

RESOLUTION NO.

**A RESOLUTION OF THE COUNCIL OF THE CITY OF SAN JOSE AUTHORIZING THE DIRECTOR OF PUBLIC WORKS TO AWARD A CONSTRUCTION CONTRACT FOR THE SAN CARLOS MULTIMODAL STREETScape IMPROVEMENT PROJECT TO THE LOWEST RESPONSIVE AND RESPONSIBLE BIDDER IN AN AMOUNT NOT TO EXCEED \$1,700,000**

**WHEREAS**, the City of San José (“City”) opened bids for the San Carlos Street Multimodal Streetscape Improvement Project (“Project”) on November 3, 2011; and

**WHEREAS**, the Project will use federal and state funds to make various improvements on the south side of San Carlos Street from Second Street to Fourth Street, including narrowing the roadway, widening the sidewalk, enhancing the crosswalks, upgrading wheelchair ramps, street level lighting, and other modifications; and

**WHEREAS**, the City desires to award a construction contract for the Project within the time frames noted on the grant award letter from the California Transportation Commission, so the City desires to authorize the Director of Public Works to award the contract for construction of the Project;

**WHEREAS**, the City desires to authorize the Director of Public Works to award the contract for construction of the Project to the lowest responsive and responsible bidder in a total amount not to exceed \$1,700,000; and

**WHEREAS**, the contingency for the Project will be ten percent (10%) of the contract award amount;

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

The Director of Public Works is hereby authorized to take the following actions with respect to the Project:

1. Decide any timely bid protests, including any issues of bidder responsiveness or responsibility; and
2. Make the City's final determination as to the lowest responsive and responsible bidder; and
3. Award a contract for the construction of the Project to the lowest responsive and responsible bidder in an amount not to exceed \$1,700,000; or
4. In the alternative, reject all bids and rebid the Project.

ADOPTED this \_\_\_\_\_ day of \_\_\_\_\_, 2011, by the following vote:

AYES:

NOES:

ABSENT:

DISQUALIFIED:

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CHUCK REED  
Mayor

ATTEST:

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DENNIS D. HAWKINS, CMC

RD:GDS:ERD  
11-14-11

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City Clerk