

#51a
10/18/2022

(O-2023-46)

21547

ORDINANCE NUMBER O-_____ (NEW SERIES)

DATE OF FINAL PASSAGE OCT 26 2022

AN ORDINANCE OF THE COUNCIL OF THE CITY OF SAN DIEGO AUTHORIZING EXTENSION OF THE OBLIGATIONS OF THE CONSTRUCTION CONTRACT WITH NEWEST CONSTRUCTION, INC. FOR TWO (2) YEARS, UNTIL OCTOBER 12, 2024, FOR THE REMAINING CONSTRUCTION OF LA JOLLA COUNTRY CLUB RESERVOIR AND PUMP STATION.

WHEREAS, on March 9, 2017, Contract Bid Document No. K-17-1191-DBB-3 for construction of La Jolla Country Club (LJCC) Reservoir and Pump Station was advertised, and a total of seven (7) bid packages were received. The contract was awarded to Newest Construction Inc. with the lowest bid price of \$6,286,460.00 and executed on October 12, 2017. Newest Construction Inc. completed the majority of the construction work and is scheduled to complete the remainder of the facility construction in early 2024; and

WHEREAS, the construction project encountered various challenges which require construction activities to continue beyond the five-year contract limit. These challenges included land acquisition actions, access easement and utility conflicts, revisions to on-site stormwater treatment system, modifications to site security and water control systems and water operation requirements due to the adjacent regulated pressure zones; and

WHEREAS, the existing driveway at the LJCC site had to be expanded to accommodate San Diego Gas and Electric (SDG&E) equipment and construction vehicles to deliver and install a new transformer. Construction specifications and plans required updating to obtain the associated SDG&E permit. The bioretention basin, site security, and fencing was also reconfigured to accommodate the driveway expansion; and

WHEREAS, the City reached a settlement agreement with the adjacent property owner in 2021 completing the additional land acquisition actions, resolving the site constraint issues, and providing the needed space for the installation of site improvements; and

WHEREAS, LJCC Reservoir and Pump Station supplies water within a regulated water pressure zone, and each zone serves the overall distribution system for the La Jolla community. A pressure zone is an area of service supplied by a source, or several sources, that provides a constant hydraulic gradient typically provided by the high-water level of the reservoir serving the pressure zone; and

WHEREAS, LJCC Reservoir and Pump Station is in the La Jolla Water Distribution Zone and connected to the existing Muirland Pump Station at the Muirland Pump Station Distribution Zone which is connected to the existing La Jolla View Reservoir at the La Jolla View Distribution Zone. Each pump station is operated remotely under operational criteria requirements, and the difference in pressure zones requires close coordination. During the start-up process, additional facility operational needs were identified to further accommodate a successful facility's start-up operation and the completion of project improvements; and

WHEREAS, for all the above listed reasons, it is essential the City extend the Newest Construction, Inc. construction contract allowing them to complete the remaining work, including facility operational start-up testing, programming, and site improvements as part of the final construction phase; and

WHEREAS, these on-going coordination efforts will continue to ensure and maintain the water service level and the reliability of water supply in this area. The remaining work will have minimal to no impacts to the neighborhood, no additional construction traffic or equipment, and no water service disruption resulting from this extension; 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; and

WHEREAS, the Office of the City Attorney has drafted this ordinance based on the information provided by City staff with the understanding that this information is complete, true, and accurate; NOW, THEREFORE,

BE IT ORDAINED, by the Council of the City of San Diego, as follows:

Section 1. That the City Council hereby authorizes the obligations of the Contract (K-17-1191-DBB-3) with Newest Construction, Inc., be extended for an additional two (2) years, until October 12, 2024, to complete construction of the La Jolla Country Club Reservoir and Pump Station Project (B-11024).

Section 2. 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 3. That this ordinance shall take effect and be in force on the thirtieth day from and after its final passage.

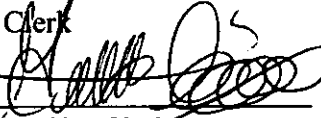
APPROVED: MARA W. ELLIOTT, City Attorney

By /s/ Bonny Hsu
Bonny Hsu
Deputy City Attorney

BH:cw
09/20/22
Or.Dept: Engineering & Capital Projects
CC No.: N/A
Doc. No.: 3083957

I hereby certify that the foregoing Ordinance was passed by the Council of the City of San Diego at this meeting of OCT 18 2022.

ELIZABETH S. MALAND
City Clerk

By 
Deputy City Clerk

Approved: 10/26/22
(date)


TODD GLORIA, Mayor

Vetoed: _____
(date)

TODD GLORIA, Mayor

Passed by the Council of The City of San Diego on OCT 18 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 type="checkbox"/>	<input type="checkbox"/>	<input checked="" 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 OCT 26 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 Kristell Medina, 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

OCT 03 2022, and on OCT 26 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 Kristell Medina, Deputy

<p>Office of the City Clerk, San Diego, California</p> <p style="text-align: right;">21547</p> <p>Ordinance Number O-_____</p>
