

RESOLUTION NUMBER R- 310733

DATE OF FINAL PASSAGE NOV 07 2016

A RESOLUTION OF THE COUNCIL OF THE CITY OF SAN DIEGO AUTHORIZING THE FIRST AMENDMENT TO AN AGREEMENT WITH HAWTHORNE MACHINERY COMPANY FOR THE LEASE AND FULL MAINTENANCE OF HEAVY DUTY LANDFILL EQUIPMENT FOR THE MIRAMAR LANDFILL.

WHEREAS, on December 31, 2014 the City of San Diego (City) issued Invitation to Bid (ITB) No. 10043029-14-R, as amended by Addenda A-D, for the lease and full maintenance of heavy duty landfill equipment for the Miramar Landfill; and

WHEREAS, on June 2, 2015 the City entered into a five-year agreement with Hawthorne Machinery Company (Hawthorne), the lowest responsive and responsible bidder to the ITB; and

WHEREAS, the City and Hawthorne desire to amend the agreement to add funding for the lease and full maintenance of three additional pieces of heavy landfill equipment that were included within Hawthorne's bid response to the ITB as optional items; and

WHEREAS, the Environment Committee heard this item on October 12, 2016 and recommended that the City Council approve the first amendment to the agreement with Hawthorne; 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, the first amendment to the agreement with Hawthorne Machinery Company for the lease and full maintenance of various pieces of heavy duty landfill equipment, to add funding in an amount not to exceed \$2,660,328, for the purpose of leasing three additional pieces of landfill

equipment, under the terms and conditions set forth in the first amendment to the agreement on file with the City Clerk as Document No. RR- 310733.

2. That the Chief Financial Officer is authorized to expend an amount not to exceed \$725,544 from Refuse Disposal Fund No. 700039 for the remainder of Fiscal Year 2017, solely and exclusively to provide funds for the first amendment to the agreement, contingent upon the Chief Financial Officer first furnishing one or more certificates demonstrating that the funds are, or will be, on deposit with the City Treasurer.

3. That the Chief Financial Officer is authorized to expend an amount not to exceed \$1,934,784 from Refuse Disposal Fund No. 700039, for the remaining term of the agreement beginning in Fiscal Year 2018, solely and exclusively to provide funds for the first amendment to the agreement, contingent upon Council approval of the annual Appropriations Ordinance for the applicable fiscal year and contingent upon the Chief Financial Officer first furnishing one or more certificates demonstrating that the funds are, or will be, on deposit with the City Treasurer.

APPROVED: JAN I. GOLDSMITH, City Attorney

By   
Amanda L. Guy  
Deputy City Attorney

ALG:js  
10/10/2016  
Or.Dept:ESD  
CC No. 3000009331  
Doc. No. 1371970

I hereby certify that the foregoing Resolution was passed by the Council of the City of San Diego, at this meeting of OCT 25.2016

ELIZABETH S. MALAND  
City Clerk

By *Linda Dravin*  
Deputy City Clerk

Approved: 11/7/16  
(date)

*Kevin L. Faulconer*  
KEVIN L. FAULCONER, Mayor

Vetoed: \_\_\_\_\_  
(date)

\_\_\_\_\_  
KEVIN L. FAULCONER, Mayor

The City of San Diego  
**COMPTROLLER'S CERTIFICATE**

**CERTIFICATE OF UNALLOTTED BALANCE**

ORIGINATING DEPT. NO. 3000009331  
2115

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	Fund	Funded Program	Internal Order	Functional Area	G/L Account	Business Area	Cost Center	WBS	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: \$725,544.00

Vendor: Hawthorne Machinery Company

Purpose: First Amendment to the Contract with Hawthorne Machinery Company for the Lease and Full Maintenance of Various Pieces of Heavy Duty Landfill Equipment

Date: September 27, 2016 By: Jonathan Alfuentes  
 COMPTROLLER'S DEPARTMENT

ACCOUNTING DATA									
Doc. Item	Fund	Funded Program	Internal Order	Functional Area	G/L Account	Business Area	Cost Center	WBS	Original Amount
	700039			OTHR-00000000-ES	512036	2115	2115121111		\$89,544.00
	700039			OTHR-00000000-ES	512036	2115	2115121113		\$636,000.00
TOTAL AMOUNT									\$725,544.00

FUND OVERRIDE   
 CC 3000009331

Passed by the Council of The City of San Diego on OCT 25 2016, 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 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"/>
Chris Cate	<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 type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Date of final passage NOV 07 2016.

(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 , Deputy

Office of the City Clerk, San Diego, California

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