

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

**A RESOLUTION OF THE COUNCIL OF THE CITY OF SAN JOSE AUTHORIZING THE DIRECTOR OF PUBLIC WORKS TO DO THE FOLLOWING: 1) AWARD A CONSTRUCTION CONTRACT FOR THE TAMIEN PARK PHASE II PROJECT TO THE LOWEST RESPONSIVE AND RESPONSIBLE BIDDER IN AN AMOUNT NOT TO EXCEED \$1,000,000 AND APPROVE A CONTINGENCY OF UP TO FIVE PERCENT OF THE CONTRACT AMOUNT, NOT TO EXCEED \$100,000; AND 2) CONSIDER ANY TIMELY BID PROTEST(S), MAKE THE CITY'S FINAL DETERMINATION AS TO THE LOWEST RESPONSIVE BIDDER THAT IS RESPONSIBLE, OR REJECT ALL BIDS AND RE-BID THE PROJECT**

**WHEREAS**, Tamien Park is a 3.5-acre parcel of land located near the intersection of Lick Avenue and Goodyear Street and acquired by the City of San Jose ("City") from the Santa Clara Valley Transportation Authority in 2011; and

**WHEREAS**, the Tamien Park Phase II Project ("Project") will include the installation of a natural turf youth soccer field, an exercise equipment area, a jogging track, an outdoor stage, and a small group picnic area; and

**WHEREAS**, the City was awarded grant funding from the State of California's 2014 Housing Related Parks Program for the Project; and

**WHEREAS**, the City desires to authorize the Director of Public Works to award a construction contract for the Project so that work on the Project can be completed by the June 30, 2018 grant reimbursement 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:

1. Award the construction contract for the Tamien Park Phase II Project to the lowest responsive and responsible bidder in an amount not to exceed \$2,000,000 and to approve a contingency of up to five percent of the contract amount not to exceed \$100,000.
2. Consider any timely bid protest(s), make the City's final determination as to the lowest responsive bidder that is responsible, or reject all bids and re-bid the Project.

ADOPTED this \_\_\_\_\_ day of \_\_\_\_\_, 2017, 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