

**RESOLUTION NO. 75035**

**A RESOLUTION OF THE COUNCIL OF THE CITY OF SAN JOSE AUTHORIZING THE DIRECTOR OF PUBLIC WORKS TO NEGOTIATE AND EXECUTE CONTRACT CHANGE ORDER NO. 6 WITH ZOLMAN CONSTRUCTION AND DEVELOPMENT, INC. FOR THE ENVIRONMENTAL SERVICES BUILDING REPAIR PROJECT IN AN AMOUNT NOT TO EXCEED \$325,000**

**WHEREAS**, on December 16, 2008, the City Council of the City of San José ("City") awarded a construction contract for the Environmental Services Building Repair Project ("Project") to Zolman Construction and Development, Inc. ("Zolman"); and

**WHEREAS**, the Project involves making certain repairs to the Environmental Services Building, located at 4245 Zanker Road, consisting of cleaning and removing mold, making the building water tight and obtaining LEED silver certification; and

**WHEREAS**, since the date of the contract award, it has been determined that the Environmental Services Building operations would be further enhanced by making additional improvements consisting of replacing the existing damaged vinyl floor in the laboratory area with ceramic floor tile, installing new, upgraded data/voice cabling, and installing a new security system (collectively "Additional Improvements"); and

**WHEREAS**, in order to avoid multiple closures of the laboratory and to take maximum advantage of work already being done in certain areas of the Environmental Services Building as part of the Project, the most efficient way to implement the Additional Improvements is to do so as part of the Project; and

**WHEREAS**, the City desires to negotiate and execute Contract Change Order No. 6 with Zolman to add the Additional Improvements to the Project in an amount not to exceed \$325,000;

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

The Director of Public Works is hereby authorized to negotiate and execute Contract Change Order No. 6 with Zolman Construction And Development, Inc. to add the Additional Improvements to the Project in an amount not to exceed \$325,000.

ADOPTED this 23<sup>rd</sup> day of June, 2009, by the following vote:

AYES: CAMPOS, CHIRCO, CHU, CONSTANT, HERRERA,  
KALRA, LICCARDO, NGUYEN, OLIVERIO, PYLE, REED.

NOES: NONE.

ABSENT: NONE.

DISQUALIFIED: NONE.



CHUCK REED  
Mayor

ATTEST:



LEE PRICE, MMC  
City Clerk

**ATTACHMENT A**

<b>AGREEMENT</b>	<b>DESCRIPTION</b>	<b>PROPOSED 2009-10 BUDGET</b>
Mexican American Community Services Corporation (MACSA)	For the operation of the MACSA Youth Center	\$268,380
Our City Forest	City will allow agency to construct, operate and maintain a tree nursery on up to 6 acres of land along the east side of Spring Street, not of McKendrie Street and West of Ruff Drive. The City's contribution is the lease value of the property over a 15 year period.	\$101,000 (estimate lease value over \$100,000)
Grace Baptist Church	City leases space from Grace Baptist Church providing a therapeutic recreation program for adults with mental disabilities.	\$136,000
Skyhawks	Instructor agreement to provide summer sport camps at various community centers and other locations throughout the City.	\$250,000
Catholic Charities – Washington Youth United	Catholic Charities will operate the Washington United Youth Center within all specifications, guidelines, and expectations of a City facility.	\$362,587

**Compensation Paid to the City of San José**

<b>AGREEMENT</b>	<b>DESCRIPTION</b>	<b>PROPOSED 2009-10 BUDGET</b>
County of Santa Clara – Mental Health Services	Joint provision of mental health services at City's Grace Community Center.	City estimates receipt of up to \$448,342
County of Santa Clara Agreement for Senior Nutrition Program	Joint provision of a nutrition program for seniors.	City estimates receipt of up to \$1,215,000

San Jose Unified School District	City is the service provider for Level 3 after school program at Anne Darling, Empire Gardens and Olinder Elementary	City is reimbursed for expense receipt of up to \$365,515
Alum Rock Union School District	City is the service provider for Level 3 after school program at Cureton, McCollam, Painter and Slonaker Elementary	City is reimbursed for expense receipt of up to \$415,596