

ORDINANCE NUMBER O- 20010 (NEW SERIES)

DATE OF FINAL PASSAGE DEC 14 2010

AN ORDINANCE OF THE CITY COUNCIL AUTHORIZING
CHANGE ORDER NO. 5 WITH ORION CONSTRUCTION
AND APPROVING ADDITIONAL FUNDING FOR SEWER
PUMP STATION 27, PHASE 2.

WHEREAS, on March 31, 1998, the City awarded a design contract for Sewer Pump Station 27 to AES Construction, who defaulted, and the surety tendered Orion Construction, Inc. as the replacement Contractor; and

WHEREAS, on January 26, 2004, City Council [Council] authorized Amendment No. 1 with Dudek & Associates for additional work related to scope changes and delays; and

WHEREAS, on March 11, 2004, Change Order No. 1 was processed to relocate electrical conduits in conflict with the proposed pump station; and

WHEREAS, on October 10, 2005, Council approved Change Order No. 2 for additional work related to changes required to the electrical plans and the addition of an odor control system; and

WHEREAS, on December 7, 2005, Change Order No. 3 was processed to cover the replacement of additional water and sewer mains that were damaged during excavation; and

WHEREAS, in March 2006, the pump station began to have pump vibration and air entrapment problems that became more frequent over time, and on September 12, 2006, Council authorized Change Order No. 4 to cover delay costs during construction; and

WHEREAS, Change Order No. 5 includes pump replacement work needed to eliminate vibrations, air entrapment, and accommodate future flows at Sewer Pump Station 27, and other repair work to make the station fully operable, at a cost of \$1,504,270.00; 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 City Council; and

WHEREAS, the Council, stating for the record, that the information contained in the Revised Final Mitigated Negative Declaration, LDR No.41-0286, dated October 8, 2009 (Resolution R-303509, dated April 8, 2008), 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 California Environmental Quality Act Guidelines Section 15162 would warrant environmental review in connection with approval of the Project; NOW, THEREFORE,


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

1. That the Mayor, or his designee, is authorized to execute, for and on behalf of City, Change Order No. 5 to the agreement with Orion Construction, Inc. on file in the office of the City Clerk as Document Number O 20010 for the purpose of upgrading and repairing Sewer Pump Station 27, Phase 2 in an amount not to exceed \$1,504,270.00.
2. That the Chief Financial Officer is hereby authorized to expend an amount not to exceed \$1,504,270.00 from Sewer Fund 700000, CIP A-BP, 00001, Annual Allocation-Pump Station Restoration (B-00503) for the purpose of funding the construction contract for Sewer Pump Station 27, Phase 2.
3. That the Chief Financial Officer, upon the advice from the administering department, is authorized to transfer excess funds, if any, to the appropriate reserves.

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

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

PDL:ca:cfq
09/21/2010
Or.Dept: ECP/Right of Way Design Div.
ProLaw 2010-02460

I hereby certify that the foregoing Ordinance was passed by the Council of the City of San Diego, at this meeting of DEC 7 2010.

ELIZABETH S. MALAND
City Clerk

By 
Deputy City Clerk

Approved: 12.14.10
(date)


JERRY SANDERS, Mayor

Vetoed: _____
(date)

JERRY SANDERS, Mayor