Item 105 Subitem B 11/10/2026

(R-2027-130)
COR. COPY

RESOLUTION NUMBER R- 317019

DATE OF FINAL PASSAGE NOV 13 2026

A RESOLUTION OF THE COUNCIL OF THE CITY OF SAN DIEGO APPROVING THE MAYOR OR DESIGNEE TO EXECUTE CONSTRUCTION CHANGE ORDER NO. 2 TO EMERGENCY SOLE SOURCE CONTRACT K-25-2351-EMR-3 WITH CASS ARRIETA FOR THE STORM DRAIN EMERGENCY REPAIR PROJECT AT 3635 7TH AVENUE AND RELATED ACTIONS.

RECITALS

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

A. The City of San Diego (City) operates a storm drain system that conveys runoff from local neighborhoods to waterways to prevent flooding. In March of 2024, City engineers discovered two sinkholes resulting from a failed 18-inch corrugated metal pipe storm drain system running through the property at 3635 7th Avenue. Due to the need for immediate repairs to protect safety and prevent further damage, an emergency sole source request was approved on August 20, 2024.

B. On October 9, 2024, the City awarded Emergency Sole Source Contract K-25-2351-EMR-3 (Contract) to Cass Arrieta (Contractor), for emergency design and construction services for the 3635 7th Avenue storm drain emergency repair project (Project) in an amount not to exceed $5,700,000. The Project scope included installation of a temporary storm drain bypass during rain events, the replacement of approximately 500 linear feet of failed 18-inch reinforced concrete pipe, and installation of approximately 100 linear feet of lining.

C. The original cost estimate was based on the limited scope of work available to the City at the time. The Project design went through multiple revisions, and it was determined that additional temporary shoring was needed to install the reinforced concrete pipe. The City executed Change Order No. 1 to the Contract in the amount of $460,000 to cover the cost of additional shoring.

D. During construction, additional unforeseen field conditions and site constraints necessitated additional work not anticipated during design, including installation of a temporary bridge over an environmentally restricted channel to obtain site access, realignment and additional grading to achieve a constructable condition due to conflicts between the proposed storm drain alignment and the existing sewer main, and additional localized soldier pile shoring measures due to subsurface and excavation conditions.

E. The City desires to execute Construction Change Order No. 2 to the Contract (Construction Change Order No. 2) to allow the Contractor to complete the additional scope of work and increase the not-to-exceed amount of the Contract by $1,926,000 for a not-to-exceed amount of $8,086,000.

F. 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 Change Order No. 2.

2. The Mayor or designee is authorized, on the City's behalf, to sign and deliver Change Order No. 2. When signed by both parties, Construction Change Order No. 2 will be placed on file in the Office of the City Clerk as Document No. RR- 317019.

3. The Chief Financial Officer is authorized to expend an additional amount not to exceed $1,926,000 from CIP ACA.00001, Flood Resilience Infrastructure (B-25027, 3635 7th Avenue SD Emergency) of which $1,704,739.94 is from Fund 400881, Debt Funded GF CIP, and $221,260.06 is from Fund 400121, Uptown Urban Comm, for the purpose of executing Change Order No. 2 for the construction contract.

APPROVED: HEATHER FERBERT, City Attorney

By Nicole M. Denow
Nicole M. Denow
Chief Deputy City Attorney

NMD:nsf
October 26, 2026
November 9, 2026 COR. COPY
Or.Dept: ECP
CC No. 3000018846
Doc. No. 4583726_3

I certify that the Council of the City of San Diego adopted this Resolution at a meeting held on NOV 10 2026.

DIANA J.S. FUENTES
City Clerk

By _____
Deputy City Clerk

Approved: 11/13/26
(date)

_____
TODD GLORIA, Mayor

Vetoed: _____
(date)

_____
TODD GLORIA, Mayor

The City of San Diego
COMPTROLLER'S CERTIFICATE

CERTIFICATE OF UNALLOTTED BALANCE

ORIGINATING CC DEPT. NO.: 3000018846 / 2114

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: $1,926,000.00

Vendor: Cass Construction Inc.

Purpose: To authorize the expenditure of funds not to exceed $1,926,000.00 to Cass Construction Inc./Cass Arrieta for Contract Change Order #2 within K-25-2351-EMR-3 for the 3635 7th Ave SD Emergency project.

Date: September 24, 2026 By: Naiahd Askor Naiahd Askor
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	B25027	400881	NOT_RELEVANT_GRANT	512025	OTHR-00000000-SH	2114	2114110016	B-25027.07.05	$1,704,739.94
2	B25027	400121	NOT_RELEVANT_GRANT	512025	OTHR-00000000-SH	2114	2114110016	B-25027.07.05	$221,260.06
								TOTAL AMOUNT	$1,926,000.00

CC-361 (REV 7-09)

FUND OVERRIDE ☐

CC 3000018846

#105B

Passed by the Council of The City of San Diego on November 10, 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 NOV 13 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.

(Seal)

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

By _____, Deputy

Office of the City Clerk, San Diego, California

Resolution Number **R-317019**