

#58
07/30/24

(O-2024-141)

ORDINANCE NUMBER O- **21855** (NEW SERIES)

DATE OF FINAL PASSAGE AUG 05 2024

AN ORDINANCE OF THE COUNCIL OF THE CITY OF SAN DIEGO APPROVING THE THIRD AMENDMENT TO THE AGREEMENT WITH CAROLLO ENGINEERS, INC. FOR DESIGN ENGINEERING SERVICES FOR THE NORTH CITY PURE WATER FACILITY (H176846).

WHEREAS, as part of the Pure Water Program, the North City Pure Water Facility (NCPWF) will receive flows from the North City Water Reclamation Plant (NCWRP) where wastewater from several San Diego communities is treated up to the tertiary level. Once fully operational, NCPWF will have an average production capacity of thirty (30) million gallons per day of purified water that will then be conveyed to the Miramar Reservoir for surface water augmentation; and

WHEREAS, in June 2017, the City awarded an agreement to Carollo Engineers, Inc. to perform design and construction support services for the NCPWF with the original Agreement on file in the Office of the City Clerk as R-311147, for an amount not to exceed \$26,874,202 and a duration of five (5) years; and

WHEREAS, on December 17, 2021, City management approved a no-cost First Amendment to the Agreement (First Amendment) to reallocate the budget between project tasks, provide substitution and addition of subconsultants, and add design engineering support to the construction management team during construction of the NCPWF; and

WHEREAS, on August 25, 2022, the City approved a Second Amendment to the Agreement (Second Amendment) to support all the related construction support services, including costs that covered increases for additional construction service staffing, onsite geotechnical observation during construction, review of start-up and commissioning plans, as

well as other technical functions and support to NCPWF operations, and to extend the contract term an additional five (5) years; and

WHEREAS, this Third Amendment to the Agreement (Third Amendment) will provide continuous construction support services including review of additional submittals and shop drawings, additional responses to requests for information (RFIs), additional construction meetings, assistance for preparation of contract change orders, and facility commissioning support. The Third Amendment is for an additional amount not to exceed \$5,945,891 which will increase the total contract amount from \$32,569,474 to \$38,515,365; 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. That the Mayor, or his designee, is authorized to execute, for and on behalf of the City, a Third Amendment to the phase funded Agreement with Carollo Engineers, Inc. (H176846) to support the North City Pure Water Facility project in an amount not to exceed \$5,945,891, which will increase the total amount of the agreement to \$38,515,365.

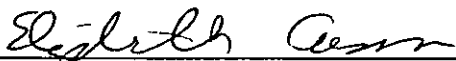
Section 2. That the Chief Financial Officer is authorized to expend funds under the established contract funding phases in an amount not to exceed \$5,945,891 of which \$3,383,626 is for Phase 7 (starting in Fiscal Year 2025), and \$2,562,265 is for Phase 8 (starting in Fiscal Year 2026) from CIP A-LA.00001, Pure Water Program (B-21058, PWP North City Pure Water

Facility Pkg 2), Fund 700010, Water Utility 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 3. 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 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  _____
Elizabeth Cason
Deputy City Attorney

EC:hm
June 17, 2024
Or.Dept: PW – Contract Formation
Doc. No. 3686513

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 Carrie 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:

(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 Linda Irwin, 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 Irwin, Deputy
For Connie Patterson

Office of the City Clerk, San Diego, California
Ordinance Number O- 21855