

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

**A RESOLUTION OF THE COUNCIL OF THE CITY OF SAN JOSE FINDING THAT THE CONTRACT WITH STEVE P. RADOS, INC. FOR THE DESIGN AND CONSTRUCTION OF THE 4880-FOURTH STREET 84-INCH INTERCEPTOR PHASE VI-A PROJECT WILL RESULT IN LOWER COSTS AND FASTER PROJECT COMPLETION THAN IF THE CITY USED A TRADITIONAL DESIGN-BID-BUILD PROCUREMENT PROCESS**

**WHEREAS**, on December 15, 2015, the City Council of the City of San Jose ("City") adopted Resolution No. 77627 approving the use of the design-build project delivery method for the 4880 – Fourth Street 84-Inch Brick Interceptor Phase VI-A Project ("Project"); and

**WHEREAS**, on November 28, 2017, the City Council adopted Resolution No. 78417 authorizing the City Manager to negotiate a design-build contract for the Project with Steve P. Rados, Inc. ("Rados"); and

**WHEREAS**, the City and Rados have agreed upon the terms of the design-build contract; and

**WHEREAS**, Section 14.07.660 of the San Jose Municipal Code requires that the Council make a finding that following the competitive request for proposal selection process, the City Council may award a design-build contract if the amount of the contract for the project exceeds five million dollars, and the City Council makes a finding that the use of a design-build project delivery system will either save money or result in faster project completion than if the City used a traditional design-bid-build procurement process; and

**WHEREAS**, the contract for the Project is \$42,470,896, which is in excess of five million dollars; and

**WHEREAS**, City staff has submitted a supplemental memorandum to Council for this item, dated May 17, 2018, that shows that the design-build procurement process will save money and result in faster completion of the Project than the traditional design-bid-build procurement process (“Council Memorandum”);

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

**Section 1. Findings.**

- A. The City Council hereby finds that the Council Memorandum demonstrates the following facts to be true:
  - 1. The expected cost savings to be achieved from using the design-build project delivery system is approximately \$4,000,000; and
  - 2. The expected time savings to be achieved from using the design-build project delivery system is approximately three months.
- B. Based on the above facts, the City Council hereby makes the following findings:
  - 1. The design-build project delivery system will result in cost savings and faster completion of the Project than if the City used a traditional design-bid-build project delivery system.
- C. Based on the above findings, the City Council hereby determines that the requirements of Section 14.07.660 of the San José Municipal Code are satisfied.

**Section 2. Determination.**

The design-build project delivery system will save money and result in faster project completion than if the City used a traditional design-bid-build procurement process.

ADOPTED this \_\_\_\_\_ day of \_\_\_\_\_, 2018, 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