RESOLUTION NO. 75222

A RESOLUTION OF THE COUNCIL OF THE CITY OF SAN JOSE AUTHORIZING THE DIRECTOR OF PUBLIC WORKS TO AWARD A CONSTRUCTION CONTRACT FOR THE INSTALLATION OF POTABLE AND NON-POTABLE WATER SERVICES AND MAINS: 2009-2010 PROJECT TO THE LOWEST RESPONSIVE AND RESPONSIBLE BIDDER, IN AN AMOUNT NOT TO EXCEED $726,000

WHEREAS, the Installation of Potable of Non-Potable Water Services and Mains: 2009-2010 Project will allow for miscellaneous new water service installations for commercial, industrial and residential developments within the Municipal Water and South Bay Water Recycling systems for an approximate one-year period ("Project"); and

WHEREAS, the current contract for these water service installation services will expire on February 3, 2010; and

WHEREAS, the City of San José ("City") desires to award a construction contract for the Project on an expedited basis, in order to have an executed contract in place upon expiration of the current contract; and

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 order to ensure that a new contract is in place upon expiration of the current contract, in a total amount not to exceed the engineer's estimate in the amount of $726,000, and the amount appropriated for the Project; and

WHEREAS, this item was heard and approved at the November 12, 2009 meeting of the Treatment Plant Advisory Committee;

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 Installation of Potable and Non-Potable Water Services and Mains: 2009-2010 Project:

1. Decide any timely bid protests; 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 Installation of Potable and Non-Potable Water Services and Mains: 2009-2010 Project to the lowest responsive and responsible bidder, provided that the amount of bid award does not exceed $726,000 and the amount of the bid award does not exceed the funds appropriated for the Project; or

4. In the alternative, reject all bids and rebid the Project.

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ADOPTED this 15th day of December, 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

CHUCK REED
Mayor

ATTEST:

LEE PRICE, MMC
City Clerk