

ORDINANCE NUMBER O- **22138** (NEW SERIES)

DATE OF FINAL PASSAGE **SEP 02 2026**

AN ORDINANCE OF THE COUNCIL OF THE CITY OF
SAN DIEGO TO AUTHORIZE CHANGE ORDER NO. 2 FOR
THE BARRETT ROAD EMERGENCY REPAIR
CONSTRUCTION CONTRACT.

RECITALS

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

A. This project is located on an unnamed road near 21077 Lyons Road, Alpine, CA 91901 just north-northwest of Barrett Reservoir. This road is the only access to the north side of Barrett Dam and the only access for local residents. The unnamed road is located on Public Utilities Department's (PUD) property, in unincorporated San Diego County, in the Jamul-Dulzura Community Planning Area. The late winter storm of 2023 caused major erosion, road damage and undermined the drainage culvert. The road required immediate emergency repair and replacement work to restore City vehicle and emergency response access.

B. Due to the immediate threat that this culvert collapse posed to Barrett Dam and local residents, Orion Construction Corporation (Contractor) was mobilized as the emergency contractor to remove the debris that resulted from the road failure, and temporarily repaired the damaged storm drain system to mitigate potential for further slope failure from subsequent storms. Contractor was initially awarded an emergency sole source agreement K-23-2187-EMR-3 (Agreement) for a not-to-exceed value of \$800,000 based on known repair scope at the time. The Contractor's scope of work includes but is not limited to replacement of the failed storm drain culvert, slope stabilization, and road repair.

C. As the initial cleanup, temporary storm drain repair, and road repair was taking place, a hydrologic and hydraulic study was initiated to determine the best possible permanent repair. The results of the study indicated that the existing 48-inch diameter corrugated metal pipe (CMP) was significantly under-sized and recommended the installation of a 10-foot by 6-foot reinforced concrete box, including headwalls, warped wing walls, and riprap. In addition to the emergency repair, site restoration will include re-vegetation and long-term monitoring and maintenance of the impacted area. The original cost estimate was based on the limited scope of work available to the City at the time, prior to the completion of hydrologic and hydraulic investigation and design. Change Order No. 1 to the Agreement in the amount of \$485,000 was executed to cover the cost for the cleanup, temporary road repair, design, and culvert procurement.

D. Change Order No. 2 for \$1,221,306 is needed to complete the permanent repair that includes the installation of the new storm drain system, permanent road repair, revegetation and the 25-Month Long-Term Monitoring and Management, which will increase the contract amount to a not-to-exceed amount of \$2,506,306 and will extend the Agreement by 751 working days for a total duration of 1,342 working days, which is beyond five years.

E. Under San Diego Municipal Code Section 22.30.18(a)(1), the increase of this emergency contract requires City Council approval. This action requests authorization for the Mayor or designee to execute Change Order No. 2 with Orion Construction Corporation to complete the emergency project.

F. 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.

G. The approval of Change Order No. 2 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 approves Construction Change Order No. 2.

Section 2. The Mayor or designee is authorized to sign and deliver Change Order No. 2. When signed by both parties, Change Order No. 2 will be placed on file in the Office of the City Clerk as Document No. OO- **22138**.

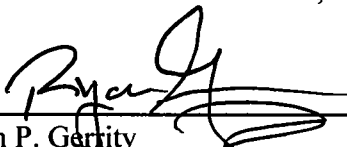
Section 2. The Chief Financial Officer is authorized to expend an additional amount not to exceed \$1,221,306, where \$971,306 will be from CIP A-BL.00001, Standpipe & Reservoir Rehabilitations, (B-23126, Barrett Road Emergency Repair), Fund 700010, Water Utility CIP; and \$250,000 will be from cost center 2000211115, Fund 700011, Water Utility Operating, for the purpose of executing this emergency construction contract.

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: HEATHER FERBERT, City Attorney

By


Ryan P. Gerrity
Deputy City Attorney

RPG:at

June 24, 2026

Or.Dept: Engineering & Capital Projects

CC Nos. 3000018540/3000018541

Doc. No. 4473129

I certify that the Council of the City of San Diego adopted this Ordinance at a meeting held on
AUG 25 2026.

DIANA J.S. FUENTES
City Clerk

By


Deputy City Clerk

Approved: _____

9/2/26
(date)


TODD GLORIA, Mayor

Vetoed: _____

(date)

TODD GLORIA, Mayor

**The City of San Diego
COMPTROLLER'S CERTIFICATE**

CERTIFICATE OF UNALLOTTED BALANCE

ORIGINATING

CC 3000018540

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 ☐

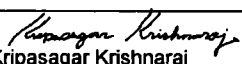
CERTIFICATION OF UNENCUMBERED BALANCE

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: \$971,306.00

Vendor: Orion Construction Corporation

Purpose: To authorize the expenditure of funds not to exceed \$971,306 to Orion Construction Corporation for change order #2 for Barret Road Emergency Repair.

Date: May 7, 2026 By:  Kripasagar Krishnaraj

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
1	B-23126	700010	NOT RELEVANT GRANT	512025	OTHR-00000000-WU	2000	2000201711	B-23126.07.05	\$971,306.00
TOTAL AMOUNT									\$971,306.00

✓ X

FUND OVERRIDE ☐

CC 3000018540

The City of San Diego
COMPTROLLER'S CERTIFICATE

CERTIFICATE OF UNALLOTTED BALANCE

ORIGINATING

CC 3000018541
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: \$250,000.00

Vendor: Orion Construction Corporation

Purpose: To authorize the expenditure of funds not to exceed \$250,000 to Orion Construction Corporation for change order #2 for Barret Camp Road Repair and Storm Drain.

Date: May 7, 2026 By: Kripasagar Krishnaraj

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
1	NON-PROGRAM	700011	NOT GRANT RELEVANT	516045	OTHR-00000000-WU	2000	2000211115	NON-PROGRAM	\$250,000.00
TOTAL AMOUNT									\$250,000.00

97

FUND OVERRIDE ☐

CC 3000018541

Passed by the Council of The City of San Diego on **August 25, 2026**, by the following vote:

Councilmembers	Yeas	Nays	Not Present	Recused
Joe LaCava	☒	☐	☐	☐
Jennifer Campbell	☒	☐	☐	☐
Stephen Whitburn	☒	☐	☐	☐
Henry L. Foster III	☒	☐	☐	☐
Marni von Wilpert	☒	☐	☐	☐
Kent Lee	☒	☐	☐	☐
Raul A. Campillo	☐	☐	☒	☐
Vivian Moreno	☒	☐	☐	☐
Sean Elo-Rivera	☒	☐	☐	☐

Date of final passage SEP 02 2026.

(Please note: When an ordinance is approved by the Mayor, the date of final passage is the date the approved ordinance was returned to the Office of the City Clerk.)

AUTHENTICATED BY:

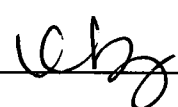
TODD GLORIA

Mayor of The City of San Diego, California.

(Seal)

DIANA J.S. FUENTES

City Clerk of The City of San Diego, California.

By , 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

JUL 14 2026

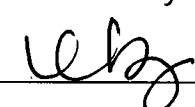
, and on SEP 02 2026.

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 , Deputy

Office of the City Clerk, San Diego, California

Ordinance Number **O-22138**