

ORDINANCE NUMBER O- **20908** (NEW SERIES)

DATE OF FINAL PASSAGE MAR 01 2018

AN ORDINANCE OF THE COUNCIL OF THE CITY OF SAN DIEGO AUTHORIZING EXTENSION OF AGREEMENT FOR A SECOND AMENDMENT WITH RICHARD BRADY AND ASSOCIATES (H125592) FOR PROFESSIONAL SERVICES OF THE MORENA RESERVOIR OUTLET TOWER UPGRADES PROJECT, WBS S-00041; AND TAKING RELATED ACTIONS.

WHEREAS, the Morena Reservoir and Outlet Tower were constructed in 1912 as one of the City's three reservoirs that capture local rainfall runoff to the Lower Otay Filtration Plant that serves to control the discharge of water out of the reservoir and it has now reached its useful life; and

WHEREAS, in 2001 and under a competitive selection process, the City awarded a \$1.6 million design contract (R-295172) to Richard Brady & Associates (RB&A) for professional design services to address capital improvements needed to the existing outlet towers at three reservoirs; Morena (CIP 73-321.0), Barrett (CIP of 73-317.0) and Lower Otay (CIP 73-343.0). After reaching approximately 90% design for Morena Reservoir Outlet Tower, the entire design project was shelved in preference of funding higher priority projects; and

WHEREAS, in December 2011, the City and RB&A entered into a sole source consultant agreement (H-125592) in the amount of \$154,550 to update the 2001 design plans to meet the 2011 guidelines and standards for Morena Reservoir; and

WHEREAS, in 2012, the plans and technical reports were completed and submitted to the State Health Department's Division of Safety of Dams (DSOD) for review and approval which identified that additional analysis and design services were necessary for completion of required analysis and improvements; and

WHEREAS, in 2014, the City authorized the first contract amendment with RB&A in the amount of \$732,340 to provide for structural and technical studies and design modifications as required per DSOD's requirements and to meet the 2014 safety and seismic standards; and

WHEREAS, in 2016, during environmental review, the existing tower and dam crest were categorized as historic and required to be seismically retrofitted and preserved (original scope was to demolish the tower) to meet the current 2017 design standards; and

WHEREAS, the Second Amendment to the RB&A consultant agreement will increase the contract by \$1,014,687, bringing the overall total agreement to \$1,901,687, and adds four (4) years of duration to the contract; and

WHEREAS, under Charter section 99, no contract, agreement or obligation extending for a period of more than five years may be authorized except by Ordinance approved 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 authorized to execute, for and on behalf of the City, a Second Amendment to the consultant agreement (H125592) with Richard Brady and Associates for the Morena Reservoir Outlet Tower Upgrades Project, WBS S-00041, in the amount of \$1,014,797; which will extend the Agreement duration from five years to nine years, continuing professional design services under the terms and conditions set forth in the Agreement, on file in the office of the City Clerk as Document No. OO 20908

Section 2. That the Chief Financial Officer is authorized to expend an amount not to exceed \$1,014,797 from CIP S-00041, Morena Reservoir Outlet Tower Upgrades Project, Fund 700010, Water Utility - CIP Funding Source, for the purpose of executing this Amendment to the Agreement, contingent upon the Chief Financial Officer furnishing one or more certificates

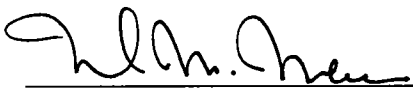
certifying that the funds necessary for expenditure are, or will be, on deposit with the City Treasury.

Section 3. That the Chief Financial Officer, upon advice from the administering department, is authorized to transfer excess funds, if any, to the appropriate reserves.

Section 4. 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 5. That this ordinance shall take effect and be in force on the thirtieth day from and after its final passage.

APPROVED: MARA W. ELLIOTT, City Attorney

By 
Mark M. Mercer
Deputy City Attorney

MMM:cw
01/29/18
Or.Dept: Public Works Department
CC No. 3000010583
Doc. No.: 1674132

I hereby certify that the foregoing Ordinance was passed by the Council of the City of San Diego, at this meeting of FEB 26 2018.

ELIZABETH S. MALAND
City Clerk

By 
Deputy City Clerk

KEVIN L. FAULCONER, Mayor

Approved: 3/1/18
(date)

Vetoed: _____
(date)

KEVIN L. FAULCONER, Mayor

The City of San Diego
COMPTROLLER'S CERTIFICATE

CERTIFICATE OF UNALLOTTED BALANCE

ORIGINATING CC 3000010583
 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: \$1,014,797.00

Vendor: Richard Brady and Associates

Purpose: To authorize the expenditure of funds not to exceed \$1,014,797.00 to Richard Brady and Associates for the Second Amendment to the Agreement for Professional Design Services for Morena Reservoir Outlet Tower Upgrades Project.

Date: December 7, 2017 By: Yeshi Bezuneh
 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	S00041	700010	NOT_RELEVANT_GRANT	512034	OTHR-00000000-PR	2013	2013131312	S-00041.02.02	\$1,014,797.00
TOTAL AMOUNT									\$1,014,797.00

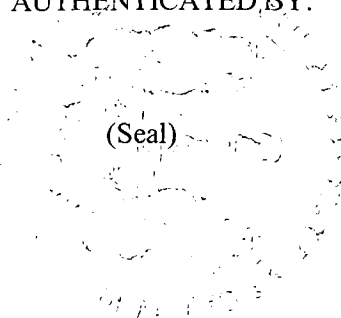
FUND OVERRIDE

Passed by the Council of The City of San Diego on FEB 26 2018, 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 01 2018

AUTHENTICATED BY:



(Seal)

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

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

By *[Signature]*, Deputy

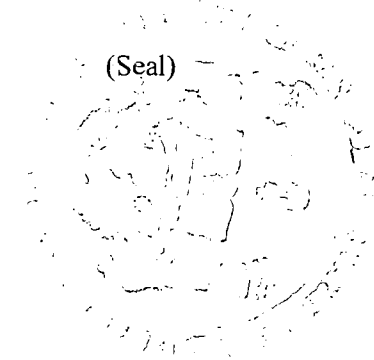
I HEREBY CERTIFY that the foregoing ordinance was not finally passed until twelve calendar days had elapsed between the day of its introduction and the day of its final passage, to wit, on

FEB 13 2018

, and on

MAR 01 2018

I FURTHER CERTIFY that said ordinance was read in full prior to passage or that such reading was dispensed with by a vote of five members of the Council, and that a written copy of the ordinance was made available to each member of the Council and the public prior to the day of its passage.



(Seal)

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

By *[Signature]*, Deputy

Office of the City Clerk, San Diego, California
20908
Ordinance Number O-_____