

RESOLUTION NO.

A RESOLUTION OF THE COUNCIL OF THE CITY OF SAN JOSE AUTHORIZING THE CITY MANAGER TO (A) NEGOTIATE AND EXECUTE THE FOURTH AMENDMENT TO THE RESTATED AGREEMENT FOR LEASE AND MAINTENANCE OF COMPRESSED NATURAL GAS SHUTTLE BUSES AT THE SAN JOSE MINETA INTERNATIONAL AIRPORT WITH PENSKE TRUCK LEASING CO., L.P. (WILMINGTON, DE) TO EXTEND SERVICES FOR ONE ADDITIONAL OPTION TERM FROM JUNE 1, 2023 TO MAY 31, 2024 FOR A MAXIMUM COMPENSATION OF \$700,000, SUBJECT TO THE APPROPRIATION OF FUNDS; AND (B) NEGOTIATE AND EXECUTE ADDITIONAL AMENDMENTS TO THE AGREEMENT AS REQUIRED, AND ASSOCIATED OPTIONS, TO ADD UP TO TWO ADDITIONAL 12-MONTH OPTIONS FOR A TOTAL OF SEVEN OPTIONS THROUGH MAY 31, 2026, SUBJECT TO 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 April 24, 2023, from the Director of Finance, Rick Bruneau, for the May 9, 2023 City Council meeting ("Memorandum"); and

WHEREAS, the City desires to negotiate and execute additional amendments to the agreement with Penske Truck Leasing Co., L.P. (Wilmington, DE);

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

The City Manager is hereby authorized to:

- A. Negotiate and execute the Fourth Amendment to the Restated Agreement for Lease and Maintenance of Compressed Natural Gas Shuttle Buses at the San José Mineta International Airport with Penske Truck Leasing Co., L.P. (Wilmington, DE) to extend services for one additional option term from June 1, 2023 to May 31,

2024 for a maximum compensation of \$700,000, subject to the appropriation of funds; and

- B. Negotiate and execute additional amendments to the agreement with Penske Truck Leasing Co., L.P. (Wilmington, DE) as required, and associated options, to add up to two additional 12-month options for a total of seven options through May 31, 2026, subject to appropriation of funds.

ADOPTED this _____ day of _____, 2023, by the following vote:

AYES:

NOES:

ABSENT:

DISQUALIFIED:

MATT MAHAN
Mayor

ATTEST:

TONI J. TABER, CMC
City Clerk