

IN THE CITY COUNCIL OF THE CITY OF SAN LEANDRO

RESOLUTION NO. 2025-XX

RESOLUTION TO AWARD AND AUTHORIZE THE CITY MANAGER OR HER DESIGNEE TO EXECUTE A \$6,994,000 CONSTRUCTION CONTRACT TO GIANT CONSTRUCTION, INC. FOR THE BASE BID PLUS ADDITIVE ALTERNATE BID ITEMS A2 AND A4 FOR MULFORD MARINA BRANCH LIBRARY PROJECT, PROJECT NO. 2018.2400; TO AUTHORIZE THE CITY MANAGER OR HER DESIGNEE TO NEGOTIATE AND APPROVE INDIVIDUAL CHANGE ORDERS UP TO 5% (OR \$349,700) OF THE ORIGINAL CONTRACT AMOUNT; TO AUTHORIZE THE CITY MANAGER OR HER DESIGNEE TO NEGOTIATE AND APPROVE CHANGE ORDERS UP TO A CUMULATIVE VALUE NOT TO EXCEED 15% (OR \$1,049,100) OF THE ORIGINAL CONTRACT AMOUNT; AND TO APPROPRIATE AN ADDITIONAL \$630,000 TO THE SUBJECT PROJECT

WHEREAS, the City of San Leandro did, on April 10, 2025, publicly open, examine and declare all sealed proposals or bids for doing the work described in the bid documents for the subject project; and

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

WHEREAS, staff recommends, and the City Council seeks, to add Additive Alternate Bid Items A2 and A4 to the construction contract, which would bring the total construction contract amount to \$6,994,000; and

WHEREAS, no further environmental review is required pursuant to California Environmental Quality Act (CEQA) Guidelines Section 15162 as the proposed project is in conformance with the Environmental Impact Report (EIR), including subsequent Addendums, for the Shoreline Development Project (SCH# 2013072011) that was previously prepared and certified in accordance with the requirements of CEQA, and none of the conditions described in Section 15162 of the CEQA Guidelines exist; and

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

WHEREAS, in order to expedite the delivery of public projects on schedule and on budget, provide that subcontractors and workers are paid in a timely fashion, avoid as much as possible costly delay claims, and insure that the City completes projects and products that are to the City's highest standards, the City Council finds that providing authorization to negotiate and approve change orders is 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, Giant Construction, Inc. in the amount of \$6,994,000 for the Base Bid and Additive Alternate Bid Items A2 and A4; 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 \$349,700 each; and
- That the City Manager or her designee is authorized to negotiate and approve cumulative change orders up to a maximum of 15% of the original contract amount, or \$1,049,100; and
- That an additional appropriation and transfer of \$630,000 from General Fund Reserves for the subject project is approved

BE IT FURTHER RESOLVED that if the above-named contractor is unable to execute the contract, then the City Manager is authorized to award this contract to the next lowest responsible bidder, execute all documents to effect the award, and take all actions necessary to recover any bid security from the low bidder necessary to make the City whole in its acceptance of the lowest bid.

Introduced by _____ and passed and adopted this 16th day of June 2025, by the following vote:

Members of the Council:

AYES:

NOES:

ABSENT:

ATTEST: _____
Kelly B. Clancy, CMC
City Clerk

