

RESOLUTION NUMBER R- 308610

DATE OF FINAL PASSAGE DEC 24 2013

A RESOLUTION OF THE COUNCIL OF THE CITY OF  
SAN DIEGO RATIFYING THE SOLE SOURCE CONTRACT  
AWARD TO ORION CONSTRUCTION CORPORATION FOR  
THE HARBOR DRIVE 48-INCH TRUNK SEWER  
EMERGENCY MANHOLE REPLACEMENT PROJECT.

WHEREAS, an emergency situation affecting public health or safety arose on March 16, 2012 when City crews discovered a 10 foot by 10-foot section of undermined pavement in Harbor Drive between 32nd Street and Belt Street caused by a deteriorated manhole, and collapse of the pavement was imminent and debris resulting from such collapse would clog the underlying 48-inch trunk sewer, thereby causing a major sewage spill into adjacent Chollas Creek; and

WHEREAS, Orion Construction Corporation (Orion) performed work to remedy the aforementioned emergency pursuant to a sole source contract at a cost of \$2,934,803.34; and

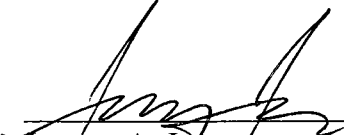
WHEREAS, section 22.3108(a) of the San Diego Municipal Code requires that the award of an emergency sole source contract be ratified by a two-thirds vote of the Council of the City of San Diego; NOW, THEREFORE,

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

1. That the sole source contract awarded to Orion for construction services to remedy the Harbor Drive emergency situation discovered March 16, 2012, in the amount of \$2,934,803.34, a copy of which contract is on file with the Office of the City Clerk as Document No. RR- 308610, is hereby ratified.

2. That the Chief Financial Officer is authorized to appropriate and expend an amount not to exceed \$2,934,803.34 from CIP A-JA.00003, Unscheduled Projects (B-12088, Harbor Drive 48" Trunk Sewer Emergency Manhole Replacement).

APPROVED: JAN I. GOLDSMITH, City Attorney

By   
Jeremy A. Jung  
Deputy City Attorney

JAJ:cla:cw  
11/18/13  
Or.Dept: Engineering & Capital Projects  
CC No.: N/A  
Doc. No.: 668644

I hereby certify that the foregoing Resolution was passed by the Council of the City of San Diego, at this meeting of DEC 10 2013.

ELIZABETH S. MALAND  
City Clerk

By   
Deputy City Clerk

Approved pursuant to Charter section 265(i):

\_\_\_\_\_  
(date)

\_\_\_\_\_  
TODD GLORIA, Council President

Passed by the Council of The City of San Diego on DEC 10 2013, by the following vote:

Councilmembers	Yeas	Nays	Not Present	Recused
Sherri Lightner	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Kevin Faulconer	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Todd Gloria	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Myrtle Cole	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Mark Kersey	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Lorie Zapf	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Scott Sherman	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
David Alvarez	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Marti Emerald	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Date of final passage DEC 24 2013.

**(Please note: When a resolution is approved by the Council President as interim Mayor, the date of final passage is the date the approved resolution was returned to the Office of the City Clerk.)**

AUTHENTICATED BY:

TODD GLORIA, COUNCIL PRESIDENT  
as interim Mayor of The City of San Diego, California.

(Seal)

ELIZABETH S. MALAND  
City Clerk of The City of San Diego, California.

By *Mary Zimmerman*, Deputy

Office of the City Clerk, San Diego, California

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