

ORDINANCE NUMBER O- 20037 (NEW SERIES)

DATE OF FINAL PASSAGE APR 05 2011

AN ORDINANCE OF THE COUNCIL OF THE CITY OF  
SAN DIEGO AUTHORIZING AGREEMENT WITH  
PATHFINDER GROUP, INC. FOR MARKETING  
CONSULTANT SERVICES.

WHEREAS, in 2006, the City issued Request for Proposal (RFP) No. 8430-07-L-RFP for Marketing Consultant Services to support the City’s Corporate Partnership Program; and

WHEREAS, the City selected Pathfinder Group, Inc. (Pathfinder) as the successful proposer; and

WHEREAS, on or about October 4, 2007, the City and Pathfinder (collectively, the Parties) entered into a Lump Sum Agreement Between the City of San Diego and the Pathfinder Group, Inc. for Consulting Services (Consultant Agreement), which incorporated the terms of the RFP and Pathfinder’s response thereto; and

WHEREAS, on or about February 9, 2010, the Parties entered into a First Amendment to the Consultant Agreement, which amended the scope and certain payment terms; and

WHEREAS, on or about April 26, 2010, the Parties entered into a Second Amendment to the Consultant Agreement, which amended the scope and certain payment terms; and

WHEREAS, the Parties wish to amend the Consultant Agreement a third time, to extend the term through February 28, 2012, and to add provisions required by the Equal Benefits Ordinance, enacted by Ordinance No. O-2011-17 Rev. (codified at San Diego Municipal Code sections 22.4301 et seq.), which became effective on January 1, 2011; and

WHEREAS, the Consultant Agreement and amendments thereto are structured to allow for “Transaction Payments” for up to three years after consulting services are complete; and

WHEREAS, under San Diego 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; 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, for and on behalf of the City, an agreement with Pathfinder, under the terms and conditions set forth in the Consultant Agreement, First Amendment, Second Amendment, and Third Amendment on file in the Office of the City Clerk as Document No. OO- 20037, together with any additional amendments thereto which do not increase the scope or cost of the agreement, and which the Mayor shall deem necessary to carry out the purpose of the agreement.

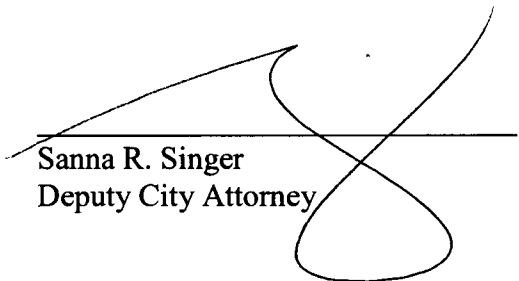
Section 2. That the Chief Financial Officer is authorized to expend an amount not to exceed \$500,000 for the purpose of providing funds for the Consultant Agreement, First Amendment, Second Amendment, and Third Amendment, contingent on the City Comptroller certifying that the funds necessary for the expenditure are, or will be, on deposit in the City Treasury.

Section 3. That a full reading of this ordinance is dispensed with prior to its passage, a written or printed copy having been made available to the City Council and the public prior to the day of its passage.

Section 4. 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

  
Sanna R. Singer  
Deputy City Attorney

SRS:amt  
2/8/2011  
Or.Dept:FIN.MAN.

I hereby certify that the foregoing Ordinance was passed by the Council of the City of San Diego, at this meeting of ~~MAR 29 2011~~

ELIZABETH S. MALAND  
City Clerk

By   
Deputy City Clerk

Approved: 3-5-11  
(date)

  
JERRY SANDERS, Mayor

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

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