

RESOLUTION NO. \_\_\_\_\_

**A RESOLUTION OF THE COUNCIL OF THE CITY OF SAN JOSÉ AUTHORIZING THE DIRECTOR OF PUBLIC WORKS TO: (A) AWARD AND EXECUTE A CONTRACT FOR THE CONSTRUCTION OF THE ANDREW P. HILL PROJECT, TO THE LOWEST RESPONSIVE, RESPONSIBLE BIDDER IN AN AMOUNT NOT TO EXCEED \$1,500,000; (B) DECIDE ANY TIMELY BID PROTEST(S) AND MAKE THE CITY'S FINAL DETERMINATION AS TO THE LOWEST RESPONSIVE BIDDER THAT IS RESPONSIBLE AS NEEDED TO AWARD THE CONTRACT; AND (C) ESTABLISH A CONSTRUCTION CONTINGENCY OF UP TO TEN (10) PERCENT OF THE AMOUNT OF THE CONSTRUCTION CONTRACT FOR THE PROJECT**

**WHEREAS**, the City of San José ("City") City Council desires to adopt this resolution for the reasons set forth in the memorandum, dated December 13, 2021, from Director of Public Works Matt Cano and Library Director Jill Bourne for the January 11, 2022 City Council meeting ("Memorandum");

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

**Section 1.** The Director of Public Works is authorized to award and execute a construction agreement not to exceed \$1,500,000 with the lowest responsive, responsible bidder to construct the Project consistent with the Memorandum and Title 27 of the San José Municipal Code; and

**Section 2.** Decide any timely bid protest(s) and make the City's final determination as to the lowest responsive bidder that is responsible as needed to award the contract; and

**Section 3.** Establish a construction contingency for the Project up to ten percent (10%) of the construction contract amount not to exceed \$150,000.

ADOPTED this \_\_\_\_ day of \_\_\_\_\_, 2022, by the following vote:

AYES:

NOES:

ABSENT:

DISQUALIFIED:

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SAM LICCARDO  
Mayor

ATTEST:

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TONI J. TABER, CMC  
City Clerk