

RESOLUTION NO. 74058

A RESOLUTION OF THE COUNCIL OF THE CITY OF SAN JOSE AUTHORIZING THE DIRECTOR OF ENVIRONMENTAL SERVICES TO EXECUTE AN OPTION FOR REPLACEMENT OF FUEL CELL AT SAN JOSE/SANTA CLARA WATER POLLUTION CONTROL PLANT AT A COST TO THE CITY NOT TO EXCEED \$1,200,000 UPON APPROPRIATION OF FUNDS BY THE CITY COUNCIL

WHEREAS, on October 16, 2007, this Council awarded a contract for installation of a fuel cell system at the San José/Santa Clara Water Pollution Control Plant (SJ/SC WPCP) to Manuel Bros., Inc.; and

WHEREAS, the specifications for the installation of the SJ/SC WPCP fuel cell system provided the City with an option to replace the fuel cell at the end of its initial five year operational period, at a cost not to exceed \$1,200,000; and

WHEREAS, the City desires to authorize the Director to execute an option to replace the SJ/SC WPCP fuel cell system at the end of its initial five year operational period, at a cost not to exceed \$1,200,000, subject to the appropriation of funds for such replacement by the City Council;

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

The Director of Environmental Service is authorized to City Manager is hereby authorized to execute an execute an option to replace the SJ/SC WPCP fuel cell system

at the end of its initial five year operational period, at a cost not to exceed \$1,200,000, if sufficient funds or such replacement have been appropriated by the City Council.

ADOPTED this 16th day of October 2007, by the following vote:

AYES: CAMPOS, CHIRCO, CHU, CONSTANT, CORTESE,
LICCARDO, OLIVERIO, PYLE, WILLIAMS, REED;

NOES: NONE

ABSENT: NGUYEN

DISQUALIFIED: NONE

CHUCK REED
Mayor

ATTEST:

LEE PRICE, MMC
City Clerk