

ORDINANCE NUMBER O- **21750** (NEW SERIES)

DATE OF FINAL PASSAGE **DEC 12 2023**

AN ORDINANCE OF THE COUNCIL OF THE CITY OF
SAN DIEGO AUTHORIZING THE OBLIGATIONS OF THE
MULTIPLE AWARD CONSTRUCTION CONTRACT FOR
WATER, WASTEWATER, AND STORMWATER PIPELINE
PROJECTS (K-17-1518-MAC-3) WITH TC CONSTRUCTION
TO EXTEND BEYOND FIVE YEARS FOR AN ADDITIONAL
FIFTEEN MONTHS TO ALLOW FOR COMPLETION OF
THREE TASK ORDERS.

WHEREAS, in 2018, the City Council (Council) approved the award of five Multiple
Award Construction Contracts (MACC) for Water, Wastewater, and Stormwater Pipeline
Projects under San Diego Resolution R-312020, which included MACC K-17-1518-MAC-3 with
TC Construction with an effective date of October 31, 2018 (Contract); and

WHEREAS, the Resolution R-312020 authorizing the Contract stated that no contract
authorized under it would exceed five years; and

WHEREAS, under the Contract, the City awarded three task orders to TC Construction
for Rancho Penasquitos Improv 1, AC Water & Sewer Group 1053 and National Avenue
Complete Street, and AC Water & Sewer Group 1052A (collectively Tasks); and

WHEREAS, all of the Tasks require additional time in order to be completed at no
additional costs to the City; and

WHEREAS, staff anticipates that all Tasks will be completed by December 31, 2024, and
is requesting an extension of the Contract obligations for an additional 15 months to allow all
items related to the Tasks to be completed; 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; 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 obligations of the Contract are authorized to extend an additional 15 months beyond October 31, 2023, to January 31, 2025, for the purposes of allowing TC Construction to complete the Tasks previously awarded to it under the Contract at no additional costs to the City.

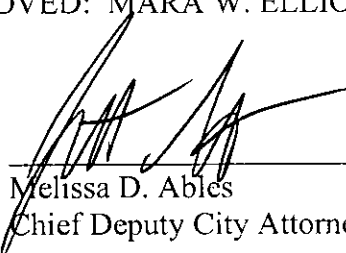
Section 2. The Mayor or designee is authorized to execute any necessary documents that will be retroactively effective to October 31, 2023, including an amendment to the Contract, or any change orders for the Tasks, to effectuate the extension of the obligations under the Contract for an additional 15 months.

Section 3. 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 4. 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


Melissa D. Ables
Chief Deputy City Attorney

MDA:cw

10/24/2023

Or.Dept: Engineering and Capital Projects

CC No.: N/A

Doc. No.: 3454665

I hereby certify that the foregoing Ordinance was passed by the Council of the City of San Diego, at this meeting of DEC 05 2023.

DIANA J.S. FUENTES
City Clerk

By


Deputy City Clerk

Approved:

12/12/23

(date)


TODD GLORIA, Mayor

Vetoed:

(date)

TODD GLORIA, Mayor

Passed by the Council of The City of San Diego on DEC 05 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"/>
District 4 - vacant	<input 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 DEC 12 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 [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

NOV 14 2023, and on DEC 12 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

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