

ORDINANCE NO. _____

Item 10 Att 2

AN ORDINANCE OF THE COUNCIL OF THE CITY OF SANTA BARBARA AUTHORIZING THE APPROVAL AND EXECUTION BY THE PUBLIC WORKS DIRECTOR OF A CONTRACT TO DESIGN, BUILD, AND OPERATE THE CHARLES E. MEYER DESALINATION FACILITY

WHEREAS, the contract length to design, build, and operate the Charles E. Meyer Desalination Facility extends beyond five years;

THE CITY COUNCIL OF THE CITY OF SANTA BARBARA DOES ORDAIN AS FOLLOWS:

Section 1. All of the recitals herein contained are true and correct and the City Council so finds.

Section 2. The form of contract, on file with the City Clerk, is hereby approved, and the Public Works Director of the City is hereby authorized and directed, for and in the name and on behalf of the City, to execute the Design/Build/Operate contract with IDE Americas, Inc. in substantially said form with such changes therein as the Authorized Officer executing the same may require or approve, such approval to be conclusively evidenced by the execution and delivery thereof; provided, however, that the amount of the contract shall not exceed \$44,757,234, with a total extra services amount of \$1,864,420.

Section 3. Something about the fact that Contract No. 25,221 is superseded by this contract.

Section 4. The Authorized Officers are hereby authorized and directed, jointly and severally, to do any and all things which they may deem necessary or advisable in order to consummate the transactions herein authorized and otherwise to carry out, give effect to and comply with the terms and intent of this Ordinance. All actions heretofore taken by the officers, employees and agents of the City with respect to the transactions set forth above are hereby approved, confirmed and ratified.

Section 5. The Mayor shall sign and the City Clerk shall attest to the passage of this Ordinance. The City Council hereby orders that, in lieu of the publication of this Ordinance once in the official newspaper of the City within 15 days after its adoption, this Ordinance shall be published by title only once in the official newspaper of the City within 15 days after its adoption, provided that the full text shall be available to the public at the City Clerk's Office, and such publication by title only shall so state. This Ordinance shall become effective 30 days from and after the date of its adoption.