

RESOLUTION NO.

A RESOLUTION OF THE COUNCIL OF THE CITY OF SAN JOSE AUTHORIZING THE DIRECTOR OF TRANSPORTATION TO: (A) AWARD AND EXECUTE A CONTRACT FOR THE CONSTRUCTION OF THE 10362 – 2024 LS REMOVE & REPLACE PROJECT TO THE LOWEST RESPONSIVE, RESPONSIBLE BIDDER IN AN AMOUNT NOT TO EXCEED \$6,000,000; (B) AWARD AND EXECUTE A CONTRACT FOR THE CONSTRUCTION OF THE 10363 – 2024 LS SEALING PROJECT TO THE LOWEST RESPONSIVE, RESPONSIBLE BIDDER IN AN AMOUNT NOT TO EXCEED \$6,000,000; (C) AS TO EACH OF THE ABOVE CONSTRUCTION CONTRACTS: (1) DECIDE ANY TIMELY BID PROTEST(S), MAKE THE CITY’S FINAL DETERMINATION AS TO THE LOWEST RESPONSIVE BIDDER THAT IS RESPONSIBLE, OR REJECT ALL BIDS AND REBID THE PROJECTS; AND (2) APPROVE A CONSTRUCTION CONTINGENCY OF TEN (10) PERCENT

WHEREAS, the City of San José (“City”) City Council desires to adopt this resolution for the reasons set forth in the memorandum, dated May 20, 2024, from the Director of Transportation John Ristow for the June 11, 2024 City Council meeting (“Memorandum”);

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

The Director of Transportation is hereby authorized to:

- (a) Award and execute a contract for the construction of the 10362 – 2024 LS Remove & Replace Project to the lowest, responsive, responsible bidder in an amount not to exceed \$6,000,000;

- (b) Award and execute a contract for the construction of the 10363 – 2024 LS Sealing Project to the lowest responsive, responsible bidder in an amount not to exceed \$6,000,000;
- (c) As to each of the above construction contracts:
 - (1) Decide any timely bid protest(s), make the City's final determination as to the lowest responsive bidder that is responsible, or reject all bids and rebid the projects; and
 - (2) Approve a construction contingency of 10%.

ADOPTED this _____ day of _____, 2024, by the following vote:

AYES:

NOES:

ABSENT:

DISQUALIFIED:

MATT MAHAN
Mayor

ATTEST:

TONI J. TABER, CMC
City Clerk