

RESOLUTION NO.

**A RESOLUTION OF THE COUNCIL OF THE CITY OF SAN JOSE AUTHORIZING THE DIRECTOR OF PUBLIC WORKS TO: (A) AWARD AND EXECUTE A CONTRACT FOR THE CONSTRUCTION OF THE 9787 – CAST IRON SEWER REPLACEMENT FY 2021-2022 PACKAGE III PROJECT TO THE LOWEST RESPONSIVE, RESPONSIBLE BIDDER IN AN AMOUNT NOT TO EXCEED \$1,900,000; (B) DECIDE ANY TIMELY BID PROTEST(S) AND MAKE THE CITY’S FINAL DETERMINATION AS TO THE LOWEST RESPONSIVE BIDDER THAT IS RESPONSIBLE AS NEEDED TO AWARD THE CONTRACT; AND (C) APPROVE A CONTINGENCY IN THE AMOUNT OF 10% OF THE CONTRACT AMOUNT**

**WHEREAS**, the City of San José (“City”) City Council desires to adopt this resolution for the reasons set forth in the memorandum, dated May 28, 2024, from the Director of Public Works, Matt Loesch, for the June 18, 2024, City Council meeting (“Memorandum”); and

**WHEREAS**, bids will be opened on June 20, 2024, after the last Council meeting of the 2023-2024 Fiscal Year; and

**WHEREAS**, the Director of Public Works is authorized to award and execute the contract in order to reduce the project schedule and facilitate the work to occur prior to Council’s return from recess in August 2024;

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

The Director of Public Works is hereby authorized to:

- A. Award and execute a contract for the construction of the 9787 – Cast Iron Sewer Replacement FY 2021-2022 Package III Project to the lowest responsive, responsible bidder in an amount not to exceed \$1,900,000;
- B. Decide any timely bid protest(s) and make the City's final determination as to the lowest responsive bidder that is responsible as needed to award the contract; and
- C. Approve a contingency in the amount of 10% of the contract amount.

ADOPTED this \_\_\_\_ day of \_\_\_\_\_, 2024, by the following vote:

AYES:

NOES:

ABSENT:

DISQUALIFIED:

---

MATT MAHAN  
Mayor

ATTEST:

---

TONI J. TABER, CMC  
City Clerk