change order.

2. That the expenditure of an amount not to exceed \$827,242.50 from Fund No. WBS S-0032, Fund 700011, Water is hereby authorized, solely and exclusively to provide funds for the above Change Order No. 3 and authorizing the Comptroller to return the excess budgeted funds to the appropriate reserve.

3. That the Mayor or his designee is authorized to increase the amount of work to be performed by City Forces for this Project in an amount not to exceed \$25,000.00.

4. That the expenditure of an amount not to exceed \$25,000.00 from Fund No. WBS S-0032, Fund 700011, Water is hereby authorized, solely and exclusively to provide

funds for the additional work to be performed by City Forces and authorizing the Comptroller to return the excess budgeted funds to the appropriate reserve.

APPROVED: JAN I. GOLDSMITH, City Attorney

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

MMM:amt:ca  
7/13/09  
Or.Dept: E&CP  
Aud.Cert. N/A  
R-2010-32

I hereby certify that the foregoing Resolution was passed by the Council of the City of San Diego, at this meeting of JUL 28 2009.

ELIZABETH S. MALAND  
City Clerk

By Elizabeth S. Maland  
Deputy City Clerk

Approved: 7-31-09  
(date)

Jerry Sanders  
JERRY SANDERS, Mayor

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

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