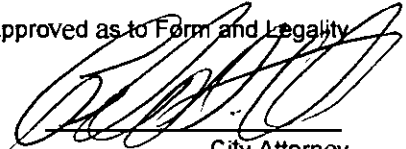


2013 OCT 31 PM 3:33

OAKLAND CITY COUNCIL

Approved as to Form and Legality

City Attorney

RESOLUTION NO: 84721 = C.M.S.

Introduced by Councilmember _____

RESOLUTION AUTHORIZING THE CITY ADMINISTRATOR OR HER DESIGNEE TO EXECUTE A CONSTRUCTION CONTRACT WITH MCGUIRE & HESTER, THE LOWEST RESPONSIVE AND RESPONSIBLE BIDDER, FOR THE CONSTRUCTION OF THE PEDESTRIAN SAFETY IMPROVEMENT PROJECT (PROJECT NO. C371810) IN ACCORDANCE WITH PLANS AND SPECIFICATIONS FOR THE PROJECT IN THE AMOUNT OF FIVE HUNDRED FORTY-THREE THOUSAND, EIGHTY-SIX DOLLARS AND ZERO CENTS (\$543,086.00) AND REJECT ALL OTHER BIDS

WHEREAS, on July 25, 2013, four bids were received by the Office of the City Clerk for the construction of Pedestrian Safety Improvement Project (C371810); and

WHEREAS, McGuire & Hester, is deemed the lowest responsive and responsible bidder for the Pedestrian Safety Improvement Project; and

WHEREAS, there is sufficient funding in the project budget for the work in Measure B Fund (2212); Transportation Services Organization (92246); Signal and Safety Devices Account (57412); Pedestrian Safety Improvement Project (C371810); and

WHEREAS, the City Council finds that the City lacks the equipment and qualified personnel to perform the necessary work and that the performance of this contract is in the public interest because of economy and better performance; and

WHEREAS, the City Administrator has determined 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 services; now, therefore, be it

RESOLVED: That the contract for the construction of the Pedestrian Safety Improvement Project is hereby awarded to McGuire & Hester, the lowest responsive and responsible bidder, in accordance with project plans and specifications in the amount of five hundred forty-three thousand, eighty-six dollars and zero cents (\$543,086.00); and be it

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

FURTHER RESOLVED: That the contractor shall provide a faithful performance bond and payment bond to guarantee payment of all claims for labor and materials furnished and for the amount due under the Unemployment Insurance Act for one hundred percent (100%) of the contract amount prior to execution of the contract; and be it

FURTHER RESOLVED: That the City Administrator, or her designee, is hereby authorized to enter into a contract with McGuire & Hester on behalf of the City of Oakland and execute any amendment or modifications to said agreement within the limitations of the project specifications; and be it

FURTHER RESOLVED: That all other bids are hereby rejected; and be it

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

IN COUNCIL, OAKLAND, CALIFORNIA, NOV 19 2013

PASSED THE FOLLOWING VOTE:

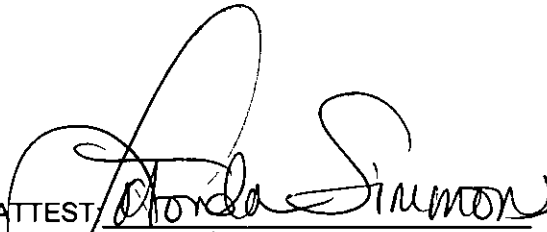
AYES – BROOKS, GALLO, ~~GIBSON McELHANEY~~, KALB, KAPLAN, ~~REED~~, SCHAAF AND PRESIDENT KERNIGHAN – 6

NOES – 0

ABSENT – Gibson McElhaney – 1

ABSTENTION – 0

Garred Reed - 1

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