

RESOLUTION NUMBER R- **314699**

DATE OF FINAL PASSAGE **APR 14 2023**

A RESOLUTION OF THE COUNCIL OF THE CITY OF SAN DIEGO APPROVING THE FIRST AMENDMENT TO A CONTRACT WITH CALMAT CO. DOING BUSINESS AS VULCAN MATERIALS COMPANY TO FURNISH PAVING MATERIALS AND ASPHALT CONCRETE (ITB 100898897-22-W).

WHEREAS, the City of San Diego currently lacks the land, plant equipment and raw materials to furnish paving materials and asphalt concrete and it is cost prohibitive for the City to construct its own plant to furnish these materials; and

WHEREAS, on May 5, 2022, the City of San Diego issued an Invitation to Bid (ITB No. 100898897-22-W) to furnish paving materials and asphalt concrete; and

WHEREAS, Calmat Co. doing business as Vulcan Materials Company (Contractor) was the lowest responsible and responsive bidder that responded to the ITB, and the City awarded the contract that was effective August 3, 2022, to Contractor for a term of one year with a not-to-exceed amount of \$3,000,000 (Contract), with the option to extend the Contract term for four additional one-year terms; and

WHEREAS, City staff has determined that it is in the City's best interest to exercise its option to extend the Contract which expires on August 3, 2023;

WHEREAS, in order to extend the Contract, City staff has negotiated a First Amendment to the Contract to increase the not-to-exceed amount of the Contract from \$3,000,000 to \$20,830,884, in order to ensure that the City may exercise all four one-year options if City staff determines it is in the City's best interest to do so; and

WHEREAS, the Office of the City Attorney has drafted this resolution based on the information provided by City staff, including information provided by affected third parties and verified by City staff, with the understanding that this information is complete, true, and accurate; NOW, THEREFORE,

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

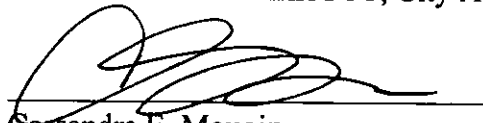
1. The First Amendment to the Contract with Calmat Co., DBA Vulcan Materials Company (ITB 100898897-22-W) to increase the not-to-exceed amount of the Contract to \$20,830,884 (First Amendment), which once signed by all parties and approved by the City Attorney's Office, will be on file with the City Clerk as Document No. RR- **314699**, is approved.

2. The Mayor, or designee, is authorized to sign and deliver the First Amendment on behalf of the City.

3. The Chief Financial Officer is authorized to expend an amount not-to-exceed \$20,830,884 for the purpose of funding the Contract, including the First Amendment and any options exercised by the City under the Contract, contingent upon the adoption of the Annual Appropriation Ordinance for the applicable fiscal year and contingent upon the Chief Financial Officer first furnishing one or more certificates certifying that funds necessary for the expenditures are, or will be, on deposit with the City Treasurer.

APPROVED: MARA W. ELLIOTT, City Attorney

By


Cassandra E. Mougin
Deputy City Attorney

CEM:cm
March 28, 2023
Or.Dept: Transportation
Doc. No. 3262578

I certify that the foregoing Resolution was passed by the Council of the City of San Diego, at this meeting of APR 11 2023.

DIANA J.S. FUENTES
City Clerk

By Connie Patterson
Deputy City Clerk

Approved: 4/14/23
(date)

Todd Gloria
TODD GLORIA, Mayor

Vetoed: _____
(date)

TODD GLORIA, Mayor

Passed by the Council of The City of San Diego on APR 11 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 APR 14 2023

(Please note: When a resolution is approved by the Mayor, the date of final passage is the date the approved resolution was returned to the Office of the City Clerk.)

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 Cennie Patterson, Deputy

Office of the City Clerk, San Diego, California

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