

RESOLUTION NUMBER R- 315521

DATE OF FINAL PASSAGE MAY 20 2024

A RESOLUTION OF THE COUNCIL OF THE CITY OF SAN DIEGO APPROVING THE CONTRACT BETWEEN THE CITY OF SAN DIEGO AND KEMIRA WATER SOLUTIONS, INC. TO PURCHASE FERRIC CHLORIDE FOR THE CITY'S WATER TREATMENT PLANTS AND WASTEWATER FACILITIES AND RELATED ACTIONS.

WHEREAS, the City of San Diego Public Utilities Department (Department) owns and operates water treatment plants, wastewater treatment plants, and sewer pump stations for the continued treatment of potable water and wastewater for the City of San Diego; and

WHEREAS, ferric chloride is a chemical used to improve water quality by coagulating particles for sedimentation in the water and wastewater treatment process; and

WHEREAS, the Department utilizes approximately 5,100 tons of ferric chloride annually; and

WHEREAS, the uninterrupted use of ferric chloride is essential to comply with State and Federal regulations; and

WHEREAS, Invitation to Bid (ITB), No. 10090062-24-M, to furnish the City with ferric chloride, was advertised on December 12, 2023, and Kemira Water Solutions, Inc. was identified as the lowest responsible bidder; and

WHEREAS, staff recommends entering into a one-year contract with four one-year options, with a not to exceed amount of \$40,350,000; and

WHEREAS, staff estimates that \$914,000 will be spent in FY 2024 and \$39,436,000 for all subsequent years if all options to extend are exercised; and

WHEREAS, the Office of the City Attorney has drafted this resolution based on the information provided by affected third parties and verified by City Staff, with the understanding that this information is complete, true, and accurate; NOW, THEREFORE,

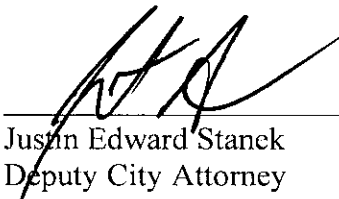
BE IT RESOLVED, by the Council of the City of San Diego, as follows:

1. The contract for goods (Bid No. 10090062-24-M) with Kemira Water Solutions, Inc., in an amount not to exceed \$40,350,000, to provide ferric chloride (Contract), with a term of one year and four one-year options to extend the Contract, which, once signed by all parties, will be on file with the City Clerk as Document No. **RR-315521**, is approved.

2. The Mayor, or his designee, is authorized to sign and deliver the Contract.

3. The Chief Financial Officer is authorized to expend an amount not to exceed \$40,350,000 of which \$914,000 is estimated to be spent in FY 2024 (\$390,000 from Water Utility Operating Fund 700011 and \$524,000 from Metro Sewer Utility Fund 700001), and \$39,436,000 is estimated to be spent if all the options to extend the Contract are exercised, of which \$16,810,000 from the Water Utility Operating Fund 700001 and \$22,626,000 from Metro Sewer Utility Fund 700001, as appropriate based on the use of ferric chloride, contingent upon the 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 funds necessary for expenditure are, or will be, on deposit with the City Treasurer.

APPROVED: MARA W. ELLIOTT, City Attorney

By   
Justin Edward Stanek  
Deputy City Attorney

JES:cm  
April 26, 2024  
May 9, 2024 COR. COPY  
Or.Dept: Public Utilities Department  
CC No. 3000016629  
Doc. No. 3633133\_2

I certify that the foregoing Resolution was passed by the Council of the City of San Diego, at this meeting of MAY 14 2024.

DIANA J.S. FUENTES  
City Clerk

By   
Deputy City Clerk

Approved: 5/17/24  
(date)

  
TODD GLORIA, Mayor

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

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

**The City of San Diego  
COMPTROLLER'S CERTIFICATE**

**CERTIFICATE OF UNALLOTTED BALANCE**

ORIGINATING

DEPT. 3000016629  
NO. 2000

I HEREBY CERTIFY that the money required for the allotment of funds for the purpose set forth in the foregoing resolution is available in the Treasury, or is anticipated to come into the Treasury, and is otherwise unallotted.

Amount: \_\_\_\_\_ Fund: \_\_\_\_\_

Purpose: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Date: \_\_\_\_\_ By: \_\_\_\_\_  
COMPTROLLER'S DEPARTMENT

| ACCOUNTING DATA |      |                |                |                 |             |               |             |     |                 |
|-----------------|------|----------------|----------------|-----------------|-------------|---------------|-------------|-----|-----------------|
| Doc. Item       | Fund | Funded Program | Internal Order | Functional Area | G/L Account | Business Area | Cost Center | WBS | Original Amount |
|                 |      |                |                |                 |             |               |             |     |                 |
|                 |      |                |                |                 |             |               |             |     |                 |
|                 |      |                |                |                 |             |               |             |     |                 |
|                 |      |                |                |                 |             |               |             |     |                 |
| TOTAL AMOUNT    |      |                |                |                 |             |               |             |     |                 |

FUND OVERRIDE

**CERTIFICATION OF UNENCUMBERED BALANCE**

I HEREBY CERTIFY that the indebtedness and obligation to be incurred by the contract or agreement authorized by the hereto attached resolution, can be incurred without the violation of any of the provisions of the Charter of the City of San Diego; and I do hereby further certify, in conformity with the requirements of the Charter of the City of San Diego, that sufficient moneys have been appropriated for the purpose of said contract, that sufficient moneys to meet the obligations of said contract are actually in the Treasury, or are anticipated to come into the Treasury, to the credit of the appropriation from which the same are to be drawn, and that the said money now actually in the Treasury, together with the moneys anticipated to come into the Treasury, to the credit of said appropriation, are otherwise unencumbered.

Not to Exceed: \_\_\_\_\_ \$914,000.00

Vendor: Kemira Water Solutions, Inc

Purpose: Authorization to Execute a Contract with Kemira Water Solutions, Inc. (ITB 10090062-24-M) to Purchase Ferric Chloride for the Public Utilities Water and Wastewater Treatment Plants

Date: March 27, 2024 By: Jessica Tran  
COMPTROLLER'S DEPARTMENT

| ACCOUNTING DATA |        |                |                |                  |             |               |             |     |                 |
|-----------------|--------|----------------|----------------|------------------|-------------|---------------|-------------|-----|-----------------|
| Doc. Item       | Fund   | Funded Program | Internal Order | Functional Area  | G/L Account | Business Area | Cost Center | WBS | Original Amount |
| 1               | 700001 |                |                | OTHR-00000000-SU | 511032      | 2000          | 2000191217  |     | \$524,000.00    |
| 2               | 700011 |                |                | OTHR-00000000-WU | 511032      | 2000          | 2000201211  |     | \$195,000.00    |
| 3               | 700011 |                |                | OTHR-00000000-WU | 511032      | 2000          | 2000201212  |     | \$105,000.00    |
| 4               | 700011 |                |                | OTHR-00000000-WU | 511032      | 2000          | 2000201213  |     | \$90,000.00     |
|                 |        |                |                |                  |             |               |             |     |                 |
|                 |        |                |                |                  |             |               |             |     |                 |
| TOTAL AMOUNT    |        |                |                |                  |             |               |             |     | \$914,000.00    |

FUND OVERRIDE   
3000016629

Passed by the Council of The City of San Diego on MAY 14 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 MAY 20 2024.

**(Please note: When a resolution is approved by the Mayor, the date of final passage is the date the approved resolution was returned to the Office of the City Clerk.)**

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 Kristel Medina, Deputy

Office of the City Clerk, San Diego, California  
Resolution Number R- **315521**