

ORDINANCE NUMBER O- 21751 (NEW SERIES)

DATE OF FINAL PASSAGE DEC 12 2023

AN ORDINANCE OF THE COUNCIL OF THE CITY OF
SAN DIEGO AUTHORIZING A SECOND AMENDMENT TO
THE AS-NEEDED CIVIL ENGINEERING AGREEMENT
WITH KLEINFELDER INC. (H156450) AND RELATED
ACTIONS.

WHEREAS, the City of San Diego (City) entered into an As-Needed Professional Services Agreement with Kleinfelder Inc. (Consultant) (collectively Parties) on January 15, 2016 for civil engineering design services, including preparation of construction drawings, contract documents, and other various reports, as well as design support during construction, to support the City's Capital Improvement Projects (H156450) (Agreement) for an amount not to exceed \$5,000,000; and

WHEREAS, Parties amended the Agreement on April 13, 2021 to extend the contract from 60 months to 96 months to allow for completion of four tasks under design and construction, including task 15CK30, for Capital Improvement Program (CIP) project Scripps Miramar Ranch Library Parking Lot Expansion Project (S-00811), which was approved by San Diego Ordinance O-21297; and

WHEREAS, three out of the four tasks were completed leaving the Scripps Miramar Ranch Library Parking Lot Expansion Project task still open;

WHEREAS, the Scripps Miramar Ranch Library Parking Lot Expansion Project is not complete, and staff recommends amending the Agreement to extend the term from 96 months to 156 months and increase the not to exceed amount by \$200,000, to retain the consultant of record

for the duration of the construction and post-construction stages of the project (Second Amendment); 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. The Second Amendment to the As-Needed Professional Services Agreement with Consultant to extend the contract duration from 96 months to 156 months, to allow for continued design and construction support services for CIP S-00811, Scripps Miramar Ranch Library Parking Lot Expansion Project under the terms and conditions set forth in the Second Amendment to the Agreement, on file in the Office of the City Clerk as Document No. OO-**21751** is approved.

Section 2. The Mayor, or designee, is authorized to execute the Second Amendment; and

Section 3. The Chief Financial Officer is authorized to appropriate and expend an amount not to exceed \$200,000 from CIP S-00811, Scripps Miramar Ranch Library Parking Lot Expansion, Fund 400086, Scripps Miramar Ranch FBA, for the purpose of executing this Second Amendment to the As-Needed Civil Engineering Services Agreement H156450, contingent upon the Chief Financial Officer furnishing one or more certificates certifying that the funds necessary for expenditure under the established contract funding phases are, or will be, on deposit with the City Treasurer.

Section 4. 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 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 
Dana C. Fairchild
Deputy City Attorney

DCF:hm
October 23, 2023
Or.Dept: PW- Contract Formation
Doc. No.: 3453471
CC No. 3000016144

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

CERTIFICATE OF UNALLOTTED BALANCE

ORIGINATING
DEPT. NO.: 3000016144
2112

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: _____

Purpose: _____

Date: _____ By: _____
COMPTROLLER'S DEPARTMENT

ACCOUNTING DATA									
Doc. Item	Funded Program	Fund	Grant Number	G/L Account	Functional Area	Business Area	Fund Center or Cost Center	Internal Order or WBS Element	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: \$200,000.00

Vendor: Kleinfelder

Purpose: To authorize the expenditure of funds not to exceed \$200,000 to Kleinfelder for Task Order #15CK30 Modification #5 and agreement H156450 amendment #2 for the purpose of providing engineering and construction management services to the Scripps Miramar Ranch Library project.

Date: 9/27/2023 By: Travis Brady
COMPTROLLER'S DEPARTMENT

ACCOUNTING DATA									
Doc. Item	Funded Program	Fund	Grant Number	G/L Account	Functional Area	Business Area	Fund Center	Internal Order or WBS Element	Original Amount
1	S00811	400086	NOT_RELEVANT_GRANT	512034	OTHR-00000000-CL	1713	1713121119	S00811.02.02	\$161,463.30
2	S00811	400086	NOT_RELEVANT_GRANT	512026	OTHR-00000000-CL	1713	1713121119	S00811.06.02	\$32,507.30
3	S00811	400086	NOT_RELEVANT_GRANT	512034	OTHR-00000000-CL	1713	1713121119	S00811.07.04	\$6,029.40
4									
5									
6									
7									
8									
9									
TOTAL AMOUNT									\$200,000.00

NMA

FUND OVERRIDE ☐

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:

(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

NOV 07 2023

DEC 12 2023

, and on

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- 21751