

2007 MAR 15 PM 2:03

OAKLAND CITY COUNCIL

RESOLUTION No: 80484 C.M.S.

Introduced by Councilmember _____

RESOLUTION AUTHORIZING THE CITY ADMINISTRATOR, OR HER DESIGNEE, TO AWARD A CONSTRUCTION CONTRACT TO MCGUIRE & HESTER FOR THE ALAMEDA AVENUE, OAKLAND WATERFRONT BAY TRAIL PROJECT (C243910) IN THE AMOUNT OF FOUR HUNDRED NINETY ONE THOUSAND EIGHT HUNDRED THIRTY-ONE DOLLARS (\$491,831.00)

WHEREAS, on January 8, 2007, five bids were received by the Office of the City Clerk for the Alameda Avenue, Oakland Waterfront bay Trail Project; and

WHEREAS, McGuire & Hester (Oakland) is the lowest responsive and responsible bidder; and

WHEREAS, due to the use of Federal grant funds, Department of Transportation (DOT) guidelines are used to administer this project and the City's Local Business Enterprise programs are not applicable; and

WHEREAS, the project has been classified as race neutral under the DOT Implementation Agreement and participation in the Federal Disadvantaged Business Enterprise program is not required; and

WHEREAS, sufficient funding is available for the construction contract from a Transportation Development Act grant (\$253,621.00 in Project C243911, Fund 2162, Capital Management Organization 92270); a Bay Trail grant (\$193,000 in Project C243912, Fund 2159, Capital Management Organization 92270); and a Recreational Trail Program grant (\$165,000 in Project C243913, Fund 2134, Capital Management Organization 92270); and

WHEREAS, the City lacks the equipment and qualified personnel to perform the necessary work; and

WHEREAS, the City Council finds and determines that the performance of this contract is in the public interest because of economy; and

WHEREAS, the City Council finds that services under this contract will be temporary; and

WHEREAS, the City Council finds and determines that the performance of this contract shall not result in the loss of employment or salary by any person having permanent status in the competitive service; now, therefore, be it

RESOLVED: That the City Administrator, or her designee, is hereby authorized to award a construction contract on behalf of the City of Oakland for the Alameda Avenue, Oakland Waterfront Bay Trail project to McGuire & Hester in the amount of four hundred ninety one thousand eight hundred thirty-one dollars (\$491,831.00) and to execute any amendments or modifications of said contract within the limitations of the project specifications; and be it

FURTHER RESOLVED: That the plans and specifications prepared by the Director of Public Works for this project are hereby approved; and be it

FURTHER RESOLVED: That the City Administrator is hereby authorized to reject all other bids; and be it

FURTHER RESOLVED: The amount of the bond for faithful performance, \$491,831.00, and the amount for a bond to guarantee payment of all claims for labor and material furnished and for the amount due under the Unemployment Insurance Act, \$491,831.00, with respect to such work are hereby approved; and be it

FURTHER RESOLVED: That the contract shall be reviewed and approved by the City Attorney and placed on file in the Office of the City Clerk.

IN COUNCIL, OAKLAND, CALIFORNIA, APR 3 2007, 2007

PASSED BY THE FOLLOWING VOTE:

AYES - BROOKS, BRUNNER, CHANG, KERNIGHAN, ~~MOSES~~, QUAN, REID, AND PRESIDENT OF THE COUNCIL DE LA FUENTE - 7


NOES - 0

ABSENT - 0

ABSTENTION - 0

Excused - Nadel - 1

ATTEST:



Latonda Simmons
City Clerk and Clerk of the Council
of the City of Oakland, California