

#58  
6/8/2021

(O-2021-113)

ORDINANCE NUMBER O- 21329 (NEW SERIES)

DATE OF FINAL PASSAGE JUN 11 2021

AN ORDINANCE OF THE COUNCIL OF THE CITY OF SAN DIEGO AUTHORIZING THE MAYOR, OR HIS DESIGNEE, TO EXECUTE A CONSTRUCTION CHANGE ORDER TO THE AGREEMENT WITH TC CONSTRUCTION COMPANY, INC. FOR THE PACIFIC BEACH PIPELINE SOUTH PROJECT (K-16-1306-DBB-3) ADDING AN ADDITIONAL \$1,496,281.26 AND 352 WORKING DAYS, WHICH WILL EXTEND THE AGREEMENT BEYOND FIVE YEARS.

WHEREAS, in accordance with Resolution No. R-310391, on May 27, 2016, the City of San Diego (City) and TC Construction Company, Inc. (Contractor) entered into a contract (K-16-1306-DBB-3) for an amount not to exceed \$33,758,315 (Agreement) for the Pacific Beach Pipeline South project (Project); and

WHEREAS, the Agreement granted the Contractor 800 working days to complete the Project scope of work from the Notice to Proceed date of June 29, 2016, to start construction activities; and

WHEREAS, the Project includes the replacement of approximately 7.6 miles of existing transmission and distribution mains along Ingraham Street, West Mission Bay Drive, Sports Arena Boulevard, Midway Drive, Enterprise Street, Pacific Highway, Kurtz Street, Hancock Street, California Street, West Walnut Avenue, Vine Street, and Kettner Boulevard from Buena Vista and Ingraham Street intersection through Upas and Kettner Boulevard intersection; and

WHEREAS, the Project also includes demolition of the existing Pacific Beach Reservoir, abandonment of existing 16-inch pipeline from this reservoir through Tourmaline Street and

Foothill Boulevard, replacement of adjacent water mains along the streets described above, and the replacement and upsizing of 2.4 miles of sewer; and

WHEREAS, this Project is needed to provide water supply reliability to Pacific Beach by replacing 73-year-old deteriorating cast iron pipe, thereby increasing the capacity and allowing for increased operational flexibility; and

WHEREAS, the sewer portion of the Project replaces old and deteriorating sewer mains and increases capacity of the existing sewer system; and

WHEREAS, an eighth Construction Change Order (Change Order No. 8) will add an additional \$1,496,281.26 is necessary to implement additional Transportation and Storm Water Division (TSW) recommendations for roadway resurfacing due to the poor conditions of the roads; and

WHEREAS, Change Order No. 8 will also add an additional working days 352 days to complete the Agreement scope of work; and

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 Construction Change Order No. 8 to the Agreement for an additional f \$1,496,281.26 and 352 working days, contingent upon the Chief Financial Officer issuing one or more certificates certifying that the funds necessary for expenditure under the established construction change order are, or will be, on deposit with the City Treasurer.

Section 2. That the Chief Financial Officer is authorized to expend an amount not to exceed \$1,496,281.26 for the Construction Change Order No. 8 to the Agreement for the Project within CIP A-ID.00005, Street Resurfacing and Reconstruction (B-21042, Pacific Beach Pipeline South Paving), of which \$147,311.18 is from Fund 100012, Infrastructure Fund Prop H, \$219,982.24 is from Fund 200118, Gas Tax ST IMPR-Ann APPR ONLY, \$676,866.30 is from Fund 200203, Trench Cut Fees, \$47,203.54 is from Fund 400169, Transnet Extension 7 and \$404,918.00 is from Fund 400869, Gen Fund Comm Paper, contingent upon the Chief Financial Officer issuing one or more certificates certifying that the funds necessary for expenditure under the established construction change order, are or will be on deposit with the City Treasurer.

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 /s/ Adam R. Wander  
Adam R. Wander  
Deputy City Attorney

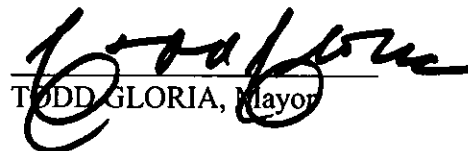
ARW:  
4/20/2021  
Or.Dept: E&CP  
CC No.: N/A  
Doc. No.: 2622807

I hereby certify that the foregoing Ordinance was passed by the Council of the City of San Diego, at this meeting of 06/08/2021.

ELIZABETH S. MALAND  
City Clerk

By /s/ Connie Patterson  
Deputy City Clerk

Approved: 6/11/21  
(date)

  
TODD GLORIA, Mayor

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

\_\_\_\_\_  
TODD GLORIA, Mayor

Passed by the Council of The City of San Diego on JUN 08 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 JUN 11 2021.

AUTHENTICATED BY:

TODD GLORIA

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 25 2021

, and on

JUN 11 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 Connie Patterson, Deputy

Office of the City Clerk, San Diego, California

Ordinance Number O- 21329