

#50  
10/15/24

(O-2025-33)

ORDINANCE NUMBER O- 21881 (NEW SERIES)

DATE OF FINAL PASSAGE OCT 18 2024

AN ORDINANCE OF THE COUNCIL OF THE CITY OF SAN DIEGO APPROVING THE THIRD AMENDMENT TO THE AGREEMENT WITH CH2M HILL ENGINEERS, INC. FOR DESIGN ENGINEERING SERVICES FOR THE NORTH CITY WATER RECLAMATION PLANT EXPANSION AND INFLUENT CONVEYANCE PROJECT (H166722) AND AUTHORIZING RELATED ACTIONS.

RECITALS

The Council of the City of San Diego (Council) adopts this ordinance based on the following:

A. As part of the Pure Water Program, the City is expanding and upgrading the North City Water Reclamation Plant (NCWRP) (Project) to treat an average flow of 52 million gallons per day and to provide tertiary-treated water to the new Pure Water Facility, while continuing to serve recycled water customers.

B. To accommodate the expansion and upgrade, several process modifications and new construction efforts are required.

C. In October 2016, the City of San Diego (City) awarded an agreement to CH2M Hill Engineers, Inc. to perform design services for the Project (Agreement), and the original Agreement is on file in the Office of the City Clerk as RR-310738, issued for an amount not to exceed \$17,198,752 for a duration of five (5) years, expiring October, 2021.

D. In October 2018, the City Council approved a First Amendment to the Agreement (First Amendment) to support related design services, for an additional amount not to exceed \$2,500,000, thus increasing the total amount of the Agreement to \$19,698,752.

E. In November 2021, the City Council approved a Second Amendment to the Agreement (Second Amendment) for design support services during construction, and to extend the term of the Agreement for an additional five (5) years to November 2026.

F. This Third Amendment to the Agreement (Third Amendment) will increase the not-to-exceed amount of the Agreement by \$14,000,000 and extend the term of the Agreement for an additional 19 months to June 17, 2028. The Third Amendment is necessary to ensure the City continues to receive design support services throughout the construction of the Project, and to address the additional efforts required to complete certain tasks, beyond what was anticipated when the Agreement was entered into.

G. The Office of the City Attorney prepared this Ordinance based on the information provided by City staff (including information provided by affected third parties and verified by City staff), with the understanding that this information is complete and accurate.

H. The Agreement is subject to San Diego Charter section 99, which provides (subject to certain exceptions) that no contract, agreement, or obligation creating indebtedness and extending for a period of more than five years may be authorized except by an ordinance adopted by a two-thirds majority of the Council.

ACTION ITEMS

Be it ordained by the Council of the City of San Diego:

Section 1. The Council approves the Third Amendment.

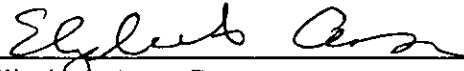
Section 2. The Mayor, or his designee, is authorized on behalf of the City to sign and deliver the Third Amendment. When signed by both parties, the Third Amendment will be placed on file in the Office of the City Clerk as Document No. OO- 21881.

Section 3. The Chief Financial Officer is authorized to expend funds in the amount not to exceed \$14,000,000 for the purpose of providing for the increased compensation amount under the Agreement, as amended by the Third Amendment, 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. The Council dispenses with a full reading of this Ordinance before its passage because a written copy of this Ordinance was made available to the Council and the public before the date of its passage.

Section 5. 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 Anne Cason  
Deputy City Attorney

EAC:hm  
September 16, 2024  
Or.Dept: PW – Contract Formation  
Doc. No. 3795525

I hereby certify that the foregoing Ordinance was passed by the Council of the City of San Diego, at this meeting of \_\_\_\_\_

~~OCT 15 2024~~

DIANA J.S. FUENTES  
City Clerk

By *Kristell Medina*  
Deputy City Clerk

Approved: 10/18/24  
(date)

*Todd Gloria*  
TODD GLORIA, Mayor

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

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

Passed by the Council of The City of San Diego on OCT 15 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 OCT 18 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 Kristell Medina, 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

OCT 01 2024, and on OCT 18 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 Kristell Medina, Deputy

<p>Office of the City Clerk, San Diego, California</p> <p>Ordinance Number O- <b>21881</b></p>
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