

#100  
(R-2010-121) 10/13/09  
(COR. COPY)  
MEET

RESOLUTION NUMBER R- 305315

DATE OF FINAL PASSAGE OCT 27 2009

A RESOLUTION AUTHORIZING THE CITY COUNCIL TO AWARD CONTRACT TO ORION CONSTRUCTION FOR THE DESIGN AND CONSTRUCTION OF WATER GROUP 790.

WHEREAS, Water Group 790 is part of the City of San Diego's [City] Water Main Replacement Program as mandated by the California Department of Public Health; and

WHEREAS, the City issued a Request for Proposal to retain the services of a design-build company to provide design and construction services for Water Group 790; and

WHEREAS, Orion Construction Corporation was selected as the most qualified firm following a competitive selection process to provide design-build design services, and will prepare the final design plans showing the water mains to be replaced in place and the new alignment to provide adequate clearance from existing sewer mains pursuant to the City's standards; and

WHEREAS, the Council, stating for the record, that the information contained in the Addendum to a Mitigated Negative Declaration, Project No. 63654 (165407), dated January 16, 2009 (Resolution R-305225, dated September 8, 2009), 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 of the City of San Diego, that the Mayor or his designee, is hereby authorized and empowered to award a contract to Orion Construction Corporation for the design and construction of the Project in an amount not to exceed \$5,397,000, under the terms and conditions set forth in the contract, on file in the Office of the City Clerk as Document No. RR-305315

BE IT FURTHER RESOLVED, that the CFO, as delegated to Financial Management is authorized to appropriate, and the City Comptroller is authorized to expend an amount not to exceed \$8,283,783 from CIP S-10004, Water Group 790, Water Fund 700011 for the construction and Project-related costs of Water Group 790, provided that the City Comptroller first furnishes one or more certificates certifying that the funds necessary for expenditure under the established contract funding phases are, or will be, on deposit with the City Treasurer:

- a. \$6,309,088 from Fiscal Year 2010 appropriations;
- b. \$1,974,695 from Fiscal Year 2011 appropriations, contingent on City Council approval of funds for this purpose in the Fiscal Year 2010 CIP Budget.

BE IT FURTHER RESOLVED, that the use of City Work Force in CIP S-100004, Water Group 790, Water Fund 700011, for the construction of Water Group 790 in an amount not to exceed \$1,042,913 is authorized.

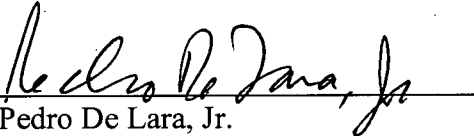
BE IT FURTHER RESOLVED, that the FY10-Phase I of \$6,309,088 from water funds, of which \$4,047,750 is for design-build construction, and \$2,261,338 is for related costs and contingency is authorized.

BE IT FURTHER RESOLVED, that the City Comptroller is authorized to transfer an amount not to exceed \$385,000, from CIP A-KB.00003 (B-00113, Legacy CIP No. 73-868.1),

Annual Allocation - Water Main Replacements to CIP S-10004, Water Group 790, within Water Fund 700011.

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.

APPROVED: JAN I. GOLDSMITH, City Attorney

By   
Pedro De Lara, Jr.  
Deputy City Attorney

PDJ:amt  
09/24/09  
09/30/09 COR. COPY  
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R-2010-121

I hereby certify that the foregoing Resolution was passed by the Council of the City of San Diego, at this meeting of OCT 13 2009.

ELIZABETH S. MALAND  
City Clerk

By   
Deputy City Clerk

Approved: 10-27-09  
(date)

  
JERRY SANDERS, Mayor

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

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