

#54
01/14/2025

(O-2025-57)

ORDINANCE NUMBER O- **21908** (NEW SERIES)

DATE OF FINAL PASSAGE JAN 23 2025

AN ORDINANCE OF THE COUNCIL OF THE CITY OF SAN DIEGO APPROVING THE EXTENSION OF THE OBLIGATIONS OF THE CONTRACT WITH FLATIRON WEST INC., FOR CONSTRUCTION SERVICES FOR THE WEST MISSION BAY DRIVE BRIDGE OVER SAN DIEGO RIVER PROJECT FOR AN ADDITIONAL 54 MONTHS AND AUTHORIZING RELATED ACTIONS.

RECITALS

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

A. The West Mission Bay Drive Bridge over the San Diego River Project (Project) replaced the existing West Mission Bay Drive Bridge with two parallel bridge structures, including a Class 1 bike path on both bridges, architectural features, roadway improvements, and environmental mitigation.

B. By San Diego Resolution R-311410 (Nov. 20, 2017), the Council approved the plans and specifications for the construction of the Project and authorized the Mayor to award a construction contract for an amount not to exceed \$130,000,000.

C. In April 2018, the City entered into a contract (No. K-18-1472-DBB-3) with Flatiron West Inc. (Contractor), to construct the Project in an amount not to exceed \$110,742,985 (Contract).

D. By Ordinance O-21502 (Jan. 10, 2023), the City extended the obligations of the Contract to June 30, 2024.

E. Additional time is needed to finish punch list items and additional scope identified during the final walkthrough, resolve disputed work and claims, address landscaping that failed

to establish, complete long-term maintenance and monitoring requirements, and close out construction activities.

F. This action will extend the obligations of the contract for a total of 54 months to December 31, 2028.

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. This Contract is subject to San Diego Charter section 99, which provides (subject to certain exceptions) that no contract, agreement, or obligation creating 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 Contract to extend beyond five years to December 31, 2028.

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 *Frederick M. Orlieb*
FOR Ryan P. Gerrity
Deputy City Attorney

RPG:cw
November 14, 2024
Or.Dept: Engineering & Capital Projects
CC No.: N/A
Doc. No. 3877229

I hereby certify that the foregoing Ordinance was passed by the Council of the City of San Diego, at this meeting of 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 type="checkbox"/>	<input checked="" 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:

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

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 Irwin, Deputy
For Connie Patterson

Office of the City Clerk, San Diego, California
Ordinance Number O- 21908