(8-2024-67)

RESOLUTION NUMBER R- 315103

DATE OF FINAL PASSAGE SEP 18 2023

A RESOLUTION OF THE COUNCIL OF THE CITY OF SAN DIEGO APPROVING THE CONTRACT BETWEEN THE CITY OF SAN DIEGO AND ORION CONSTRUCTION CORPORATION FOR THE MORENA DAM SPILLWAY NEAR TERM REPAIR PROJECT AND RELATED ACTIONS.

WHEREAS, the Morena Dam was constructed between 1895 and 1912, with remedial improvements on the dam and spillway in 1917, 1932, 1930 and 1946; and

WHEREAS, the Morena Dam Spillway is located in San Diego County, 63 miles east of the City of San Diego on the eastern slope of the Laguna Mountains and is owned and operated by the City of San Diego; and

WHEREAS, the Morena Dam is under the jurisdiction of California Department of Water Resources, Division of Safety of Dams (DSOD); and

WHEREAS, City completed a comprehensive condition assessment of the spillway at Morena Dam in January 2019, in accordance with DSOD requirements, which identified certain deficiencies that need to be addressed; and

WHEREAS, DSOD reviewed and accepted the recommendations in the comprehensive condition assessment report, and the City developed a near term maintenance repair plan to address the spillway deficiencies and to reduce impacts on spillway safety and performance; and

WHEREAS, Morena Dam Spillway Near-Term Repair Project was advertised on February 9, 2023 with bid number K-23-2133-DBB-3, and Orion Construction Corporation was identified as the lowest responsible and responsive bidder with a base bid of \$4,087,000; 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 contract for a construction services (K23-2133-DBB-3) with Orion Construction Corporation in an amount not to exceed \$4,087,000, for the purpose of providing construction services for the Morena Dam Spillway Near Term Repairs project (Contract), which once signed by all parties will be on file with the City Clerk as Document No. **R315103**, is approved.
  - 2. The Mayor, or designee, is authorized to sign and deliver the Contract.
- 3. The Chief Financial Officer is authorized to appropriate and expend an amount not to exceed \$4,087,000 for Morena Dam Spillway Near Term Repairs project, from fund 700011, Water Utility Operating Fund, contingent upon the Chief Financial Officer furnishing a certificate 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 08/25/2023

Or.Dept: PUD CC No. 3000015979

Doc. No. 3397224

meeting of	SEP 1 2 2023	ed by the Council of the City of San Diego, at this
		DIANA J.S. FUENTES City Clerk
		By KMHUL XIO AING Deputy City Clerk
Approved:	9/15/23 (date)	TODD CLORIA, Mayor
Vetoed:	(date)	TODD GLORIA Mayor

## The City of San Diego COMPTROLLER'S CERTIFICATE

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Purpo	se:								
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Date:							Ву:		
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Doc.			<u> </u>			Business			
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Vendo	r:	Orion Construction	on Corporation		<u> </u>				
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Date:			<u></u>	uly 11, 2023			By: Jessica	Tran Jean	ica Tran
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3000015979

CC-361 (REV 7-09)

Passed by the Council of The Ci	ty of San Dieg	30 on <b>SE</b>	P 1 2 2023	_, by the following vote:
Councilmembers	Yeas	Nays	Not Present	Recused
Joe LaCava	Zį.			
Jennifer Campbell	$\mathbb{Z}$			
Stephen Whitburn	Z			
Monica Montgomery Ste	eppe 🗾			
Marni von Wilpert	Z			
Kent Lee	Z			
Raul A. Campillo	$\overline{Z}$			
Vivìan Moreno				
Sean Elo-Rivera			$ ot \square $	
(Please note: When a resolut date the approved resolution			=	erk.)
AUTHENTICATED BY:		Mayo	or of The City of S	an Diego, California.
			DIANA J.S. FL	
(Seal)		City Cle	erk of The City or :	San Diego, California.
		ву Ж	rightle	MedUM Deputy
		Office of the	e City Clerk, San E	Diego, California
	Res	olution Numbe	er R31	.5103