

RESOLUTION NUMBER R- 315020

DATE OF FINAL PASSAGE JUL 03 2023

A RESOLUTION OF THE COUNCIL OF THE CITY OF SAN DIEGO AUTHORIZING THE MAYOR, OR HIS DESIGNEE, TO EXECUTE CHANGE ORDER NO. 2 FOR THE OTAY WTP-BASIN #1 CONCRETE RESTORATION CONSTRUCTION CONTRACT BETWEEN THE CITY OF SAN DIEGO AND ABHE & SVOBODA, INC. (K-22-2054-DBB-3) AND TAKING RELATED ACTIONS.

WHEREAS, the City of San Diego (City) desires to execute Construction Change Order No. 2 (Change Order No. 2) for the Otay WTP-Basin #1 Concrete Restoration Project (Project) construction contract with Abhe and Svoboda, Inc., K-22-2054-DBB-3 (Contract), to increase the not-to-exceed value of the Contract by \$1,468,167.21 and add 153 working days to the Contract to cover the additional costs and time related to unforeseen conditions discovered during construction at basin #1 at Otay Water Treatment Plant; and

WHEREAS, the Contract was awarded to Abhe & Svoboda Construction, Inc. (Contractor) in June 2022; and

WHEREAS, during construction of the Project, multiple additional cracks were discovered and it was also discovered that the basin floor waterstops were exposed on the basin floor; and

WHEREAS, those additional structural deficiencies discovered during construction were unforeseen and unanticipated at the time the city awarded the Contract to Contractor; and

WHEREAS, Change Order No. 2 will provide for the replacement of the basin foundation, replacement of the waterstops, and repairing of the additional cracking unforeseen at the time of award; and

WHEREAS, Change Order No. 2 will increase the not-to-exceed value of the Contract by \$1,468,167.21 and add an additional 153 working days to the Contract; and

WHEREAS, the Project is now expected to be completed in April 2024; 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, as follows:

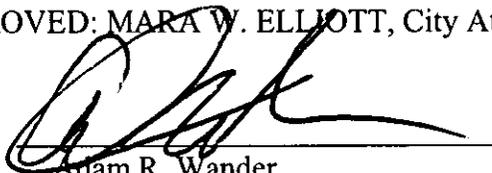
1. The Mayor, or his designee, is authorized to execute Change Order No. 2 to the Contract for an amount not to exceed \$1,468,167.21.

2. The Chief Financial Officer is authorized to transfer appropriations of \$570,000 from CIP AKB00003, Water Main Replacement, to CIP ABI00001, Water Treatment Plants, within Fund 700010, Water Utility CIP.

3. The Chief Financial Officer is authorized to expend an additional amount not to exceed \$1,468,167.21 from CIP A-BI.00001, Water Treatment Plants, (b-17092 Otay WTP-Basin #1 Concrete Restoration), Fund 700010, Water Utility CIP, Change Order No. 2 and additional in-house costs, for the construction of Otay WTP-Basin #1 Concrete Restoration. 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.

APPROVED: MARA W. ELLIOTT, City Attorney

By


Adam R. Wander
Deputy City Attorney

ARW:cw
06/12/23
06/21/23 COR. COPY
Or.Dept: Engineering & Capital Projects
CC No.: N/A
Doc. No.: 3328677

I hereby certify that the foregoing Resolution was passed by the Council of the City of San Diego at this meeting of JUN 27 2023.

DIANA J.S. FUENTES
City Clerk

By Connie Patterson
Deputy City Clerk

Approved: 6/30/23
(date)

Todd Gloria
TODD GLORIA, Mayor

Vetoed: _____
(date)

TODD GLORIA, Mayor

Passed by the Council of The City of San Diego on JUN 27 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 JUL 03 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
Interim City Clerk of The City of San Diego, California.

By Cennie Patterson, Deputy

Office of the City Clerk, San Diego, California
Resolution Number R- 315020