

ORDINANCE NUMBER O- 20421 (NEW SERIES)

DATE OF FINAL PASSAGE NOV 04 2014

AN ORDINANCE OF THE COUNCIL OF THE CITY OF
SAN DIEGO AUTHORIZING THE EXECUTION OF THE
SECOND AMENDMENT TO THE AGREEMENT BETWEEN
THE CITY OF SAN DIEGO AND NADEL ARCHITECTS, INC.
FOR THE DESIGN OF THE TEMPORARY AND PERMANENT
FIRE STATION NO. 22.

WHEREAS, Fire Station No. 22 is a 67 year old facility servicing the Point Loma area;
and

WHEREAS, on March 2, 2004, the City of San Diego (City), entered into an agreement
with Nadel Architects, Inc. (Agreement), to provide Architectural Design Services for the
demolition and replacement of Fire Station No. 22 (Project); and

WHEREAS, on November 19, 2010, the Agreement was amended (First Amendment)
adding funds to update the plans to the current building code requirements, meet LEED
requirements, and bring the plans to 100% completion; and

WHEREAS, prior to demolition of the current station and the start of construction of the
new permanent fire station, there will be a need for a temporary facility to ensure continuity of
fire response services in that area; and

WHEREAS, the City would like to amend the Agreement again (Second Amendment)
adding \$150,000 to the Agreement, to cover additional scope that will include the design of the
temporary fire station, as well as construction administration services for the entire Project; 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 Agreement with Nadel Architects, Inc. for the purpose of designing the temporary station and completing the Project under the terms and conditions set forth in the Second Amendment on file in the Office of the City Clerk as Document No. OO- 20421, 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 \$150,000 from CIP S-00787, Fire Station No. 22 Project, Fund 400848, Deferred Maintenance 2012A- Project, for the purpose of executing the Second Amendment, contingent upon the Chief Financial Officer first demonstrating funds necessary for expenditure are, or will be, on deposit with 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 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 Christina L. Rae
Christina L. Rae
Deputy City Attorney

CLR:cfq
9/17/2014
12/01/2014 COR.COPY
Or.Dept:PITS
CC No.:3000007142
Document Number: 865510

I hereby certify that the foregoing Ordinance was passed by the Council of the City of San Diego, at this meeting of OCT 21 2014.

ELIZABETH S. MALAND
City Clerk

By _____
Deputy City Clerk

Approved: _____
(date)

KEVIN L. FAULCONER, Mayor

Vetoed: _____
(date)

KEVIN L. FAULCONER, Mayor

SEE ATTACHED MEMO AND SIGNATURE PAGE.

The City of San Diego
COMPTROLLER'S CERTIFICATE

CERTIFICATE OF UNALLOTTED BALANCE

ORIGINATING DEPT. NO.: CC 3000007142
 DEPT. NO.: 2112

I HEREBY CERTIFY that the money required for the allotment of funds for the purpose set forth in the foregoing resolution is available in the Treasury, or is anticipated to come into the Treasury, and is otherwise unallotted.

Amount: _____

Purpose: _____

Date: _____ By: _____

COMPTROLLER'S DEPARTMENT

ACCOUNTING DATA									
Doc. Item	Funded Program	Fund	Grant Number	G/L Account	Functional Area	Business Area	Fund Center or Cost Center	Internal Order or WBS Element	Original Amount
TOTAL AMOUNT									

FUND OVERRIDE

CERTIFICATION OF UNENCUMBERED BALANCE

I HEREBY CERTIFY that the indebtedness and obligation to be incurred by the contract or agreement authorized by the hereto attached resolution, can be incurred without the violation of any of the provisions of the Charter of the City of San Diego; and I do hereby further certify, in conformity with the requirements of the Charter of the City of San Diego, that sufficient moneys have been appropriated for the purpose of said contract, that sufficient moneys to meet the obligations of said contract are actually in the Treasury, or are anticipated to come into the Treasury, to the credit of the appropriation from which the same are to be drawn, and that the said money now actually in the Treasury, together with the moneys anticipated to come into the Treasury, to the credit of said appropriation, are otherwise unencumbered.

Not to Exceed: \$150,000.00

Vendor: Nadel Architects, Inc

Purpose: To authorize the expenditure of funds not to exceed \$150,000.00 to Nadel Architects, Inc for the second amendment to the agreement for the Fire Station No. 22 project.

Date: August 6, 2014 By: Elizabeth Warnock

COMPTROLLER'S DEPARTMENT

ACCOUNTING DATA									
Doc. Item	Funded Program	Fund	Grant Number	G/L Account	Functional Area	Business Area	Fund Center or Cost Center	Internal Order or WBS Element	Original Amount
001	S00787	400848		512001	OTHR-00000000-FI	1912		S-00787.02.02	\$150,000.00
TOTAL AMOUNT									\$150,000.00

CC-361 (REV 7-09)

FUND OVERRIDE

CC 3000007142

OCT 21 2014

20421

**Office of
The City Attorney
City of San Diego**

**MEMORANDUM
MS 59**

(619) 236-6220

DATE: December 1, 2014
TO: City Clerk
FROM: City Attorney
SUBJECT: Corrections to Second Amendment to the Agreement with Nadel Architects for the Fire Station No. 22 Ordinance, Item #56, Council Meeting of Oct. 21, 2014 (San Diego Ordinance O-20421; O-2015-33 COR. COPY)

This Memorandum is presented, pursuant to San Diego Charter (Charter) section 275(a), to notify the Office of the City Clerk that this Office has made corrections to Second Amendment to the Agreement with Nadel Architects for Fire Station No. 22 Ordinance (San Diego Ordinance O-2015-33), as requested by the Public Works Department and the Office of the City Comptroller. This Office approves of the requested corrections, as permitted under the provisions of Charter section 275(a).¹

The following corrections have been made to the Second Amendment to the Agreement with Nadel Architects for Fire Station No. 22 Ordinance that was passed by the City Council on October 21, 2014:

¹ Charter section 275 addresses modifications to ordinances as follows:

An alteration necessary only to correct a typographical or clerical error or omission may be performed by the City Clerk with the written approval and concurrence of the City Attorney, so long as the alteration does not materially or substantially alter the contents, requirements, rights, responsibilities, conditions, or prescriptions contained in the original text of the ordinance. A typographical or clerical error shall include, but is not limited to, incorrect spelling, grammar, numbering, punctuation, transposed words or numbers, and duplicate words or numbers.

Section No.

Correction

Title, line 5

Delete "PERMENANT" and Replace with "PERMANENT"
(This addresses a typographical error)


Section No.

Correction – Ordinance

Page 2, §2, line 2

Delete "Fund 400845" and Replace with "Fund 400848"
(This addresses a typographical error)

If there are any questions or concerns, please contact me at (619) 533-6163.

By 
Christina L. Rae
Deputy City Attorney

CLR:cfq
Attachment

APPROVED: JAN I. GOLDSMITH, City Attorney

By Christina L. Rae
Christina L. Rae
Deputy City Attorney

CLR:cfq
9/17/2014
Or.Dept:PITS
CC No.:3000007142
Document Number: 865510

I hereby certify that the foregoing Ordinance was passed by the Council of the City of San Diego, at this meeting of OCT 21 2014

ELIZABETH S. MALAND
City Clerk

By Wendy Hernandez
Deputy City Clerk

Approved: 10/31/14
(date)

Kevin L. Faulconer
KEVIN L. FAULCONER, Mayor

Vetoed: _____
(date)

KEVIN L. FAULCONER, Mayor

Passed by the Council of The City of San Diego on OCT 21 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 NOV 04 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 Mary Hernandez, 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

OCT 07 2014, and on NOV 04 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 Mary Hernandez, Deputy

Office of the City Clerk, San Diego, California

Ordinance Number O- 20421