

ORDINANCE NUMBER O- 20944 (NEW SERIES)

DATE OF FINAL PASSAGE JUN 21 2018

AN ORDINANCE OF THE COUNCIL OF THE CITY OF SAN DIEGO AUTHORIZING A FOURTH AMENDMENT TO THE AGREEMENT FOR ADVANCED METERING INFRASTRUCTURE SYSTEM BETWEEN ITRON, INC. AND THE CITY OF SAN DIEGO; AND TAKING RELATED ACTIONS.

WHEREAS, in November 2012, City Council authorized the City to enter into an Agreement not to exceed \$5,078,906 with Itron for installation of an AMI system (Resolution No. R-307885) with the original contract amount of \$5,078,879.18; and

WHEREAS, the First Amendment (C-16281) and Second Amendment (C-16392) were approved by Mayoral Action and had no fiscal impact; and

WHEREAS, the Third Amendment (Resolution No. R-310263) \$2,148,973.72, increased the contract price and increased the scope of work which extended the contract time; and

WHEREAS, this action is to request authority to amend the Agreement for Advanced Metering Infrastructure (AMI) System between Itron, Inc., (Itron) and the City of San Diego (City) by an amount not to exceed \$1,227,303.52 to allow for maintenance/support services, hosting and licensing; 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, an ordinance authorizing the Mayor, or his designee, to execute the Fourth Amendment for the AMI System project, between Itron and the City, for a total amount not to exceed \$1,227,303.52 bringing the total compensation for services under the agreement to a not-to-exceed amount of \$8,455,156.42; under the terms and conditions set forth in the Fourth Amendment to the Agreement, on file in the Office of the City Clerk as Document No. OO- 20944


Section 2. That the Chief Financial Officer is authorized to expend a cumulative amount not to exceed \$1,227,303.52 of which \$859,112.46 is from Water Utility Operating Fund 700011 and \$368,191.06 is from Muni Sewer Revenue Fund 700000, estimated to be spent as \$36,439.84 in FY2018 and \$1,190,863.68 in FY2019, for the purpose of funding the Fourth Amendment to the Agreement for the AMI System between Itron and the City, contingent upon adoption of the Annual Appropriation Ordinance for the applicable fiscal year, and contingent upon the Chief Financial Officer furnishing one or more certificates certifying that the funds necessary for expenditures are, or will be, on deposit with the City Treasury, for the purpose of executing this Fourth Amendment to the Agreement for the above referenced Project.

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
04/20/18
Or.Dept: Public Utilities Department
CC No.: 3000010975
Doc. No.: 1725960

I hereby certify that the foregoing Ordinance was passed by the Council of the City of San Diego, at this meeting of JUN 12 2018

ELIZABETH S. MALAND
City Clerk

By 
Deputy City Clerk

Approved: 6/21/18
(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 3000010975
DEPT. NO.: 2000

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

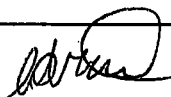
I HEREBY CERTIFY that the indebtedness and obligation to be incurred by the contract or agreement authorized by the hereto attached resolution, can be incurred without the violation of any of the provisions of the Charter of the City of San Diego; and I do hereby further certify, in conformity with the 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: \$36,439.84

Vendor: Itron, Inc.

Purpose: Fourth Amendment to the Agreement for Advanced Metering Infrastructure System between Itron, Inc. and the City of San Diego.

Date: March 28, 2018

By: Livia Valles 
COMPTROLLER'S DEPARTMENT

ACCOUNTING DATA									
Doc. Item	Fund	Funded Program	Internal Order	Functional Area	G/L Account	Business Area	Cost Center	WBS	Original Amount
01	700011				512059	2000	2000130001		\$25,507.89
02	700000				512059	2000	2000130001		\$10,931.95
TOTAL AMOUNT									\$36,439.84

Passed by the Council of The City of San Diego on JUN 12 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 JUN 21 2018

AUTHENTICATED BY:

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

(Seal)

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

By *Hy Ready*, 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

MAY 22 2018, and on JUN 21 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 *Hy Ready*, Deputy

Office of the City Clerk, San Diego, California
Ordinance Number O- <u>20944</u>