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(R-2013-157)

RESOLUTION NUMBER R- 307710

DATE OF FINAL PASSAGE OCT 03 2012

A RESOLUTION OF THE COUNCIL OF THE CITY OF  
SAN DIEGO AUTHORIZING A CONSTRUCTION MANAGER  
AT RISK CONTRACT WITH CLARK / HUNT, A JOINT  
VENTURE; AUTHORIZING A THIRD AMENDMENT WITH  
FENTRESS ARCHITECTS FOR ARCHITECTURAL  
SERVICES; AND TRANSFERRING AND EXPENDING  
FUNDS IN CONNECTION WITH THE PHASE III EXPANSION  
OF THE SAN DIEGO CONVENTION CENTER.

WHEREAS, August 4, 2011, the City assumed responsibility for the Phase III Expansion of the San Diego Convention Center (Project) from the Convention Center Corporation pursuant to Resolution No. R-306988; and

WHEREAS, the City has determined that Clark / Hunt, a Joint Venture, is the best firm to assume the role of the Construction Manager at Risk for the Project pursuant to a competitive process held in accordance with San Diego Municipal Code section 22.3803; and

WHEREAS, an amendment to the agreement with Fentress Architects is needed to initiate the schematic design and to evaluate proposed cost savings developed by Clark / Hunt;  
NOW, THEREFORE

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

1. That the Chief Financial Officer is authorized to transfer \$1,000,000 of appropriations from the General Fund Appropriated Reserve, Department 9915, to Citywide Program Expenses, Department 9912, within the General Fund, Fund No. 100000.

2. That the Chief Financial Officer is authorized to transfer \$1,000,000 from the General Fund, Fund No. 100000, Citywide Program Expenses, Department 9912, to Fund No. 400265, General Fund Contributions to the CIP.

3. That in accordance with the Annual Appropriation Ordinance, the Chief Financial Officer is authorized to increase the Fiscal Year 2013 Capital Improvements Program Budget in CIP S-12022, Convention Center Phase III Expansion, by the amount of \$1,000,000 and to appropriate and expend an amount not to exceed \$1,000,000 from Fund No. 400265, General Fund Contributions to the CIP, for the purpose of advancing the design of the Project.

4. That the Mayor or his designee is authorized, for and on behalf of the City, to execute an amendment to the agreement with Fentress Architects for architectural services for the Project under the terms and conditions set forth in the Third Amendment, on file with the City Clerk as Document No. RR- 307710 - 1.

5. That the Chief Financial Officer is authorized to expend an amount not to exceed \$650,000 from CIP S-12022, Convention Center Phase III Expansion, Fund No. 400265, General Fund Contributions to the CIP, solely and exclusively to provide funds for the Third Amendment to the agreement with Fentress Architects and to begin the schematic design phase of the Project, provided that the Chief Financial Officer first furnishes one or more certificates demonstrating that the funds necessary for expenditure are, or will be, on deposit with the City Treasurer.

6. That the Mayor or his designee is authorized, for and on behalf of the City, to execute a phase funded Pre-Construction Services Agreement for the Project with Clark/Hunt, a Joint Venture, in an amount not to exceed \$600,000 and under the terms and conditions set forth in the Agreement, on file with the City Clerk as Document No. RR- 307710 - 2.

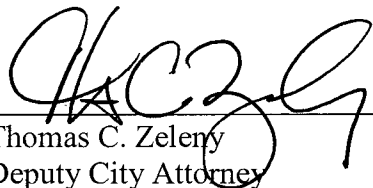
7. That the Chief Financial Officer is authorized to expend an amount not to exceed \$300,000 for the first phase of the Pre-Construction Services Agreement from CIP S-12022, Convention Center Phase III Expansion, from Fund No. 400265, General Fund Contributions to the CIP, provided that the Chief Financial Officer first furnishes one or more certificates

demonstrating that the funds necessary for expenditure are, or will be, on deposit with the City Treasurer.

8. That the Chief Financial Officer is authorized to expend an additional amount not to exceed \$300,000 to fund the second phase of the Pre-Construction Services Agreement in Fiscal Year 2014 from CIP S-12022, Convention Center Phase III Expansion, Fund No. 200210, Convention Center Expansion Surety, provided the Chief Financial Officer first furnishes one or more certificates demonstrating that the funds necessary for expenditure are, or will be, on deposit with the City Treasurer.

9. That the Chief Financial Officer is authorized to transfer all expenses incurred in CIP S-12022, Convention Center Phase III Expansion, Fund No. 400265, General Fund Contributions to the CIP, to a City Council approved bond funding source; to de-appropriate and return the \$1,000,000 of Fund No. 400265, General Fund Contributions to the CIP, to Fund No. 100000, General Fund; and to re-appropriate that \$1,000,000 in the General Fund Appropriated Reserve, Department 9915, contingent upon the approval and issuance of the bonds and the certification of the City Comptroller that the bond proceeds are available.

APPROVED: JAN I. GOLDSMITH, City Attorney

By   
Thomas C. Zeleny  
Deputy City Attorney

TCZ:mb  
09/21/12  
Or.Dept:Public Works  
Doc.No:442572

I hereby certify that the foregoing Resolution was passed by the Council of the City of San Diego,  
at its meeting of 10/1/12.

ELIZABETH S. MALAND, City Clerk

By 

Deputy City Clerk

Approved: 10.3.12

(date)

  
JERRY SANDERS, Mayor

Vetoed: \_\_\_\_\_

(date)

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JERRY SANDERS, Mayor