

RESOLUTION NUMBER R- 312763

DATE OF FINAL PASSAGE DEC 12 2019

A RESOLUTION OF THE COUNCIL OF THE CITY OF SAN DIEGO AUTHORIZING THE SECOND AMENDMENT TO AN AGREEMENT WITH HAWTHORNE MACHINERY COMPANY FOR THE LEASE AND FULL MAINTENANCE OF HEAVY DUTY LANDFILL EQUIPMENT FOR THE MIRAMAR LANDFILL.

WHEREAS, on December 31, 2014, the City of San Diego (City) issued Invitation to Bid (ITB) No. 10043029-14-R, as amended by Addenda A-D, for the lease and full maintenance of heavy duty landfill equipment for the Miramar Landfill; and

WHEREAS, on June 2, 2015, the City entered into a five-year agreement with Hawthorne Machinery Company (Hawthorne), the lowest responsive and responsible bidder to the ITB, as approved by San Diego Resolution R-309647 (May 12, 2015); and

WHEREAS, on November 7, 2016, the San Diego City Council (City Council) adopted San Diego Resolution R-310733, authorizing the First Amendment to the agreement with Hawthorne to add funding for the lease and full maintenance of three additional pieces of heavy landfill equipment that were included within Hawthorne's bid response to the ITB as optional items; and

WHEREAS, the City and Hawthorne desire to amend the agreement to add funding for sales tax that was not allocated for in the award of the original contract and for non-routine repairs to equipment; and

WHEREAS, the Environment Committee heard this item on November 7, 2019, and recommended that the City Council approve the Second Amendment to the agreement with Hawthorne; NOW, THEREFORE,

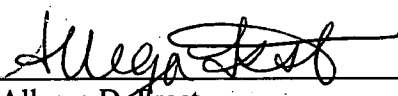
BE IT RESOLVED, by the Council of the City of San Diego as follows:

1. That the Mayor, or his designee, is authorized to execute, for and on behalf of the City, the Second Amendment to the agreement with Hawthorne for the lease and full maintenance of various pieces of heavy duty landfill equipment, to add funding in an amount not to exceed \$1,293,547, for the purpose of funding sales tax that was not allocated for in the award of the original contract and for unanticipated repairs to the equipment, under the terms and conditions set forth in the Second Amendment to the agreement on file with the City Clerk as Document No. RR- 312763.

2. That the Chief Financial Officer is authorized to expend an amount not to exceed \$1,293,547 from Refuse Disposal Fund No. 700039 for the remaining term of the agreement, solely and exclusively to provide funds for the Second Amendment to the agreement, contingent upon the Chief Financial Officer first furnishing one or more certificates demonstrating that the funds are, or will be, on deposit with the City Treasurer.

APPROVED: MARA W. ELLIOTT, City Attorney

By



Allegra D. Frost
Deputy City Attorney

ADF:soc
11/12/19
Or.Dept:ESD
CC No. ~~3000009331~~
Doc. No.: 2171291

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

The City of San Diego
COMPTROLLER'S CERTIFICATE

CERTIFICATE OF UNALLOTTED BALANCE

ORIGINATING CC 3000012596
 DEPT. NO. 2115

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
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: \$1,293,547.00

Vendor: Hawthorne Machinery Company

Purpose: To authorize the expenditure of funds not to exceed \$1,293,547.00 to Hawthorne Machinery Company for the Second Amendment to the contract for the lease and maintenance of various landfill equipment

Date: _____ 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	NON-PROGRAM	700039	NOT_RELEVANT_GRANT	512051	OTHR-00000000-ES	2115	2115121111		\$323,386.75
2	NON-PROGRAM	700039	NOT_RELEVANT_GRANT	512051	OTHR-00000000-ES	2115	2115121114		\$970,160.25
TOTAL AMOUNT									\$1,293,547.00

FUND OVERRIDE

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.

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

(Seal)

By *Harvey Rios*, Deputy

Office of the City Clerk, San Diego, California
Resolution Number R- 312763