

RESOLUTION NO. 74660

A RESOLUTION OF THE COUNCIL OF THE CITY OF SAN JOSÉ AUTHORIZING THE DIRECTOR OF PUBLIC WORKS TO NEGOTIATE AND EXECUTE INDIVIDUAL CHANGE ORDERS IN EXCESS OF \$100,000, UP TO A COMBINED AMOUNT NOT TO EXCEED \$1,500,000, FOR CERTAIN SPECIFIED WORK FOR THE SOUTH SAN JOSÉ POLICE SUBSTATION

WHEREAS, on December 18, 2007, the City Council of the City of San José (“City”) awarded a construction contract in the amount of \$59,997,000 to S.J. Amoroso Construction Company, Inc. to construct the South San José Police Substation Project (“Project”); and

WHEREAS, after the City awarded the construction contract for the Project, the Director of Public Works became aware of the need to issue a number of change orders in excess of \$100,000 to address certain specified categories of work; and

WHEREAS, Section 14.04.415 of the San José Municipal Code limits the approval authority of the Director of Public Works to \$100,000 per change order; and

WHEREAS, Section 14.04.300 of the San José Municipal Code specifies that the City Council, by resolution, may give the Director of Public Works greater authority to award and execute public works construction contracts; and

WHEREAS, the City desires to authorize the Director of Public Works to negotiate and execute change orders in excess of \$100,000 up to a combined amount not to exceed \$1,500,000 consistent with the terms of the memorandum from the Director of Public Works dated October 17, 2008 relating to the construction of the Project (“Council Memorandum”);

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

The Director of Public Works is hereby authorized to negotiate and execute change orders in excess of \$100,000, up to a combined amount not to exceed \$1,500,000 relating to the

following work for the South San José Police Substation contract with S.J. Amoroso Construction Co., Inc.:

1. Changes to the mechanical, plumbing and electrical systems as more particularly described in the Council Memorandum;
2. Changes to increase the fueling station capacity as more particularly described in the Council Memorandum;
3. Changes to the building exterior design to address water proofing and construction conflicts as more particularly described in the Council Memorandum;
4. Changes to the roof insulation system and equipment supports for proper drainage and structural support as more particularly described in the Council Memorandum.

ADOPTED this 4th day of November, 2008, by the following vote:

AYES: CHIRCO, CONSTANT, LICCARDO, NGUYEN,
OLIVERIO, PYLE, WILLIAMS; REED.

NOES: NONE.

ABSENT: CAMPOS, CHU, CORTESE.

DISQUALIFIED: NONE.

CHUCK REED
Mayor

ATTEST:

LEE PRICE, MMC
City Clerk