

ORDINANCE NUMBER O- **21774** (NEW SERIES)DATE OF FINAL PASSAGE **MAR 04 2024**

AN ORDINANCE OF THE COUNCIL OF THE CITY OF SAN DIEGO AUTHORIZING THE MAYOR OR HIS DESIGNEE TO EXECUTE THE FIRST AMENDMENT TO THE CONSULTANT AGREEMENT (H187019) WITH GANNETT FLEMING, INC. FOR PROFESSIONAL DESIGN AND CONSTRUCTION SUPPORT SERVICES FOR THE OTAY 2ND PIPELINE PHASE 3 PROJECT, AND TAKING RELATED ACTIONS.

WHEREAS, the purpose of this Ordinance is to approve a first amendment (First Amendment) to the design consultant contract (Agreement) with Gannett Fleming, Inc. (Consultant) for professional engineering services and design support services for the Otay 2nd Pipeline Phase 3 project (Project); and

WHEREAS, on April 3, 2018, the City issued a Request for Proposal (H187019) to solicit professional engineering services for the Project and Consultant was selected based upon their qualifications in accordance with Council Policy 300-07; and

WHEREAS, the Council of the City of San Diego, passed San Diego Resolution R-312449 (May 17, 2019), approving the Agreement with Consultant for a not-to-exceed amount of \$1,659,888 and a term of five years; and

WHEREAS, during the design stage, the City and Consultant evaluated multiple alignment alternatives to minimize impacts on private property and to reduce the number of easements needed for the project; and

WHEREAS, the preferred pipeline alignment relocates the pipeline out of private property and into the public right-of-way but will require additional time and additional design services from Consultant; and

WHEREAS, the City and Consultant now desire to enter into the First Amendment to the Agreement to provide for the additional time and additional design services necessitated by the chosen preferred pipeline alignment; and

WHEREAS, the First Amendment will increase the Agreement by an amount not to exceed \$383,456 and will extend the Agreement by 42 months for a total not-to-exceed amount of \$2,043,344 and a total term of 8.5 years; and

WHEREAS, under San Diego Charter section 99, no contract, agreement or obligation extending for a period of more than five years may be authorized except by ordinance approved by a two-thirds majority vote of the City Council; and

WHEREAS, the Office of the City Attorney has drafted this ordinance based on the information provided by City staff with the understanding that this information is complete, true, and accurate; NOW, THEREFORE,

BE IT ORDAINED, by the Council of the City of San Diego, as follows:

Section 1. The Mayor or his designee is authorized to execute a First Amendment with Gannett Fleming, Inc., extending the Agreement by 42 months and increasing the Agreement by an amount not to exceed \$383,456 in CIP A-KA.00003 (B-16158, Otay 2nd Pipeline Phase 3).

Section 2. The Chief Financial Officer is authorized to expend the amount of \$383,456 from CIP A-KA.00003 Large Diameter Water Transmission PPL (B16158, Otay 2nd Pipeline Phase 3), Fund 700010, Water Utility CIP, for the purpose of executing this First Amendment for design and construction support services supporting agreement H187019, contingent upon the adoption of the Annual Appropriation Ordinance for the applicable fiscal year and contingent upon the Chief Financial Officer first furnishing one or more certificates certifying that funds necessary for expenditure are, or will be, on deposit with the City Treasury, under the terms and

conditions set forth in the First Agreement, on file in the Office of the City Clerk as Document
No. 00- 21774.

Section 3. A full reading of this Ordinance is dispensed with prior to passage, a written copy having been made available to the Council and the public prior to the day of its passage.

Section 4. This Ordinance shall take effect and be in force on the thirtieth day from and after its final passage.

APPROVED: MARA W. ELLIOTT, City Attorney

By Adam R. Wander
Adam R. Wander
Deputy City Attorney

ARW:cw
01/30/2024
Or. Dept: E&CP
CC No.: 3000016239
Doc. No.: 3453128

I hereby certify that the foregoing Ordinance was passed by the Council of the City of San Diego, at this meeting of FEB 27 2024

DIANA J.S. FUENTES
City Clerk

By Connie Patterson
Deputy City Clerk

Approved: 3/4/24
(date)

Todd Gloria
TODD GLORIA, Mayor

Vetoed: _____
(date)

TODD GLORIA, Mayor

The City of San Diego
COMPTROLLER'S CERTIFICATE

CERTIFICATE OF UNALLOTTED BALANCE

ORIGINATING

CC 3000016239
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

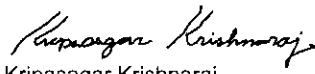
I HEREBY CERTIFY that the indebtedness and obligation to be incurred by the contract or agreement authorized by the hereto attached resolution, can be incurred without the violation of any of the provisions of the Charter of the City of San Diego; and I do hereby further certify, in conformity with the 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: \$383,456.00

Vendor: Gannett Fleming, Inc.

Purpose: To authorize the expenditure of funds not to exceed \$383,456 to Gannett Fleming, Inc for professional services for design and construction support for 1st amendment on contract H187019 for Otay 2nd Pipeline Phase 3 Project.

Date: October 31, 2023

By: 
Kripasagar Krishnaraj

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	B-16158	700010	NOT_RELEVANT_GRANT	512034	OTHR-00000000-WU	2013	2013171115	B-16158.02.02	\$383,456.00
TOTAL AMOUNT									\$383,456.00

FUND OVERRIDE ☐

CC 3000016239

Passed by the Council of The City of San Diego on FEB 27 2024, 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 MAR 04 2024.

AUTHENTICATED BY:

(Seal)

TODD GLORIA

Mayor of The City of San Diego, California.

DIANA J.S. FUENTES

City Clerk of The City of San Diego, California.

By Connie Patterson, Deputy

I HEREBY CERTIFY that the foregoing ordinance was not finally passed until twelve calendar days had elapsed between the day of its introduction and the day of its final passage, to wit, on

FEB 13 2024, and on MAR 04 2024.

I FURTHER CERTIFY that said ordinance was read in full prior to passage or that such reading was dispensed with by a vote of five members of the Council, and that a written copy of the ordinance was made available to each member of the Council and the public prior to the day of its passage.

(Seal)

DIANA J.S. FUENTES

City Clerk of The City of San Diego, California.

By Connie Patterson, Deputy

Office of the City Clerk, San Diego, California

Ordinance Number O- 21774