

ORDINANCE NUMBER O- 21148 (NEW SERIES)

DATE OF FINAL PASSAGE NOV 07 2019

AN ORDINANCE OF THE COUNCIL OF THE CITY OF SAN DIEGO AUTHORIZING THE THIRD AMENDMENT TO THE AS-NEEDED ENGINEERING TECHNICAL SERVICES CONSULTANT AGREEMENT WITH STANTEC, INC. (FORMERLY MONTGOMERY WATSON HARZA AMERICAS, INC.), FOR THE PURE WATER SAN DIEGO PROGRAM (H156303).

WHEREAS, the Public Utilities Department utilizes the As-Needed Engineering Technical Services agreement with Stantec, Inc. for specialized technical services to support the Pure Water Program implementation. The services generally relate to planning, design, engineering, regulatory, and program management support.

WHEREAS, the original agreement was approved by City Council on December 9, 2014, via Resolution No. R-309350. The agreement was issued on January 8, 2015, for an amount not to exceed \$30,000,000, for a term of five (5) years. Amendment No. 1 was approved by City Council on October 25, 2016 and increased the contract amount to \$46,400,000. The amendment supported acceleration of the North City Pure Water Phase 1 Project schedule, proving the technical and regulatory feasibility of delivering the Phase 1 purified water to Miramar Reservoir (versus San Vicente Reservoir), and preliminary design of the North City Renewable Energy Project.

WHEREAS, amendment No. 2 was approved by City Council on February 12, 2019 and increased the contract amount to \$56,400,000. The amendment supported services for the development of an owner-controlled insurance program, testing of high-purity oxygen, Pure Water Phase 2 Planning and Demonstration design and continued program management, technical, and outreach services; and

WHEREAS, via the Third Amendment, the Public Utilities Department is requesting to extend the agreement with Stantec, Inc. by 5 years (through the completion of Phase 1) and increase the contract amount by \$37,700,000, bringing the total contract amount to \$94,100,000; and

WHEREAS, approval of the Third Amendment is adequately addressed in the PEIR for the Pure Water Program (Project no. 428188/SCH No. 2014111068) certified on October 25, 2016, by City Council Resolution R-310760. This activity is part of a series of subsequent discretionary actions, and therefore not considered to be a separate project for the purposes of CEQA Guidelines Section 15378(c). There is no change in circumstance, additional information or project changes to warrant additional environmental review.

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 Ordinance authorizing the Mayor, or his designee, to execute the Third Amendment to the Agreement with Stantec, Inc., (formerly MWH Americas, Inc.), for the Pure Water San Diego Program (H156303) Project, for As-Needed Engineering Technical Services for an amount not-to-exceed \$37,700,000, increasing the total not-to-exceed amount of the Agreement to \$94,100,000, and increasing the term by five (5) years through January 5, 2025, under the terms and conditions set forth in the Agreement, contingent upon the Chief Financial Officer first furnishing one or more certificates certifying that funds necessary for expenditure are, or will be, on deposit with the City Treasury, on file in the Office of the City Clerk as Document No.

OO- 21148

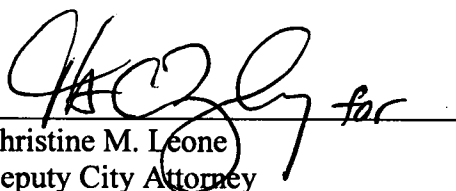
Section 2. That the Chief Financial Officer is hereby authorized to expend an amount not-to-exceed \$94,100,000 in total over the term of this Agreement from Water Utility Operating Fund (700011), Water Utility CIP Fund (700010), Metro Sewer Operating Fund (700001), and Metro Sewer CIP Fund (700009) for the purpose of funding the As-Needed Engineering Technical Services agreement with Stantec, Inc., contingent upon the adoption of the Annual Appropriation Ordinance for the applicable fiscal year and 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.

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 passage, a written copy having been made available to the 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  for
Christine M. Leone
Deputy City Attorney

CML:cw
10/15/19 COR. COPY
Or.Dept: Public Utilities Department
CC No.: N/A
Doc. No.: 2200879

I hereby certify that the foregoing Ordinance was passed by the Council of the City of San Diego, at this meeting of NOV 05 2019

ELIZABETH S. MALAND
City Clerk

By 
Deputy City Clerk

Approved: 11/7/19
(date)


KEVIN L. FAULCONER, Mayor

Vetoed: _____
(date)

KEVIN L. FAULCONER, Mayor

Passed by the Council of The City of San Diego on NOV 05 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 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 type="checkbox"/>	<input checked="" 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 NOV 07 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 *Hay Bready*, 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

OCT 22 2019, and on NOV 07 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 *Hay Bready*, Deputy

Office of the City Clerk, San Diego, California
Ordinance Number O- 21148