

RESOLUTION NUMBER R- 312759

DATE OF FINAL PASSAGE DEC 12 2019

ITEM# 102
12/10/19

A RESOLUTION OF THE COUNCIL OF THE CITY OF SAN DIEGO AUTHORIZING THE FIRST AMENDMENT TO AGREEMENT WITH SCS ENGINEERS FOR INTERIM OPERATIONS AND MAINTENANCE SERVICES FOR MIRAMAR LANDFILL GAS COLLECTION SYSTEM.

WHEREAS, the City operates the Miramar Landfill pursuant to a lease with the United States Department of the Navy (Navy), and has responsibilities associated with controlling methane gas created by landfilling operations (Landfill Gas); and

WHEREAS, in 1998, the rights to the Landfill Gas were subleased by the City to NEO San Diego, LLC for twenty years, and the City assumed responsibility for the Landfill Gas collection system on January 1, 2019; and

WHEREAS, the City is conducting a solicitation for a new long term agreement for the operation of the Landfill Gas collection system in conjunction with the development of new electric generating capacity for Pure Water Program treatment facilities; and

WHEREAS, on July 31, 2018, the City and SCS Engineers (Consultant) entered into an Agreement, on file in the Office of the City Clerk as Document No. RR-311925, to provide interim Landfill Gas collection system operation and maintenance services while the solicitation for a long term private operator is pending; and

WHEREAS, the solicitation for the next long term operating agreement has been extended; and

WHEREAS, after the City assumed ownership of the gas collection system at the end of NEO San Diego's term it was discovered that certain repairs and improvements were needed; and

WHEREAS, the City desires to execute the First Amendment to the Agreement to provide additional funding in an amount not to exceed \$2,500,000, bringing the total contract value to \$4,500,000, for the Consultant to operate the gas collection system until the long term agreement solicitation is complete, and to complete ongoing Agreement tasks that are necessary to maintain regulatory compliance; NOW, THEREFORE,

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

1. That the Mayor, or his designee, is authorized to execute, for and behalf of the City, the First Amendment to the Agreement with SCS Engineers, Inc., to provide additional interim operations, maintenance, and gas supply services as the Miramar Landfill, in an amount not to exceed \$2,500,000 bringing the total contract value to \$4,500,000, under the terms and conditions set forth in the First Amendment to the Agreement, on file in the Office of the City Clerk as Document No. RR- 312759.

2. That the Chief Financial Officer is authorized to appropriate and expend an amount not to exceed \$2,500,000 from Refuse Disposal Enterprise Fund Nos. 700039 and 700040 for interim operations, maintenance, and gas supply services at the Miramar Landfill, contingent upon Council approval of the Annual Appropriation Ordinance for the applicable fiscal year and upon the Chief Financial Officer first furnishing one or more certificates certifying that funds are, or will be, on deposit with the City Treasurer.

APPROVED: MARA W. ELLIOTT, City Attorney

By Frederick M. Ortlieb
Frederick M. Ortlieb
Deputy City Attorney

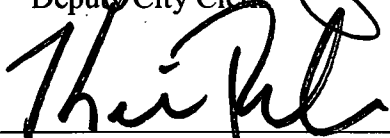
FMO:als
09/17/2019
Or.Dept: ESD
Doc. No.: 2169225

I certify that the foregoing Resolution was passed by the Council of the City of San Diego, at this meeting of DEC 10 2019.

ELIZABETH S. MALAND
City Clerk

By 
Deputy City Clerk

Approved: 12/12/19
(date)


KEVIN L. FAULCONER, Mayor

Vetoed: _____
(date)

KEVIN L. FAULCONER, Mayor

Passed by the Council of The City of San Diego on DEC 10 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 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 DEC 12 2019

(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.

(Seal)

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

By *Stacy Ready*, Deputy

Office of the City Clerk, San Diego, California
Resolution Number R- <u>312759</u>