

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

**A RESOLUTION OF THE COUNCIL OF THE CITY OF SAN JOSE AUTHORIZING THE CITY MANAGER TO 1) NEGOTIATE AND EXECUTE A FIRST AMENDMENT TO THE AGREEMENT FOR A LIBRARY RADIO FREQUENCY IDENTIFICATION SYSTEM WITH BIBLIOTHECA, LLC AND TO INCREASE THE MAXIMUM COMPENSATION BY \$84,875 FOR A TOTAL MAXIMUM COMPENSATION AMOUNT OF \$3,235,878 FOR THE INITIAL FIVE-YEAR TERM ENDING ON AUGUST 31, 2021; AND 2) INCREASE THE CONTINGENCY BY \$300,000 FOR AMENDMENTS AND CHANGE ORDERS FOR ANY ADDITIONAL UNANTICIPATED CHANGES REQUIRED DURING THE INITIAL FIVE-YEAR TERM, SUBJECT TO THE APPROPRIATION OF FUNDS**

**WHEREAS**, on April 13, 2016, following a competitive Request for Proposal process, the City of San José (“City”) entered into an agreement with Bibliotheca, LLC for a Radio Frequency Identification (“RFID”) Library System to replace the San José Public Library’s electromagnetic barcode technology system for circulation and theft detection operations, for an initial five-year term with a maximum compensation not-to-exceed \$2,899,391 with a contingency amount of \$251,612 (“Agreement”); and

**WHEREAS**, the City desires to amend the Agreement to purchase additional RFID equipment and professional services to expand use at current and additional library locations in order to increase staff productivity, reduce incidents of staff repetitive motion injuries, improve inventory accuracy, reduce material losses, and enhance customer service for library patrons;

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

The City Manager is hereby authorized to:

1. Negotiate and execute a First Amendment to the Agreement for a Library Radio Frequency Identification System with Bibliotheca, LLC (Norcross, GA) to purchase additional RFID equipment and professional services to expand use at current and additional library locations and to increase the maximum compensation by \$84,875 for a total maximum compensation amount not-to-exceed \$3,235,878 for the initial five-year term ending on August 31, 2021; and
2. Increase the contingency by \$300,000 for amendments and change orders for any additional unanticipated changes required during the initial five-year term, subject to the appropriation of funds.

ADOPTED this \_\_\_\_\_ day of \_\_\_\_\_, 2019, 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