

ORDINANCE NUMBER O- 21392 (NEW SERIES)

DATE OF FINAL PASSAGE NOV 23 2021

AN ORDINANCE OF THE COUNCIL OF THE CITY OF SAN DIEGO AUTHORIZING PURE WATER PROGRAM – AMENDMENT NO. 3 TO THE AGREEMENT WITH AECOM TECHNICAL SERVICES, INC. FOR ENGINEERING SERVICES FOR THE DESIGN OF MORENA PUMP STATION, MORENA CONVEYANCE NORTH, MORENA CONVEYANCE SOUTH, AND MORENA CONVEYANCE MIDDLE CIP PROJECTS (H166635).

WHEREAS, as part of Pure Water Program implementation, the Morena Pump Station, Morena Conveyance North, Morena Conveyance South, and Morena Conveyance Middle projects will convey an annual average of 32 million gallons per day (mgd) of wastewater via a 48-inch diameter force main to the North City Water Reclamation Plant (NCWRP); and

WHEREAS, It will return an annual average 6 mgd of brine waste created from the reverse osmosis process at the North City Pure Water facility (NCPWF) and an annual average of 4 mgd of centrate created from the centrifuges at the Metropolitan Biosolids Center (MBC); and

WHEREAS, the brine will be returned via a 30-inch diameter pipeline to a discharge junction structure downstream of the Morena Pump Station influent piping. Both pipelines will be approximately 10.7 miles long and predominantly reside in a common trench for much of the alignment; and

WHEREAS, on November 7, 2016, the City Council approved Resolution No. R-310735, authorizing an agreement with AECOM Technical Services, Inc. (AECOM) to perform design and construction support services for the Morena Pump Station, Morena Conveyance North, Morena Conveyance South, and Morena Conveyance Middle projects (Agreement); and

WHEREAS, the term of the Agreement expires on November 6, 2021 (Expiration Date);
and

WHEREAS, on May 25, 2018, City Council approved Amendment No. 1 to the Agreement (First Amendment) to revise the Phased Funding Schedule, by reducing the number of funding phases from 6 to 5 allowing for transfer of more funds to earlier phases in order to provide AECOM adequate funding to complete the design and avoid delays in project delivery and the start of the construction phase of the project; and

WHEREAS, on August 2, 2021, Amendment No. 2 to the Agreement (Second Amendment) was executed to revise Exhibit B – Compensation and Fee Schedule at no additional cost; and

WHEREAS, the City and AECOM now desire to enter into Amendment No. 3 to the Agreement (Third Amendment), in order to replenish the funding reallocation that was done as part of the Second Amendment as well as provide the necessary funding to support all the related construction phase support services; and

WHEREAS, the Third Amendment will add an additional total not to exceed amount of \$5,801,751, which will increase the total phased funded contract amount from \$15,875,255 to \$21,677,006; and

WHEREAS, the additional cost for the Third Amendment will cover additional review of submittals and shop drawings, additional responses to RFIs, additional project meetings and site visits, record drawings, preparation of operation and maintenance manuals and start up assistance, and provide as-needed technical support; and

WHEREAS, the Third Amendment will also extend the term of the Agreement for an additional 5 years in order to complete all of the required work for the Morena Pump Station and Conveyance System project; and

WHEREAS, if the Third Amendment is not fully approved by the Expiration Date, such approval will have retroactive effect back to November 6, 2021, in order to avoid any lapses in productivity in support of the Pure Water Program; and

WHEREAS, under Charter section 99, no contract, agreement or obligation extending for a period of more than five years may be authorized except by Ordinance approved by a two-thirds majority vote of the City Council; NOW THEREFORE,

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

Section 1. That the Mayor, or his designee, is authorized to execute, for and on behalf of said City, the Third Amendment to the Agreement with AECOM, extending the term of the Agreement for an additional five years and authorizing the expenditure of an amount not to exceed \$5,801,751, thus increasing the total amount of the Agreement to \$21,677,006. The Third Amendment is on file in the office of the City Clerk as Document No. OO- **21392**.

Section 2. The Chief Financial Officer is authorized to expend funds under the established contract funding phases in an amount not to exceed \$1,516,875 for Phase 6, and \$4,284,876 for all subsequent Phases 7 thru 10, estimated to be spent as \$5,038,789 from CIP A-LA.00001, Pure Water Program (\$2,705,037, B-15141, PWP Morena Conveyance; \$2,333,752, B-21061, PWP Morena Wastewater Pump Station), \$4,578,933 from Fund 700009, Metro Sewer CIP, and \$459,856 from Fund 700010, Water Utility CIP; and \$762,962 from CIP S-16027, Morena Pipeline, Fund 700010, Water Utility CIP, contingent upon adoption of the Annual Appropriation Ordinance for the applicable fiscal year, and contingent upon the Chief Financial

Officer furnishing one or more certificates certifying that the funds necessary for expenditure under the established contract funding phases are, or will be, on deposit with the City Treasurer. That the Chief Financial Officer, upon advice from the administering department, is authorized to transfer excess funds, if any, to the appropriate reserves.

Section 3. That a full reading of this ordinance is dispensed with prior to passage, a written copy having been made available to the Council and the public prior to the day of its passage.

Section 4. That this ordinance shall take effect and be in force on the thirtieth day from and after its final passage.

APPROVED: MARA W. ELLIOTT, City Attorney

By /s/ Adam R. Wander
Adam R. Wander
Deputy City Attorney

ARW:cw
10/21/2021
Or.Dept: Public Utilities Department
CC No.: N/A
Doc. No.: 2795046

I hereby certify that the foregoing Ordinance was passed by the Council of the City of San Diego, at this meeting of ~~NOV 09 2021~~.

ELIZABETH S. MALAND

City Clerk

By  _____

Deputy City Clerk

Approved: 11/23/21
(date)


TODD GLORIA, Mayor

Vetoed: _____
(date)

TODD GLORIA, Mayor

Passed by the Council of The City of San Diego on NOV 09 2021, by the following vote:

Councilmembers	Yeas	Nays	Not Present	Recused
Joe LaCava	<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"/>
Stephen Whitburn	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Monica Montgomery Steppe	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Marni von Wilpert	<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"/>
Raul A. Campillo	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Vivian Moreno	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Sean Elo-Rivera	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Date of final passage NOV 23 2021.

AUTHENTICATED BY: TODD GLORIA
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
for Matthew Hilaris

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 OCT 26 2021, and on NOV 23 2021.

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

By Connie Patterson, Deputy
for Matthew Hilaris

Office of the City Clerk, San Diego, California
Ordinance Number O- 21392