

11/21/2021
#51

(O-2021-77)
COR. COPY

ORDINANCE NUMBER O- 21280 (NEW SERIES)

DATE OF FINAL PASSAGE JAN 15 2021

AN ORDINANCE OF THE COUNCIL OF THE CITY OF SAN DIEGO AUTHORIZING A THIRD AMENDMENT TO EXTEND THE AGREEMENT WITH BROWN AND CALDWELL FOR PROFESSIONAL SERVICES FOR THE DESIGN AND CONSTRUCTION SUPPORT OF TIERRASANTA PUMP STATION (CONTRACT NO. H115441), AND TAKING RELATED ACTIONS.

WHEREAS, on May 29, 2012, City Council passed Resolution No. R-307437, approving the original 5-year agreement (Agreement) between the City of San Diego (City) and Brown and Caldwell (B&C) in the amount of \$980,000 for the design of Tierrasanta Pump Station (Project); and

WHEREAS, on October 28, 2015, City Council passed Ordinance No. O-20570, amending the Agreement to extend the term through July 5, 2019, and increase the contract amount by \$146,436 for additional scope changes (First Amendment); and

WHEREAS, on May 4, 2018, City Council passed Ordinance No. O-20915, amending the Agreement for a second time to extend the term through July 5, 2020, and increase the contract amount by \$331,359 to provide additional design services, and construction support through the revised construction completion date (Second Amendment); and

WHEREAS, this request is to authorize a third amendment to the Agreement, extending the contract term by Seventeen (17) months to December 5, 2021 and increase the contract amount by \$178,021 for additional professional design and construction support services for the Project (Third Amendment); and

WHEREAS, if approved, the Third Amendment would increase the total contract amount of the Agreement to \$1,635,816; and

WHEREAS, under Charter section 99, no contract, agreement, or obligation extending for a period of more than 5 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, a Third Amendment with B&C, in an amount not to exceed \$178,021, under the terms and conditions set forth in the Third Amendment to the Agreement, on file in the Office of the City Clerk as Document No. OO-21280.

Section 2. That the Chief Financial Officer is authorized to expend an amount not to exceed \$178,021 from CIP S-12040, Tierrasanta (Via Dominique) Pump Station, Fund 700010, Water Utility CIP for the purpose of executing this Third Amendment to the Agreement, contingent upon the Chief Financial Officer furnishing one or more certificates certifying that the 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 /s/ Adam R. Wander
Adam R. Wander
Deputy City Attorney

ARW:cw
11/19/20
12/21/20 COR. COPY
Or.Dept: Public Works Department
CC No.: N/A
Doc. No.: 2539323

I hereby certify that the foregoing Ordinance was passed by the Council of the City of
San Diego, at this meeting of 1/12/2021.

ELIZABETH S. MALAND
City Clerk

By /s/ Matthew R. Hilario
Deputy City Clerk

Approved: 1/15/2021
(date)


TODD GLORIA, Mayor

Vetoed: _____
(date)

TODD GLORIA, Mayor

Passed by the Council of The City of San Diego on JAN 12 2021, by the following vote:

Councilmembers	Yeas	Nays	Not Present	Recused
Joe LaCava	<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"/>
Stephen Whitburn	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Monica Montgomery Steppe	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Marni von Wilpert	<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"/>
Raul A. Campillo	<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"/>
Sean Elo-Rivera	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Date of final passage JAN 15 2021.

AUTHENTICATED BY:

(Seal)

TODD GLORIA
Mayor of The City of San Diego, California.

ELIZABETH S. MALAND
City Clerk of The City of San Diego, California.
By [Signature], 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

DEC 08 2020, and on JAN 15 2021.

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 [Signature], Deputy

Office of the City Clerk, San Diego, California
Ordinance Number O- 21280