

ORDINANCE NUMBER O- 21748 (NEW SERIES)

DATE OF FINAL PASSAGE NOV 22 2023

AN ORDINANCE OF THE COUNCIL OF THE CITY OF
SAN DIEGO APPROVING THE FIRST AMENDMENT TO
THE AGREEMENT WITH AON RISK INSURANCE
SERVICES WEST, INC. FOR THE OWNER CONTROLLED
INSURANCE PROGRAM (RFP NO. 10089372-18-V) AND
RELATED ACTIONS.

WHEREAS, in January 2019 the City awarded an agreement to AON Risk Insurance Services West, Inc. to act as the City's Owner Controlled Insurance Program (OCIP) broker of record for the Pure Water Phase 1 Program for a period of five years, in an amount not to exceed \$999,750 (Agreement); and

WHEREAS, in 2019, the Associated General Contractors of America, San Diego Chapter, filed a lawsuit against the City of San Diego, delaying the implementation of the Pure Water Phase 1 Program by approximately 18 months; and

WHEREAS, construction related activities for the Pure Water Phase 1 Program are anticipated to last approximately five (5) more years; and

WHEREAS, pursuant to San Diego Municipal Code section 22.3208(d), award of a sole source contract is appropriate as a competitive process would be undesirable for the continued, uninterrupted, and effective administration of the OCIP insurance coverage for the Pure Water Phase 1 Program; and

WHEREAS, the first amendment will extend the term of the Agreement for an additional five years to allow for the continued administration of the OCIP insurance coverage for the Pure Water Phase 1 Program, increase the not to exceed amount of the Agreement by \$886,772.04 for a total not to exceed amount of \$1,886,522.04, and amend the scope of work as more fully set

forth in the proposed first amendment which is included in the staff materials accompanying this ordinance (First 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; 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; NOW, THEREFORE,

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

Section 1. That the First Amendment, which extends the term of the Agreement for an additional five years, increases the total not to exceed amount of the Agreement to \$1,886,522.04, and amends the scope of work, 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-

21748, is approved.

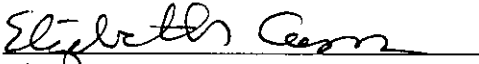
Section 2. That the Mayor, or his designee, is authorized to sign and deliver the First Amendment.

Section 3. That the Chief Financial Officer is authorized to expend an additional amount not to exceed \$886,772.04 from Fund 700001, Metro Sewer Utility Fund and Fund 700011, Water Utility Operating Fund, for the purpose of executing this First 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.

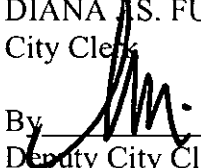
APPROVED: MARA W. ELLIOTT, City Attorney

By 
Elizabeth Cason
Lead Deputy City Attorney

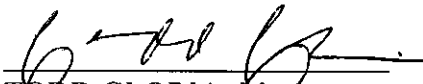
EC:hm
10/16/2023
Or.Dept: Public Utilities Department
Doc. No. 3447653

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

DIANA S. FUENTES
City Clerk

By 
Deputy City Clerk

Approved: 11/21/23
(date)


TODD GLORIA, Mayor

Vetoed: _____
(date)

(The date of final passage is November 22, 2023, 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 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 type="checkbox"/> | <input type="checkbox"/> | <input checked="" 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 NOV 22 2023.

AUTHENTICATED BY:

TODD GLORIA

Mayor of The City of San Diego, California.

(Seal)

DIANA J.S. FUENTES

City Clerk of The City of San Diego, California.

By , 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 31 2023

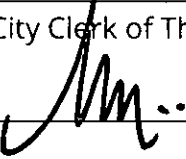
, and on NOV 22 2023.

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 , Deputy

Office of the City Clerk, San Diego, California

Ordinance Number O- **21748**