

ORDINANCE NUMBER R- 21802

DATE OF FINAL PASSAGE APR 29 2024

AN ORDINANCE OF THE COUNCIL OF THE CITY OF SAN DIEGO APPROVING A SECOND AMENDMENT TO THE AGREEMENT BETWEEN THE CITY OF SAN DIEGO AND HDR ENGINEERING, INC. FOR AS-NEEDED ENGINEERING SERVICES (H187009) AND RELATED ACTIONS.

WHEREAS, on April 4, 2019, the City of San Diego (City) entered into a contract with HDR Engineering, Inc. (HDR) for as-needed engineering services to support a wide range of water, wastewater, recycled water, and Pure Water projects (Contract No. H187009)(Agreement); and

WHEREAS, the Agreement was amended in August of 2022, to incorporate several administrative changes and increase the total not to exceed amount by \$2,500,000; and

WHEREAS, there are six task orders identified in the staff report accompanying this ordinance, and in Exhibit N to the Second Amendment, that require additional time and funds in order to be completed; and

WHEREAS, City staff negotiated a Second Amendment to the Agreement to extend the term of the Agreement to October 4, 2027, increase the not to exceed amount of the Agreement by \$1,880,000 for a total not to exceed amount of \$14,380,000, and to add specific insurance requirements (Second Amendment), which will be effective on April 4, 2024, if approved; 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 Second Amendment to the Agreement with HDR Engineering, Inc., to extend the contract to October 4, 2027, and increase the not to exceed amount of the Agreement by \$1,880,000, to a total of \$14,380,000, to allow the six identified tasks to be completed, under the terms and conditions set forth in the Second Amendment to the Agreement, which will be on file in the office of the City Clerk as Document No. OO- **21802** once all Parties have signed, is approved.

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

Section 3. The Chief Financial Officer is authorized to expend an amount not to exceed \$1,880,000 from Fund 700000, Muni Sewer Revenue, Fund 700011 Water Utility Operating, Fund 700009 Metro Sewer CIP, and Fund 700010 Water Utility CIP, as appropriate based on the purpose of the task orders, for the purpose of fulfilling the City's obligations under the Agreement, contingent upon the approval of the Annual Appropriations ordinance for that fiscal year, and contingent upon the Chief Financial Officer furnishing one or more certificates certifying that the 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 Melissa D. Ables
Melissa D. Ables
Senior Chief Deputy City Attorney

MDA:cw
March 25, 2024
Or.Dept: Public Utilities
CC No.: N/A
Doc. No.: 3603166

I 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 Krysteel 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:

(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

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 Connie Patterson, Deputy

Office of the City Clerk, San Diego, California
Ordinance Number O- 21802