

# 59  
4/9/24  
(O-2024-78)

ORDINANCE NUMBER O- 21791  
DATE OF FINAL PASSAGE APR 22 2024

AN ORDINANCE OF THE COUNCIL OF THE CITY OF SAN DIEGO APPROVING A FIRST AMENDMENT TO THE AGREEMENT WITH DOKKEN ENGINEERING FOR PROFESSIONAL SERVICES FOR DESIGN SUPPORT DURING THE CONSTRUCTION OF THE PALM AVENUE AND I-805 INTERCHANGE PROJECT (CONTRACT NO. H207138) AND RELATED ACTIONS.

WHEREAS, in January 2021, the City awarded a five-year consultant agreement (No. H207138) to Dokken Engineering in the amount of \$2,198,058 for professional design and design support services for the Palm Avenue and Interstate 805 Interchange Project (Project) which is on file in the Office of the City Clerk as Document No. RR-313293-2 (Agreement); and

WHEREAS, the City, in cooperation with the California Department of Transportation (Caltrans), is undertaking the design of this Project, which will involve work within Caltrans right-of-way; and

WHEREAS, Caltrans has requested additional work, including photometric lighting analysis, revised stage construction plans, and bridge site data submittal packages, and City staff anticipated needing additional engineering support services during the construction phase of the Project which will extend beyond the current expiration date of the Agreement, all of which require amending the Agreement; and

WHEREAS, the proposed first amendment will extend the Agreement an additional 24 months to January 15, 2028, increase the not to exceed amount of the Agreement by \$849,301 for a total not to exceed amount of \$3,047,359, and modify the scope of work as more fully set forth in the proposed first amendment which is included in the staff materials accompanying this ordinance (First Amendment); and

WHEREAS, under 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 First Amendment increasing the not to exceed amount of the Agreement to \$3,047,359, adding additional services to be performed for the remainder of the term, and extending the Agreement an additional 24 months, which once signed by all parties and approved as to form, will be on file in the Office of the City Clerk as Document No. OO-  
21791, is approved.

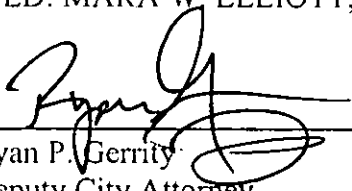
Section 2. The Mayor, or his designee, is authorized to sign and deliver the First Amendment.

Section 3. The Chief Financial Officer is authorized to expend an amount not to exceed \$849,301 from CIP S-00869, Palm Avenue Interstate 805 Interchange, from Fund 400856 Otay Mesa FBA for the purpose of executing this First Amendment, 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.

Section 4. That 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 5. That 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  \_\_\_\_\_  
Ryan P. Gerrity  
Deputy City Attorney

RPG:cw  
February 15, 2024  
Or.Dept: Engineering & Capital Projects Dept.  
CC No.: 3000016462  
Doc. No.: 3566038

I hereby certify that the foregoing Ordinance was passed by the Council of the City of San Diego, at this meeting of APR 09 2024.

DIANA J.S. FUENTES  
City Clerk

By  \_\_\_\_\_  
Deputy City Clerk

Approved: 4/22/24  
(date)

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

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

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

The City of San Diego  
 COMPTROLLER'S CERTIFICATE

CERTIFICATE OF UNALLOTTED BALANCE

ORIGINATING

CC 300016462  
 DEPT. NO.: 2116

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									\$0.00

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: \$849,301.00

Vendor: Dokken Engineering

Purpose: To authorize the expenditure of funds not to exceed \$849,301.00 to Dokken Engineering for 1st Amendmment for engineering services, contract H207138, for the Palm Avenue & Interstate 805 Interchange Project.

Date: February 1, 2024

*Francisco Lopez*  
 By: Francisco Lopez

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	S00869	400856	NOT_RELEVANT_GRANT	512028	OTHR-00000000-TR	2116	2116110013	S-00869.02.02	\$230,825.00
2	S00869	400856	NOT_RELEVANT_GRANT	512028	OTHR-00000000-TR	2116	2116110013	S-00869.06.02	\$576,752.00
3	S00869	400856	NOT_RELEVANT_GRANT	512028	OTHR-00000000-TR	2116	2116110013	S-00869.07.03	\$41,724.00
TOTAL AMOUNT									\$849,301.00

NMA

FUND OVERRIDE

Passed by the Council of The City of San Diego on APR 09 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"/>
Henry L. Foster III	<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 APR 22 2024

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 Kristell Medina, 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 MAR 12 2024, and on APR 22 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 Kristell Medina, Deputy

Office of the City Clerk, San Diego, California  
Ordinance Number O- 21791