

RESOLUTION NUMBER R- **315247**

DATE OF FINAL PASSAGE **DEC 11 2023**

A RESOLUTION OF THE COUNCIL OF THE CITY OF
SAN DIEGO APPROVING THE FIRST AMENDMENT TO
THE CONTRACT BETWEEN THE CITY OF SAN DIEGO AND
CALIFORNIA WATER TECHNOLOGIES, LLC TO
PURCHASE FERROUS CHLORIDE FOR WASTEWATER
TREATMENT PLANTS AND RELATED ACTIONS.

WHEREAS, the City of San Diego Public Utilities Department (Department) operates the
Point Loma Wastewater Treatment Plant, Metropolitan Biosolids Center and North City Water
Reclamation Plant; and

WHEREAS, ferrous chloride is a compound used to control corrosive chemicals that can
develop in the treatment of wastewater and are hazardous to the safe operation of treatment
plants and human health; and

WHEREAS, the Public Utilities Department, Wastewater Treatment and Disposal
Division requires ferrous chloride at the Point Loma Wastewater Treatment Plant, Metropolitan
Biosolids Center and North City Water Reclamation Plant to comply with State and Federal
water quality regulations; and

WHEREAS, a sole source contract was approved on June 6, 2023, with a not to exceed
amount of \$3,000,000 and termination date of January 31, 2024, to ensure the continued supply
of ferrous chloride; and

WHEREAS, the Department, to create a comprehensive and competitive invitation to bid encompassing the continued fluctuations in the market, request the approval to extend the interim sole source contract through July 31, 2024, and increase the not to exceed amount to \$4,716,855.

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 First Amendment to the Contract between the City of San Diego and California Water Technologies, LLC, to Provide Ferrous Chloride for the Public Utilities Water Treatment Plants to increase the not to exceed amount from \$3,000,000 to \$4,716,855 and extend the term to July 31, 2024, which once signed by all Parties and approved by the City Attorney will be on file with the City Clerk as Document No.: ^{RR-}**315247**, is approved.

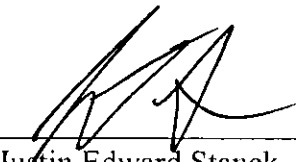
2. That the Mayor, or his designee is authorized, to sign and deliver the First Amendment to the Agreement.

3. The Chief Financial Officer is authorized to expend an amount not to exceed \$1,716,855, as required, of which \$1,430,712 is estimated to be spent in Fiscal Year 2024, and \$286,143 in Fiscal Year 2025, from Fund 700001, Metro Sewer Utility Fund, for the purpose of funding the First Amendment to the California Water Technologies, LLC contract, 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 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

11/09/2023

Or.Dept: PUD

CC No. 3000016234

Doc. No. 3470722

I certify that the foregoing Resolution was passed by the Council of the City of San Diego, at this meeting of DEC 05 2023.

DIANA J.S. FUENTES
City Clerk

By


Deputy City Clerk

Approved:

12/11/23
(date)


TODD GLORIA, Mayor

Vetoed:

(date)

TODD GLORIA, Mayor

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

CERTIFICATE OF UNALLOTTED BALANCE

ORIGINATING

CC 3000016234
DEPT. NO.: 2000

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: \$1,430,712.00

Vendor: California Water Technologies, LLC

Purpose: To authorize the expenditure of funds, not to exceed \$1,430,712.00, for the First Amendment to the contract with California Water Technologies, LLC for the purchase of ferrous chloride for wastewater treatment plants.

Date: October 30, 2023 By: Elizabeth Warnock *Elizabeth Warnock*

COMPTROLLER'S DEPARTMENT

ACCOUNTING DATA									
Doc. Item	Funded Program	Fund	Grant Number	G/L Account	Functional Area	Business Area	Fund Center	IO or WBS Element	Original Amount
001	Non-Program	700001	N/A	511032	OTHR-00000000-SU	2000	2000191217	N/A	\$1,045,800.00
002	Non-Program	700001	N/A	511032	OTHR-00000000-SU	2000	2000191216	N/A	\$129,687.00
003	Non-Program	700001	N/A	511032	OTHR-00000000-SU	2000	2000191215	N/A	\$255,225.00
TOTAL AMOUNT									\$1,430,712.00

FUND OVERRIDE ☐

CC 3000016234

Passed by the Council of The City of San Diego on DEC 05 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"/>
District 4 - vacant	<input 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 DEC 11 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

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