

RESOLUTION NUMBER R- 313240

DATE OF FINAL PASSAGE OCT 14 2020

**A RESOLUTION OF THE COUNCIL OF THE CITY OF  
SAN DIEGO AUTHORIZING CONSTRUCTION COST  
INCREASE AND CHANGE ORDERS FOR CITY WIDE  
SLURRY SEAL CONTRACTS.**

WHEREAS, the City's Resurfacing Program executes several projects each year to slurry seal city streets, and has been increasing the number of planned repairs in order to maintain and improve overall network conditions; and

WHEREAS, slurry seal is a street maintenance surface treatment that preserves the condition of existing pavement and is used on streets which are generally in good condition to protect them from deterioration; and

WHEREAS, any failed areas of pavement are removed and repaired prior to slurry seal application and the effects of wet weather and traffic between the time a project is scoped and the conclusion of construction can add to pavement deterioration and necessitate unplanned asphalt repair; and

WHEREAS, due to the unusually wet winters of 2019 and 2020, Slurry Seal Groups 1803, 1923, and 1924 required significantly more asphalt repair than what was initially anticipated. These asphalt repairs were performed by subcontractors and ensured a smoother surface and longer-lasting maintenance coating; and

WHEREAS, Slurry Seal Group 1703 was approved by City Council via San Diego Resolution R-311004 (Apr. 4, 2017) authorizing the slurry sealing of approximately 55 miles of streets throughout the City at a total cost not to exceed \$5,000,000 and included an option to renew. The City exercised the option renewal via San Diego Resolution R-311374 (Oct. 25,

2017), for approximately 52 additional miles of maintenance, at an estimated cost of \$3,903,647.74 with the maximum expenditure authorization for the project increased correspondingly from \$5,000,000 to \$10,000,000: and

WHEREAS, 339 traffic signal detector loops were estimated to be replaced under this project in order to reduce drive time and engine idling at traffic signals, but at the time of construction, only 151 loops needed to be replaced, the City substituted the location of 144 loops from nearby streets as identified in the Street Division traffic detector loop backlog; and

WHEREAS, 86 of the traffic detector loops were replaced was at night due to heavy traffic volume, necessitating a change order in the amount of \$58,971; and

WHEREAS, San Diego Municipal Code section 22.3018 requires Council approval for a change order that is not necessary to fulfill the purpose of the original contract, this action will approve a change order in the amount of \$58,971 for traffic signal loop repairs performed on Slurry Seal Group 1703 and Gas Tax funding is budgeted in and available for this Change Order in Fund 200118; and

WHEREAS, Slurry Seal Group 1803 was approved by City Council via San Diego Resolution R-311332 (Oct. 10, 2017), authorizing the maintenance of approximately 60 miles of streets throughout the City for a total cost not to exceed \$5,000,000 and via San Diego Resolution R-311703 (Apr. 25, 2018), the City Council authorized the renewal of the contract to maintain approximately 60 additional miles of streets at a cost not to exceed \$5,000,000; and

WHEREAS, these Slurry Seal Group 1803 projects have been completed and were within the authorized budget, and where at the time of substantial project completion, the final constructed quantities for ten bid items were adjusted to reflect actual quantities used, which after the total increases and decreases were balanced, a final change order of \$215,401.08 is

required to compensate the actual work performed. Funding for this change order is available in Slurry Seal Group 1803, Road Maintenance & Rehabilitation Account (RMRA) Fund Number 200731; and

WHEREAS, Slurry Seal Group 1923 was planned to slurry seal 35 miles of streets at a total cost of \$3,000,000 with the original construction contract advertised and awarded for \$2,668,208.87 and the roads selected for Slurry Seal Group 1923 required more asphalt repair than originally anticipated and Change Order #1 totaled \$454,914.98 and funding for the change order is available in Slurry Seal Group 1923, Gas Tax Fund Number 200118; and

WHEREAS, Slurry Seal Group 1924 was approved by City Council via San Diego Resolution R-312210 (Feb. 13, 2019), authorizing slurry sealing of approximately 60 miles of streets throughout the City for a cost not to exceed \$5,000,000, and Slurry Seal Group 1925 was authorized by City Council via San Diego Resolution R-312383 (Apr. 19, 2020) authorizing the slurry sealing of approximately 60 miles for a cost not to exceed \$5,000,000; and

WHEREAS, the bids for Slurry Seal Groups 1924 and 1925 were higher than anticipated and the contracts were awarded for \$4,892,967.40 and \$4,458,191.23, respectively; and

WHEREAS to properly prepare some streets for this maintenance treatment, minor asphalt repair on Slurry Seal 1924 Change Order #1 added costs of \$419,378.25. This project is approximately three quarters complete and an increase in the authorization to a total not-to-exceed amount of \$5,400,000 allows completion of this project; and

WHEREAS, Slurry Seal 1925 is also in construction and costs are higher than anticipated due to additional asphalt work, including repair of a bicycle lane involved in prior litigation, and Change Order #1 added costs of \$450,000, requiring an increase in authorization to a total not-to-exceed amount of \$5,100,000; and

WHEREAS, funding for these contracts is available in Slurry Seal Group 1924, Gas Tax Fund Number 200118 and Slurry Seal Group 1925, Road Maintenance and Rehabilitation Account Number 200731; NOW, THEREFORE,

BE IT RESOLVED, by the Council of the City of San Diego, as follows:

1. That the Mayor, or his designee, is authorized to approve and execute Change Order #5 for Slurry Seal Group 1703 from Fund 200118, Gas Tax Fund in an amount not to exceed \$58,971.00.
2. That the Mayor, or his designee, is authorized to approve and execute Change Order #3 for Slurry Seal Group 1803 from Fund 200731, Road Maintenance and Rehabilitation Account in an amount not to exceed \$215,401.08.
3. That the Mayor, or his designee, is authorized to approve and execute Change Order #1 for Slurry Seal Group 1923 from Fund 200118, Gas Tax Fund in an amount not to exceed \$454,914.98.
4. That the Chief Financial Officer is authorized to expend up to \$3,200,000 to complete Slurry Seal Group 1923 from Fund 200118, Gas Tax Fund contingent upon the Chief Financial Officer furnishing a certificate certifying that funds necessary for the construction contract expenditures are, or will be, on deposit with the City Treasurer.
5. That the Mayor, or his designee, is authorized to approve and execute Change Order #1 for Slurry Seal Group 1924 from Fund 200118, Gas Tax Fund in an amount not to exceed \$419,378.25.
6. That the Chief Financial Officer is authorized to expend an additional \$400,000 for a total contract cost not to exceed \$5,400,000 for Slurry Seal Group 1924 from Fund 200118 Gas Tax Fund, contingent upon the Chief Financial Officer furnishing a certificate certifying that

funds necessary for the construction contract expenditures are, or will be, on deposit with the City Treasurer.

7. That the Mayor, or his designee, is authorized to approve and execute Change Order #1 for Slurry Seal Group 1925 from Fund 200731, Road Maintenance and Rehabilitation Account in an amount not to exceed \$450,000.

8. That the Chief Financial Officer is authorized to expend an additional \$100,000 for a total contract cost not to exceed \$5,100,000 for Slurry Seal Group 1925 from Fund 200731, Road Maintenance and Rehabilitation Account, contingent upon the Chief Financial Officer furnishing a certificate certifying that funds necessary for the construction contract expenditures are, or will be, on deposit with the City Treasurer.

APPROVED: MARA W. ELLIOTT, City Attorney

By /s/ Cassandra E. Mougín  
Cassandra E. Mougín  
Deputy City Attorney

CEM:cw  
08/14/20  
Or.Dept: Transportation & Storm Water  
CC No.: N/A  
Doc. No.: 2446896

I certify that the foregoing Resolution was passed by the Council of the City of San Diego, at this meeting of 10/06/2020.

ELIZABETH S. MALAND  
City Clerk

By /s/ Connie Patterson  
Deputy City Clerk

Approved: 10/14/20  
(date)

  
KEVIN L. FAULCONER, Mayor

Vetoed: \_\_\_\_\_  
(date)

\_\_\_\_\_  
KEVIN L. FAULCONER, Mayor

Passed by the Council of The City of San Diego on OCT 06 2020, by the following vote:

Councilmembers	Yeas	Nays	Not Present	Recused
Barbara Bry	<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"/>
Chris Ward	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Monica Montgomery	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Mark Kersey	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Chris Cate	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Scott Sherman	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Vivian Moreno	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Georgette Gómez	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Date of final passage OCT 14 2020.

**(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:

KEVIN L. FAULCONER  
Mayor of The City of San Diego, California.

(Seal)

ELIZABETH S. MALAND  
City Clerk of The City of San Diego, California.

By Connie Patterson Deputy

Office of the City Clerk, San Diego, California  
Resolution Number R- 313240