

RESOLUTION NO.

A RESOLUTION OF THE COUNCIL OF THE CITY OF SAN JOSE DELEGATING TO THE DIRECTOR OF PUBLIC WORKS AUTHORITY TO AWARD THE CONSTRUCTION CONTRACT FOR THE 9821 – SJC GUADALUPE GARDENS FENCING PROJECT PURSUANT TO THE CITY CHARTER SECTION 1217(H), IN AN AMOUNT NOT GREATER THAN \$1,500,000

WHEREAS, the City of San José (“City”) owns and operates the Norman Y. Mineta San José International Airport (“Airport”); and

WHEREAS, the Guadalupe Gardens is an approximately 40-acre parcel located on federally regulated land just south of the Airport in an approach zone, and must be kept clear of inhabitants; and

WHEREAS, the Guadalupe Gardens area is currently inhabited with illegal camping and is experiencing serious and continuing criminal activity and illegal dumping; and

WHEREAS, to address these challenges, City developed a Guadalupe Gardens Corrective Action Plan (“CAP”), which the Federal Aviation Administration approved on August 4, 2021; and

WHEREAS, among other things, the Guadalupe Gardens CAP contemplates the construction of an interim fence around the Guadalupe Gardens to prevent re-inhabitation; and

WHEREAS, the 9821 – Guadalupe Gardens Fencing Project (“Project”) was advertised on September 1, 2021, bids were opened on September 16, 2021 and there were no responsive bids; and

WHEREAS, under City Charter Section 1217(h), Council can decide not to further comply with the City's competitive bidding requirements when no responsive bids are received; and

WHEREAS, the Project is on a strick timeline in order to implement the Guadalupe Gardens CAP as soon as possible; and

WHEREAS, City desires to delegate authority to the Director of Public Works to award the Project pursuant to City Charter Section 1217(h), in an amount not greater than \$1,500,000;

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

The Director of Public Works is hereby authorized to award the construction contract for the 9821 – SJC Guadalupe Gardens Fencing Project pursuant to City Charter Section 1217(h), in an amount not greater than \$1,500,000.

ADOPTED this _____ day of _____, 2021, by the following vote:

AYES:

NOES:

ABSENT:

DISQUALIFIED:

SAM LICCARDO
Mayor

ATTEST:

TONI J. TABER, CMC
City Clerk