

ORDINANCE NUMBER O- 21393 (NEW SERIES)

DATE OF FINAL PASSAGE NOV 17 2021

AN ORDINANCE OF THE COUNCIL OF THE CITY OF SAN DIEGO AUTHORIZING THE SECOND AMENDMENT TO THE PURE WATER PROGRAM AGREEMENT WITH CH2M HILL ENGINEERS, INC. FOR THE DESIGN OF NORTH CITY WATER RECLAMATION PLANT EXPANSION AND INFLUENT CONVEYANCE PROJECT (CONTRACT NO. H166722).

WHEREAS, as part of the Pure Water Program implementation, the North City Water Reclamation Plant (NCWRP) will be expanded so the facility can treat an average annual flow of 52 million gallons per day (mgd), continue serving recycled water customers, and provide tertiary-treated water to the Pure Water Facility so it can produce 30 mgd of pure water; and

WHEREAS, in October 2016, the City awarded an agreement to CH2M Hill Engineers, Inc. to perform design and construction support services for the North City Water Reclamation Plant Expansion and Influent Conveyance project which the original Agreement is on file in the Office of the City Clerk as San Diego Resolution R-310738 (Nov. 7, 2016). The Agreement was issued for an amount not to exceed \$17,198,752 for a duration of five (5) years; and

WHEREAS, in October 2018, the City Council approved Amendment No. 1 (R-311991) for a total not to exceed amount of \$2,500,000 to provide the necessary funding for additional design efforts and to support future unanticipated and unforeseen design and engineering support services. The total contract amount was increased from \$17,198,752 to \$19,698,752; and

WHEREAS, the additional funds authorized under Amendment No. 1 addressed additional design efforts not included in the original agreement as the design was adjusted to account for new tasks, such as upgrades to the plant equipment to bring the facility up to its original 30 mgd capacity, replacement of all sluice gates at the Headworks facility, design of

utility relocations for the future Renewable Energy project located at the NCWRP, implementation of an alternate design concept to repurpose the secondary clarifiers which reduced the construction cost by approximately \$7.5 million, development of a sewer process model for facility control strategies, design of the replacement for the existing electrical substation, and design of the brine line that is within the NCWRP footprint; and

WHEREAS, Amendment No. 2 to the design agreement with CH2M Hill Engineers, Inc. will provide the necessary funding to support all related construction support services and the additional cost for this amendment will cover additional review of submittals and shop drawings, additional responses to RFI's, additional project construction meetings, record drawings, facility commissioning support, geotechnical and structural observations, preparation of operation and maintenance manuals, and as-needed technical support; and

WHEREAS, some of these are increased efforts on tasks already in the scope of work while others are supplementary tasks that were not originally accounted for but have since been deemed necessary as the project increased in complexity throughout design, and Amendment No. 2 is for a total not to exceed amount of \$7,298,826, which will increase the total phased funded contract amount from \$19,698,752 to \$26,997,578. Phases 1 through 5 have been awarded, and the remaining phases 6 through 10 will be awarded to CH2M Hill Engineers, Inc. over the length of the contract; and

WHEREAS, Amendment No. 2 will extend the contract term for an additional five (5) years to complete the required work for the NCWRP Expansion project. If this amendment is not fully approved by the current expiration date, such approval will have retroactive effect back to November 14, 2021, the current contract expiration date. Staff requests the retroactive start

date to avoid any lapses in support of the Pure Water Program. Changes to the contract made by Amendment No. 1 and by Amendment No. 2 are shown in the table below.

Task No.	Task Description	Amendment No. 1	Amendment No. 2
Construction			
1	Flow Equalization	\$0	\$1,576,684
2	NCWRP Expansion	\$0	\$4,154,807
3	NC Influent Conveyance & PS	\$0	\$1,132,460
6	Onsite Inspection	\$0	\$434,875
TOTAL CONSTRUCTION		\$0	\$7,298,826
15.2	Additional Services	\$2,500,000	\$0
AMENDMENT TOTALS		\$2,500,000	\$7,298,826

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, a Second Amendment to the phase-funded agreement with CH2M Hill Engineers, Inc. (H166722) for a contract extension of 5 years and an additional amount not to exceed \$7,298,826, thus increasing the contract duration to 10 years and the total amount of the agreement to \$26,997,578 which will be utilized for design and construction support services, under the terms and conditions set forth in the Second Amendment to the Agreement, on file in the Office of the City Clerk as Document No. OO- 21393

Section 2. That the Chief Financial Officer is authorized to expend funds under the established contract funding phases in an amount not to exceed \$3,800,000 for Phase 6, and \$3,498,826 for all subsequent Phases 7 thru 10, estimated to be spent as \$7,006,873 from CIP A-LA.00001, Pure Water Program (\$1,167,812 from B-16140, NCPWF Influent Pump Station and Pipeline; \$1,240,800 from B-21059, PWP NCWRP Flow Equalization Basin; \$4,379,296 from

B-21060, PWP North City Water Rec Plant Expansion; \$218,965 from B-21128, PWP NC Wtr Rec Plant Expansion (W)); \$5,620,096 from Fund 700009, Metro Sewer CIP, and \$1,386,777 from Fund 700010, Water Utility CIP; and \$291,953 from S-17012, NCWRP Improvements to 30 mgd, \$218,965 from Fund 700009, Metro Sewer CIP, and \$72,988 from Fund 700010, Water Utility CIP, contingent upon 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 the funds necessary for expenditure under the established contract funding phases are, or will be, on deposit with the City Treasurer.

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.

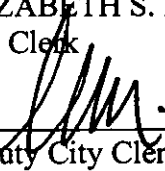
APPROVED: MARA W. ELLIOTT, City Attorney

By /s/ Bonny Hsu
Bonny Hsu
Deputy City Attorney

BH:cw
10/21/21
Or.Dept: Public Utilities Department
CC No.: 3000014349
Doc. No.: 2777157_2

I hereby certify that the foregoing Ordinance was passed by the Council of the City of San Diego, at this meeting of NOV 09 2021.

ELIZABETH S. MALAND
City Clerk

By  _____
Deputy City Clerk

Approved: 11/16/21
(date)

 _____
TODD GLORIA, Mayor

Vetoed: _____
(date)

TODD GLORIA, Mayor

(Note: The date of final passage is November 17, 2021, which represents the day this ordinance was returned to the Office of the City Clerk with the Mayor's signature of approval.)

The City of San Diego
COMPTROLLER'S CERTIFICATE

CERTIFICATE OF UNALLOTTED BALANCE

ORIGINATING

CC 3000014349
 DEPT. NO. 2000

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: \$3,800,000.00

Vendor: CH2M Hill Engineers, Inc.

Purpose: To authorize the expenditure of funds not to exceed \$3,800,000.00 to CH2M Hill Engineers, Inc. for Amendment No. 2 to the Agreement for Engineering Services for the Design of North City Water Reclamation Plant Expansion and Influent Conveyance Project (H166722).

Date: October 7, 2021

By: Travis Brady
 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	B16140	700010	NOT RELEVANT GRANT	512034	OTHR-00000000-WU	2013	2013180001	B-16140.02.02	\$608,000.00
2	B21059	700009	NOT RELEVANT GRANT	512034	OTHR-00000000-SU	2000	2000191215	B-21059.02.02	\$646,000.00
3	B21060	700009	NOT RELEVANT GRANT	512034	OTHR-00000000-SU	2000	2000191215	B-21060.02.02	\$2,280,000.00
4	B21128	700010	NOT RELEVANT GRANT	512034	OTHR-00000000-WU	2000	2000170001	B-21128.02.02	\$114,000.00
5	S17012	700009	NOT RELEVANT GRANT	512034	OTHR-00000000-SU	2000	2000191215	S-17012.02.02	\$114,000.00
6	S17012	700010	NOT RELEVANT GRANT	512034	OTHR-00000000-SU	2000	2000191215	S-17012.02.02	\$38,000.00
TOTAL AMOUNT									\$3,800,000.00

FUND OVERRIDE

Passed by the Council of The City of San Diego on NOV 09 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 NOV 17 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
for Matthew Hilario

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 26 2021, and on NOV 17 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
for Matthew Hilario

Office of the City Clerk, San Diego, California

Ordinance Number O- 21393