|6|03|2023 #|00 (R-2024-97) COR.COPY COR.COPY.2

RESOLUTION NUMBER R- 315139

DATE 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 **22-315139**, 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

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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

Ву

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

meeting of	OCT_0.3 2023	passed by the Council of the City of San Diego, at this
		DIANA J.S. JUENTES City Clerk  By
Approved:	10 5 23 (date)	Deputy City Clerk  TODD GLORIA, Mayor
Vetoed:	(date)	TODD GLORIA, Mayor

## The City of San Diego COMPTROLLER'S CERTIFICATE

CERTIFICATE OF UNALLOTTED BALANCE

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Passed by the Council of The Cit	ty of San Die	go on <u>OC</u>	T <b>0 3</b> 2023	_, by the followir	ng vote:
Councilmembers	Yeas	Nays	Not Present	Recused	
Joe LaCava					
Jennifer Campbell					
Stephen Whitburn					
Monica Montgomery Ste	ppe 🖊				
Marni von Wilpert					
Kent Lee					
Raul A. Campillo					
Vivian Moreno					
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(Please note: When a resoluti date the approved resolution				erk.)	s the
AUTHENTICATED BY: .		Mayor		an Diego, Califor	nia.
(Seal)		City Cler	DIANA J. S. F k of The City of	San Diego, Califo	ornia. Deputy
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