

IN THE CITY COUNCIL OF THE CITY OF SAN LEANDRO

RESOLUTION NO. 2023-XXX

RESOLUTION OF THE CITY OF SAN LEANDRO CITY COUNCIL TO APPROVE AND AWARD A CONSTRUCTION CONTRACT TO VILLALOBOS & ASSOCIATES INC. IN THE AMOUNT OF \$371,764.00 FOR THE ANNUAL SIDEWALK REPAIR PROGRAM 2023-2024, PROJECT NO. 2023.0060; TO AUTHORIZE CITY MANAGER TO NEGOTIATE AND APPROVE INDIVIDUAL CHANGE ORDERS UP TO 5% (OR \$18,588.00) OF THE ORIGINAL CONTRACT AMOUNT; AND TO AUTHORIZE THE CITY MANAGER TO NEGOTIATE AND APPROVE CUMULATIVE CHANGE ORDERS UP TO 50% (OR \$185,880.00) OF THE ORIGINAL CONTRACT AMOUNT

WHEREAS, the City of San Leandro did on September 20, 2023 publicly open, examine and declare all sealed bids for doing the work described in the bid documents for the subject project; and

WHEREAS, said proposals were submitted to the Public Works Services Director, who found that the proposal hereinafter mentioned is the lowest responsive bid by a responsible bidder for doing said work; and

WHEREAS, the subject project is categorically exempt from the California Environmental Quality Act; and

WHEREAS, change orders to clarify the work or respond to unusual existing conditions are a normal aspect of contracting and construction; and

WHEREAS, increased quantities of work in order to expedite the completion of outstanding repairs in the best interest of public health, safety and welfare.

NOW, THEREFORE, the City Council of the City of San Leandro does **RESOLVE** as follows:

- That said City Council hereby rejects all of said proposals or bids except that herein mentioned; hereby waives any irregularities in the proposal or bid of the lowest responsible bidder; and hereby awards the contract for doing said work to the lowest responsible bidder, Villalobos & Associates Inc, in the amount of \$371,764.00; and
- That the City Manager or her designee is authorized to negotiate and approve individual change orders up to a maximum of 5% of the original contract amount, or \$18,588.00 each; and
- That the City Manager or her designee is authorized to negotiate and approve cumulative change orders up to a maximum of 50% of the original contract amount, or \$185,880.00.

Introduced by _____ and passed and adopted this 6th day of November 2023, by the following vote:

AYES:

NOES:

ABSENT:

ATTEST: _____

Kelly B. Clancy, CMC
City Clerk

DRAFT