

RESOLUTION NUMBER R- **314701**

DATE OF FINAL PASSAGE **APR 14 2023**

A RESOLUTION OF THE COUNCIL OF THE CITY OF SAN DIEGO AUTHORIZING THE MAYOR, OR HIS DESIGNEE, TO EXECUTE CHANGE ORDER NO. 4 TO CONSTRUCTION CONTRACT K-19-1982-DBB-3 WITH CASS CONSTRUCTION, INC., FOR ADDITIONAL CONSTRUCTION OPERATIONS IN AN AMOUNT NOT TO EXCEED \$4,206,009.49 WITHIN THE OTAY 2ND PIPELINE PHASE 1 PROJECT, AND TAKING RELATED ACTIONS.

WHEREAS, in November 2019, the City awarded a construction contract K-19-1982-DBB-3 (Contract) to Cass Construction, Inc. (Contractor) for construction of the Otay 2nd Pipeline Phase 1 project (Project); and

WHEREAS, during construction 24 conflicts with existing underground utilities were discovered by Contractor while doing investigatory potholing, causing a redesign of a portion of the Project; and

WHEREAS, a construction change order (Change Order No. 4) is now needed to provide for additional trenching, additional pipeline segments and valves, additional traffic control, and associated labor necessary to accommodate the redesign; and

WHEREAS, Change Order No. 4 will increase the Contract amount by \$4,206,009.49, for a total Project cost of \$20,397,762.80, and will extend the Contract term for an additional 447 days; and

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

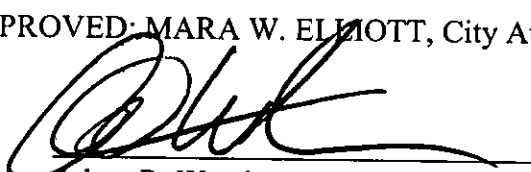
BE IT RESOLVED, by the Council of the City of San Diego, that the Mayor, or his designee, is authorized to execute Change Order No. 4 with Cass Construction, Inc., for

additional construction operations for an amount not to exceed \$4,206,009.49 within the Otay 2nd Pipeline Phase 1 project.

BE IT FURTHER RESOLVED, that the Chief Financial Officer is authorized to expend a total amount not to exceed \$4,206,009.49 for Change Order No. 4 in CIP A-KA.00003, Large Diameter Water Transmission PPL (B-14092, Otay 2nd Pipeline Phase 1), Fund 700010, Water Utility CIP, for the purpose of executing this construction change order.

APPROVED: MARA W. ELLIOTT, City Attorney

By

  
Adam R. Wander  
Deputy City Attorney

ARW:cw  
March 28, 2023  
Or.Dept: E&CP  
CC No. 3000015533  
Doc. No. 3262183

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

  
Deputy City Clerk

Approved: \_\_\_\_\_

4/14/23  
(date)

  
TODD GLORIA, Mayor

Vetoed: \_\_\_\_\_

(date)

TODD GLORIA, Mayor

The City of San Diego  
COMPTROLLER'S CERTIFICATE

CERTIFICATE OF UNALLOTTED BALANCE

ORIGINATING

CC 3000015533  
DEPT. NO.: 2013

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: \$4,206,009.49

Vendor: Cass Construction, Inc.

Purpose: To authorize the expenditure of funds not to exceed \$4,206,009.49 to Cass Construction, Inc. for contract change order no. 4 for the Otay 2nd Pipeline Phase I project.

Date: February 15, 2023

By: DeJuan Lewis

*DeJuan Lewis*  
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	B14092	700010	NOT_RELEVANT_GRANT	512025	OTHR-00000000-WU	2013	2013171115	B-14092.06.01.02	\$4,206,009.49
TOTAL AMOUNT									\$4,206,009.49

CC-361 (REV 7-09)

FUND OVERRIDE ☐

CC 3000015533

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:

(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 Connie Patterson Deputy

Office of the City Clerk, San Diego, California

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