

## Legislation Text

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**File #: 23-546, Version: 1**

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**Actions Related to the Pre-Development Agreement for the 10183 - Design-Build-Finance-Operate-Maintain: Diridon Station to Airport Connector Project.**

Adopt a resolution:

- (a) Finding that the award of the proposed Pre-Development Agreement (PDA) for the 10183 - Design-Build-Finance-Operate-Maintain: Diridon Station to Airport Connector (Project) will result in lower costs and/or faster Project delivery than if the City used the traditional publicly funded design-bid-build method of project delivery;
- (b) Authorizing the City Manager or their designee to negotiate and execute the PDA with the San José Connection Partners, led by Plenary Americas US Holdings Inc. to continue progress on the Project; and
- (c) Authorizing the City Attorney to negotiate and execute a Third Amendment to the Agreement with Ashurst LLP for legal services related to the Project, increasing compensation by \$100,000 for legal services to be provided through PDA implementation for a total amount not to exceed \$375,000.

CEQA: Statutorily Exempt, File No. PP17-001, CEQA Guidelines Section 15262, Feasibility and Planning Studies. Council District 6. (Transportation/Airport/Public Works)