

RESOLUTION NO. _____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MILPITAS APPROVING THE PROJECT PLANS AND SPECIFICATIONS, AWARDED A CONSTRUCTION CONTRACT TO AND AUTHORIZING THE INTERIM CITY MANAGER TO EXECUTE THE CONTRACT WITH THE LOWEST RESPONSIBLE BIDDER SUBMITTING A RESPONSIVE BID, RON PARIS CONSTRUCTION CO., INC., IN THE AMOUNT OF \$ 207,198 FOR THE TEMPORARY FIRE STATION NO. 2 TENANT IMPROVEMENTS, PROJECT NO. 3447, AND AUTHORIZING THE ENGINEERING DIRECTOR/CITY ENGINEER TO NEGOTIATE AND EXECUTE CONTRACT CHANGE ORDER(S) IN AN AGGREGATE AMOUNT NOT TO EXCEED \$50,000 FOR THE PROJECT

WHEREAS, the Temporary Fire Station No. 2 Tenant Improvements, Project No. 3447, provides for the tenant improvements of an existing building located at 1126 Yosemite Drive (the “Project”); and

WHEREAS, the Project was advertised for bid in the Milpitas Post on October 18 and 25, 2019, with a lump sum bid; and

WHEREAS, the Engineer’s Estimate for the base bid for the Project is \$ 285,000; and

WHEREAS, the bid opening on November 14, 2019, resulted in the City receiving three sealed bid proposals, which ranged in pricing from \$207,198 to \$320,000; and

WHEREAS, the lowest responsible bidder submitting a responsive bid is Ron Paris Construction Co., Inc., with a total bid amount of \$207,198; and

WHEREAS, no bid protest was filed with the City within five (5) days of the bid opening as set forth in the Project specifications; and

WHEREAS, staff recommends the City Council award a construction contract to Ron Paris Construction Co., Inc., the lowest responsible bidder submitting a responsive bid for the Project, and authorize the Interim City Manager to execute a contract for the lump sum Base Bid in the amount of \$207,198 in accordance with State law; and

WHEREAS, sufficient funds are available in the Project budget to award a construction contract in the amount of \$207,198; and

WHEREAS, staff recommends the City Council authorize the Engineering Director/City Engineer to negotiate and execute change order(s) in an amount not to exceed \$50,000, 25% percent of the total contract value, due to the Project’s tight completion schedule and staff’s capability to respond swiftly to unanticipated construction conditions to limit potential claims or risk to the City.

NOW, THEREFORE, the City Council of the City of Milpitas hereby finds, determines, and resolves as follows:

1. The City Council has considered the full record before it, which may include but is not limited to such things as the staff report, testimony by staff and the public, and other materials and evidence submitted or provided to it. Furthermore, the recitals set forth above are found to be true and correct and are incorporated herein by reference.
2. The City Council hereby approves the Project Plans and Specifications.

3. The City Council hereby awards the construction contract to and authorizes the City Manager to execute the contract and related documents with the lowest responsible bidder submitting a responsive bid, Ron Paris Construction Co., Inc., in the amount of \$207,198 for the Project.
4. The Engineering Director/City Engineer is hereby authorized to negotiate and execute contract change order(s) in an aggregate amount not to exceed \$50,000 for the Project.

PASSED AND ADOPTED this _____ day of _____, 2019 by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

ATTEST:

APPROVED:

Mary Lavelle, City Clerk

Rich Tran, Mayor

APPROVED AS TO FORM:

Christopher J. Diaz, City Attorney