

ORDINANCE NUMBER O- 21854 (NEW SERIES)

DATE OF FINAL PASSAGE AUG 05 2024

AN ORDINANCE OF THE COUNCIL OF THE CITY OF  
SAN DIEGO APPROVING THE SECOND AMENDMENT TO  
THE AGREEMENT WITH CH2M HILL ENGINEERS, INC.  
FOR DESIGN ENGINEERING SERVICES FOR THE NORTH  
CITY METROPOLITAN BIOSOLIDS CENTER (MBC)  
IMPROVEMENTS PROJECT (H176825).

WHEREAS, as part of the Pure Water Program implementation, the Metropolitan Biosolids Center (MBC) will be expanded and upgraded (Project) so the facility can receive a greater amount of biosolids from Point Loma Wastewater Treatment Plant (PLWTP) and North City Water Reclamation Plant (NCWRP); and

WHEREAS, to accommodate the increased flow of raw biosolids and increase system reliability, equipment must be replaced in multiple process areas at MBC that include biosolids thickening, anaerobic digestion, biogas handling, biosolids dewatering, and centrate pump station; and

WHEREAS, in May 2017, the City awarded an agreement to CH2M Hill Engineers, Inc. to perform design and construction support services for the North City MBC Improvements Project (Agreement), and the original Agreement is on file in the Office of the City Clerk as R-311146 (May 25, 2017), issued for an amount not to exceed \$5,051,090 for a duration of five (5) years, expiring June 2, 2022; and

WHEREAS, on June 14, 2022 the City Council approved a First Amendment to the Agreement (First Amendment) to support related construction support services, and to extend the contract term an additional five (5) years for an additional amount not to exceed \$1,246,271, thus increasing the total amount of the Agreement to \$6,297,361; and

WHEREAS, this Second Amendment to the Agreement (Second Amendment) will add \$3,157,130 to the Agreement to cover all related construction services, including Project management support, review of additional submittals and shop drawings, additional responses to RFIs, additional Project construction meetings, assistance for preparation of contract change orders for any necessary added work or resolution of unforeseen conditions, facility commissioning support, and as-needed technical and construction staffing support necessary for the continuation of support for the ongoing construction. These tasks are included in the original scope of work; however, a much larger effort is needed on each task compared to what was originally anticipated, and an amendment of \$3,157,130 will increase the total amount of the agreement to \$9,454,491; 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 Mayor, or his designee, is authorized to execute, for and on behalf of the City, the Second Amendment to the Agreement with CH2M Hill Engineers, Inc. (H176825), for an amount not to exceed \$3,157,130, thus increasing the total amount of the Agreement to \$9,454,491.

Section 2. That the Chief Financial Officer is authorized to increase the Capital Improvements Program Budget in CIP S-17013, MBC Equipment Upgrades, and to appropriate

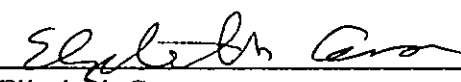
and expend \$4,000,000 from Fund 700009, Metro Sewer CIP, for the purpose of funding the Second Amendment to the Agreement with CH2M Hill Engineers, Inc. and related costs.

Section 3. That the Chief Financial Officer is authorized to expend funds in the amount not to exceed \$3,157,130, of which \$220,999.10 is from CIP A-LA.00001, Pure Water Program (B-17006 NC-MBC Improvements), and \$2,936,130.90 is from S-17013, MBC Equipment Upgrades, Fund 700009, Metro Sewer CIP, contingent upon 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 the funds necessary for expenditure under the established contract funding phases 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   
Elizabeth Cason  
Deputy City Attorney

EC:hm  
June 17, 2024  
Or.Dept: PW Contract Formation  
Doc. No. 3686459

I hereby certify that the foregoing Ordinance was passed by the Council of the City of San Diego, at this meeting of JUL 30 2024.

DIANA J.S. FUENTES  
City Clerk

By Connie Patterson  
Deputy City Clerk

Approved: 8/2/24  
(date)

Todd Gloria  
TODD GLORIA, Mayor

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

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

Passed by the Council of The City of San Diego on JUL 30 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 type="checkbox"/>	<input type="checkbox"/>	<input checked="" 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 AUG 05 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 Linda Bruin, Deputy  
For Connie Patterson

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

JUL 16 2024, and on AUG 05 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 Linda Bruin, Deputy  
For Connie Patterson

Office of the City Clerk, San Diego, California

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