

#53
09/10/2024
(O-2025-8)

ORDINANCE NUMBER O- 21860 (NEW SERIES)

DATE OF FINAL PASSAGE SEP 17 2024

AN ORDINANCE OF THE COUNCIL OF THE CITY OF
SAN DIEGO AUTHORIZING THE FIFTH AMENDMENT TO
THE AS-NEEDED ENGINEERING TECHNICAL SERVICES
CONSULTANT AGREEMENT WITH STANTEC, INC. FOR
THE PURE WATER SAN DIEGO PROGRAM (H156303).

WHEREAS, the Public Utilities Department utilizes the As-Needed Engineering Technical Services agreement with Stantec, Inc. for specialized technical services, including planning, design, engineering, regulatory and program management, to support the Pure Water Program implementation; and

WHEREAS, in December 2014 the City awarded an agreement to Stantec, Inc. to perform engineering technical services for the Pure Water Program, which is on file in the Office of the City Clerk as Document No. RR-309350 (December 9, 2014), issued on January 8, 2015 for an amount not to exceed \$30,000,000 for a duration of five (5) years, expiring January 8, 2020; and

WHEREAS, on October 25, 2016, the City approved a First Amendment to the Agreement (First Amendment) to increase the contract amount to \$46,400,000, to support acceleration of the North City Pure Water Phase 1 Project schedule, proving technical and regulatory feasibility of delivering the Phase 1 purified water to Miramar Reservoir and preliminary design of the North City Renewable Energy Project; and

WHEREAS, on February 12, 2019, the City approved a Second Amendment to the Agreement (Second Amendment) to increase the contract amount to \$56,400,000, to support services for the development of an owner-controlled insurance program, testing of high-purity oxygen, Pure Water Phase 2 Planning and Demonstration design and continued program management, technical, and outreach services; and

WHEREAS, on November 5, 2019, the City approved a Third Amendment to the Agreement (Third Amendment) to increase the contract amount to \$94,100,000 and to extend the contract an additional five years through January 5, 2025; and

WHEREAS, on May 24, 2023, the City awarded a no-cost Fourth Amendment to the Agreement (Fourth Amendment) to incorporate administrative updates; and

WHEREAS, it is necessary to extend the contract an additional five years through January 2030 to allow Stantec to continue to provide engineering technical services including program management, regulatory support and operational planning, additional technical studies and wastewater control system support; and

WHEREAS, this Fifth Amendment to the Agreement (Fifth Amendment), if approved, will extend the contract an additional five years through January 2030 and increase the not to exceed amount by \$34,000,000 which will increase the total contract not to exceed amount to \$128,100,000; 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 Fifth Amendment to the Agreement with Stantec, Inc. (H156303) for as-needed engineering technical services to extend the Agreement for an additional five years, and increase the not to exceed amount by \$34,000,000 which will increase the total amount of the Agreement to \$128,100,000, which once signed by all the Parties will be on file in the Office of the City Clerk as Document No. 00-21860, is approved.

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

Section 3. That the Chief Financial Officer is authorized to appropriate and expend funds in an amount not to exceed \$34,000,000 for the purposes of fulfilling the City's obligations under the Fifth Amendment from Water Utility Operating Fund (700011), Water Utility CIP Fund (700010), Metro Sewer Operating Fund (700001), and Metro Sewer CIP Fund (700009), as appropriate, 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 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
Elizabeth Cason
Deputy City Attorney

EC:hm
July 2, 2024
Or.Dept: Public Utilities Department
Doc. No. 3709201

I hereby certify that the foregoing Ordinance was passed by the Council of the City of San Diego, at this meeting of SEP 10 2024.

DIANA J.S. FUENTES
City Clerk

By *Cennie Patterson*
Deputy City Clerk

Approved: 9/17/24
(date)

Todd Gloria
TODD GLORIA, Mayor

Vetoed: _____
(date)

TODD GLORIA, Mayor

Passed by the Council of The City of San Diego on SEP 10 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 type="checkbox"/>	<input type="checkbox"/>	<input checked="" 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 SEP 17 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 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 23 2024, and on SEP 17 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- 21860