

RESOLUTION NO. _____

A RESOLUTION OF THE COUNCIL OF THE CITY OF SAN JOSE AUTHORIZING THE DIRECTOR OF PUBLIC WORKS TO 1) AWARD A CONSTRUCTION CONTRACT FOR THE 8794 – 31ST AND ALUM ROCK PARK PHASE 2B PROJECT TO THE LOWEST RESPONSIVE AND RESPONSIBLE BIDDER IN AN AMOUNT NOT TO EXCEED \$1,100,000, PROVIDED THAT THE CITY HAS ACQUIRED OWNERSHIP OF THE .2-ACRE PARCEL THAT IS PART OF THE PROJECT; 2) APPROVE A CONTINGENCY OF UP TO, BUT NOT TO EXCEED, 5% OF THE AMOUNT OF THE CONSTRUCTION CONTRACT AWARDED BY THE DIRECTOR; AND 3) DECIDE ANY TIMELY BID PROTEST(S), MAKE THE CITY’S FINAL DETERMINATION AS TO THE LOWEST RESPONSIVE AND RESPONSIBLE BIDDER, OR REJECT ALL BIDS AND RE-BID THE PROJECT

WHEREAS, in 2016, the City of San Jose (“City”) approved the Master Plan for the 31st & Alum Rock Park, located at South 31st Street between Alum Rock Avenue and East San Antonio Street, east of Highway 101; and

WHEREAS, the 8794 – 31st and Alum Rock Park Phase 2B Project (“Project”) will complete implementation of the 31st and Alum Rock Park Master Plan with installation of a community garden, dog park and lighting; and

WHEREAS, the City secured grant funding from the Housing-Related Parks Program (“HRPP”) of the Department of Housing and Community Development, which requires the Project improvements to be installed, invoiced and submitted for reimbursement by April 2019; and

WHEREAS, the City is in the process of finalizing the purchase of a .2-acre parcel which is to be included in the Project; and

WHEREAS, provided that the City first acquires ownership of the .2-acre parcel, the City desires to authorize the Director of Public Works to award a construction contract for the Project in order to meet the Project schedule and the HRPP grant 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 a construction contract for the 8794 – 31st and Alum Rock Park Phase 2B Project to the lowest responsive and responsible bidder in an amount not to exceed \$1,100,000, provided that the City has acquired ownership of the .2-acre parcel that is part of the Project.
2. Approve a contingency of up to, but not to exceed, 5% of the amount of the construction contract awarded by the Director.
3. Decide any timely bid protest(s), make the City's final determination as to the lowest responsive and responsible bidder, or reject all bids and re-bid the Project.

ADOPTED this _____ day of _____, 2018, by the following vote:

AYES:

NOES:

ABSENT:

DISQUALIFIED:

SAM LICCARDO
Mayor

ATTEST:

TONI J. TABER, CMC
City Clerk