

#53
06/14/2022

(O-2022-102)

ORDINANCE NUMBER O- 21462 (NEW SERIES)

DATE OF FINAL PASSAGE JUN 27 2022

AN ORDINANCE OF THE COUNCIL OF THE CITY OF
SAN DIEGO AUTHORIZING THE SECOND AMENDMENT
TO THE AGREEMENT WITH CAROLLO ENGINEERS, INC.
FOR DESIGN ENGINEERING SERVICES FOR THE NORTH
CITY PURE WATER FACILITY (H176846).

WHEREAS, as part of the Pure Water Program, the North City Pure Water Facility (NCPWF) will receive flows from the North City Water Reclamation Plant (NCWRP) where wastewater from several San Diego communities is treated up to the tertiary level. The NCPWF's advanced treatment processes will include: ozonation, biological activated carbon filtration, membrane filtration, reverse osmosis, ultraviolet light/advanced oxidation, stabilization via carbon dioxide and lime addition, and chlorination with the new treatment facility equipped with advanced controls and monitoring systems to ensure treatment reliability. Once NCPWF is operational, currently projected in 2025, it will have an average production capacity of thirty (30) million gallons per day of purified water that will be conveyed from the NCPWF to the Miramar Reservoir for surface water augmentation; and

WHEREAS, in June 2017, the City awarded an agreement to Carollo Engineers, Inc. to perform design and construction support services for the North City Water Pure Water Facility with the original Agreement on file in the Office of the City Clerk as San Diego Resolution R-311147, for an amount not to exceed \$26,874,202 for a duration of five (5) years; and

WHEREAS, on December 17, 2021, City management approved a no-cost First Amendment to reallocate the budget between project tasks, provide substitution and addition of subconsultants, and add design engineering support to the construction management team during construction of the NCPWF; and

WHEREAS, the Second Amendment to the design agreement with Carollo Engineers, Inc. will provide the necessary funding to support all the related construction support services, and the additional cost will cover the hourly billing rate adjustment for construction service staffing, onsite geotechnical observation during construction, review start-up and commissioning plan, witness equipment test, functional acceptance test, replica model modeling scenarios, performing SANNET access point design, supplemental site visits during the construction, and unforeseen out of scope work. The Second Amendment is for an amount not to exceed \$5,695,272 which will increase the total contract amount from \$26,874,202 to \$32,569,474; and

WHEREAS, the Second Amendment will extend the contract term for an additional five years so that construction support will continue until the end of the construction contract. If this Second Amendment is not fully approved by the current expiration date, such approval will have retroactive effect back to June 2, 2022, the current contract expiration date, to avoid lapses 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 the City, a Second Amendment to the phase funded agreement with Carollo Engineers, Inc. (H176846) for construction support services in CIP A-LA.00001, Pure Water Program (B-21058, PWP North City Pure Water Facility Pkg 2), in an amount not to exceed \$5,695,272, thus increasing the total amount of the agreement to \$32,569,474, and extending the contract term an

additional five years under the terms and conditions set forth in the Second Amendment to the Agreement, on file in the Office of the City Clerk as Document No. OO- **21462**

Section 2. That the Chief Financial Officer is authorized to expend funds under the established contract funding phases in an amount not to exceed \$5,695,272 of which \$3,750,000 is for Phase 5 (starting in Fiscal Year 2023), and \$1,945,272 for Phase 6 (starting in Fiscal Year 2025), from CIP A-LA.00001, Pure Water Program (B-21058, PWP North City Pure Water Facility Pkg 2), 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.

Section 3. That the Chief Financial Officer, upon advice from the administering department, is authorized to transfer excess funds, if any, to the appropriate reserves.

Section 4. 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 5. 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/ Bonny Hsu
Bonny Hsu
Deputy City Attorney

BH:cw
04/27/22
Or.Dept: Public Utilities Department
CC No.: N/A
Doc. No.: 2957226

I hereby certify that the foregoing Ordinance was passed by the Council of the City of San Diego, at this meeting of JUN 14 2022

ELIZABETH S. MALAND

City Clerk

By Connie Patterson
Deputy City Clerk

Approved: 6/27/22
(date)

Todd Gloria
TODD GLORIA, Mayor

Vetoed: _____
(date)

TODD GLORIA, Mayor

Passed by the Council of The City of San Diego on JUN 14 2022, 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 JUN 27 2022.

AUTHENTICATED BY:

(Seal)

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

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

By Connie Patterson, Deputy

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

MAY 17 2022, and on JUN 27 2022.

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

Office of the City Clerk, San Diego, California

Ordinance Number O- **21462**