

Item #59
Tues; 7/15/14
(O-2014-133)

Item 59 -
7/22

ORDINANCE NUMBER O- 20395 (NEW SERIES)

DATE OF FINAL PASSAGE AUG 11 2014

AN ORDINANCE OF THE COUNCIL OF THE CITY OF
SAN DIEGO AUTHORIZING THE SECOND AMENDMENT
TO THE AGREEMENT BETWEEN THE CITY OF SAN DIEGO
AND PLATT/WHITELAW ARCHITECTS, INC. FOR
AS-NEEDED ARCHITECTURAL DESIGN SERVICES FOR
VARIOUS CAPITAL IMPROVEMENT PROJECTS.

WHEREAS, on September 1, 2009, the City of San Diego [City] entered into an agreement between the City and Platt/Whitelaw Architects, Inc. [Agreement], to provide As-Needed Architectural Design Services for various Capital Improvement Projects ; and

WHEREAS, on September 19, 2012, the Agreement was amended [First Amendment] to extend the duration of the Agreement by an additional 24 months, bringing the total Agreement duration to 60 months (five years); and

WHEREAS, under the Agreement and First Amendment a total of 52 task orders have been issued, of which 22 of them are still in process and need additional time beyond the originally authorized five years to complete them; and

WHEREAS, the City would like to amend the Agreement again [Second Amendment] to extend the Agreement by an additional 36 months (three years) to ensure enough time to complete the outstanding task orders; and

WHEREAS, during the execution of one of the task orders, Chollas Yard, Platt/Whitelaw ran into unforeseen conditions that will require additional design services on that task order, the Second Amendment will add an amount not to exceed Two Hundred Thousand dollars (\$200,000) to the Agreement to compensate Platt/Whitelaw Architects, Inc. for those additional services; and

WHEREAS, the Second Amendment 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; 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 hereby authorized to execute, for and on behalf of said City, the Second Amendment to the As-Needed Architectural Design Services Agreement with Whitelaw/Platt Architects, Inc. to extend the duration of the Agreement by an additional 36 months (three years) and add an amount not to exceed Two Hundred Thousand dollars (\$200,000) to the Agreement for the purpose of completing the open task orders for various Capital Improvement Projects under the terms and conditions set forth in the Second Amendment on file in the Office of the City Clerk as Document No. OO- 20395, 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 Chief Financial Officer is authorized to expend an amount not to exceed \$200,000 over the additional three years, contingent upon the adoption of the of the Annual Appropriation Ordinance for the applicable fiscal year, and contingent upon the Chief Financial Officer furnishing one or more certificates certifying that the funds necessary for this expenditure are, or will be, on deposit in the City Treasurer.

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 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 Christina L. Rae
Christina L. Rae
Deputy City Attorney

CLR:cfq
5/20/2014
O-2014-133
Or.Dept:PW/PITS
Document No.:791642

I hereby certify that the foregoing Ordinance was passed by the Council of the City of San Diego, at this meeting of JUL 29 2014.

ELIZABETH S. MALAND
City Clerk

By [Signature]
Deputy City Clerk
Kevin L. Faulconer
KEVIN L. FAULCONER, Mayor

Approved: 8/11/14
(date)

Vetoed: _____
(date)

KEVIN L. FAULCONER, Mayor

Passed by the Council of The City of San Diego on JUL 29 2014, 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"/>
Ed Harris	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Todd Gloria	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input 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 checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Marti Emerald	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Date of final passage AUG 11 2014

AUTHENTICATED BY:

KEVIN L. FAULCONER
Mayor of The City of San Diego, California.

(Seal)

ELIZABETH S. MALAND
City Clerk of The City of San Diego, California.
By [Signature], Deputy

I HEREBY CERTIFY that the foregoing ordinance was not finally passed until twelve calendar days had elapsed between the day of its introduction and the day of its final passage, to wit, on

JUL 15 2014, and on AUG 11 2014

I FURTHER CERTIFY that said ordinance was read in full prior to passage or that such reading was dispensed with by a vote of five members of the Council, and that a written copy of the ordinance was made available to each member of the Council and the public prior to the day of its passage.

(Seal)

ELIZABETH S. MALAND
City Clerk of The City of San Diego, California.
By [Signature], Deputy

Office of the City Clerk, San Diego, California

Ordinance Number O- 20395