RESOLUTION NO.	

A RESOLUTION OF THE COUNCIL OF THE CITY OF SAN JOSE AUTHORIZING THE DIRECTOR OF PUBLIC **WORKS TO 1) AWARD A CONSTRUCTION CONTRACT** FOR THE 8794 - 31ST AND ALUM ROCK PARK PHASE 2B PROJECT TO THE LOWEST RESPONSIVE AND RESPONSIBLE BIDDER IN AN AMOUNT NOT TO EXCEED \$1,100,000, PROVIDED THAT THE CITY HAS ACQUIRED OWNERSHIP OF THE .2-ACRE PARCEL THAT IS PART OF THE PROJECT; 2) APPROVE A CONTINGENCY OF UP TO, BUT NOT TO EXCEED, 5% OF THE AMOUNT OF THE CONSTRUCTION CONTRACT AWARDED BY THE DIRECTOR; AND 3) DECIDE ANY TIMELY BID PROTEST(S), MAKE THE CITY'S FINAL DETERMINATION AS TO THE LOWEST RESPONSIVE AND RESPONSIBLE BIDDER, OR REJECT ALL BIDS AND RE-BID THE PROJECT

WHEREAS, in 2016, the City of San Jose ("City") approved the Master Plan for the 31st & Alum Rock Park, located at South 31st Street between Alum Rock Avenue and East San Antonio Street, east of Highway 101; and

WHEREAS, the 8794 – 31st and Alum Rock Park Phase 2B Project ("Project") will complete implementation of the 31st and Alum Rock Park Master Plan with installation of a community garden, dog park and lighting; and

WHEREAS, the City secured grant funding from the Housing-Related Parks Program ("HRPP") of the Department of Housing and Community Development, which requires the Project improvements to be installed, invoiced and submitted for reimbursement by April 2019; and

WHEREAS, the City is in the process of finalizing the purchase of a .2-acre parcel which is to be included in the Project; and

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WHEREAS, provided that the City first acquires ownership of the .2-acre parcel, the City desires to authorize the Director of Public Works to award a construction contract for the Project in order to meet the Project schedule and the HRPP grant deadline;

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF SAN JOSE THAT:

The Director of Public Works is hereby authorized to:

- Award a construction contract for the 8794 31st and Alum Rock Park Phase 2B
 Project to the lowest responsive and responsible bidder in an amount not to
 exceed \$1,100,000, provided that the City has acquired ownership of the .2-acre
 parcel that is part of the Project.
- 2. Approve a contingency of up to, but not to exceed, 5% of the amount of the construction contract awarded by the Director.
- Decide any timely bid protest(s), make the City's final determination as to the lowest responsive and responsible bidder, or reject all bids and re-bid the Project.

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ADOPTED this day of	, 2018, by the following vote:
AYES:	
NOES:	
ABSENT:	
DISQUALIFIED:	
ATTEST:	SAM LICCARDO Mayor
TONI J. TABER, CMC City Clerk	