

RESOLUTION NUMBER R- 316883

DATE OF FINAL PASSAGE JUL 20 2026

A RESOLUTION OF THE COUNCIL OF THE CITY OF
SAN DIEGO AUTHORIZING CONSTRUCTION CHANGE
ORDER NO. 1 TO EMERGENCY SOLE SOURCE CONTRACT
K-25-2375-EMR-3 WITH ORION CONSTRUCTION
CORPORATION FOR CONSTRUCTION OF THE CHOLLAS
MATERIAL BINS EMERGENCY PROJECT AND RELATED
ACTIONS.

RECITALS

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

A. During the 2022-2023 rainy season, a sinkhole opened under the Chollas Material Bins at the City of San Diego's (City's) Chollas Operations Yard (Chollas). The sinkhole was filled, however in August 2023, City staff noticed further land settlement and white gaseous vapor emitting from the sinkhole. The site is situated on an unlined landfill that was retired in 1981. The City declared an emergency in September 2024 to address the sinkhole and demolish the failing material bins at Chollas.

B. The City awarded Emergency Sole Source Contract K-25-2375-EMR-3 (Contract) to Orion Construction Corporation (Contractor) on February 27, 2025, for construction of the Chollas Material Bins Emergency project (Project) for a not-to-exceed amount of \$1,500,000. The Project scope included demolition and stabilization measures, but as the Project progressed and site conditions were evaluated, the following additional work became necessary: testing gases emitted from the sinkhole; testing multiple cover soil materials to verify compliance with the Regional Water Quality Board permeability requirements; correction of existing drainage deficiencies requiring revised grading plans; and placement of crushed miscellaneous base over the approved cover soil to mitigate erosion and prevent future degradation.

C. The City desires to execute Construction Change Order No. 1 to the Contract (Construction Change Order No. 1) to allow the Contractor to complete the additional scope of work and increases the not to exceed Contract amount by \$400,000, for a total not-to-exceed amount of \$1,900,000.

D. The Office of the City Attorney prepared this Resolution 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 resolved by the Council of the City of San Diego:

1. The Council approves Construction Change Order No. 1.
2. The Mayor or designee is authorized, on the City's behalf, to sign and deliver Construction Change Order No. 1. When signed by both parties, Construction Change Order No. 1 will be placed on file in the Office of the City Clerk as Document No. RR- 316883.
3. The Chief Financial Officer is authorized to expend an additional amount not to exceed \$400,000 from Fund 700011, Water Utility Operating Fund (21005771, Chollas Material Bins Emergency), to fund Construction Change Order No. 1 for the Chollas Material Bins Emergency Construction Project.

APPROVED: HEATHER FERBERT, City Attorney

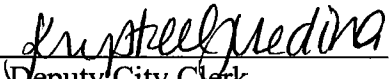
By 

Bonny Hsu
Deputy City Attorney

BH:cw
June 29, 2026
Or.Dept: Engineering & Capital Projects
CC No.: 3000018545
Doc. No.: 4439521

I certify that the Council of the City of San Diego adopted this Resolution at a meeting held on
JUL 14 2026.

DIANA J.S. FUENTES
City Clerk

By 
Deputy City Clerk

Approved: 7/17/26
(date)


TODD GLORIA, Mayor

Vetoed: _____
(date)

TODD GLORIA, Mayor

The City of San Diego
COMPTROLLER'S CERTIFICATE

CERTIFICATE OF UNALLOTTED BALANCE

ORIGINATING

CC 3000018545
DEPT. NO.: 2000

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: \$400,000.00

Vendor: Orion Construction

Purpose: To authorize fiscal year 2026 expenditure of funds, not to exceed \$400,000, for the Chollas Material Bins Emergency Construction Project Change Order No. 1.

Date: May 8, 2026 By: Vicki Tran

COMPTROLLER'S DEPARTMENT

ACCOUNTING DATA

Doc. Item	Fund	Funded Program	Grant Number	G/L Account	Functional Area	Business Area	Fund Center	IO or WBS Element	Original Amount
I	700011	21005771	N/A	512025	OTHR-00000000-WU	2000	2000211411	N/A	\$400,000.00
TOTAL AMOUNT									\$400,000.00

FUND OVERRIDE ☐

CC 3000018545

Passed by the Council of The City of San Diego on July 14, 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 JUL 20 2026

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

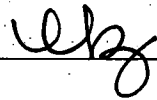
AUTHENTICATED BY:

TODD GLORIA
Mayor of The City of San Diego, California.

DIANA J.S. FUENTES
City Clerk of The City of San Diego, California.

DIANA J.S. FUENTES
City Clerk of The City of San Diego, California.

_____, Deputy

By , Deputy

Office of the City Clerk, San Diego, California

Resolution Number **R-316883**