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(R-2010-592)  
(COR.COPY)

RESOLUTION NUMBER R- 305723

DATE OF FINAL PASSAGE APR 12 2010

A RESOLUTION AUTHORIZING THE CITY COUNCIL TO  
AWARD A CONTRACT TO EL CAJON GRADING AND  
ENGINEERING FOR (PACIFIC BEACH) WATER GROUP  
3012 DESIGN BUILD AND RELATED ACTIONS.

WHEREAS, (Pacific Beach) Water Group 3012 Design Build [the Project] 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 the Project; and

WHEREAS, El Cajon Grading and Engineering 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 and specifications for the replacement of eight miles of cast iron mains designed to improve service to customers pursuant to the City's standards; and

WHEREAS, the Council of the City of San Diego [Council] has the discretion to require, on a case by case basis, based on the evidence in the record, that prevailing wages be paid on its public works municipal affair projects when the Council determines that doing so will provide an economic benefit to the City; and

WHEREAS, Council Resolution No. R-298185 directs that advertising for bids include a prevailing wage specification on all City public works "municipal affair" water fund projects when the engineer's estimate for the construction of the project exceeds ten million dollars; and

WHEREAS, Water Group 3012, mandated by the California Department of Public Health is a public works "municipal affair" water fund project falling within the parameters of the resolution;

WHEREAS, Water Group 3012 includes the replacement of approximately 7.96 miles of deteriorating cast iron water mains in the Pacific Beach community with a total estimated cost of approximately \$16,005,121.00; NOW THEREFORE,

BE IT RESOLVED, that the City Comptroller is authorized to add CIP S-10123 (Pacific Beach) Water Group 3012 DB to the Fiscal Year 2010 Capital Improvements Program Budget.

BE IT FURTHER RESOLVED, by the Council of the City of San Diego, [Council] that the Mayor or his designee, is hereby authorized and empowered to award a contract to El Cajon Grading and Engineering for the design and construction of the Project, under the terms and conditions set forth in the contract, on file in the Office of the City Clerk, as Document No. W.O. 189301, in an amount not to exceed \$10,438,458.00, contingent upon the City Comptroller furnishing 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.

BE IT FURTHER RESOLVED, that the Chief Financial Officer, as delegated to Financial Management is authorized to appropriate, and the City Comptroller is authorized to expend an amount not to exceed \$10,438,458.00 from Water Fund 700011, CIP S-10123 (Pacific Beach), Water Group 3012 DB, for the construction and Project-related costs of the Project, contingent upon the City Comptroller first furnishing one or more certificates certifying that the

funds necessary for expenditure, under established contract funding phases are, or will be, on deposit with the City Treasurer in the following manner:

- a. Fiscal Year 2010 Appropriations: \$4,991,570.00
- b. Fiscal Year 2011 Appropriations: \$5,446,888.00, contingent on Council approval of the Fiscal Year 2011 Appropriations Ordinance.

BE IT FURTHER RESOLVED, that the expenditure in the amount of \$8,118,099.00 for Fiscal Year 2010 – Phase I from Water Funds, of which \$4,991,570.00 is for design-build construction is authorized.

BE IT FURTHER RESOLVED, that the expenditure in the amount of \$7,887,022.00 for Fiscal Year 2011 – Phase II, of which \$5,446,888.00 for design build construction is authorized, contingent on Council approval of the Fiscal Year 2011 Appropriations Ordinance.

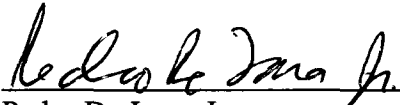
BE IT FURTHER RESOLVED, that the use of City Work Force in Water Fund 700011, CIP S-10123 for the construction of the Project in an amount not to exceed \$2,435,048.00, of which \$1,350,000.00 is for Phase 1, Fiscal Year 2010, and \$1,085,048.00 is for Phase 2, Fiscal Year 2011 is authorized, contingent on Council approval of the Fiscal Year 2011 Appropriations Ordinance.

BE IT FURTHER RESOLVED, by the Council, that the Chief Financial Officer as delegated to Financial Management is authorized to transfer an amount of \$8,118,099.00 from CIP A-KB.00003, (Legacy CIP 73.083.0), Annual Allocation - Water Main Replacements to CIP S-10123 (Pacific Beach), Water Group 3012 DB, within Water Fund 700011.

BE IT FURTHER RESOLVED, that the Mayor or his designee is further authorized to include state prevailing wage requirements in the contract awarded to this Project.

BE IT FURTHER RESOLVED, that the Chief Financial Officer, upon advice from the administering department, is authorized to return excess budgeted funds, if any, to the appropriate reserves.

APPROVED: JAN I. GOLDSMITH, City Attorney

By   
Pedro De Lara, Jr.  
Deputy City Attorney

PDJ:sc  
03/09/10  
**4/06/10 COR.COPY**  
Org. Dept: E&CP  
R-2010-592

I hereby certify that the foregoing Resolution was passed by the Council of the City of San Diego, at this meeting of APR 06 2010.

ELIZABETH S. MALAND  
City Clerk

By   
Deputy City Clerk

Approved: 4.12.10  
(date)

  
JERRY SANDERS, Mayor

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

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JERRY SANDERS, Mayor