

#60  
08/02/2022

(O-2022-154)

ORDINANCE NUMBER O- 21518 (NEW SERIES)

DATE OF FINAL PASSAGE AUG 09 2022

AN ORDINANCE OF THE COUNCIL OF THE CITY OF SAN DIEGO AUTHORIZING THE AWARD OF AN EIGHT-YEAR CONTRACT FOR THE CONSTRUCTION OF THE LA MEDIA ROAD IMPROVEMENT PROJECT TO THE LOWEST RESPONSIBLE AND RELIABLE BIDDER AND RELATED ACTIONS.

WHEREAS, La Media Road is part of the designated Truck Route for the Otay Mesa Port of Entry and the La Media Road Improvement Project (Project) proposes to improve La Media Road to a six lane primary arterial between SR-905 and Airway Road and a five lane major road with three southbound lanes and two northbound lanes between Airway Road and Siempre Viva Road; and

WHEREAS, the Project includes improvements to enhance safety, provide congestion relief, alleviate flooding, and provide an improved access road for freight trucks to Otay Mesa Port of Entry; and

WHEREAS, the design of the Project is complete, and City staff is preparing to advertise the Project, with \$38,300,000 in estimated total construction costs for the Project; and

WHEREAS, City staff is in the process of obtaining the Allocation Authorization from the California Transportation Commission that is required prior to advertising the Project because the Project is programmed to receive \$22,700,000 of Trade Corridor Enhancement Program Grant funding; and

WHEREAS, the Engineering & Capital Projects department is seeking authorization, prior to advertising, for the Mayor or his designee to award a construction contract and future contract change orders in an amount not to exceed \$44,000,000, in order to be able to timely

award the construction contract for the Project in compliance with the requirements of the Grant and to avoid issues related to contractors refusing to extend their bid pricing, and to account for potential increases in costs due to inflation and the impact that the COVID-19 pandemic continues to have on the construction industry; and

WHEREAS, the construction contract will also include wetland mitigation and vernal pool mitigation efforts for the Project, including the required 60 months extended revegetation maintenance and monitoring period, resulting in a need for an eight-year contract; and

WHEREAS, under San Diego Charter section 99, a supermajority vote of the City Council is required for passage of this ordinance; 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 award and sign an eight-year construction contract and future contract change orders with the lowest responsible and reliable bidder for an amount not to exceed \$44,000,000.00 for the Project, contingent upon the Chief Financial Officer furnishing one or more certificates certifying that funds necessary for the expenditure 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 \$44,000,000.00 from CIP S-15018, La Media Road Improvements project for the purpose of constructing the project, contingent upon the Chief Financial Officer furnishing one or more certificates certifying that funds necessary for expenditure 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/ Ryan P. Gerrity  
Ryan P. Gerrity  
Deputy City Attorney

RPG:jdf  
06/27/2022  
Or.Dept: Eng. & Cap.  
Doc. No.: 3015599

I hereby certify that the foregoing Ordinance was passed by the Council of the City of San Diego, at this meeting of AUG 02 2022.

ELIZABETH S. MALAND  
City Clerk

By Connie Patterson  
Deputy City Clerk

Approved: 8/8/22  
(date)

Todd Gloria  
TODD GLORIA, Mayor

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

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

(Note: The date of final passage is August 9, 2022, which represents the day this ordinance was returned to the Office of the City Clerk with the Mayor's signature of approval.)

Passed by the Council of The City of San Diego on AUG 02 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 type="checkbox"/>	<input type="checkbox"/>	<input checked="" 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 AUG 09 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

JUL 19 2022, and on AUG 09 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>21518</u></p>
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