

RESOLUTION NUMBER R- 306745

DATE OF FINAL PASSAGE APR 21 2011

A RESOLUTION AUTHORIZING AWARD AND EXECUTION OF PHASE-FUNDED CONTRACT WITH EMERSON PROCESS MANAGEMENT POWER AND WATER SOLUTIONS, INC. FOR METRO AND MUNI FACILITIES CONTROL SYSTEM UPGRADE; AND TAKING RELATED ACTIONS.

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

1. That the Mayor or his designee is authorized to establish contract funding phases and award and execute a phase-funded contract with Emerson Process Management Power & Water Solutions, Inc. for the design and construction of the Metro Facilities Control System Upgrade and Muni Facilities Control System Upgrade project [Project], on the terms and conditions specified in the document filed with the office of the City Clerk as Document No. RR- 306745 [Emerson Contract], for an amount not to exceed \$8,104,843.

2. That the Chief Financial Officer is authorized to expend an amount not to exceed \$6,478,750 from CIP L-10000, Metro Facilities Control System Upgrade, Fund 700001, Sewer (of which \$3,738,710 is for Ovation Upgrade at Point Loma Wastewater Treatment Plant, L-10000.1 and \$2,740,040 is for Ovation Upgrade at North City Water Reclamation Plant, L-10000.2), and \$1,626,093 from CIP L-10001, Muni Facilities Control System Upgrade, Fund 700000, Sewer (of which \$813,047 is for Ovation Upgrade at Penasquitos Pump Station, L-10001.1, and \$813,046 is for Pump Station 64, L-10001.2), for the purpose of providing funds for the Project and related costs, 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 and contingent upon the

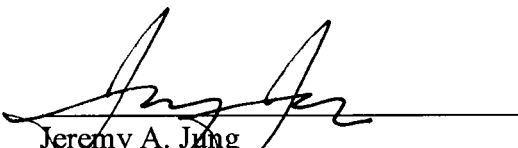
adoption of the Fiscal Year 2013 and Fiscal Year 2014 Annual Capital Improvement Program Budgets and Annual Appropriation Ordinances.

3. That the Mayor or his designee is authorized to execute Phase I - FY 2011 of the Emerson Contract for Metro Facilities Control System Upgrade – Ovation Upgrade at Point Loma Wastewater Treatment Plant, L-10000.1 for an amount not to exceed \$3,738,710 from Sewer Funds.

4. That the Mayor or his designee is authorized to execute future phases of the Emerson Contract contingent upon the City Comptroller first furnishing one or more certificates certifying that the funds necessary for expenditure under the contract funding phases are, or will be, on deposit with the City Treasurer and contingent upon the adoption of the Fiscal Year 2013 and Fiscal Year 2014 Annual Capital Improvement Program Budgets and Annual Appropriation Ordinances.

5. 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 
Jeremy A. Jung
Deputy City Attomey

JAJ:cla
3/29/2011
Or.Dept: ECP/Arc. Eng. & Parks
PL#2011-05557

I hereby certify that the foregoing Resolution was passed by the Council of the City of San Diego, at this meeting of APR 12 2011

ELIZABETH S. MALAND
City Clerk

By Carmina J. Trajano
Deputy City Clerk

Approved: 4-21-11
(date)

Jerry Sanders
JERRY SANDERS, Mayor

Vetoed: _____
(date)

JERRY SANDERS, Mayor