

#56  
06/14/2022

(O-2022-101)

ORDINANCE NUMBER O- 21465 (NEW SERIES)

DATE OF FINAL PASSAGE JUN 27 2022

AN ORDINANCE OF THE COUNCIL OF THE CITY OF  
SAN DIEGO AUTHORIZING THE FIRST AMENDMENT TO  
THE AGREEMENT WITH CH2M HILL ENGINEERS, INC.  
FOR DESIGN ENGINEERING SERVICES FOR THE NORTH  
CITY METROPOLITAN BIOSOLIDS CENTER (MBC)  
IMPROVEMENTS PROJECT (H176825).

WHEREAS, as part of the Pure Water Program implementation, the Metropolitan Biosolids Center (MBC) will be expanded and upgraded so the facility can receive a greater amount of biosolids from Point Loma Wastewater Treatment Plant and North City Water Reclamation Plant (NCWRP). The expanded NCWRP will treat more wastewater once Pure Water Phase 1 is operational, and in turn MBC will receive a greater amount of biosolids; and

WHEREAS, to accommodate the increased flow of raw biosolids and increase system reliability, equipment must be replaced in multiple process areas at MBC that include biosolids thickening, anaerobic digestion, biogas handling, biosolids dewatering, and centrate pump station; and

WHEREAS, in May 2017, the City awarded an agreement to CH2M Hill Engineers, Inc. to perform design and construction support services for the North City MBC Improvements project, and the original Agreement is on file in the Office of the City Clerk as San Diego Resolution R-311146 (May 25, 2017), issued for an amount not to exceed \$5,051,090 for a duration of five years, expiring June 2, 2022. Design and bidding services are complete. Construction support services began with construction in September 2021; and

WHEREAS, the First Amendment will add \$1,246,271 to the contract to cover all related construction support services, including additional review of submittals and shop drawings, additional responses to RFI's, additional project construction meetings, record drawings, facility commissioning support, geotechnical and structural observations, preparation of operation and maintenance manuals, and as-needed technical support. These tasks are included in the original scope of work; however, a much larger effort is needed on each task compared to what was originally anticipated, and an amendment of \$1,246,271 will increase the total contract amount from \$5,051,090 to \$6,297,361 with the construction costs just over \$40 million; and

WHEREAS, the First Amendment will also extend the contract term for an additional five years so that construction support will continue until the end of the construction contract. If this 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 San Diego 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, the First Amendment to the Agreement with CH2M Hill Engineers, Inc. (H176825), for an additional five years and for an additional amount not to exceed \$1,246,271, thus increasing the total amount of the agreement to \$6,297,361 which will be utilized for construction support services under the terms and conditions set forth in the First Amendment to the Agreement, on file in the Office of the City Clerk as Document No. OO- **21465**.

Section 2. That the Chief Financial Officer is authorized to expend funds in the amount not to exceed \$1,246,271, of which \$87,239 is from CIP A-LA.00001, Pure Water Program (B-17006 NC-MBC Improvements), and \$1,159,032 is from S-17013, MBC Equipment Upgrades, Fund 700009, Metro Sewer 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 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/ Bonny Hsu  
Bonny Hsu  
Deputy City Attorney

BH:cc:cw  
04/27/22  
Or.Dept: PUD  
CC No.: 3000014737  
Doc. No.: 2955774

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

**The City of San Diego  
COMPTROLLER'S CERTIFICATE**

**CERTIFICATE OF UNALLOTTED BALANCE**

ORIGINATING CC 3000014737  
DEPT. NO.: 2000

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	Fund	Funded Program	Internal Order	Functional Area	G/L Account	Business Area	Cost Center	WBS	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: \$1,246,271.00

Vendor: CH2M Hill Engineers, Inc

Purpose: To authorize the expenditure of funds not to exceed \$1,246,271.00 to execute a first Amendment to the agreement with CH2M Hill Engineers, Inc. (H176825) for construction support services for the Design of the North City Metropolitan Biosolids Center (MBC) Improvements.

Date: 3/29/2022

By: Sonny Bautista  
*Sonny Bautista*  
COMPTROLLER'S DEPARTMENT

ACCOUNTING DATA

Doc. Item	Fund	Funded Program	Grant Number	Functional Area	G/L Account	Business Area	Cost Center	Internal Order or WBS Element	Original Amount
001	700009	B17006	NOT_RELEVANT_GRANT	OTHR-00000000-SU	512034	2000	2000171111	B-17006.02.02	\$87,239.00
002	700009	S17013	NOT_RELEVANT_GRANT	OTHR-00000000-SU	512034	2000	2000191216	S-17013.02.02	1,159,032.00
TOTAL AMOUNT									\$1,246,271.00

FUND OVERRIDE

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 24 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- 21465