

ORDINANCE NUMBER O-_____ 20119 (NEW SERIES)

DATE OF FINAL PASSAGE JAN 23 2012

AN ORDINANCE OF THE COUNCIL OF THE CITY OF SAN DIEGO AUTHORIZING THE ACCEPTANCE OF FEDERAL FUNDS; APPROVING THE THIRD AMENDMENT TO THE CONSULTANT AGREEMENT BETWEEN THE CITY OF SAN DIEGO AND TY LIN FOR THE WEST MISSION BAY DRIVE BRIDGE OVER SAN DIEGO RIVER PROJECT.

WHEREAS, the West Mission Bay Drive Bridge spans the San Diego River and provides a transportation link between the Point Loma and Pacific Beach communities; and

WHEREAS, the bridge currently has four lanes with non-standard shoulders and has been determined to not meet current capacity demands; and

WHEREAS, the bridge's narrow sidewalks and lack of shoulders make it difficult from bicyclists to utilize the bridge; and

WHEREAS, in May of 2000, the City entered into a consultant agreement with TY Lin International (City Clerk Document No. RR-293189) to provide preliminary engineering services to identify potential improvements to the West Mission Bay Drive Bridge and to identify environmental impacts should these improvements be implemented; and

WHEREAS, the City and Ty Lin entered into a First Amendment in September of 2002 (City Clerk Document No. RR-296990), and a Second Amendment in September of 2008 (City Clerk Document No. OO-19784) to add scope necessary to study possible improvements to the West Mission Bay Drive Bridge and resulting environmental impacts; and

WHEAREAS, this action would authorize a Third Amendment to the consultant agreement with TY Lin to complete all required environmental studies and provide Final Environmental Documents; and

WHEREAS, this action will also authorize the acceptance of up to \$4,040,000.00 in federal grant funding to provide funds to complete future improvements to the West Mission Bay Drive Bridge; 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 accept, for and on behalf of the City, the Program Supplement No. 113 and Revised Finance Letter, in the amount of \$4,040,000 for Federal Aid Project No. BHLS-5004(049), CIP S-00871, Replacement of the West Mission Bay Drive Bridge over the San Diego River Project (Project).

Section 2. That the Chief Financial Officer is authorized to accept federal grant funding up to \$4,040,000 for and on behalf of the City if the grant funding is secured.

Section 3. That the Chief Financial Officer is authorized to establish a special interest-bearing account and to deposit grant funds received in such account.

Section 4. That the Chief Financial Officer is authorized to take all necessary action to administer, monitor, and manage such grant funds for and on behalf of the City when received.

Section 5. That the Fiscal Year 2012 Capital Improvements Program Budget is amended by increasing Fund No. 600000, Federal, Grant Fund No. 1000174-2006, CIP S-00871 by \$4,040,000, Replacement of the West Mission Bay Drive Bridge over the San Diego River Project, contingent upon receipt of a fully executed grant agreement.

Section 6. That the Chief Financial Officer is authorized to appropriate and expend an amount not to exceed up to \$4,040,000 for CIP S-00871, Replacement of the West Mission Bay Drive Bridge over the San Diego River Project, Fund No. 600000, Federal Grant Fund No. 1000174-2006, pending receipt of the Program Supplement (Grant Agreement) for the Local Agency – State Agreement and Revised Finance letter for Federal Aid Project No. BHLS-5004(049).

Section 7. That the Mayor, or his designee, is authorized to execute, for and on behalf of the City, a Third Amendment to the Agreement with Ty Lin International, for professional services for CIP S-00871, Replacement of the West Mission Bay Drive Bridge over the San Diego River Project, in an amount not to exceed \$1,420,849.00, under the terms and conditions set forth in the Agreement on file in the office of the City Clerk as Document No.

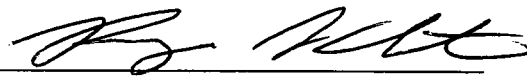
RR 20110.

Section 8. That the Chief Financial Officer is authorized to expend an amount not to exceed \$1,420,849.00 from Fund No. 600000, Federal, Grant Fund No. 1000174-2006, and from Fund No. 400169, TransNet for CIP S-00871, Replacement of the West Mission Bay Drive Bridge River over the San Diego River Project , solely and exclusively to provide funds for the Project, provided that the Chief Financial Officer furnishes one or more certificates certifying that funds necessary for expenditure are, or will be, on deposit in the City Treasury.

Section 9. That a full reading of this ordinance is dispensed with prior to its final passage, a written or printed copy having been made available to the City Council and the public a day prior to its final passage.

Section 10. 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 
Ryan P. Kohut
Deputy City Attorney

RPK:cfq
11/21/2011
Or.Dept:ECP/ROW
Document Number: 281227

I hereby certify that the foregoing Ordinance was passed by the Council of the City of San Diego, at this meeting of ~~JAN 10 2012~~

ELIZABETH S. MALAND
City Clerk

By 
Deputy City Clerk

Approved: 1-23-12
(date)


JERRY SANDERS, Mayor

Vetoed: _____
(date)

JERRY SANDERS, Mayor