

ORDINANCE NUMBER O- 21752 (NEW SERIES)

DATE OF FINAL PASSAGE DEC 12 2023

AN ORDINANCE OF THE COUNCIL OF THE CITY OF
SAN DIEGO APPROVING A THIRD AMENDMENT TO THE
AGREEMENT WITH RICK ENGINEERING COMPANY FOR
PROFESSIONAL SERVICES FOR DESIGN SUPPORT
DURING THE CONSTRUCTION OF THE LA MEDIA
ROADWAY IMPROVEMENTS PROJECT – (CONTRACT
NO. H197050) AND RELATED ACTIONS.

WHEREAS, in March 2019, the City awarded a sole source agreement to Rick Engineering Company to provide professional design support services for the La Media Road Improvements Project for a period of seven years, in an amount not to exceed \$665,114, which is on file in the Office of the City Clerk as Document No. OO-21055 (Agreement); and

WHEREAS, in January 2022, the City executed the first amendment to the Agreement to increase the not to exceed amount by \$334,886 for additional construction support services and geotechnical services; and

WHEREAS, in April 2023, the City executed the second amendment to the Agreement to increase the not to exceed amount by \$193,071 for additional design efforts to finalize documents and secure permits from outside agencies; and

WHEREAS, the proposed third amendment to the Agreement will provide additional funding for additional engineering support services during the construction phase and includes reimbursement for design support work performed to assist in relocating an Otay Water District (OWD) pipeline, under the terms of the reimbursement agreement with the OWD on file in the Office of the City Clerk as Document No. RR-31422; and

WHEREAS, the third amendment will increase the not to exceed amount of the Agreement by \$392,543 for a total not to exceed amount of \$1,585,614 and modify the 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, 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 Third Amendment increasing the not to exceed amount of the Agreement to \$1,585,614 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- 21752 is approved.

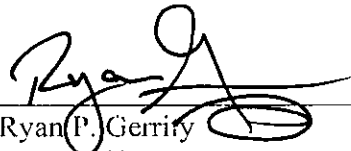
Section 2. The Mayor, or his designee, is authorized to sign and deliver the Third Amendment.

Section 3. The Chief Financial Officer is authorized to expend an amount not to exceed \$392,543 in CIP S-15018, La Media Roadway Improvements, of which \$211,512 is from Fund 400870, Otay Mesa EIFD Capital Project, \$148,140 is from Fund 200636 Developer Contributions CIP, and \$32,891 is from Fund 400889, Otay Water District Reimbursement S15018, 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 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.

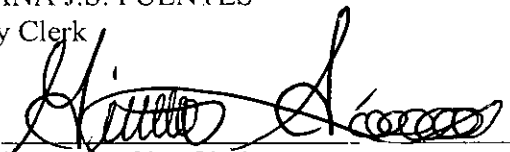
APPROVED: MARA W. ELLIOTT, City Attorney

By 
Ryan P. Gerrity
Deputy City Attorney

RPG:cw
October 9, 2023
Or.Dept.: Engineering and Capital Projects Department
CC No.: CC 3000016114
Doc. No.: 3441400

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

The City of San Diego
COMPTROLLER'S CERTIFICATE

CERTIFICATE OF UNALLOTTED BALANCE

CC 3000016114

ORIGINATING
DEPT. NO.: 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: \$392,543.00

Vendor: Rick Engineering Company

Purpose: To authorize the expenditure of funds not to exceed \$392,543.00 for Third Amendment to the Agreement # H197050 with Rick Engineering Company for the purpose of providing design support services during construction of the La Media Road Improvements project.

Date: September 19, 2023

By: Margarita Medina *Margarita Medina*
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
1	S15018	200636	NOT_RELEVANT_GRANT	512034	OTHR-00000000-TR	2116	2116110013	S-15018.02.02	\$148,140.00
2	S15018	400870	NOT_RELEVANT_GRANT	512034	OTHR-00000000-TR	2116	2116110013	S-15018.02.02	\$211,512.00
3	S15018	400889	NOT_RELEVANT_GRANT	512034	OTHR-00000000-TR	2116	2116110013	S-15018.06.04	\$32,891.00
TOTAL AMOUNT									\$392,543.00

FUND OVERRIDE ☐

CC 3000016114

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 , 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 , Deputy

Office of the City Clerk, San Diego, California

Ordinance Number O- 21752