

ORDINANCE NUMBER O- 21910 (NEW SERIES)

DATE OF FINAL PASSAGE JAN 23 2025

AN ORDINANCE OF THE COUNCIL OF THE CITY OF SAN DIEGO AUTHORIZING THE OBLIGATIONS OF THE MULTIPLE AWARD CONSTRUCTION CONTRACT FOR WATER, WASTEWATER, AND STORMWATER PIPELINE PROJECTS WITH T C CONSTRUCTION COMPANY, INC. (K-17-1518-MAC-3) TO EXTEND BEYOND FIVE YEARS FOR AN ADDITIONAL TWELVE MONTHS TO ALLOW FOR COMPLETION OF TWO TASK ORDERS AND RELATED ACTIONS.

RECITALS

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

- A. By Resolution R-312020 (Oct. 26, 2019), Council approved the award of five Multiple Award Construction Contracts (MACC) for Water, Wastewater, and Stormwater Pipeline Projects under Resolution R-312020, which included MACC K-17-1518-MAC-3 with T C Construction Company, Inc. (TC Construction) with an effective date of October 31, 2018 (Contract). Resolution R-312020 stated that no contract authorized under it would exceed five years.
- B. Under the Contract, the City awarded three task orders to TC Construction for Rancho Penasquitos Improv 1, AC Water & Sewer Group 1053 and National Avenue Complete Street, and AC Water & Sewer Group 1052A. On December 12, 2023, Council adopted Ordinance O-21750, authorizing the extension of the Contract obligations for an additional 15 months (through January 31, 2025) to allow all three task orders to be completed at no cost to the City.
- C. The Rancho Penasquitos Improv 1 task order (K-20-1865-MAC-3) and the AC Water & Sewer Group 1053 and National Avenue Complete Street task order

(K-20-1844-MAC-3) (collectively, Outstanding Task Orders) both require another extension of time. The City now desires to extend the Contract obligations for an additional 12 months (through January 31, 2026) to allow the Outstanding Task Orders to be completed at no cost to the City.

D. This action 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.

E. 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.

ACTION ITEMS

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

Section 1. That the obligations of the Contract are authorized to extend an additional 12 months beyond January 31, 2025, to January 31, 2026, for the purposes of allowing TC Construction to complete the Outstanding Task Orders at no additional costs to the City.

Section 2. The Mayor or designee is authorized to execute any necessary documents to effectuate the extension of the obligations under the Contract for an additional 12 months.

Section 3. 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 4. 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 *Adam R. Wander*
FOR Adam R. Wander
Deputy City Attorney

ARW:amt
November 19, 2024
Or. Dept: E&CP
CC No. N/A
Doc. No.: 3885045

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 *Cennie Patterson*
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:

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 Kinda Drueen, 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 Kinda Drueen, Deputy
For Connie Patterson

Office of the City Clerk, San Diego, California
21910
Ordinance Number O-_____