

RESOLUTION NUMBER R - 307643

DATE OF FINAL PASSAGE AUG 15 2012

9503  
7/31

A RESOLUTION OF THE COUNCIL OF THE CITY OF SAN DIEGO AUTHORIZING AN AMENDMENT TO THE AGREEMENT WITH HAWTHORNE MACHINERY COMPANY FOR THE LEASE OF A LANDFILL COMPACTOR WITH A ONE-YEAR OPTION TO RENEW THE AGREEMENT; AND AUTHORIZING THE EXPENDITURE OF FUNDS THEREFOR.

WHEREAS, in June 2009, by Request for Bid No. 9683-09-E, the City advertised for the lease and full maintenance of one heavy duty landfill compactor for daily use at the Miramar Landfill; and

WHEREAS, Hawthorne Machinery Company (Hawthorne) submitted its response to Request for Bid No. 9683-09-E, was selected as the winning bidder, and entered into an agreement with the City to furnish it with the heavy duty landfill compactor for an initial term of two years (Fiscal Year 2010 and Fiscal Year 2011) with options to renew the agreement for three additional one-year periods (Agreement); and

WHEREAS, the City exercised the option to renew the Agreement for Fiscal Year 2012 and would like to exercise the option to renew for Fiscal Year 2013; NOW, THEREFORE,

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

1. That the Mayor or his designee is authorized to execute, for and on behalf of the City, an amendment to the Agreement with Hawthorne for the lease of a heavy duty landfill compactor with full maintenance, extending the term of the Agreement from July 1, 2012 through June 30, 2013, with an option to renew the Agreement for one additional one-year period, all in accordance with Request for Bid No. 9683-09-E and Hawthorne's response thereto, and under

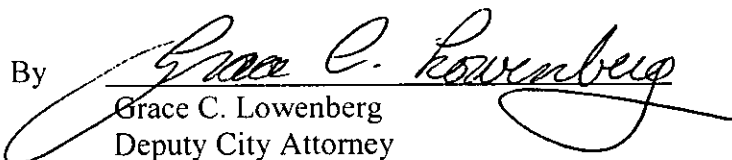
the terms and conditions set forth in the Amendment to Agreement, on file with the City Clerk as Document No. RR- **307643**

2. That the Chief Financial Officer is authorized to expend an amount not to exceed \$400,000 from Refuse Disposal Fund No. 700039, solely and exclusively to provide funds for the above Amendment, provided that the City Comptroller first furnishes one or more certificates demonstrating that the funds are, or will be, on deposit in the City Treasury for this expenditure.

3. That the Mayor or his designee is authorized to exercise the last option to extend the above Agreement for up to one additional one-year period, under the terms and conditions set forth in the Agreement.

4. That if the Mayor determines to exercise the last one-year option, the Chief Financial Officer is authorized to expend an amount not to exceed \$400,000 from Refuse Disposal Fund No. 700039, contingent on: (i) the execution of an appropriate amendment to the Agreement; (ii) the passage of the Annual Appropriations Ordinance for the applicable fiscal year and funding for this expenditure being included in the applicable budget; and (iii) the City Comptroller first furnishing one or more certificates demonstrating that the funds are, or will be, on deposit in the City Treasury for this expenditure.

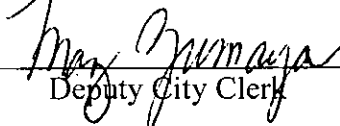
APPROVED: JAN I. GOLDSMITH, City Attorney

By   
Grace C. Lowenberg  
Deputy City Attorney

GCL:mb  
7/19/2012  
C.Cert:3000005122  
Or.Dept:ESD  
Doc.No:404237

I hereby certify that the foregoing Resolution was passed by the Council of the City of San Diego, at its meeting of JUL 31 2012.

ELIZABETH S. MALAND, City Clerk

By   
Deputy City Clerk

Approved: 8.15.12  
(date)

  
JERRY SANDERS, Mayor

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

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JERRY SANDERS, Mayor