

#59
11/15/22

(O-2023-71)

ORDINANCE NUMBER O- 21574 (NEW SERIES)

DATE OF FINAL PASSAGE NOV 28 2022

AN ORDINANCE OF THE COUNCIL OF THE CITY OF
SAN DIEGO AUTHORIZING THE SECOND AMENDMENT
TO THE AGREEMENT WITH GHD INC. FOR THE OTAY 1ST
AND 2ND PIPELINES WEST OF HIGHLAND AVENUE
PROJECT TO EXTEND THE TERM OF THE AGREEMENT
THROUGH DECEMBER 31, 2023.

WHEREAS, the Otay 1st and 2nd pipelines (Pipelines) were originally built in 1915 and 1930, respectively, and used to supply raw water from the Lower Otay Reservoir to the old University Heights Water Treatment Plant; and

WHEREAS, in 1950, the Pipelines were decommissioned and converted to distribute potable water; and

WHEREAS, in 2000, a corrosion assessment identified several areas of concern in the Pipelines; and

WHEREAS, the Pipelines have reached the end of their useful life and now are part of the City of San Diego's Water Main Replacement Program as mandated by California Department of Public Health; and

WHEREAS, on July 13, 2015, the City of San Diego (City) entered into an agreement with GHD Inc. (GHD) in the amount of \$2,120,000.00 (Agreement) for engineering design services and engineering construction support on the Otay 1st and 2nd Pipelines – West of Highland Avenue project (Project); and

WHEREAS, the Project consists of replacing approximately 5 miles of aged steel, cast iron, and asbestos pipes for the Pipelines; and

WHEREAS, the design for the Project has been completed, and the construction phase of the Project started on December 9, 2019; and

WHEREAS, the project has encountered several impacts that have caused overall schedule delays including but not limited to, the need to re-advertise the construction contract and water main shutdown restrictions related to COVID-19; and

WHEREAS, the original term of the agreement was six years and was phase-funded over four fiscal years; and

WHEREAS, the Council of the City of San Diego (City Council) approved San Diego Ordinance O-21331 (June 28, 2021), authorizing the execution of a first amendment to the Agreement, extending the Agreement through December 31, 2022 (First Amendment); and

WHEREAS, in order for GHD to continue to provide uninterrupted engineering services throughout the entire construction phase and the project close-out phase, a second amendment to the Agreement is necessary to further extend the term of the Agreement (Second Amendment); and

WHEREAS, the Second Amendment will extend the Agreement for another year, through December 31, 2023, in order for GHD to continue to provide essential engineering support services as part of the original scope of work; and

WHEREAS, all four funding phases have been appropriated, and there is existing budget available to cover the Second Amendment's time extension through the end of construction and project close-out phases; and

WHEREAS, under San Diego 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 Mayor, or his designee, is authorized to execute the Second Amendment to the Agreement to extend the term of the Agreement for another year through December 31, 2023.

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

ARW:cw
10/19/22
Or.Dept: Engineering & Capital Projects
CC No.: N/A
Doc. No.: 3120806

I hereby certify that the foregoing Ordinance was passed by the Council of the City of San Diego, at this meeting of NOV 15 2022.

ELIZABETH S. MALAND
City Clerk

By

Deputy City Clerk

Approved:

11/21/22

(date)

TODD GLORIA, Mayor

Vetoed:

(date)

TODD GLORIA, Mayor

(The date of final passage is November 28, 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 NOV 15 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 NOV 28 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 NOV 01 2022, and on NOV 28 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

Office of the City Clerk, San Diego, California

Ordinance Number O- 21574