

#516
03/11/2025

(O-2025-80)

ORDINANCE NUMBER O- **21924** (NEW SERIES)

DATE OF FINAL PASSAGE **MAR 14 2025**

AN ORDINANCE OF THE COUNCIL OF THE CITY OF SAN DIEGO AUTHORIZING THE OBLIGATIONS OF CONSTRUCTION CONTRACT K-17-1504-DBB-3 FOR AC WATER AND SEWER GROUP 1017 WITH BURTECH PIPELINE INCORPORATED TO EXTEND THROUGH NOVEMBER 3, 2025.

RECITALS

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

A. The City executed a construction contract with Burtech Pipeline Inc. for AC Water & Sewer Group 1017 on June 1, 2017, in the amount of \$5,691,113.55 (Construction Contract). The scope of work included replacing approximately 14,198 linear feet (2.84 miles) of water mains of various sizes and materials and other associated appurtenances; rehabilitating 349 linear feet of sewer mains, sewer laterals, manholes, and related appurtenances; installing 45 ADA curb ramps; and completing street resurfacing.

B. The Construction Contract duration was extended as a result of a change order for unforeseen conditions related to an SDG&E utility pole relocation. While all construction work was completed within the active Construction Contract time-period, the final deliverable verification activities required to close the Construction Contract have extended beyond the contract duration. This action seeks to extend the Construction Contract by 71 months through November 3, 2025, to process the final change order, make final payment, and formally close out the project. The current project budget is sufficient for these remaining actions, and the contractor will not be performing any additional work.

C. 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.

D. Extensions 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 71-months, through November 3, 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: HEATHER FERBERT, City Attorney

By Christina L. Rae
Christina L. Rae
Senior Lead Deputy City Attorney

CLR:jn2
February 4, 2025
Or.Dept: E&CP
Doc. No. 3948593

I certify that the Council of the City of San Diego adopted this Ordinance at a meeting held on MAR 11 2025

DIANA J.S. FUENTES
City Clerk

By Connie Patterson
Deputy City Clerk

Approved: 3/13/25
(date)

Todd Gloria
TODD GLORIA, Mayor

Vetoed: _____
(date)

TODD GLORIA, Mayor

(Note: The date of final passage is March 14, 2025, which represents the day this ordinance was returned to the Office of the City Clerk with the Mayor's signature of approval.)

Passed by the Council of The City of San Diego on MAR 11 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 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 MAR 14 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

FEB 25 2025, and on MAR 14 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>21924</u>