#58 11-15-16 (0-2017-50)

ORDINANCE NUMBER O- 20741 (NEW SERIES)

DATE OF FINAL PASSAGE **DEC 0 1 2016**

AN ORDINANCE OF THE COUNCIL OF THE CITY OF SAN DIEGO AUTHORIZING EXECUTION OF THE THIRD AMENDMENT TO THE AGREEMENT WITH NADEL ARCHITECTS, INC., FOR FIRE STATION NO. 22.

WHEREAS, Fire Station No. 22 is a 69-year old facility servicing the Point Loma area located at 1055 Catalina Boulevard and this project includes the demolition of the existing facility and the design and construction of a new facility on the same site (Project); and

WHEREAS, on March 2, 2004, the City of San Diego (City) entered into a consultant agreement (Agreement) with Nadel Architects, Inc. (Nadel), which is on file in the Office of the City Clerk as Document No. C-12599, to provide Architectural Design Services for the Project in an amount not to exceed \$249,900; and

WHEREAS, due to a lack of funding, the Project was placed on hold in 2006, once funding was secured, the City entered into the First Amendment to the Agreement (First Amendment) with Nadel adding \$160,100 for additional design services on November 19, 2010, which is on file in the Office of the City Clerk as Document No. OO-19994; and

WHEREAS, in 2013 the Fire-Rescue Department began requiring temporary fire stations be provided for all projects replacing existing fire stations; therefore, on October 21, 2014, the City entered into the Second Amendment to the Agreement (Second Amendment) with Nadel, adding \$150,000 to the Agreement to pay for the added scope of work for the design and construction administration for the temporary fire station, which is on file in the Office of the City Clerk as Document No. OO-20421; and

WHEREAS, due to the lack of available land in the area, it was deemed that the only viable location for the temporary fire station for this Project was on the site of the existing fire

station, this change necessitated an increase in the construction duration by 9 month, which increased design and construction support services needed for this Project; and

WHEREAS, the City now desires to execute a Third Amendment to the Agreement (Third Amendment) with Nadel to cover the additional design and construction support services needed to complete this Project, in an amount not to exceed \$200,000; and

WHEREAS, this Third 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, on behalf of the City, a Third Amendment to the Agreement with Nadel Architects, Inc., for the purpose of providing additional professional Architectural Services on the Point Loma Fire Station No. 22 Project in an amount not to exceed \$200,000, contingent upon the Chief Financial Officer first furnishing one or more certificates demonstrating that the funds necessary for expenditure are, or will be, on deposit with the City Treasurer, under the terms and conditions set forth in the Third Amendment to the Agreement, which is on file in the Office of the City Clerk as Document No. OO- 20741.

Section 2. That the Chief Financial Officer is authorized to expend an amount not to exceed \$200,000 from CIP S-00787, Point Loma Fire Station No. 22, Fund 400265, CIP Contributions for the General Fund, for the purpose of executing the Third Amendment to the Agreement.

Section 3. That a full reading of this ordinance is dispensed with prior to passage, a written 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

Deputy City Attorney

CLR:cw 09/22/16

Or.Dept: Public Works/Engineering

CC No.: 3000009156 Doc. No.: 1354277

I hereby certify that the foregoing Ordinance was passed by the Council of the City of San Diego, at this meeting of NOV 1 5 2016

City Clerk
By Kindal

11/1/11/11

KEVIN'L. FAULCONER, Mayor

ELIZABETH S. MALAND

Vetoed:

(date)

KEVIN L. FAULCONER, Mayor

(Note: The date of final passage is December 1, 2016, which represents the day this ordinance was returned to the Office of the City Clerk with the Mayor's signature of approval.)

The City of San Diego COMPTROLLER'S CERTIFICATE

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Councilmembers	Yeas	Nays	Not Present	Recused			
Sherri Lightner	Ø						
Lorie Zapf							
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			ELIZABETH	S. MALAND			
(Seal)		City Clerk of The City of San Diego, California.					
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I HEREBY CERTIFY that elapsed between the day of		inance was no					
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dispensed with by a vote of five	that said ordinance v members of the Cour	dinance was read in full prior to passage or that such reading was the Council, and that a written copy of the ordinance was made the public prior to the day of its passage. ELIZABETH S. MALAND City Clerk of The City of San Diego, California. By Land Land, Deputy Office of the City Clerk, San Diego, California					
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