

RESOLUTION NUMBER R- 314256 (NEW SERIES)

DATE OF FINAL PASSAGE JUL 29 2022

A RESOLUTION OF THE COUNCIL OF THE CITY OF
SAN DIEGO APPROVING A CONTRACT WITH VULCAN
MATERIALS COMPANY FOR DISPOSAL SITES FOR
EXCAVATED MATERIAL (ITB 10089840-22-L) AND
RELATED ACTIONS.

WHEREAS, the City of San Diego (City) currently lacks available land to dispose of excavated material, including wet and dry soil, dirt, and adobe clay, concrete and concrete with rebar, asphalt and asphalt with petro mat, and rock (Excavated Materials), associated with City water, wastewater, stormwater, and transportation operations; and

WHEREAS, on November 2, 2021, the City issued Invitation to Bid No. 10089840-22-L (ITB) to procure a contractor for services to be provided to the City for the disposal of Excavated Material in any combination in accordance with the specifications of the ITB; and

WHEREAS, the City received two proposals, but City staff determined that only Vulcan Materials Company's (Contractor) proposal was responsive; and

WHEREAS, staff also determined that Contractor has the expertise, experience, and personnel necessary to provide the specified services; and

WHEREAS, the City subsequently issued an Intent to Award letter to the Contractor in February 2022 with a not-to-exceed value of \$28,000,000, based on budgetary proposals received from Contractor and City use estimates for a five year period to provide disposal sites for Excavated Materials in any combination in support of City water, wastewater, stormwater and transportation operations, as more fully set forth in the agreement provided in the docket materials accompanying this resolution (Contract); and

WHEREAS, the Contract will be used for four different types of City operations, and staff estimates that \$16,520,000 will be paid from Fund 700011, Water Utility Operating, \$6,440,000 will be paid from Fund 700000, Muni Sewer Revenue, \$3,578,400 will be paid from Fund 100000, General Fund Stormwater, and \$1,461,600 will be paid from Fund 100000, General Fund Transportation, however, these amounts may change depending on the actual needs of the various City department over the term of the Contract; NOW, THEREFORE,

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

1. That the five year Contract with Vulcan Materials Company for the disposal of Excavated Materials with a not to exceed amount of \$28,000,000, which once signed by all parties will be on file with the Office of the City Clerk as Document No. RR-314256, is approved.
2. That the Mayor, or designee, is authorized to sign the Contract, contingent upon the Chief Financial Officer first furnishing one or more certificates certifying that funds necessary for expenditure are, or will be, on deposit with the City Treasurer.
3. That the Chief Financial Officer is authorized to expend an amount, as required, not to exceed \$28,000,000 in total over five (5) years from Fund 700011, Water Utility Operating, Fund 700000, Muni Sewer Revenue, Fund 100000, General Fund Stormwater, and Fund 100000, General Fund Transportation, as appropriate based on the actual usage of the Contract to dispose of Excavated Materials for water, wastewater, stormwater, or transportation operations, contingent upon the adoption of the Annual Appropriations Ordinance for the applicable fiscal year, and 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, under the terms and conditions set forth in the Contract.

4. That the Chief Financial Officer, upon advice from the administering department, is authorized to transfer excess funds, if any, to the appropriate reserves.

APPROVED: MARA W. ELLIOTT, City Attorney

By /s/ Raymond C. Palmucci
Raymond C. Palmucci
Deputy City Attorney

RCP:cw
7/07/2022
Or.Dept: Public Utilities Department
CC No.: 3000014940
Doc. No.: 3008696

I hereby certify that the foregoing Resolution was passed by the Council of the City of San Diego, at this meeting of JUL 26 2022.

ELIZABETH S. MALAND
City Clerk

By [Signature]
Deputy City Clerk

Approved: 7/29/22
(date)

[Signature]
TODD GLORIA, Mayor

Vetoed: _____
(date)

TODD GLORIA, Mayor

The City of San Diego
COMPTROLLER'S CERTIFICATE

CERTIFICATE OF UNALLOTTED BALANCE

ORIGINATING DEPT. 3000014940
 NO.: 2000

I HEREBY CERTIFY that the money required for the allotment of funds for the purpose set forth in the foregoing resolution is available in the Treasury, or is anticipated to come into the Treasury, and is otherwise unallotted.

Amount: _____ Fund: _____

Purpose: _____

Date: _____ By: _____
 COMPTROLLER'S DEPARTMENT

ACCOUNTING DATA									
Doc. Item	Fund	Funded Program	Internal Order	Functional Area	G/L Account	Business Area	Cost Center	WBS	Original Amount
TOTAL AMOUNT									

FUND OVERRIDE

CERTIFICATION OF UNENCUMBERED BALANCE

I HEREBY CERTIFY that the indebtedness and obligation to be incurred by the contract or agreement authorized by the hereto attached resolution, can be incurred without the violation of any of the provisions of the Charter of the City of San Diego; and I do hereby further certify, in conformity with the requirements of the Charter of the City of San Diego, that sufficient moneys have been appropriated for the purpose of said contract, that sufficient moneys to meet the obligations of said contract are actually in the Treasury, or are anticipated to come into the Treasury, to the credit of the appropriation from which the same are to be drawn, and that the said money now actually in the Treasury, together with the moneys anticipated to come into the Treasury, to the credit of said appropriation, are otherwise unencumbered.

Not to Exceed: \$3,418,000.00

Vendor: Vulcan Materials Company

Purpose: Authorization to award a contract with Vulcan Materials Company (Bid# 1008940-22-L) to provide a disposal site for excavated materials.

Date: June 6, 2022 By: Jessica Tran
 COMPTROLLER'S DEPARTMENT

ACCOUNTING DATA									
Doc. Item	Fund	Funded Program	Internal Order	Functional Area	G/L Account	Business Area	Cost Center	WBS	Original Amount
1	700011			OTHR-00000000-WU	512157	2000	2000211112		\$2,000,000.00
2	700000			OTHR-00000000-SU	512157	2000	2000181401		\$800,000.00
3	700011			OTHR-00000000-WU	512157	2000	2000000001		\$10,000.00
4	100000			OTHR-00000000-GG	512157	2116	2116110013		\$408,000.00
5	100000			OTHR-00000000-GG	512157	2114	2114110016		\$200,000.00
TOTAL AMOUNT									\$3,418,000.00

DM
DM

FUND OVERRIDE
3000014940

Passed by the Council of The City of San Diego on JUL 26 2022, by the following vote:

Councilmembers	Yeas	Nays	Not Present	Recused
Joe LaCava	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" 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 29 2022.

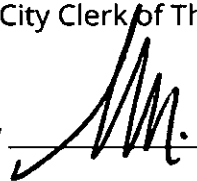
(Please note: When a resolution is approved by the Mayor, the date of final passage is the date the approved resolution was returned to the Office of the City Clerk.)

AUTHENTICATED BY:

TODD GLORIA
Mayor of The City of San Diego, California.

ELIZABETH S. MALAND
City Clerk of (Seal)ty of San Diego, California.

ELIZABETH S. MALAND
City Clerk of The City of San Diego, California.

By , Deputy

Office of the City Clerk, San Diego, California

Resolution Number R- 314256