

ORDINANCE NUMBER O- 21797

DATE OF FINAL PASSAGE APR 29 2024

AN ORDINANCE OF THE COUNCIL OF THE CITY OF SAN DIEGO APPROVING THE FIRST AMENDMENT TO THE AS-NEEDED CONSTRUCTION MANAGEMENT SERVICES CONTRACT (NO. H186998) WITH KLEINFELDER CONSTRUCTION SERVICES, INC. TO EXTEND THE CONTRACT AN ADDITIONAL 24 MONTHS AND RELATED ACTIONS.

WHEREAS, the City of San Diego (City) entered into the As-Needed Construction Management Services Agreement (No. H186998) with Kleinfelder Construction Services., Inc. (Construction Manager) on May 9, 2019 for construction management services for the City's capital improvement projects (Agreement); and

WHEREAS, City issued Construction Manager 26 task orders, eight of which require additional time due to unexpected conditions, utility conflicts, and coordination with other projects; and

WHEREAS, City staff have negotiated a no-cost First Amendment to the Agreement that will extend the term of the Agreement an additional 24 months to allow the eight remaining tasks that are identified in Exhibit H of the First Amendment, which is included in the staff materials accompanying this resolution, to be completed; and

WHEREAS, if approved, the First Amendment will be effective May 9, 2024; 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:

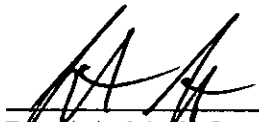
Section 1. That the First Amendment to the Agreement with Construction Manager to extend the contract duration from 60 months to 84 months to allow eight specific tasks to be completed, under the terms and conditions set forth in the First Amendment to the Agreement, which will be on file in the office of the City Clerk as Document No. OO- 21797 once all Parties have signed, is approved.

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

Section 3. That a full reading of this ordinance is dispensed with prior to its passage, a written or printed copy having been made available to the City Council and the public prior to the day of its passage.

Section 4. 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  _____
Dominic Mark Guglielmo
Deputy City Attorney

DMG:hm
March 22, 2024
Or.Dept: E&CP
Doc. No. 3594380

I hereby certify that the foregoing Ordinance was passed by the Council of the City of San Diego, at this meeting of APR 22 2024.

DIANA J.S. FUENTES
City Clerk

By Krystell Medina for Connie Patterson
Deputy City Clerk

Approved: 4/26/24
(date)

Todd Gloria
TODD GLORIA, Mayor

Vetoed: _____
(date)

TODD GLORIA, Mayor

(Note: The date of final passage is April 29, 2024, which represents the day this ordinance was returned to the Office of the City Clerk with the Mayor's signature of approval.)

Passed by the Council of The City of San Diego on APR 22 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 29 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 Krystle Medina for 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

APR 09 2024, and on APR 29 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 Krystle Medina for Connie Patterson, Deputy

Office of the City Clerk, San Diego, California
Ordinance Number O- <u>21797</u>