

ORDINANCE NUMBER O- 21079 (NEW SERIES)

DATE OF FINAL PASSAGE JUN 06 2019

AN ORDINANCE OF THE COUNCIL OF THE CITY OF  
SAN DIEGO AUTHORIZING CHANGE ORDER NO. 2 TO  
AGREEMENT WITH TC CONSTRUCTION COMPANY FOR  
MULTIPLE AWARD DESIGN-BUILD CONTRACTS K-12-  
5762-MAC.

WHEREAS, this Council action will extend the contract duration for Multiple Award Design-Build Contract K-12-5762-MAC with TC Construction Company to complete Task 13MACP10 - Water and Sewer Group Job 816 for an additional 136 working days; and

WHEREAS, on January 28, 2018, Council approved Change Order No.1 with TC Construction, which was required in order to extend the contract term on this MACC beyond the five (year) limit; and

WHEREAS, due to unforeseen conditions, task number 13 MACP10 - Water and Sewer Group Job 816 needs 136 additional working days to allow for the construction to be completed.

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, Change Order No.2 to Multiple Award Design-Build Contracts K-12-5762-MAC with TC Construction Company to extend the contract duration for an additional 136 working days, contingent upon the Chief Financial Officer first furnishing one or more certificates demonstrating that funds necessary for expenditure are, or will be, on deposit with the

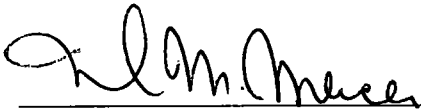
City Treasury, under the terms and conditions set forth in the Agreement, on file in the Office of the City Clerk as Document No. OO- 21079.

Section 2. That the Chief Financial Officer, upon advice from the administering department, is authorized to transfer excess funds, if any, to the appropriate reserves.

Section 3. 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 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   
Mark M. Mercer  
Deputy City Attorney

MMM:cw  
4/17/2019  
Or.Dept: Public Works Department  
CC No.: N/A  
Doc. No.: 1986386

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 *Cennie Patterson*  
Deputy City Clerk

Approved: *6/6/19*  
(date)

*Kevin L. Faulconer*  
KEVIN L. FAULCONER, Mayor

Vetoed: \_\_\_\_\_  
(date)

\_\_\_\_\_  
KEVIN L. FAULCONER, Mayor

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.

(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

MAY 21 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.

(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- 21079