

MEMORANDUM OF LAW

DATE: May 16, 1986

TO: Milon Mills, Jr., Deputy Director,
Engineering Division, Water Utilities

FROM: City Attorney

SUBJECT: Reassignment of Procurement Agreement

By memorandum of April 29, 1986 you asked our guidance on whether or not City Council action was necessary to consent to an assignment of a procurement agreement with Axel Johnson Engineering Corporation (AJEC) that is "substantially complete." We understand that this assignment will transfer AJEC's warranty obligation to the acquiring company which possess increased resources and technology to fulfill the warranty under the procurement agreement.

In the above circumstance, we believe such a consent to assignment is an alteration in an agreement that the City Manager can make without City Council approval under the authority of San Diego Municipal Code section 22.0209. Since the criteria of Section 22.0209 are satisfied in this instance, the City Manager may consent to this assignment.

JOHN W. WITT, City Attorney

By

Ted Bromfield

Chief Deputy City Attorney

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