

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

**A RESOLUTION OF THE COUNCIL OF THE CITY OF SAN JOSE AUTHORIZING THE DIRECTOR OF TRANSPORTATION TO DO THE FOLLOWING WITH REGARD TO THE 2023-2025 LOCAL STREETS RESURFACING PROJECT CONSTRUCTION CONTRACT WITH MCK SERVICES, INC.: (1) EXERCISE UP TO TWO (2) ONE-YEAR OPTIONS FOR A TOTAL AMOUNT NOT TO EXCEED \$12,500,000 FOR EACH OPTION TERM PERIOD, CONTINGENT ON THE APPROPRIATION OF FUNDS; AND (2) ESTABLISH A CONSTRUCTION CONTINGENCY FOR ANY OPTION YEAR OF UP TO 10% OF THE CONTRACT AMOUNT, NOT TO EXCEED \$1,250,000 FOR EACH OPTION TERM, CONTINGENT ON THE APPROPRIATION OF FUNDS**

**WHEREAS**, the City of San José (“City”) City Council desires to adopt this resolution for the reasons set forth in the memorandum, dated March 13, 2023, from Director of Transportation John Ristow for the April 18, 2023 City Council meeting (“Memorandum”);

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

The Director of Transportation is authorized to do the following with regard to the 2023-2025 Local Streets Resurfacing Project construction contract with MCK Services, Inc.:

**Section 1.** Exercise up to two (2) one-year option periods, for a total amount not to exceed \$12,500,000 for each option year, contingent on the appropriation of funds consistent with the Memorandum and Title 27 of the San José Municipal Code; and

**Section 2.** Establish a construction contingency for any option year of up to ten percent (10%) of the construction contract amount, not to exceed \$1,250,000 for each option year, contingent on the appropriation of funds.

ADOPTED this \_\_\_\_\_ day of \_\_\_\_\_, 2023, by the following vote:

AYES:

NOES:

ABSENT:

DISQUALIFIED:

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MATT MAHAN  
Mayor

ATTEST:

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TONI J. TABER, CMC  
City Clerk