

Stem-64 12/4/18

(O-2019-61)

ORDINANCE NUMBER O- 21029 (NEW SERIES)

DATE OF FINAL PASSAGE DEC 05 2018

AN ORDINANCE OF THE COUNCIL OF THE CITY OF SAN DIEGO AUTHORIZING AN INCREASE TO THE COST LIMIT FOR CONTRACT ALTERATIONS (CHANGE ORDERS) FOR PURE WATER PHASE 1 CONSTRUCTION CONTRACTS FOR THE NORTH CITY PURE WATER PROJECT.

WHEREAS, the Pure Water Program is a phased, multi-year program that uses proven technology to produce a safe, reliable and cost-effective water supply for the City. At full implementation in 2035, the Program will provide one-third (1/3) of San Diego's water supply locally and will reduce the City's ocean wastewater discharges by approximately one-half (1/2); and

WHEREAS, On April 10, 2018, the San Diego City Council approved the North City Pure Water Project – Phase I (Project), which included discretionary land use approvals and an Environmental Impact Report. The total Project is comprised of a number of segmented projects that will deliver 30 million gallons per day of purified water from the Morena Pump Station to the Miramar Reservoir; and

WHEREAS, ten construction packages will be put out to bid for the various segments of the Project; and

WHEREAS, San Diego Municipal Code, Chapter 2, Division 30, Section 22.3018(a), Alterations in Contracts sets the limit on alterations in contracts (change orders) without City Council approval at \$500,000 for major public works contracts; and

WHEREAS, the Projects (and non-Pure CIP projects bundled with Pure Water) are major public works CIP contracts and change orders for these projects typically may not exceed \$500,000 without City Council approval; and

WHEREAS, in 2012, the City Council approved the current change order limit of \$500,000 for major CIP projects. At that time the average construction contract value was approximately \$1.5 million, and the maximum was approximately \$20 million. The average estimated contract value among the ten Pure Water Phase 1 construction packages is \$90 million; and

WHEREAS, to achieve the goals and projected timeline to implement Phase 1 of the Project, City staff has determined that increasing the change order limit to \$1 million dollars will facilitate project efficiency and avoid project delays; and

WHEREAS, change orders for North City Pure Water Phase 1 Project will comply with all other requirements of San Diego Municipal Code section 22.3018; NOW, THEREFORE,

BE IT ORDAINED, by the Council of the City of San Diego, as follows:

Section 1. Notwithstanding the regulations contained in San Diego Municipal Code Chapter 2, Article 2, Division 30 Alterations in Contracts, Section 22.3018, the Mayor or his designee is hereby authorized to execute change orders necessary to fulfill the purpose of the contract made by written agreement and in an amount not to exceed \$1,000,000 for North City Pure Water Phase 1 Project, contingent upon the Chief Financial Officer providing one or more certificates that the funds necessary for expenditures are, or will be, on deposit with the City Treasurer.

Section 2. 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 3. 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 Christine M. Leone
Christine M. Leone
Deputy City Attorney

CML:cw
10/23/18
Or.Dept: Public Utilities Department
CC No.: N/A
Document No.: 1862592

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 type="checkbox"/>	<input checked="" 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 type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Chris Cate	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Scott Sherman	<input type="checkbox"/>	<input checked="" 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 15 2018, and on DEC 05 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

Ordinance Number O- 21029