

RESOLUTION NUMBER R- 315139DATE OF FINAL PASSAGE OCT 06 2023

A RESOLUTION OF THE COUNCIL OF THE CITY OF  
SAN DIEGO AUTHORIZING THE FIRST AMENDMENT TO  
THE PROFESSIONAL SERVICES AGREEMENT H2125903  
WITH KLEINFELDER, INC. FOR DAMS AND RESERVOIRS  
SECURITY IMPROVEMENTS AND RELATED ACTIONS.

WHEREAS, the Dams and Reservoirs Security Improvements (DRSI) project provides for the development and installation of facility improvements and electronic security systems at the nine City-owned dams and reservoirs which are currently operated and maintained by the Public Utilities Department; and

WHEREAS, the City entered into a five-year Professional Services agreement (Consultant Agreement) with Kleinfelder, Inc. on October 11, 2021, to prepare Design-Build bridging documents and provide other related professional services for an amount not to exceed \$624,557.00. (H2125903); and

WHEREAS, due to lack of funds and inadequate responses to the Request for Proposal for the Design-Build DRSI project, City staff recommends moving forward with a Design-Bid-Build delivery method; and

WHEREAS, using the Design-Bid-Build delivery method requires preparation of final design documents to be included in the bids for the construction work, which requires an amendment to the Consultant Agreement; and

WHEREAS, City staff negotiated an amendment to the Consultant Agreement that includes preparation of 60 percent, 100 percent, final design documents, as well as final contract documents for the City's bid and award process, and support services throughout construction and post-construction phases of the DRSI project (First Amendment); and

WHEREAS, the First Amendment increases the not to exceed amount of the Consultant Agreement by \$1,021,164.00, making the total not to exceed amount of the Contract \$1,645,721.00; 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:

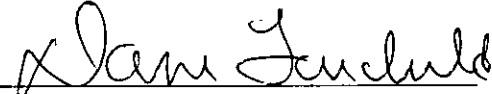
1. The First Amendment to Professional Services Agreement H2125903 with Kleinfelder Inc. for design and construction support services in CIP S-22013, Dams & Reservoirs Security Improvements (B-21067, Dams & Reservoirs Security Improvements), to add additional services and increase the not to exceed amount of the agreement by \$1,021,164.00, under the terms and conditions set forth in the First Amendment on file in the Office of the City Clerk as Document **RR-315139**, is approved; and

2. The Mayor, or designee, is authorized to execute the First Amendment; and

3. The Chief Financial Officer is authorized to appropriate and expend an amount not to exceed \$1,021,164.00 from CIP S-22013, Dams & Reservoirs Security Improvements (B-21067, Dams & Reservoirs Security Improvements), Fund 700010, Water Utility CIP, for the purpose of executing this First Amendment to Professional Services Agreement H2125903, contingent upon the Chief Financial Officer furnishing one or more certificates certifying that the

funds necessary for expenditure under the established contract funding phases are, or will be, on deposit with the City Treasurer.

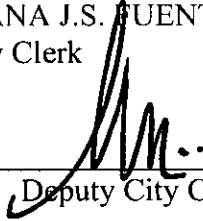
APPROVED: MARA W. ELLIOTT, City Attorney

By   
Dana C. Fairchild  
Deputy City Attorney

DCF:hm  
September 13, 2023  
September 28, 2023 COR.COPY  
October 4, 2023 COR.COPY.2  
Or.Dept: E&CP  
CC No. 3000016017  
Doc. No. 3430137\_3

I certify that the foregoing Resolution was passed by the Council of the City of San Diego, at this meeting of OCT 03 2023.

DIANA J.S. FUENTES  
City Clerk

By   
Deputy City Clerk

Approved: 10/5/23  
(date)

  
TODD GLORIA, Mayor

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

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

**The City of San Diego  
COMPTROLLER'S CERTIFICATE**

**CERTIFICATE OF UNALLOTTED BALANCE**

ORIGINATING

CC 3000016017  
DEPT. NO.: 2112

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: \$1,021,164.00

Vendor: Kleinfelder Inc.

Purpose: To authorize the expenditure of funds not to exceed \$1,021,164.00 to Kleinfelder Inc. for Amendment #1 to Consultant Contract H2125903 for the purpose of providing professional engineering services for the Dams and Reservoirs Security Improvements Project.

Date: July 27, 2023 By: Daniel Moore *Daniel Moore*  
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               | B21067         | 700010 | NOT_RELEVANT_GRANT | 512034      | OTHR-00000000-WU | 2000          | 2000121111                 | B-21067.02.02                 | \$846,677.00    |
| 2               | B21067         | 700010 | NOT_RELEVANT_GRANT | 512034      | OTHR-00000000-WU | 2000          | 2000121111                 | B-21067.05.01                 | \$48,035.00     |
| 3               | B21067         | 700010 | NOT_RELEVANT_GRANT | 512034      | OTHR-00000000-WU | 2000          | 2000121111                 | B-21067.06.02                 | \$126,452.00    |
|                 |                |        |                    |             |                  |               |                            |                               |                 |
|                 |                |        |                    |             |                  |               |                            |                               |                 |
| TOTAL AMOUNT    |                |        |                    |             |                  |               |                            |                               | \$1,021,164.00  |

58

FUND OVERRIDE ☐

Passed by the Council of The City of San Diego on OCT 03 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 OCT 06 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 , Deputy

Office of the City Clerk, San Diego, California

Resolution Number R- **315139**