

RESOLUTION NO. 2023-9194

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SAN MARCOS  
AUTHORIZING THE EXECUTION OF AMENDMENTS TO THE  
CONSTRUCTION CONTRACT WITH SEMA CONSTRUCTION INC. FOR THE  
SAN MARCOS CREEK INFRASTRUCTURE PROJECT (CIP #s 88263, 88264,  
88265, 88505, 88507, 88529)

WHEREAS, the City currently has a contract with SEMA Construction for the construction of the San Marcos Creek Infrastructure Project (CIP #s 88263, 88264, 88265, 88505, 88507, 88529) (Project); and

WHEREAS, San Marcos Municipal Code Section 2.30.030(c)(2) requires City Council approval when change orders exceed ten (10%) percent of the initial contract value; and,

WHEREAS, the City anticipates costs for construction of the Contract may exceed the available threshold; and

WHEREAS, in conformance with the construction contract various change orders have been and are anticipated to be executed to address project delays, third party impacts, and weather have impacted the project necessitating execution of change orders; and,

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF SAN MARCOS, CALIFORNIA, DOES HEREBY RESOLVE AS FOLLOWS:

Section 1. The foregoing recitals are true and correct and are hereby incorporated into this Resolution by reference.

Section 2. The City Council hereby authorizes the Acting City Manager to execute contract change orders between the City and SEMA Construction Inc. for the San Marcos Creek District infrastructure project (CIP#s 88263, 88264, 88265, 88505, 88507, 88529), up to a not-to-exceed amount of \$73,000,000.

PASSED, APPROVED AND ADOPTED at a regular meeting of the City Council of the City of San Marcos, California, held on this 25<sup>th</sup> day of July, 2023, by the following roll call vote:

AYES: COUNCILMEMBERS:  
NOES: COUNCILMEMBERS:  
ABSENT: COUNCILMEMBERS:

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Rebecca D. Jones, Mayor  
City of San Marcos

ATTEST:

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Phillip Scollick, City Clerk  
City of San Marcos