

RESOLUTION NUMBER R- 315595

DATE OF FINAL PASSAGE JUN 18 2024

A RESOLUTION OF THE COUNCIL OF THE CITY OF SAN DIEGO RATIFYING THE EMERGENCY SOLE SOURCE CONTRACT (K-23-2201-EMR-3) WITH ORION CONSTRUCTION CORPORATION FOR THE GILMAN DRIVE STORM DRAIN EMERGENCY REPLACEMENT PROJECT PURSUANT TO SECTION 22.3108 OF THE SAN DIEGO MUNICIPAL CODE.

WHEREAS, on March 27, 2023, the City of San Diego (City) received a report of the sinkhole forming in the landscaped area adjacent to 8803 Gilman Drive and, upon inspection, it was found that the 132-inch corrugated metal pipe (CMP) storm drain had collapsed just south of the connection with a 36-inch CMP cleanout riser; and

WHEREAS, pursuant to Section 22.3108 of the Municipal Code, a Public Works Contract may be awarded without advertisement to address public safety and health issues due to extraordinary fire, flood, storm, and other disasters, provided that the Mayor immediately reports the emergency award and its justification to the City Council, and the City Council subsequently ratifies the award by resolution of a two-thirds vote; and

WHEREAS, the City awarded emergency sole source contract K-23-2201-EMR-3 (Contract) with Orion Construction Corporation for the Gilman Drive Storm Drive Emergency Replacement project (Project); and

WHEREAS, the Project includes replacement of approximately 70 LF of 132-inch CMP storm drain with new CMP, lining the new CMP storm drain with reinforced concrete, and replacement of a 36-inch cleanout structure; and

WHEREAS, the City's Engineering and Capital Projects Department issued a memo notifying the City Council of the award and the justification of the Contract, along with the

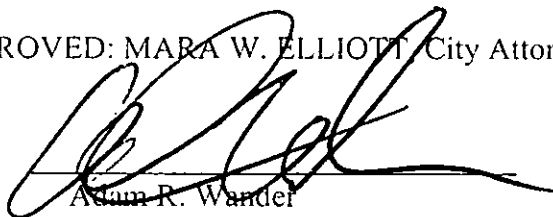
location, type of failure, estimated cost, and other preliminary information available at the time that the problem was encountered; and

WHEREAS, the Office of the City Attorney has drafted this resolution based on the information provided by City staff with the understanding that this information is complete, true, and accurate; NOW, THEREFORE,

BE IT RESOLVED, by the Council of the City of San Diego that the emergency sole source contract K-23-2201-EMR-3 with Orion Construction Corporation for the Gilman Drive Storm Drive Emergency Replacement project is hereby ratified.

APPROVED: MARA W. ELLIOTT, City Attorney

By

  
Adam R. Wander  
Deputy City Attorney

ARW:cw  
05/27/2024  
Or.Dept: Engineering & Capital Projects  
CC No.: N/A  
Doc. No.: 3663964

I certify that the foregoing Resolution was passed by the Council of the City of San Diego, at this meeting of JUN 11 2024

DIANA J.S. FUENTES  
City Clerk

By   
Deputy City Clerk

Approved: 6/17/24  
(date)

  
TODD GLORIA, Mayor

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

\_\_\_\_\_  
TODD GLORIA, Mayor

JUN 11 2024

Passed by the Council of The City of San Diego on \_\_\_\_\_, 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"/>
Henry L. Foster III	<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"/>
Kent Lee	<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 18 2024.

**(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:

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

(Seal)

DIANA J.S. FUENTES  
City Clerk of The City of San Diego, California.

By Kristell Medina, Deputy

Office of the City Clerk, San Diego, California
Resolution Number R- <b>315595</b>