

RESOLUTION NO. 2024-XXXX

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SAN MARCOS APPROVING AN AMENDMENT TO CONTRACT 6176 WITH SEMA CONSTRUCTION AND AUTHORIZING THE CITY MANAGER TO FINALIZE AND EXECUTE THE SAME, AND APPROVING AN AMENDMENT OF THE FY 2024/2025 CAPITAL IMPROVEMENT PROGRAM (CIP) BUDGET FOR THE CREEK INFRASTRUCTURE PROJECT (CIP NOS. 88264, 88265)

WHEREAS, the City Council approved construction contract number 6176 (“contract”) with SEMA Construction Inc. for the Creek Infrastructure Project (“Project”); and

WHEREAS, unforeseen delays have impacted the progress of the Project, causing delays beyond the contractors control; and

WHEREAS, the City has analyzed the reasonableness and nature of the delays to the critical path of the Project and has determined that 112 days of extension are justified; and

WHEREAS, the contract provides the means for payment through individual time-dependent bid items; and

WHEREAS, funding for the additional payments has been identified from existing and available sources; and

WHEREAS, the current contract with SEMA Construction would need to be amended to allow for these additional payments.

NOW, THEREFORE, BE IT RESOLVED, that the City Council of the City of San Marcos does hereby:

1. Approves the appropriation of an additional \$2,000,000 of TransNet (404) funds to the Creek Infrastructure Project CIP#'s 88264 & 88265; and
2. Approves and authorizes the City Manager to finalize and execute the amendment of contract 6176 with SEMA Construction for the not-to-exceed amount of \$73,357,595.

PASSED, APPROVED, and ADOPTED by the City Council of the City of San Marcos, California, this 12th day of November, 2024, by the following vote:

AYES: COUNCIL MEMBERS:

NOES: COUNCIL MEMBERS:

ABSENT: COUNCIL MEMBERS:

Rebecca D. Jones, Mayor
City of San Marcos

ATTEST:

Phillip Scollick, City Clerk
City of San Marcos