

Stem 5500
Subitem C 8/7/18
(R-2019-61)

RESOLUTION NUMBER R- 311956

DATE OF FINAL PASSAGE AUG 14 2018

A RESOLUTION OF THE COUNCIL OF THE CITY OF
SAN DIEGO AUTHORIZING THE AWARD OF A
CONSTRUCTION CONTRACT FOR THE 101 ASH STREET
BUILDING IMPROVEMENT PROJECT AND
APPROPRIATIONS.

WHEREAS, the Council of the City of San Diego (City Council) approved a lease-to-own agreement in October 2016 for the 101 Ash Street Building (101 Ash Street); and

WHEREAS, the lease-to-own agreement provided the City with a long-term solution for employee office space occupancy in non-City owned facilities; and

WHEREAS, 101 Ash Street, would allow City operations to be centralized in one building; with Development Services Department (DSD) staff being accommodated in the Building, and the first floor being able to serve as the one-stop customer service DSD permitting center; and

WHEREAS, the City took possession of 101 Ash Street in January 2017; and

WHEREAS, the City needed to do some tenant improvements in the building to accommodate as many City employees as possible, and be in compliance with Administrative Regulation 56.00 (Work Space Requests); and

WHEREAS, staff presented a report to City Council on June 18, 2018, with four different scenarios on how 101 Ash Street could be occupied: scenario 1- to do no tenant improvements, scenario 2 - to do only the first floor, scenario 3- to do five floors of the building and scenario 4 to do all 19 floors; and

WHEREAS, at the June 18, 2018 City Council Meeting, staff stated that no

construction contract would be awarded for the 101 Ash Street Improvement Project until the bids received are brought back to City Council for them to review and decide which scenario to pursue; and

WHEREAS, the proposed tenant improvements were put out to bid in June 2018 with a base bid to do scenario 3, and an additive alternate to do scenario 4; and

WHEREAS, the bids have come back and after careful review and consideration City Council wishes to take the following actions; NOW, THEREFORE,

BE IT RESOLVED, by the Council of the City of San Diego, that the Mayor, or his designee, is authorized to execute a construction contract for the Base Bid plus Additive Alternate, with the lowest responsible and reliable bidder, West Coast General Corp. The funding will come from General Fund contributions to the CIP-Fund 400265, Capital Outlay-Fund 400002, Facilities Financing Fund- Fund 200001, 101 Ash Facility Improvements Fund-Fund 400866, SDTFC Series 2018C Tax Exempt Bonds- Fund 400868 and will be used for construction of the 101 Ash Improvements, CIP WBS S-17009, contingent upon the Chief Financial Officer furnishing one or more certificates certifying that funds necessary for expenditure are, or will be, on deposit with the City Treasury.

BE IT FURTHER RESOLVED, that the Chief Financial Officer is authorized to expend an amount not to exceed \$25,880,410 for CIP S-17009, 101 Ash Improvements Project, which includes funding the construction contract, change orders, staff time, modular office spaces, and related project costs.

BE IT FURTHER RESOLVED, that the Chief Financial Officer is authorized to make the following appropriations and transfers between funds:

1. Appropriate and transfer an amount of \$149,780 from the Department of IT, Fund 200308 to Fund 400265, General Fund
2. Appropriate and transfer an amount up to \$148,226 from General Fund, 400265 to the Engineering and Capital Projects, Fund 720057.

BE IT FURTHER RESOLVED, the General Fund Lease Revenue Commercial Paper Notes Program is amended to increase the not to exceed issuance amount from \$80.5 million to \$88.5 million.

BE IT FURTHER RESOLVED, the Chief Financial Officer is authorized to amend the Fiscal Year 2019 Capital Improvement Program (CIP) budget appropriations as follows:

1. Increase appropriations in CIP S-17009, 101 Ash Improvements, and appropriate and expend up to \$149,780 from Fund 400265 - General Fund
2. Decrease appropriations by \$148,226 in CIP S-17009, 101 Ash Improvements, from Fund 400265 - General Fund
3. Transfer appropriations of up to \$7,873,470 from CIP S-15012, Fire-Rescue Air Operations Facility, to CIP S-17009, 101 Ash Improvements, within Fund 400868 SDTFC Series 2018C Tax Exempt
4. Increase appropriations in CIP S-15012, Fire-Rescue Air Operations Facility and appropriate and expend up to \$7,873,470 from Fund 400869-General Fund Commercial Paper Notes.

BE IT FURTHER RESOLVED, the Chief Financial Officer is authorized to execute an inter-fund loan between the Capital Outlay Fund and the Development Services Enterprise Fund for the estimated amount of \$9.6 million, with the interest rate and the repayment term to be

fixed at the time of the loan execution, and the final amount determined at the completion of construction.

APPROVED: MARA W. ELLIOTT, City Attorney

By Christina L. Rae
Christina L. Rae
Deputy City Attorney

CLR:cw
07/31/18
Or.Dept: Engineering & Capital Projects – AEP
CC No.: 3000011358
CC No.: 3000011359
Doc. No.: 1802685

I hereby certify that the foregoing Resolution was passed by the Council of the City of San Diego, at its meeting of AUG 07 2018.

ELIZABETH S. MALAND
City Clerk

By Elizabeth S. Maland
Deputy City Clerk

Kevin L. Faulconer
KEVIN L. FAULCONER, Mayor

Approved: 8/14/18
(date)

Vetoed: _____
(date)

KEVIN L. FAULCONER, Mayor

The City of San Diego
COMPTROLLER'S CERTIFICATE

CERTIFICATE OF UNALLOTTED BALANCE

ORIGINATING

3000011358

DEPT. NO.: 1314

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: \$149,780.00 Fund: 200308

Purpose: 101 Ash Street Building Project Option C: Award Base Bid+ Additive Alternate

Date: July 31, 2018 By: Jonathan Naple
COMPTROLLER'S DEPARTMENT

ACCOUNTING DATA									
Doc. Item	Fund	Funded Program	Internal Order	Functional Area	G/L Account	Business Area	Cost Center	WBS	Original Amount
I	200308			OTHR-00000000-GG	516027	1314	1314000001		\$149,780.00
TOTAL AMOUNT									\$149,780.00

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: _____

Vendor: _____

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

The City of San Diego
COMPTROLLER'S CERTIFICATE

CERTIFICATE OF UNALLOTTED BALANCE

ORIGINATING CC 3000011359
 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: \$7,873,470.00

Purpose: To authorize the transfer of appropriations not to exceed \$7,873,470 for the award of a construction contract for the 101 Ash Street Improvements Project.

Date: July 31, 2018

By: Michael Pelayo 
 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	S18007	400868	NOT_RELEVANT_GRANT	512117	OTHR-00000000-FI	1912	1912180013	S-18007.07.01	\$7,873,470.00
TOTAL AMOUNT									\$7,873,470.00

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: _____

Vendor: _____

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									

Passed by the Council of The City of San Diego on AUG 07 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 type="checkbox"/>	<input type="checkbox"/>	<input checked="" 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 type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Scott Sherman	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
David Alvarez	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Georgette Gomez	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Date of final passage AUG 14 2018.

(Please note: When a resolution is approved by the Mayor, the date of final passage is the date the approved resolution was returned to the Office of the City Clerk.)

AUTHENTICATED BY:

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

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

(Seal)

By *Hy Reed*, Deputy

Office of the City Clerk, San Diego, California
Resolution Number R- 311956