

Tues 12/04/18  
(O-2019-68) Item  
57

ORDINANCE NUMBER O- 21021 (NEW SERIES)

DATE OF FINAL PASSAGE DEC 05 2018

AN ORDINANCE OF THE COUNCIL OF THE CITY OF  
SAN DIEGO AUTHORIZING TO EXECUTE THE  
FIRST AMENDMENT AGREEMENT WITH MERKEL  
& ASSOCIATES, INC. FOR THE MISSION BAY  
NAVIGATIONAL SAFETY DREDGING PROJECT.

WHEREAS, in June 13, 2016, the City of San Diego, acting by and through its Mayor pursuant to San Diego Municipal Code section 22.3207, approved approximately \$303,860 of financing for environmental support services of the Mission Bay Navigational Safety Dredging project; and

WHEREAS, Merkel & Associates, Inc. was selected in accordance with San Diego Municipal Code section 22.3108, and entered into an agreement with the City of San Diego on June 13, 2016, Contract No. H166675; and

WHEREAS, the proposed first amendment to the agreement with Merkel & Associates, Inc. is required for completing environmental review, permitting and technical support services extending the original contract duration from 5 years to 7 years;

WHEREAS, under San Diego Charter section 99, no contract, agreement or obligation extending for a period of more than five years may be authorized except by ordinance adopted 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 hereby authorized and empowered to execute, for and on behalf of said City, the First Amendment to an agreement with Merkel & Associates, Inc. for the purpose of completing the environmental review, permitting and technical support services extending the original contract duration from 5 years to 7 years in CIP

A-GF.00004, Mission Bay Improvements (B-10163, Mission Bay Navigational Safety Dredging) in an amount not to exceed \$492,434 the under the terms and conditions set forth in the Agreement on file in the Office of the City Clerk as Document No. OO- 21021 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 purposes and intent of this project and agreement.

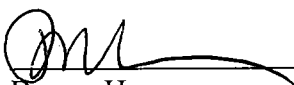
Section 2. That the expenditure of an amount not to exceed \$492,434 from CIP A-GF.00004, Mission Bay Improvements (B-10163, Mission Bay Navigational Safety Dredging), Fund 200386, Mission Bay Park Improvement Fund, is authorized for the purpose of executing this amendment to the agreement.

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 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 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  \_\_\_\_\_  
Bonny Hsu  
Deputy City Attorney

BH:js  
10/30/2018  
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 Connie Patterson  
Deputy City Clerk

Kevin L. Faulconer  
KEVIN L. FAULCONER, Mayor

Approved: 12/5/18  
(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 05 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

DEC 05 2018

, and on

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

Ordinance Number O- 21021