

ORDINANCE NUMBER O- 20120 (NEW SERIES)

DATE OF FINAL PASSAGE JAN 23 2012

AN ORDINANCE OF THE COUNCIL OF THE CITY OF SAN DIEGO APPROVING THE SECOND AMENDMENT TO AGREEMENT WITH RBF CONSULTING FOR THE SOUTH MISSION VALLEY TRUNK SEWER PROJECT.

WHEREAS, on February 25, 2002, the Mayor of the City of San Diego approved a consultant agreement between the City of San Diego (City) and Hirsch Consultant & Company on file in the office of the City Clerk as Document No. RR-296104 (Agreement) to provide design, planning and construction support for replacement of the entire length of the South Mission Valley Trunk Sewer project (Project); and

WHEREAS, in January 2005, the City requested that the design be split into four separate construction phases to meet budget limits; and

WHEREAS, on June 28, 2006, Hirsch Consultants & Company was acquired in a stock transaction by RBF Consulting, who has assumed all on-going contracts, current and future liabilities and all other obligations of Hirsch & Company Consulting; and

WHEREAS, on January 18, 2008, the Council of the City of San Diego (City Council) approved the First Amendment to the Agreement to extend the original agreement to update the design to current standards and provide construction support for the Project; and

WHEREAS, the City now desires a Second Amendment to the Agreement with RBF Consulting for additional engineering support services for the Project due to design changes necessary for an updated hydraulic analysis, and unforeseen conflicts with the underground utilities during construction of the Project; and

WHEREAS, the Second Amendment to the Agreement with RBF Consulting will extend the total term of the Agreement beyond five years; 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 adopted by a two-thirds' majority vote of the City Council; and

WHEREAS, the City Council, stating for the record, that the information contained in the Mitigated Negative Declaration, Project No. 22528, including any comments received during the public review process, has been previously reviewed and considered by the Hearing Officer (HO-06-163, Resolution No. 5401), and it is determined that no substantial changes or new information of substantial importance within the meaning of CEQA Guidelines section 15162 would warrant any additional environmental review in connection with approval of the Project; 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 said City, the Second Amendment to an Agreement with RBF Consulting for additional design and construction engineering support services for the Project, under the terms and conditions set forth in the Agreement on file in the Office of the City Clerk as Document

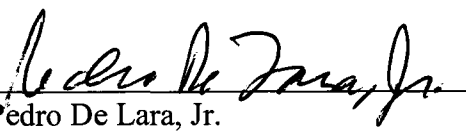
No. OO-20120, together with any reasonably necessary modifications or amendments thereto which do not increase project scope or cost and which the Mayor shall deem necessary from time to time in order to carry out the purposes and intent of this project and agreement.

Section 2. That the expenditure of an amount not to exceed \$37,804 from Capital Project No. S-00302, South Mission Valley Trunk Sewer, Sewer Fund 700008 is authorized for the purpose of providing funds for the Project.

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 
Pedro De Lara, Jr.
Deputy City Attorney

RCP:PDL:cfq:cw
10/25/2011
Or.Dept:ECP/ROW
Document Number: 255057

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