

RESOLUTION NUMBER R-310174

DATE OF FINAL PASSAGE DECEMBER 18, 2015

A RESOLUTION OF THE COUNCIL OF THE CITY OF SAN DIEGO AUTHORIZING THE CITY COUNCIL TO AWARD FOUR MULTIPLE AWARD DESIGN-BUILD CONTRACTS FOR WATER, WASTEWATER AND STORM WATER PIPELINE PROJECTS; AND TAKING RELATED ACTIONS.

WHEREAS, the Multiple Award Construction Contract (MACC) program is a variation of the design-build project delivery method and under this approach, several contracts are awarded through a single solicitation that will result in the initiation and awarding of task orders in which each task order is awarded to the team that submits the proposal with the best overall value with the minimum guarantee of \$5,000 per contract over the full term of the contract.

WHEREAS, in accordance with Administration Regulation (AR) 25.6, the Public Works Department advertised the Request for Qualifications (RFQ) for design-build services on June 6, 2015 and Seven firms responded which based on the evaluation criteria specified in the RFQ, four firms were selected to compete for site specific design-build projects under the task order process; and

WHEREAS, the recommended firms are:

1. Orion Construction Corp./Balboa Construction, Inc. J.V.;
2. El Cajon Grading & Engineering Company, Inc.;
3. CASS Construction, Inc.; and
4. TC Construction Company, Inc.,

NOW, THEREFORE,

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


1. That the Mayor, or his designee, is authorized to execute, for and on behalf of the City, an agreement for four MACC's with the following four firms: 1) Orion Construction Corp./Balboa Construction, Inc. J.V.; 2) El Cajon Grading & Engineering Company, Inc.; 3) CASS Construction, Inc.; and 4) TC Construction Company, Inc. to complete design-build water, wastewater, and storm drain pipeline projects throughout the City in an amount not to exceed \$30,000,000, which this action is only to authorize agreement with the shortlisted firms and it is not authorizing any construction activities, contingent upon the Chief Financial Officer first furnishing one or more certificates certifying that funds necessary for expenditure are, or will be, on deposit with the City Treasury, under the terms and conditions set forth in the Agreement, on file in the Office of the City Clerk as Document No. RR 310174.

2. That the Chief Financial Officer is authorized to expend a total amount of \$5,000 from WBS B-13215.06.01.01, Sewer Group 962, Fund 700008, Muni Sewer CIP, \$5,000 from WBS B-00426.06.01.01, Sewer Group 812, Fund 700008, Muni Sewer CIP, \$5,000 from WBS B-15174.06.01.01, AC Water and Sewer Group 1029, Fund 700010, Water Utility CIP, \$5,000 from WBS B-15112.06.01.01, AC Water Group 1019, Fund 700010, Water Utility CIP for the purpose of executing these contracts and meeting minimum contract requirements.

3. That the Chief Financial Officer is authorized to expend an amount not to exceed \$100,000,000 for MACC task orders during the contract duration with listed firms upon the adoption of the Annual Appropriation Ordinance for the applicable fiscal year and contingent upon the Chief Financial Officer first furnishing one or more certificates demonstrating that funds necessary for expenditure are, or will be, on deposit with the City Treasury.

4. That the Chief Financial Officer is authorized, upon advice from the administering department, to transfer excess budgeted funds, if any, to the appropriate reserves.

APPROVED: JAN I. GOLDSMITH, City Attorney

By 
Mark M. Mercer
Deputy City Attorney

MMM:cw
12/10/15
01/07/16 COR. COPY
Or.Dept: Public Works/Engineering
CC No.: 3000008392
Doc. No.: 1186307_2

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

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

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

**MEMORANDUM
MS 59**

(619) 533-5800

DATE: January 7, 2016
TO: Stacy Ready, Legislative Recorder
FROM: Deputy City Attorney Mark Mercer
SUBJECT: Resolution (R-2016-330)

The wrong dollar amount is listed in paragraph 1 of the second page of (R-2016-330). The dollar amount in paragraph 1 should read \$30,000,000.00 and not \$5,000,000.00. The amount of \$30,000,000.00 was listed in the executive summary and back-up material presented to the City Council on December 15, 2015 when this resolution was approved. I have submitted with this memo a corrected resolution for (R-2016-330) to reflect what the City Council authorized and approved.

If you have additional questions, please do not hesitate to contact our office.

MMM:mmm:cw
Doc. No.: 1200845
cc: Paul Bowden, Project Officer I

4. That the Chief Financial Officer is authorized, upon advice from the administering department, to transfer excess budgeted funds, if any, to the appropriate reserves.

APPROVED: JAN I. GOLDSMITH, City Attorney




By

Mark M. Mercer
Deputy City Attorney

MMM:cw
12/10/15
Or.Dept: Public Works/Engineering
CC No.: 3000008392
Doc. No.: 1186307

I hereby certify that the foregoing Resolution was passed by the Council of the City of San Diego, at its meeting of DEC 15 2015.

ELIZABETH S. MALAND
City Clerk

By 
Deputy City Clerk

Approved: 12/17/15
(date)


KEVIN L. FAULCONER, Mayor

Vetoed: _____
(date)

KEVIN L. FAULCONER, Mayor

The City of San Diego
COMPTROLLER'S CERTIFICATE

CERTIFICATE OF UNALLOTTED BALANCE

ORIGINATING CC 3000008392
 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: \$20,000.00

Vendor: Orion Construction Corporation/Balboa Construction, Inc; El Cajon Grading & Engineering, Inc; Cass Construction, Inc; TC Construction Company

Purpose: To authorize the expenditure of funds not to exceed \$20,000.00 to Orion Construction Corporation/Balboa Construction, Inc; El Cajon Grading & Engineering, Inc; Cass Construction, Inc; TC Construction Company for Multiple Award Construction Contract for Water, Wastewater, and Storm Water Pipeline Projects.

Date: December 2, 2015

By: Aubrey Koehn 
 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
1	B13215	700008		512160	OTHR-00000000-SU	2011		B-13215.06.01.01	\$5,000.00
2	B00426	700008		512160	OTHR-00000000-PR	2011		B-00426.06.01.01	\$5,000.00
3	B15174	700010		512160	OTHR-00000000-WU	2013		B-15174.06.01.01	\$5,000.00
4	B15112	700010		512160	OTHR-00000000-WU	2013		B-15112.06.01.01	\$5,000.00
TOTAL AMOUNT									\$20,000.00

FUND OVERRIDE

Passed by the Council of The City of San Diego on DEC 15 2015, 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"/>
Lorie Zapf	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Todd Gloria	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Myrtle Cole	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Mark Kersey	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Chris Cate	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Scott Sherman	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" 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 DEC 18 2015.

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

AUTHENTICATED BY:

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

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

(Seal)

By *Sty Chaudhry*, Deputy

Office of the City Clerk, San Diego, California

Resolution Number R- 310174