

ORDINANCE NUMBER O- 21018 (NEW SERIES)

DATE OF FINAL PASSAGE DEC 10 2018

AN ORDINANCE OF THE COUNCIL OF THE CITY OF
SAN DIEGO AUTHORIZING THE THIRD AMENDMENT TO
THE AGREEMENT WITH KLEINFELDER, INC. FOR THE
PALM AVENUE AND INTERSTATE 805 INTERCHANGE
IMPROVEMENTS PROJECT.

WHEREAS, on November 13, 2007, the City entered into an Agreement with Simon Wong Engineering, Inc. to provide professional engineering services for the Palm Avenue and Interstate 805 Interchange Improvements Project (Project), on file as Document No. RR-303158; and

WHEREAS, on October 27, 2009, the City entered into the First Amendment to the Agreement with Simon Wong Engineering, Inc., on file as Document No. OO-19902; and

WHEREAS, on October 29, 2013, the City entered into the Second Amendment to the Agreement with Simon Wong Engineering, Inc., on file as Document No. OO-20318; and

WHEREAS, on January 1, 2013, Simon Wong Engineering, Inc. was acquired by Kleinfelder, Inc., and the Agreement transferred to Kleinfelder, Inc.; and

WHEREAS, the proposed Third Amendment to the Agreement with Kleinfelder, Inc. is required to cover increased costs to the Project and an extension of time to allow for the completion of the Project; 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:

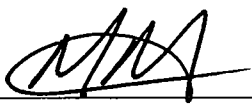
Section 1. That the Mayor or his designee is authorized to execute the Third Amendment to the Agreement with Kleinfelder, Inc. for engineering services on the Palm Avenue and Interstate 805 Interchange Improvements Project under the terms and conditions set forth in the Agreement on file in the Office of the City Clerk as Document No. OO- **21018**, together with any reasonably necessary modifications or amendments thereto which do not increase Project scope or cost and which the Mayor shall deem necessary from time to time in order to carry out the purpose and intent of the Project and Agreement.

Section 2. That the Chief Financial Officer is authorized to expend an amount not to exceed \$78,646 from CIP S-00869, Palm Avenue and Interstate 805 Interchange Improvements Project, Fund 400093, Otay Mesa-West Facilities Benefit Assessment, for the purpose of executing the Third Amendment to the Agreement with Kleinfelder, Inc., contingent upon the Chief Financial Officer furnishing a certificate certifying that funds necessary for the expenditure are, or will be, on deposit with the City Treasurer.

Section 3. That a full reading of this ordinance is dispensed with prior to its passage, a written or printed copy having been made available to the City 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: MARA W. ELLIOTT, City Attorney

By 
Miguel Merrell
Deputy City Attorney

MM:jl
10/26/2018
Or.Dept:Public Works

I hereby certify that the foregoing Ordinance was passed by the Council of the City of San Diego, at this meeting of DEC 04 2018

ELIZABETH S. MALAND
City Clerk

By 
Deputy City Clerk


KEVIN L. FAULCONER, Mayor

Approved: 12/10/18
(date)

Vetoed: _____
(date)

KEVIN L. FAULCONER, Mayor

Passed by the Council of The City of San Diego on DEC 04 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 DEC 10 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 Connie Patterson, 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

NOV 13 2018, and on DEC 10 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 Connie Patterson, Deputy

Office of the City Clerk, San Diego, California

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