

ORDINANCE NUMBER O- 21472 (NEW SERIES)

DATE OF FINAL PASSAGE JUL 11 2022

AN ORDINANCE OF THE COUNCIL OF THE CITY OF  
SAN DIEGO AUTHORIZING THE AWARD OF A PHASE-  
FUNDED CONSULTANT AGREEMENT WITH RICK  
ENGINEERING FOR THE MAPLE CANYON STORM DRAIN  
PROJECT

WHEREAS, the City of San Diego (City) proposes to improve the drainage system between the Bankers Hill Community, San Diego Airport, and Pacific Highway where the current drainage system has caused significant flooding in the area between Pacific Highway and Harbor Drive resulting in property damage to the surrounding businesses; and

WHEREAS, a new system would increase the capacity of the drainage facilities while realigning critical segments of pipe into the City's right-of-way and ease the maintenance responsibilities; and

WHEREAS, previous drainage studies have provided high-level alternatives, and these contract services will identify the most cost-effective and efficient design with which to proceed; and

WHEREAS, the City issued a Request for Proposal (H2125775) to solicit professional Engineering Services for the Maple Canyon Storm Drain Upgrade; and

WHEREAS, three firms submitted proposals and Rick Engineering was selected based upon its qualifications in accordance with Council Policy 300-07; and

WHEREAS, the City now desires to enter a consultant agreement with Rick Engineering for professional engineering and design services to perform an alternatives analysis to identify the most cost effective and efficient design option to upgrade drainage facilities (Phase 1), to be

followed by design, bid support, and construction and post-construction support services (Phase 2); and

WHEREAS, the seven-year term of this agreement between the City and Rick Engineering requires compliance with San Diego Charter section 99, which provides that no contract, agreement or obligation where the City incurs debt extending for a period of more than five years may be authorized except by ordinance adopted 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 phase-funded consultant agreement with Rick Engineering Company for professional engineering and design services for the Maple Canyon Storm Drain Project, in an amount not to exceed \$745,532.00 for Phase 1 and \$5,254,468 for all subsequent Phases (Agreement), under the terms and conditions set forth in the Agreement, on file in the Office of the City clerk as Document No. 00-21472, requiring City Council authorization of the Agreement in accordance with Charter section 99.

Section 2. That the Chief Financial Officer is authorized to expend funds under the Agreement's established funding phases in an amount not to exceed \$745,532.00 for the Phase 1 from CIP S-20003 Maple Canyon Storm Drain Upgrade, Fund 400881 Debt Funded General Fund CIP; and expend \$5,254,468 for all subsequent phases, contingent upon the Chief Financial Officer furnishing one or more certificates certifying that the funds necessary for expenditure under the Agreement's established funding phases are, or will be on deposit with the Office of the City Treasurer.

Section 3. That a two-thirds vote is required for City Council approval of this ordinance, pursuant to Charter section 99.

Section 4. That a full reading of this ordinance is dispensed with prior to passage, a written copy having been 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/ Frederick M. Ortlieb  
Frederick M. Ortlieb  
Deputy City Attorney

API:FMO:jdf  
05/26/2022  
Or.Dept: Engineering & Capital Projects  
Doc. No.: 2991506

I hereby certify that the foregoing Ordinance was passed by the Council of the City of San Diego, at this meeting of JUN 28 2022.

ELIZABETH S. MALAND  
City Clerk

By Connie Patterson  
Deputy City Clerk

Approved: 7/14/22  
(date)

Todd Gloria  
TODD GLORIA, Mayor

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

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

Passed by the Council of The City of San Diego on JUN 28 2022, 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 JUL 11 2022.

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

JUN 14 2022, and on JUL 11 2022.

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

<p>Office of the City Clerk, San Diego, California</p> <p>Ordinance Number O- <u>21472</u></p>
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