

#100
3/7/17

(R-2017-391)

RESOLUTION NUMBER R- 310966
DATE OF FINAL PASSAGE MAR 15 2017

A RESOLUTION OF THE COUNCIL OF THE CITY OF
SAN DIEGO APPROVING CHANGE ORDER NO. 3 TO
PUBLIC WORKS CONTRACT K-16-6725-EMR-3 FOR
ADDITIONAL EMERGENCY MAINTENANCE OF THE
STORM WATER SYSTEM IN THE HOTEL CIRCLE AREA.

WHEREAS, on November 16, 2015, the San Diego City Council (City Council) adopted San Diego Resolution R-310079, proclaiming the existence of a local state of emergency regarding anticipated El Niño weather conditions; and

WHEREAS, San Diego Municipal Code (Municipal Code) section 22.3108 provides that emergency public works contracts may be awarded without advertisement and competition when the public interest or necessity demands the immediate expenditure of public money to safeguard life, health, or property due to extraordinary fire, flood, storm, epidemic, or other disaster, provided that the Mayor immediately reports the emergency award to the City Council and describes the justifications therefore in writing, and the City Council subsequently ratifies the award by resolution of a two-thirds vote; and

WHEREAS, Arietta Construction, Inc., was engaged on March 1, 2016, to perform maintenance and cleaning within several concrete ditches, pipes, and headwalls at properties along Hotel Circle North, Hotel Circle South, and Camino del Rio (Project) which had experienced flooding and property damage during a storm in January 2016; and

WHEREAS, Public Works Contract K-16-6725-EMR-3, for Arietta Construction, Inc.'s maintenance and cleaning of the storm water system in the Hotel Circle area, was executed on June 14, 2016, pursuant to Municipal Code section 22.3108; and

WHEREAS, Public Works Contract K-16-6725-EMR-3 was ratified by the City Council through San Diego Resolution R-310646 on August 10, 2016; and

WHEREAS, it has been determined that the cost of the remaining work within a critical box culvert would exceed the amount authorized for the Project and recent successive storms have contributed to the increase in work; and


WHEREAS, approximately 1,800 feet of the culvert have been maintained, but additional funds are necessary to complete the remaining 1,300 feet of the culvert, and any additional necessary maintenance caused by the storms in recent months; and

WHEREAS, the City of San Diego (City) Transportation and Storm Water Department requests the City Council approve Change Order No. 3 as an additional expenditure of \$1,250,000 for the completion of the work authorized under Public Works Contract K-16-6725-EMR-3, resulting in a total cumulative expenditure of \$2,500,000 under the contract; NOW, THEREFORE,

BE IT RESOLVED, by the Council of the City of San Diego, that the Mayor or his designee is authorized to execute Change Order No. 3 to Public Works Contract K-16-6725-EMR-3 with Arietta Construction, Inc., for an amount not to exceed \$1,250,000.

BE IT FURTHER RESOLVED, that the Chief Financial Officer is authorized to expend an additional amount not to exceed \$1,250,000 for Change Order No. 3 to Public Works Contract K-16-6725-EMR-3, 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.


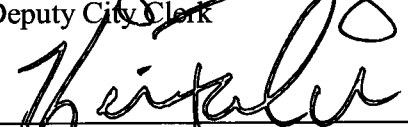
APPROVED: MARA W. ELLIOTT, City Attorney

By 
Davin A. Widgerow
Deputy City Attorney

DAW:ac
February 21, 2017
Or.Dept: Transportation and Storm Water
CC No. 3000009584
Doc. No. 1447574

I hereby certify that the foregoing Resolution was passed by the Council of the City of San Diego, at this meeting of MAR 07 2017.

ELIZABETH S. MALAND
City Clerk

By 
Deputy City Clerk

KEVIN L. FAULCONER, Mayor

Approved: 3/14/17
(date)

Vetoed: _____
(date)

KEVIN L. FAULCONER, Mayor

The City of San Diego
COMPTROLLER'S CERTIFICATE

CERTIFICATE OF UNALLOTTED BALANCE

ORIGINATING DEPT. 300009584
 NO.: 2116

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: _____ Fund: _____

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: \$1,250,000.00

Vendor: Arrieta Construction, Inc.

Purpose: Change order no. 3 for the purpose of performing additional emergency storm water system maintenance in the Hotel Circle Area

Date: December 28, 2016

By: William Weisman
 COMPTROLLER'S DEPARTMENT

ACCOUNTING DATA									
Doc. Item	Fund	Funded Program	Internal Order	Functional Area	G/L Account	Business Area	Cost Center	WBS	Original Amount
1	100000	NON-PROGRAM		OTHR-00000000-SH	512025	2116	2116121115		\$1,250,000.00
TOTAL AMOUNT									\$1,250,000.00

FUND OVERRIDE

Passed by the Council of The City of San Diego on MAR 07 2017, by the following vote:

Councilmembers	Yeas	Nays	Not Present	Recused
Barbara Bry	<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"/>
Chris Ward	<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"/>
Georgette Gomez	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Date of final passage MAR 15 2017.

(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 *Stacy Macey*, Deputy

Office of the City Clerk, San Diego, California
Resolution Number R- 310966