

Item-53
6/4/19
(O-2019-128)

ORDINANCE NUMBER O- 21075 (NEW SERIES)

DATE OF FINAL PASSAGE JUN 06 2019

AN ORDINANCE OF THE COUNCIL OF THE CITY OF
SAN DIEGO AUTHORIZING AN AGREEMENT FOR
ENGINEERING SERVICES WITH RICK ENGINEERING
COMPANY FOR THE EL CAMINO REAL—HALF MILE TO
VIA DE LA VALLE PROJECT.

WHEREAS, this action will execute a consultant agreement with Rick Engineering Company (RICK) to provide professional engineering services for the El Camino Real—Half Mile to Via de la Valle project (Project) (Contract No. H185789A), for an amount not to exceed \$2,449,712 over the seven (7) year term that will authorize RICK to complete the preparation of the plans, specifications, and cost estimate (PS&E), provide construction support and preparation of as-builts for the project; and

WHEREAS, the Project proposes to modify the segment of El Camino Real between Via de la Valle and San Dieguito Road and will widen El Camino Real to increase the number of travel lanes along the roadway from two (2) to four (4) to be consistent with the connecting segment of road, and will replace the existing structurally deficient bridge over the San Dieguito River with a new raised bridge that will alleviate problems associated with future high flood events. The improvements along the El Camino Real corridor will improve pedestrian, bicyclist, and vehicular access to nearby coastal and recreational resources, relieve traffic congestion, and improve consistency with the adopted land use plan for the project area. Additional proposed improvements include widening approximately 1,000 feet of Via de la Valle to accommodate new turn lanes onto El Camino Real and constructing drainage improvements along the southern edge of Via de la Valle from existing El Camino Real to El Camino Real North; and

WHEREAS, in 2018, the City prepared and issued a Request for Proposal for professional engineering services in accordance with federal guidelines and requiring a Disadvantaged Business Enterprise (DBE) participation goal of 16%. Through the interview and evaluation process, RICK was identified as the most qualified consultant, and they have committed to DBE participation exceeding the federal requirement. This action will execute the Consultant Agreement with RICK to provide professional engineering services to prepare final engineering plans, specifications, and cost estimates as stated in the scope of services, so the project can proceed to the next phase of work; and

WHEREAS, due to the fact that this project includes federal funding, the California Department of Transportation (Caltrans) is a required approving body and the City is unable to predetermine all of the Caltrans requirements during their review and approval process, which can potentially add unforeseen scope to the project and, likewise, for a project of this complexity, the addition of unforeseen scope changes due to Stakeholder-initiated comments is highly expected. This action will delegate authority to the Mayor, or his designee, to execute future amendments up to \$500,000, should the need arise, due to unforeseen requirements imposed by Caltrans or other Stakeholders during their review and approval of the project's design and due to the complex nature of bridge design projects and Caltrans involvement, the duration for this agreement is seven (7) years; 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 agreement with Rick Engineering Company for professional engineering services in CIP S-00856, El Camino Real—Half Mile to Via de la Valle, in an amount not to exceed \$2,449,712, contingent upon the adoption of the Annual Appropriation Ordinance for the applicable fiscal year, and contingent upon the Chief Financial Officer first furnishing one or more certificates certifying that the funds necessary for expenditures are, or will be, on deposit with the City Treasury, under the terms and conditions set forth in the Agreement, on file in the Office of the City Clerk as Document No. OO- 21075.

Section 2. That the Chief Financial Officer is authorized to expend an amount not to exceed \$2,449,712 from CIP S-00856, El Camino Real—Half Mile to Via de la Valle, of which \$1,651,354 is from Fund 200636, Developer Contributions CIP, and \$798,358 is from Fund 400101, Sub Area-2, for the purpose of executing this agreement, provided that the Chief Financial Officer first furnishes one or more certificates demonstrating that the funds necessary for expenditures are, or will be, on deposit with the City Treasury.

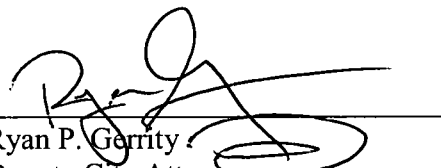
Section 3. That the Mayor, or his designee, is authorized to execute future amendments to the agreement with Rick Engineering Company for the purposes of providing professional engineering services in CIP S-00856, El Camino Real—Half Mile to Via de la Valle, in an amount not to exceed \$500,000, contingent upon the Chief Financial Officer first furnishing one or more certificates certifying that the funds necessary for expenditures are, or will be, on deposit with the City Treasury.

Section 4. That the Chief Financial Officer, upon advice from the administering department, is authorized to transfer excess funds, if any, to the appropriate reserves.

Section 5. 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 6. 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 
Ryan P. Gerrity
Deputy City Attorney

RPG:cw
04/25/19
Or.Dept: Public Works
CC No.: 3000012102
Doc. No.: 1993533

I hereby certify that the foregoing Ordinance was passed by the Council of the City of San Diego, at this meeting of JUN 04 2019

ELIZABETH S. MALAND
City Clerk

By Connie Patterson
Deputy City Clerk

Kevin L. Faulconer
KEVIN L. FAULCONER, Mayor

Approved: 6/6/19
(date)

Vetoed: _____
(date)

KEVIN L. FAULCONER, Mayor

The City of San Diego
COMPTROLLER'S CERTIFICATE

CERTIFICATE OF UNALLOTTED BALANCE

ORIGINATING DEPT. NO.: CC 3000012102
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: _____

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 |
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| | | | | | | | | | |
| | | | | | | | | | |
| 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: \$2,449,712.00

Vendor: Rick Engineering Company

Purpose: To authorize the expenditure of funds not to exceed \$2,449,712.00 to Rick Engineering Company for the execution of an Agreement for Engineering Services for the El Camino Real - Half Mile to Via de la Valle project.

Date: April 3, 2019

By: Raymond Iadanza
 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 | S00856 | 200636 | NOT_RELEVANT_GRANT | 512034 | OTHR-00000000-TR | 2113 | 2113120013 | S-00856.02.02 | \$1,651,354.00 |
| 2 | S00856 | 400101 | NOT_RELEVANT_GRANT | 512034 | OTHR-00000000-TR | 2113 | 2113120013 | S-00856.02.02 | \$591,868.00 |
| 3 | S00856 | 400101 | NOT_RELEVANT_GRANT | 512034 | OTHR-00000000-TR | 2113 | 2113120013 | S-00856.06.02 | \$168,320.00 |
| 4 | S00856 | 400101 | NOT_RELEVANT_GRANT | 512034 | OTHR-00000000-TR | 2113 | 2113120013 | S-00856.07.03 | \$38,170.00 |
| TOTAL AMOUNT | | | | | | | | | \$2,449,712.00 |

Passed by the Council of The City of San Diego on JUN 04 2019, 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"/> |
| Jennifer Campbell | <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"/> |
| Monica Montgomery | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| Mark Kersey | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" 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"/> |
| Vivian Moreno | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| Georgette Gómez | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |

Date of final passage JUN 06 2019.

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 *[Signature]* for Connie, 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 14 2019

, and on JUN 06 2019.

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.

ELIZABETH S. MALAND

City Clerk of The City of San Diego, California.

(Seal)

By *[Signature]* for Connie, Deputy

Office of the City Clerk, San Diego, California

Ordinance Number O- 21075