

ORDINANCE NUMBER O- 21911 (NEW SERIES)

DATE OF FINAL PASSAGE JAN 23 2025

AN ORDINANCE OF THE COUNCIL OF THE CITY OF SAN DIEGO APPROVING THE FIRST AMENDMENT TO THE CONSULTANT AGREEMENT (H197037) WITH KLEINFELDER, INC. FOR PROFESSIONAL ENGINEERING SERVICES FOR DESIGN OF EL MONTE WATER TRANSMISSION PIPELINE REHABILITATION PROJECT (S-10008) AND AUTHORIZING RELATED ACTIONS.

RECITALS

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

A. The El Monte Pipeline (Pipeline), which was built between 1942-1948, is a 12.2-mile-long pipeline that delivers water to the Alvarado Water Treatment Plant (Alvarado WTP) from the El Capitan and San Vicente Reservoirs. A few isolated locations in the Pipeline are in poor condition and need to be repaired to extend the life of this critical asset for the next 50 years and to provide the ability to dewater, safely access, inspect, and make necessary repairs to proactively maintain this major raw water transmission main to the Alvarado WTP.

B. By Resolution R-312758 (Dec. 12, 2019), the Council approved a five-year Consultant Agreement with Kleinfelder, Inc. for design and construction support services for the Project in an amount not to exceed \$2,724,788 (Consultant Agreement). The Consultant Agreement is on file in the Office of the City Clerk as Document No. RR-312758.

C. The City and Consultant now desire to expand the scope of services to address additional facility needs that were identified to comply with the latest standards and requirements during the design phase of the Project. The City and Consultant have negotiated the terms of a proposed First Amendment to the Consultant Agreement (First Amendment), included in the

docket materials accompanying this Resolution. The First Amendment will increase the total not-to-exceed compensation amount by \$2,136,177, to a total of \$4,860,965, and extend the term of the Consultant Agreement by 3 years and 11 months to a total of 8 years and 11 months.

D. The First Amendment 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. The Council approves the First Amendment.

Section 2. The Mayor or designee is authorized, on the City's behalf, to sign the First Amendment. When signed by both parties, the First Amendment will be placed on file in the Office of the City Clerk as Document No. OO- 21911.

Section 3. The Chief Financial Officer is authorized to expend an amount not to exceed \$2,136,177 from CIP S-10008, El Monte Water Transmission Pipeline Rehabilitation, Fund 700010, Water Utility CIP, for the purpose of providing for the increased compensation amount under the Consultant Agreement, as amended by the First Amendment, contingent upon the Chief Financial Officer first certifying that the funds necessary for expenditure under the established contract funding phases 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 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 21, 2024
Or. Dept: E&CP
CC No. 3000017194
Doc. No.: 3884992

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*
City Clerk

Approved: 1/23/25
(date)

Todd Gloria
TODD GLORIA, Mayor

Vetoed: _____
(date)

TODD GLORIA, Mayor

CERTIFICATE OF UNALLOTTED BALANCE

ORIGINATING CC 3000017194
 DEPT. NO. 2112

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: _____

Purpose: _____

Date: _____ By: _____
 COMPTROLLER'S DEPARTMENT

ACCOUNTING DATA									
Doc. Item	Funded Program	Fund	Grant Number	G/L Account	Functional Area	Business Area	Fund Center or Cost Center	Internal Order or WBS Element	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: \$2,136,177.00

Vendor: Kleinfelder

Purpose: To authorize the expenditure of funds not to exceed \$2,136,177 for the purpose of providing Professional Services for the Design of El Monte Water Transmission Pipeline Rehabilitation Project

Date: 10/8/2024 By: Travis Brady
 COMPTROLLER'S DEPARTMENT

ACCOUNTING DATA									
Doc. Item	Funded Program	Fund	Grant Number	G/L Account	Functional Area	Business Area	Fund Center	Internal Order or WBS Element	Original Amount
1	S10008	700010	NOT_RELEVANT_GRANT	512034	OTHR-00000000-PR	2013	2013131115	S10008.02.01	\$1,660,252.00
2	S10008	700010	NOT_RELEVANT_GRANT	512034	OTHR-00000000-PR	2013	2013131115	S10008.05.01	\$29,337.00
3	S10008	700010	NOT_RELEVANT_GRANT	512034	OTHR-00000000-PR	2013	2013131115	S10008.06.02	\$425,704.00
4	S10008	700010	NOT_RELEVANT_GRANT	512034	OTHR-00000000-PR	2013	2013131115	S10008.07.03	\$20,884.00
5									
6									
7									
8									
9									
TOTAL AMOUNT									\$2,136,177.00

FUND OVERRIDE

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 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- <u>21911</u>