

RESOLUTION NUMBER R- 305554
DATE OF FINAL PASSAGE JAN 22 2010

A RESOLUTION AUTHORIZING CHANGE ORDER NO. 2
WITH T.B. PENICK & SONS, INC. FOR THE ADA & TITLE 24
FACILITY IMPROVEMENTS PROJECT III

WHEREAS, as part of the ADA Barrier Removal program, the Mayor approved a design-build contract with T.B. Penick & Sons, Inc. for the design and construction of ADA Improvements at the Northern Police Station, Balboa Tennis Club, Morley Field, Balboa Park Walks, South Clairemont Recreation Center and Cesar Chavez Community Center [Project]; and

WHEREAS, a Design-Build contract was awarded to T.B. Penick & Sons, Inc. on September 3, 2008, for a base bid amount of \$982,890, on file with the Purchasing & Contracting Department as Contract Number K-084303DB; and

WHEREAS, on June 8, 2009, Change Order No. 1 was approved in the amount of \$11,368.45, for a total expenditure approval to date of \$994,258.45; and

WHEREAS, during design and construction of the Project additional items were identified that also needed modification to meet ADA requirements; and

WHEREAS, the original amount of \$982,890 and Change Order No. 1 in an amount of \$11,368.45 were approved via Mayor's Action, for a total expenditure approval to date of \$994,258.45. Approval of Change Order No. 2 in an amount of \$36,284.78 will bring the total contract amount to \$1,030,543.23. Funds for this request are available in A-BE.00001 (Legacy CIP 37-064.0), the American Disability Act (ADA) Improvements Annual Allocation; NOW THEREFORE,

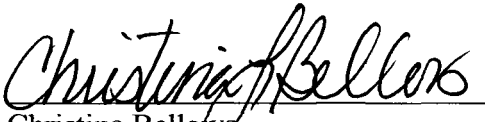
BE IT RESOLVED, by the Council of the City of San Diego as follows:

1. That the Mayor or his designee is authorized to execute, for and on behalf of the City, Contract Change Order No. 2, dated August 14, 2009, heretofore filed with the City Clerk as Document No. RR- 305554, issued in connection with the contract with T.B. Penick & Sons, Inc., amounting to a net increase in the contract price of \$36,284.78 for a total contract in the amount of \$1,030,543.23.

2. That the Chief Financial Officer is authorized to expend \$36,284.78 from A-BE.00001 (Legacy CIP 37-064.0), the American Disability Act (ADA) Improvements Annual Allocation, for the purpose of executing this Second Change Order and for Project related expenditures, contingent upon City Comptroller first certifying fund availability.

3. That the Chief Financial Officer, upon advice from the administering department, is authorized to transfer excess funds, if any, to the appropriate reserves.


APPROVED: JAN I. GOLDSMITH, City Attorney

By 
Christina Bellows
Deputy City Attorney

CL:sc
11/20/09
CC:N/A
Or.Dept:E&CP
R-2010-382

I hereby certify that the foregoing Resolution was passed by the Council of the City of San Diego, at this meeting of JAN 12 2010.

ELIZABETH S. MALAND
City Clerk

By 
Deputy City Clerk

Approved: 1-22-10
(date)


JERRY SANDERS, Mayor

Vetoed: _____
(date)

JERRY SANDERS, Mayor