

#53
01/14/2025
(O-2025-61)

ORDINANCE NUMBER O- 21907 (NEW SERIES)

DATE OF FINAL PASSAGE JAN 23 2025

AN ORDINANCE OF THE COUNCIL OF THE CITY OF SAN DIEGO AUTHORIZING THE OBLIGATIONS OF CONSTRUCTION CONTRACT K-20-1914-EMR-3, CIVIC CENTER PLAZA ELEVATOR EMERGENCY MODERNIZATION PROJECT, WITH OTIS ELEVATOR COMPANY TO EXTEND BEYOND FIVE YEARS FOR AN ADDITIONAL ONE YEAR, THROUGH DECEMBER 16, 2025.

RECITALS

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

A. In the fall of 2019, the Department of Real Estate and Airport Management received reports of safety risks arising from the increasingly unreliable elevators at Civic Center Plaza. The Engineering and Capital Projects Department declared an emergency in December 2019 to modernize the elevators and replace the aging equipment at Civic Center Plaza (Project).

B. The City authorized Otis Elevator Company (Otis) to begin work on the Project on December 17, 2019, and subsequently entered into Construction Contract K-20-1914-EMR-3 with Otis for the Civic Center Plaza Elevator Emergency Modernization Project (Construction Contract). As work progressed on the Project, structural constraints in the building, as well as mandatory remediation work, required changes to the Project's scope of work and schedule. Additionally, the COVID-19 pandemic resulted in delays during the permitting process.

C. As a result of the numerous challenges encountered on this Project, it is necessary to extend the obligations under the contract through December 16, 2025. The extension will allow time for completion of the remaining work.

D. 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.

E. Extension of the Construction Contract obligations is subject to San Diego Charter section 99, which provides (subject to certain exceptions) that no contract, agreement, or obligation creating a City 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

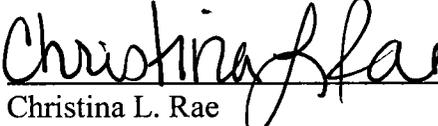
Be it ordained by the Council of the City of San Diego:

Section 1. The Council authorizes the obligations of the Construction Contract to extend beyond five years for an additional one year, through December 16, 2025.

Section 2. 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 3. This Ordinance will take effect and be in force on the thirtieth day from and after its final passage.

APPROVED: MARA W. ELLIOTT, City Attorney

By  _____
Christina L. Rae
Deputy City Attorney

CLR:jn2
November 15, 2024
Or.Dept: E&CP
Doc. No. 3885634

I certify that the Council of the City of San Diego adopted this Ordinance at a meeting held on
JAN 14 2025

DIANA J.S. FUENTES
City Clerk

By Connie Patterson
Deputy City Clerk

Approved: 1/23/25
(date)

Todd Gloria
TODD GLORIA, Mayor

Vetoed: _____
(date)

TODD GLORIA, Mayor

Passed by the Council of The City of San Diego on JAN 14 2025, 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 JAN 23 2025.

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 Merin, 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

DEC 09 2024, and on JAN 23 2025.

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 Merin, Deputy
For Connie Patterson

Office of the City Clerk, San Diego, California
Ordinance Number O- 21907