

HAYWARD CITY COUNCIL

RESOLUTION NO. 21-

Introduced by Council Member _____

RESOLUTION AUTHORIZING THE CITY MANAGER TO AMEND THE CONTRACT WITH T.B. PENICK & SONS, INC., TO INCREASE THE CONTRACT AMOUNT BY \$400,000 TO A NOT-TO-EXCEED AMOUNT OF \$53,348,512 FOR ADDITIONAL CONSTRUCTION SERVICES FOR THE 21ST CENTURY LIBRARY AND COMMUNITY LEARNING CENTER AND HERITAGE PLAZA ARBORETUM PROJECT, PROJECT NO. 06988

WHEREAS, on September 15, 2015, the City of Hayward entered into a contract with T.B. Penick & Sons, Inc. for the construction of the 21st Century Library and Community Learning Center and Heritage Plaza Arboretum Project, Project No. 06988 (Project) in the amount of \$52,550,000; and

WHEREAS, construction on the Project began in January 2016; and

WHEREAS, on May 14, 2019, the City Council of the City of Hayward authorized appropriation of grant funds, in the amount of \$398,512, from the State of California Department of Housing and Community Development - Housing Related Parks Program to the Project and authorized a similar increase to the T.B. Penick & Sons, Inc construction contract; and

WHEREAS, the City of Hayward requires additional construction services related to the Heritage Plaza restoration phase of the Project; and

WHEREAS, T.B. Penick & Sons, Inc., can provide the additional construction services for the Project at a cost not-to-exceed \$400,000; and

WHEREAS, Measure C Capital Fund (Fund 406) includes sufficient funding for the contract with T.B Penick & Sons, Inc., for the additional construction services.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Hayward that the City Manager is authorized to amend the agreement with T.B. Penick & Sons, Inc., to increase the contract amount by \$400,000, to the amount of \$53,348,512, for additional construction services relating to the Project.

IN COUNCIL, HAYWARD, CALIFORNIA _____, 2021

ADOPTED BY THE FOLLOWING VOTE:

AYES: COUNCIL MEMBERS:
 MAYOR:

NOES: COUNCIL MEMBERS:

ABSTAIN: COUNCIL MEMBERS:

ABSENT: COUNCIL MEMBERS:

ATTEST: _____
 City Clerk of the City of Hayward

APPROVED AS TO FORM:

City Attorney of the City of Hayward