

ORDINANCE NUMBER O- 21621 (NEW SERIES)DATE OF FINAL PASSAGE MAR 17 2023

AN ORDINANCE OF THE COUNCIL OF THE CITY OF SAN DIEGO APPROVING THE THIRD AMENDMENT TO THE AGREEMENT WITH JACOBS-CH2M HILL ENGINEERS, INC. FOR AS-NEEDED CONSTRUCTION MANAGEMENT SERVICES – CONVEYANCE PROJECTS - (CONTRACT NO. H176955) AND RELATED ACTIONS.

WHEREAS, in April 2018, the City awarded an agreement to Jacobs-CH2M Hill Engineers, Inc. to perform as-needed construction management services for the Pure Water Conveyance Projects for a period of five years, in an amount not to exceed \$45,000,000, which is on file in the Office of the City Clerk as Document No. RR-311673 (Agreement); and

WHEREAS, on February 23, 2019 the City executed the first amendment to the Agreement adding new City insurance requirements; and

WHEREAS, on January 25, 2022 the City executed the second amendment to the Agreement to include Project Labor Agreement requirements; and

WHEREAS, the third amendment will extend the term of the Agreement for an additional three years and three months, increase the not to exceed amount of the Agreement by \$40,000,000 for a total not to exceed amount of \$85,000,000, and additional scope of work as more fully set forth in the proposed third amendment which is included in the staff materials accompanying this ordinance (Third Amendment); 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;

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; NOW, THEREFORE,

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

Section 1. The Third Amendment extending the term of the Agreement for an additional three years and three months, increasing the not to exceed amount of the Agreement to \$85,000,000 and adding additional services to be performed for the remainder of the term, which once signed by all parties and approved as to form, will be on file in the Office of the City Clerk as Document No. OO-21621, is approved.

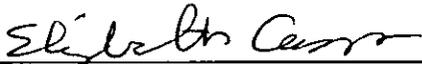
Section 2. That the Mayor, or his designee, is authorized to sign and deliver the Third Amendment.

Section 3. That the Chief Financial Officer is authorized to expend an additional amount not to exceed \$40,000,000 from Fund 700011, Water Utility Operating Fund, Fund 700010, Water Utility CIP, Fund 700001, Metro Sewer Utility, and Fund 70009, Metro Sewer CIP, for the purpose of executing this Third Amendment to the Agreement, contingent upon the adoption of the Annual Appropriation 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.

Section 4. That a full reading of this ordinance is dispensed with prior to its passage, a written or printed copy having been made available to the City Council and the public prior to the day of its passage.

Section 5. That this ordinance shall take effect and be in force on the thirtieth day from
and after its final passage.

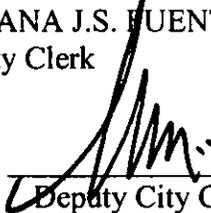
APPROVED: MARA W. ELLIOTT, City Attorney

By 
Elizabeth Cason
Deputy City Attorney

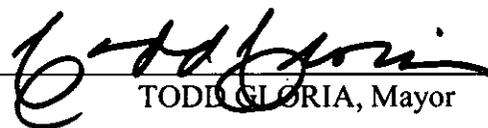
EC:hm
February 13, 2023
February 21, 2023 COR.COPY
Or.Dept: Public Utilities Department
CC No.: N/A
Doc. No.: 3219589

I hereby certify that the foregoing Ordinance was passed by the Council of the City of San Diego, at this meeting of MAR 14 2023

DIANA J.S. FUENTES
City Clerk

By  _____
Deputy City Clerk

Approved: 3/17/23
(date)

 _____
TODD GLORIA, Mayor

Vetoed: _____
(date)

TODD GLORIA, Mayor

Passed by the Council of The City of San Diego on March 14, 2023, 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"/>
Kent Lee	<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 17 2023

AUTHENTICATED BY:

(Seal)

TODD GLORIA

Mayor of The City of San Diego, California.

DIANA J. S. FUENTES

City Clerk of The City of San Diego, California.

By [Signature], 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

February 28, 2023

and on

MAR 17 2023

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)

DIANA J. S. FUENTES

City Clerk of The City of San Diego, California.

By [Signature], Deputy

Office of the City Clerk, San Diego, California

Ordinance Number O-

21621