Item 102 (R-2016-54) 8-4-15

RESOLUTION NUMBER R- 309917

DATE OF FINAL PASSAGE AUG 0 7 2015

A RESOLUTION OF THE COUNCIL OF THE CITY OF SAN DIEGO APPROVING AND AUTHORIZING THE EXECUTION OF CONSTRUCTION CONTRACT FOR THE EL CUERVO DEL SUR WETLANDS MITIGATION PROJECT.

WHEREAS, the Transportation & Storm Water Department performed maintenance in the Soledad Canyon/Sorrento Creek Flintkote Channel in FY 2014 and FY 2015 and the Mission Bay High School and Pacific Beach Dr./Olney Street channels were maintained in FY 2015; and

WHEREAS, compensatory mitigation for maintenance performed at both channels is proposed at the El Cuervo Del Sur Wetlands Mitigation Project within the Los Penasquitos Canyon Preserve; and

WHEREAS, successful completion of the El Cuervo Del Sur Wetlands Mitigation is required for compliance with a number of mandatory permit conditions related to maintenance performed in FY 2014 and 2015; NOW, THEREFORE,

BE IT RESOLVED, by the Council of the City of San Diego, that the plans and specifications for construction of El Cuervo del Sur Wetlands Mitigation Project, as advertised by the Public Works Department are approved.

BE IT FURTHER RESOLVED, that the Mayor or his designee is authorized to execute a construction contract with the lowest responsible and reliable bidder in an amount not to exceed \$569,465, contingent upon the Chief Financial Officer furnishing a certificate certifying that funds necessary for expenditure are, or will be, on deposit with the City Treasurer.

BE IT FURTHER RESOLVED, that the Chief Financial Officer is authorized to expend an amount not to exceed \$569,465 from Fund 100000 – General Fund, Transportation & Storm Water Department – Storm Water Division operating budget, for the purpose of implementing the El Cuervo del Sur Wetlands Mitigation Project, contingent upon the Chief Financial Officer furnishing a certificate certifying that funds necessary for expenditure are, or will be, on deposit with the City Treasurer.

APPROVED: JAN I. GOLDSMITH, City Attorney

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Kathryn F Kriozere Deouty City Attorney

KFK:jls

July 16, 2015

Or.Dept:[Dept]

CC No. 3000008010 Doc. No.: 1063967

| I certify that th meeting of | e foregoing Resolution was p<br>AUG 0 4 2015 | passed by the Council of the City of San Diego, at th |
|------------------------------|--|---|
|                              |  | ELIZABETH S. MALAND<br>City Clerk                     |
|                              | •  | By Man Junadin<br>Deputy City Clerk                   |
| Approved:                    | 8/6/15<br>(date)                             | KEVIN L. FAULCONER, Mayor                             |
| Vetoed:                      | (date)                                       | KEVIN L. FAULCONER, Mayor                             |

## The City of San Diego COMPTROLLER'S CERTIFICATE

| THEREBY 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:    By:  |                              |   |                                 |   | CERT   | IFICATE OF UNALL  | OTTED BA   | LANCE  | ORIGINATING DE  | C 300008010   |
|---|------------------------------|---|---------------------------------|---|--|---|--|--|---|---|
| TOTAL AMOUNT    CONTROLLERS DEPARTMENT   CONTROLLERS DEPARTMENT   |                              |   |                                 |   |  |   |  |  |   |   |
| Amount:  Purpose:    Date:   By:   Constructions DETA   | in the                       | HEREBY  | CERTIF                          | FY that the mor   | ney required fo  | r the allotment of fu   | nds for th<br>se unallot                             | ie purpose set forth i<br>ted  | n the foregoing re  | esolution is available  |
| Purpose:    By:   |                              | -   | or is and                       | icipated to com   | e into the mea   | oury, and is outlown  | oo anano.  |  |   |   |
| Date:    By:  | Afficul                      | nu,   |                                 |   |  |   |  |  |   | <u></u>   |
| Doc. Punded Item Program Fund Grant Number G/L Account Functional Area Area Fund Center or Cost WBS Element Original Amount.    Pund Center or Cost WBS Element Original Amount Functional Area Fund Center or Cost WBS Element Original Amount.  | Purpos                       | se:   |                                 |   |  |   |  |  |   |   |
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| Doc   Funded  | Date:                        |   |                                 |   |  |   |  | . By:  | COMPTROLLER'S DE  | PARTMENT  |
| TOTAL AMOUNT    CARTIFICATION OF UNENCUMBERED BALANCE   CONTROLLY   |                              |   |                                 |   |  | ACCOUNTING D  |  |  |   |   |
| TOTAL AMOUNT  CERTIFICATION OF UNENCUMBERED BALANCE  LHEREBY 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, 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:  \$569,465.00  Vendor:  Natures Image, Inc.  E1472 - To authorize the expenditures of funds not to exceed \$569,465.00 to Natures Image, Inc. for the emplementation of the Ei  Cuervo del Sur Wetlands Mitigation Project.  Doc.  Funded  Item Program Fund Grant Number G/L Account Punctional Area Area Center WBS Element Original Amount Original Amount Original Amount S569,465.00  |                              |   |                                 |   | CIN A  | Dunational Area   |  |  |   | Original Amount   |
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| Natures Image, Inc.  Purpose:  E1472 - To authorize the expenditures of funds not to exceed \$569,465.00 to Natures Image. Inc.for the emplementation of the El Cuervo del Sur Wetlands Mitigation Project.  Date:  July 9, 2015  By: Van Nguyen  COMPTROLLER'S JEPARIMENT  ACCOUNTING DATA  Business Fund Center or Cost Internal Order or WBS Element Original Amount 001 100000  512059  O'THR-00000000-SH 2116 2116121120  \$569,465.00   | attache<br>further<br>the pu | ed resolution certify, in repose of satisfication the Treese of Section 1997. | on, can<br>conform<br>ald contr | be incurred wit<br>hity with the request, that suffici- | hout the violation of the contract of the cont | on of any of the provine Charter of the Cit<br>meet the obligations<br>on from which the si | visions of<br>y of San [<br>s of said o<br>ame are t | the Charter of the Ci<br>Diego, that sufficient<br>contract are actually i<br>o be drawn, and that | ity of San Diego; of<br>moneys have been<br>n the Treasury, o<br>the said money r | and I do hereby<br>en appropriated for<br>r are anticipated to<br>now actually in the |
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| Cuervo del Sur Wetlands Mitigation Project.    Date:   July 9, 2015   By: Van Nguyen   COMPTROLLER'S FEAR MENT  | vendor                       | •   |                                 |   |  |   |  |  | t f thlow   | ntation of the El   |
| Date:   July 9, 2015   By:   Van Nguyen   COMPTROLLER'S FEARTMENT   | Purpos                       | e:  |                                 |   |  |   | d \$569,469  | 5.00 to Natures image  | , inc. for the empler   | nemation of the Li  |
| Doc.   Funded   |                              |   |                                 |   |  |   |  |  |   |   |
| Doc.   Funded   | Date:                        |   |                                 |   | July 9, 20   | 15  |  | By: <u>Van Ngu</u> y   | en COMPTECULER'S A  | 20 MENT   |
| 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         100000         512059         OTHR-00000000-SH         2116         2116121120         \$569,465.00   |                              |   |                                 |   |  | ACCOUNTING DA   | .ΤΔ  |  | COMPARCILLATION   | y Activity  |
| Item         Program         Fund         Grant Number         G/L Account         Functional Area         Area         Center         WBS Element         Original Amount           001         100000         512059         OTHR-00000000-SH         2116         2116121120         \$569,465.00  | Doc.                         | Funded  |                                 |   |  | Accountino Di   | · · · · · · · · · · · · · · · · · · ·                | Fund Center or Cost  | Internal Order or   |   |
| 001 100000 31203 01111111111111111111111  | Item                         | Program   |                                 | Grant Number  |  |   | <del></del>  |  | WBS Element   |   |
| TOTAL AMOUNT \$569,465.00   | 100                          | -,  | 100000                          |   | 512059   | OTHR-00000000-SH  | 2116   | 2116121120   |   | \$309,403.00  |
| TOTAL AMOUNT \$569,465.00   |                              |   | +                               |   |  |   |  |  |   |   |
| TOTAL AMOUNT \$569,465.00   |                              |   |                                 |   |  |   |  |  |   |   |
|   |                              |   | <u> </u>                        |   |  | <u> </u>  |  |  | TOTAL AMOUNT  | \$569,465.00  |
|   |                              |   |                                 |   |  |   | •  |  |   | · · · · · · · · · · · · · · · · · · ·   |

CC 3000008010

CC-361 (REV 7-09)

| Passed by the Council of The Cit                              | ty of San Diego on _ | AUG 4     | 2015 , by                      | the following vote:                    |
|---|----------------------|-----------|--------------------------------|--|
| Councilmembers  | Yeas                 | Nays      | Not Present                    | Recused                                |
| Sherri Lightner   | Ø                    |           |                                |  |
| Lorie Zapf  |                      |           |                                |  |
| Todd Gloria   | $\mathbb{Z}_{+}$     |           |                                |  |
| Myrtle Cole   | Z                    |           | . 🗆                            |  |
| Mark Kersey   |                      |           |                                |  |
| Chris Cate  | Ø                    |           |                                |  |
| Scott Sherman   | Z,                   |           |                                |  |
| David Alvarez   | ·<br>Z               |           |                                |  |
| Marti Emerald   | ,<br>A               |           |                                |  |
| Date of final passageAt At A |                      |           |                                |  |
| AUTHENTICATED BY:   |                      | Ma        |                                | San Diego, California.                 |
| (Seal)  |                      | City      | ELIZABETH Clerk of The City of | S. MALAND<br>of San Diego, California. |
|   |                      | Ву        | nang Stin                      | Deput                                  |
|   |                      |           |                                |  |
|   |                      | Office of | the City Clerk, Sa             | n Diego, California                    |

Resolution Number R- 309917