

#1006
03/08/2022

(R-2022-325)

RESOLUTION NUMBER R- 313948

DATE OF FINAL PASSAGE MAR 22 2022

A RESOLUTION OF THE COUNCIL OF THE CITY OF SAN DIEGO AUTHORIZING EXECUTION OF A FIRST AMENDMENT TO THE AGREEMENT WITH BURNS & MCDONNELL ENGINEERING COMPANY, INC., TO PROVIDE DESIGN AND ENGINEERING SERVICES FOR THE LOS PEÑASQUITOS LAGOON RESTORATION PHASE 1 PROJECT AND EXPENDITURE OF APPROPRIATIONS FOR DESIGN AND ENGINEERING ACTIVITIES

WHEREAS, Los Peñasquitos Lagoon (Lagoon) is included on the Clean Water Act list of impaired water bodies due to impacts from sediment loads and loss of natural floodplains and historical coastal salt marsh; and

WHEREAS, state and federal regulatory mandates require the City of San Diego to restore up to 84 acres of Lagoon salt marsh and reduce sediment loading into the Lagoon within twenty (20) years; and

WHEREAS, a Lagoon restoration concept was provided in the Los Peñasquitos Lagoon Enhancement Plan and the Lagoon restoration divided into two phases, with Phase 1 comprising restoration of the Lagoon southwest of the railroad berm, and Phase 2 comprising restoration of the Lagoon northeast of the railroad berm; and

WHEREAS, on January 8, 2020, the Council of the City of San Diego (Council) pursuant to Resolution Number R-312809 authorized an Agreement between the City of San Diego and Burns & McDonnell Engineering Company, Inc. for Design of Los Peñasquitos Lagoon Restoration – Phase 1 (Agreement) in an amount not to exceed \$4,078,258; and

WHEREAS, on February 13, 2020, the City of San Diego (City) awarded the Agreement to Burns & McDonnell Engineering Company, Inc., Contract No. H197073, with a contract expiration date of February 12, 2025; and

WHEREAS, the project scope and design of the Los Peñasquitos Lagoon Restoration Phase 1 Project (Project) has been refined since the award of the Agreement to include additional storm drain outfall upgrades, Tower Road diversion design, additional biological surveys and assessments for sediment placement on beach and near-shore areas, increased excavation quantities to improve floodplain enhancement efficiencies and increased excavation quantities for restoration to reduce channel and bench elevations to reach needed salinity levels; and

WHEREAS, the outfall upgrades will address the discharge of sediment and trash into the Lagoon and flooding issues at the intersection of Carmel Mountain Road and Sorrento Valley Road; and

WHEREAS, the Tower Road diversion will reduce flood risk and provide water quality treatment to 217 acres of existing development before the stormwater discharges to the Lagoon; and

WHEREAS, the increase in excavation quantities resulting from the Project design refinement have increased the cost of construction; and

WHEREAS, the placement of excavated sediment on the beach or near-shore will result in significant cost savings during construction by eliminating the need to haul sediment to an off-site landfill location; and

WHEREAS, authorization of additional engineering and design services and an additional expenditure in the amount of \$384,324 for a total contract amount of \$4,462,582 will allow for the overall completion and success of the Project; NOW, THEREFORE,

BE IT RESOLVED, by the Council of the City of San Diego that the Mayor, or his designee, is authorized to execute for and on behalf of the City, a First Amendment to the Agreement between the City of San Diego and Burns & McDonnell Engineering Company, Inc.

for Design of Los Peñasquitos Lagoon Restoration – Phase 1, Contract No. H197073 (First Amendment), in an amount not to exceed \$384,324, with total compensation for services provided under the Agreement and First Amendment not to exceed \$4,462,582.

BE IT FURTHER RESOLVED, that the Chief Financial Officer is authorized to expend an additional amount not to exceed \$384,324, with total expenditures under the Agreement and First Amendment not to exceed \$4,462,582, from CIP A-CC.00001, Stormwater Green Infrastructure (B-17033, Los Peñasquitos Lagoon Restoration Ph 1), Fund 400881, Debt Funded GF CIP.

APPROVED: MARA W. ELLIOTT, City Attorney

By /s/ Jeanne L. MacKinnon
Jeanne L. MacKinnon
Deputy City Attorney

JLM:hm
February 18, 2022
Or.Dept: ECP
Doc. No.: 289751

I certify that the foregoing Resolution was passed by the Council of the City of San Diego, at this meeting of MAR 08 2022

ELIZABETH S. MALAND
City Clerk

By *Cornie Patterson*
Deputy City Clerk

Approved: 3/22/22
(date)

Todd Gloria
TODD GLORIA, Mayor

Vetoed: _____
(date)

TODD GLORIA, Mayor

Passed by the Council of The City of San Diego on MAR 08 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 MAR 22 2022.

(Please note: When a resolution is approved by the Mayor, the date of final passage is the date the approved resolution was returned to the Office of the City Clerk.)

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

Office of the City Clerk, San Diego, California
Resolution Number R- 313948