

RESOLUTION NUMBER R- 314978

DATE OF FINAL PASSAGE JUN 21 2023

A RESOLUTION OF THE COUNCIL OF THE CITY OF  
SAN DIEGO APPROVING THE FIRST AMENDMENT TO  
THE CONTRACT WITH FERGUSON WATERWORKS TO  
INCREASE THE NOT TO EXCEED VALUE TO \$4,500,000  
AND RELATED ACTIONS.

WHEREAS, in June 2020, following the City of San Diego (City) issuing Invitation to Bid No.: 10089653-20-W, the City awarded an agreement to Ferguson Waterworks to provide as-needed materials related to construction, maintenance, repair and installation of water distribution and sewer collections systems piping for a period of five years, in an amount not to exceed \$3,000,000.00 (Agreement); and.

WHEREAS, the City made purchases under the Agreement at a more accelerated rate than originally anticipated due to regulatory changes, increased capital improvement projects and post-pandemic hiring and demand; and

WHEREAS, City staff has negotiated a First Amendment to the Agreement, which is attached in the staff materials accompanying this resolution, to increase the not to exceed value by \$1,500,000 bringing the total not to exceed contract amount to \$4,500,000; and

WHEREAS, the First Amendment does not change the scope of work or the length of the of the Agreement; 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 City Council of the City of San Diego, as follows:

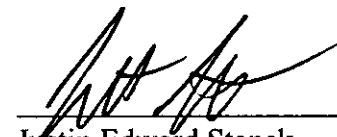
1. The First Amendment to the Agreement to increase the not to exceed value of the Agreement by \$1,500,000, increasing the total not to exceed amount of the Agreement to \$4,500,000, which once signed by all Parties and approved by the City Attorney will be on file with the City Clerk as Document No. <sup>RR-</sup>314978, is approved.

2. The Mayor is authorized to sign and deliver the First Amendment to the Agreement.

3. The Chief Financial Officer is authorized to appropriate and expend an amount not to exceed \$1,500,000, of which \$1,400,000 is estimated to be from Fund 700011, Water Utility Operating Fund, and \$100,000 from Fund 700000, Muni Sewer Revenue Fund, for the purposes of making purchases under the Agreement, including the First Amendment, 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 the funds necessary for expenditure are, or will be, on deposit with the City Treasurer.

APPROVED: MARA W. ELLIOTT, City Attorney

By

  
Justin Edward Stanek  
Deputy City Attorney

JES:jdf  
05/30/2023  
Or.Dept: P&C  
Doc. No. 3318764

I certify that the foregoing Resolution was passed by the Council of the City of San Diego, at this meeting of JUN 13 2023

DIANA J.S. FUENTES  
City Clerk

By Connie Patterson  
Deputy City Clerk

Approved: 6/20/23  
(date)

Todd Gloria  
TODD GLORIA, Mayor

Vetoed: \_\_\_\_\_  
(date)

\_\_\_\_\_  
TODD GLORIA, Mayor

Passed by the Council of The City of San Diego on JUN 13 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 JUN 21 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 Connie Patterson Deputy

Office of the City Clerk, San Diego, California  
Resolution Number R- 314978