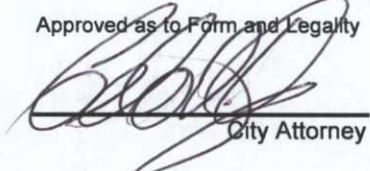


FILED
OFFICE OF THE CITY CLERK
OAKLAND

OAKLAND CITY COUNCIL



City Attorney

2014 MAY -1 PM 1:31

RESOLUTION No. 84985 C.M.S.

Introduced by Councilmember _____

RESOLUTION AUTHORIZING THE CITY ADMINISTRATOR TO AWARD A CONSTRUCTION CONTRACT TO J. HOWARD ENGINEERING, INC. FOR THE REHABILITATION OF SANITARY SEWERS IN THE AREA BOUNDED BY OSTRANDER RD AND BROADWAY TERRACE, AND THE EASEMENT BY MARGARIDO DR (PROJECT NO. C329137) IN ACCORDANCE WITH PLANS AND SPECIFICATIONS FOR THE PROJECT AND WITH CONTRACTOR'S BID IN THE AMOUNT OF TWO HUNDRED NINETY-THREE THOUSAND FOUR HUNDRED FIFTY-TWO DOLLARS (\$293,452.00)

WHEREAS, on February 20, 2014, three bids were received by the Office of the City Clerk of the City of Oakland for the Rehabilitation of Sanitary Sewers in the area Bounded by Ostrander Rd and Broadway Terrace, and the easement by Margarido Dr (Project No. C329137); and

WHEREAS, the project was first bid on January 2, 2014 but all bids were deemed non-responsive; and

WHEREAS, J. Howard Engineering, Inc., a certified SLBE bidding as a prime, is deemed the lowest responsive and responsible bidder for the project; and

WHEREAS, there are sufficient funds in the project budget for the work. Funding for this project is available in the following project account:

- Sewer Service Fund (3100); Capital Projects - Sanitary Sewer Design Organization (92244); Sewers Account (57417); Project No. C329137; \$293,452.00; and these funds were specifically allocated for this project; this project will help reduce the amount of sanitary sewer maintenance requirement; and

WHEREAS, the City Council finds and determines based on the representations set forth in the City Administrator's report accompanying this Resolution that the construction contract approved hereunder is temporary in nature; and

WHEREAS, the City lacks the equipment and qualified personnel to perform the necessary work, that the performance of this contract is in the public interest because of economy or better performance and that this contract is of a professional, scientific or technical nature; and

WHEREAS, J. Howard Engineering, Inc. complies with all LBE/SLBE and trucking requirements; 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 is authorized to award a construction contract for the Rehabilitation of Sanitary Sewers in the area Bounded by Ostrander Rd and Broadway Terrace, and the easement by Margarido Dr (Project No. C329137) to J. Howard Engineering, Inc., the lowest responsive and responsible bidder, in an amount of Two Hundred Ninety Three Thousand Four Hundred Fifty-Two Dollars (\$293,452.00) in accord with plans and specifications for the Project and contractor's bid dated February 20, 2014; and be it

FURTHER RESOLVED: That the amount of the bond for faithful performance bond, \$293,452.00, and the bond to guarantee payment of all claims for labor and materials furnished and for the amount under the Unemployment Insurance Act, \$293,452.00, with respect to such work are hereby approved; and be it

FURTHER RESOLVED: That the City Administrator, or his designee, is hereby authorized to enter into a contract with J. Howard Engineering, Inc. on behalf of the City of Oakland and to execute any amendments or modifications of the contract within the limitations of the project specifications; and be it

FURTHER RESOLVED: That the City Administrator, or his designee, is hereby authorized to negotiate with the second lowest bidder and/or next lowest bidder for the same awarded amount, if J. Howard Engineering, Inc. fails to return the complete signed contract documents and supporting documents within the days specified in the Special Provision without going back to City Council; and be it

FURTHER RESOLVED: That the plans and specifications prepared for this project, including any subsequent changes during construction, that will be reviewed and adopted by the Director, or his/her designee, are hereby approved; and be it


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


FURTHER RESOLVED: That the contract shall be reviewed and approved by the City Attorney for form and legality prior to execution and placed on file in the Office of the City Clerk.

= MAY 20 2014

IN COUNCIL, OAKLAND, CALIFORNIA, _____, 20_____

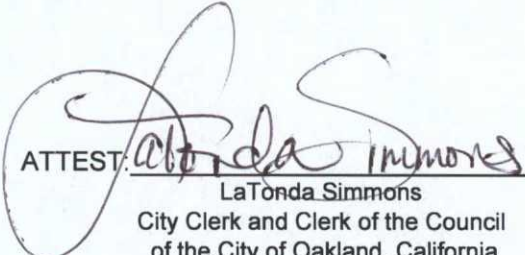
PASSED BY THE FOLLOWING VOTE:

AYES - BROOKS, GALLO, GIBSON MCELHANEY, KALB, KAPLAN, REID, SCHAAF and PRESIDENT KERNIGHAN 

NOES - 

ABSENT - 

ABSTENTION - 

ATTEST: 
LaTonda Simmons
City Clerk and Clerk of the Council
of the City of Oakland, California