

ORDINANCE NUMBER O- 13335 (NEW SERIES)

DATE OF FINAL PASSAGE MAR 18 2010

AN ORDINANCE OF THE COUNCIL OF THE CITY OF SAN  
DIEGO AUTHORIZING THE SECOND AMENDMENT TO  
THE AGREEMENT WITH HDR ENGINEERING, INC. FOR  
CITYWIDE PUMP STATION UPGRADES.

WHEREAS, on March 24, 2003, the Council of the City of San Diego [Council] approved by Resolution an Agreement with CGvL Engineers for design services for four separate groups of pump station upgrades [Project], on file with the office of the City Clerk as Document No. RR-297744; and

WHEREAS, pursuant to its acquisition in 2004 of CGvL Engineers, HDR Engineering, Inc., has assumed the rights and obligations of the Agreement; and

WHEREAS, on May 26, 2004, the Council approved by Resolution the First Amendment to the Agreement with HDR Engineering Inc., for design services for the proposed Project, on file in the office of the City Clerk as Document No. RR-299233; and

WHEREAS, the City now desires to enter into a Second Amendment to the Agreement with HDR Engineering, Inc., in order to modify, *inter alia*, the scope of work, schedule of work, and the progress payment schedule of the proposed Project; and

WHEREAS, under Charter Section 99, no contract, agreement or obligation extending for a period of more than five years may be authorized except by ordinance approved by a two-thirds' majority vote of the 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 Second Amendment to the Agreement with HDR Engineering, Inc. for professional engineering services for the Citywide pump stations upgrades [Project], in CIP S-00303, PS Upgrade Group I North County; CIP S-00304, PS Group II City Wide; S-00305, PS Upgrades Group III Force Mains; S-00306 PS Group IV Comfort Stations and S-00308, PS 84 Upgrade and PS 62 Abandonment in an amount not to exceed \$1,484,481, under the terms and conditions set forth in the document on file in the office of the City Clerk as Document No. OO- 19935, provided that the Chief Financial Officer first issues one or more certificates demonstrating that the funds necessary for expenditure are, or will be, on deposit with the City Treasurer.

Section 2. That the Chief Financial Officer as delegated to Financial Management is authorized to appropriate, and the City Comptroller is authorized to transfer \$1,366,770 from CIP A-BP.00001 (Legacy CIP 46-106.0), Pump Station Restorations, Fund 700000, Sewer to CIP S-00308 (Legacy CIP 41-939.0), PS 84 Upgrade and PS 62 Abandonment for the construction and related costs of the Project, contingent upon the Chief Financial Officer furnishing 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.

Section 3. That the Chief Financial Officer as delegated to Financial Management is authorized to appropriate, and the City Comptroller is authorized to expend \$617,711 from CIP S-00303 (Legacy CIP 41-929.0), PS Upgrade Group I North County, Fund 700000, Sewer, for the design services and related costs for Pump Stations Upgrade Projects, provided that the Chief

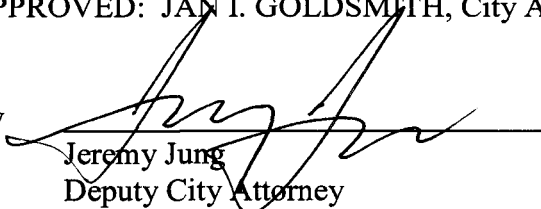
Financial Officer first issues one or more certificates demonstrating that the funds necessary for expenditure are, or will be, on deposit with the City Treasurer.

Section 4. That the Chief Financial Officer as delegated to Financial Management is authorized to appropriate, and the City Comptroller is authorized to expend \$1,366,770 from S-00308 (Legacy CIP 41-939.0), PS 84 Upgrade and PS 62 Abandonment, Fund 700000, Sewer, of which \$966,770 is for consultant fees and \$400,000 is for engineering and related costs for PS 84 Upgrade and PS 62 Abandonment project, for the purpose of executing this Second Amendment to the Agreement with HDR Engineering Inc., provided that the Chief Financial Officer first issues one or more certificates demonstrating that the funds necessary for expenditure are, or will be, on deposit with the City Treasurer.

Section 5. That a full reading of this ordinance is dispensed with prior to its passage, a written or printed copy having been available to the Council and the public a day prior to its passage.

Section 6. 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   
Jeremy Jung  
Deputy City Attorney

JJ:sc  
02/02/10  
02/11/10 COR. COPY  
CC: 3000002957  
Or.Dept:E&CP  
O-2010-71



I hereby certify that the foregoing Ordinance was passed by the Council of the City of San Diego, at this meeting of MAR 09 2010.

ELIZABETH S. MALAND  
City Clerk

By *Mark Richards*  
Deputy City Clerk

Approved: 3-18-10  
(date)

*JS*  
JERRY SANDERS, Mayor

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

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

The City of San Diego  
**COMPTROLLER'S CERTIFICATE**

**CERTIFICATE OF UNALLOTTED BALANCE**

ORIGINATING DEPT NO: 3000002957  
 2011

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: \$1,466,770.00 Fund: 700000

Purpose: Authorizing the transfer of funds from CIP A-BP.00001, Pump Station Restorations, to CIP S-00306, PS 84 Upgrade and PS 62 Abandonment. Authorizing the expenditure of funds for related costs for City Wide Pump Station Upgrades

Date: January 14, 2010 By: Robert Barreras *Robert Barreras*  
 COMPTROLLER'S DEPARTMENT

ACCOUNTING DATA									
Doc. Item	Fund	Funded Program	Internal Order	Funcional Area	G/L Account	Business Area	Cost Center	WBS	Original Amount
1	700000	ABP00001		OTHR-0000000-PR	512117	2011	2011131411		\$1,366,770.00
2	700000	S00304		OTHR-0000000-PR	512117	2011		S-00304.08	\$100,000.00
TOTAL AMOUNT									\$1,466,770.00

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: \$517,711.00

Vendor: HDR, Engineering, INC.

Purpose: Authorizing the expenditure of funds for Amendment Number Two to the HDR Design Agreement for City Wide Pump Station Upgrades.

Date: January 14, 2010 By: Robert Barreras *Robert Barreras*  
 COMPTROLLER'S DEPARTMENT

ACCOUNTING DATA									
Doc. Item	Fund	Funded Program	Internal Order	Funcional Area	G/L Account	Business Area	Cost Center	WBS	Original Amount
3	700000	S00303		OTHR-0000000-PR	512034	2011		S-00303.02.01.04	\$170,845.00
4	700000	S00304		OTHR-0000000-PR	512034	2011		S-00304.02.01.04	\$113,896.00
5	700000	S00305		OTHR-0000000-PR	512034	2011		S-00305.02.01.02	\$170,845.00
6	700000	S00306		OTHR-0000000-PR	512034	2011		S-00306.02.01.04	\$62,125.00
TOTAL AMOUNT									\$517,711.00

CC-361 (REV 7-09)

FUND OVERRIDE

CC 3000002957

0-19935

MAR 09 2010