

**REDEVELOPMENT AGENCY
AND THE CITY OF OAKLAND
AGENDA REPORT**

FILED
OFFICE OF THE CITY CLERK
OAKLAND

2010 APR 29 PM 7:48

TO: Office of the City/Agency Administrator
ATTN: Dan Lindheim
FROM: Community and Economic Development Agency
DATE: May 11, 2010

RE: **A Report and Two Resolutions:**

1) A City Resolution:

Rejecting Bids Dated April 8, 2010 Submitted For The Demolition Of 18 Buildings Located At 9020-9036 Barcelona Street And 4000-4009 Santa Cruz Street At The Former Oak Knoll Naval Hospital Complex; And

Authorizing The City Administrator To Solicit Additional Bids In Accordance With The Alternative Competitive Bidding Process As Approved Under Resolution No. 82574 C.M.S., Which Dispensed With Advertising And Authorized Solicitation of Bids From Qualified Local Contractors, And To Award A Construction Contract To The Lowest Responsive, Responsible Bidder In An Amount Not-To-Exceed \$180,000, Without Returning To The City Council; And

If The Additional Bids Exceed the Engineers Estimate, Are Non-responsive Or Non-responsible, Authorizing The City Administrator To Negotiate And Award A Construction Contract On The Open Market In An Amount Not-To-Exceed \$198,000, Without Returning To The City Council.

2) An Agency Resolution Amending Agency Resolution No. 2010-0017 (Authorizing the Contribution and Allocation of Oak Knoll Redevelopment Area Fund Balance to the City of Oakland Under the Cooperation Agreement in an Amount Not-to-Exceed \$235,830 for All Costs Associated with the Demolition of 18 Buildings Located at 9020-9036 Barcelona Street and 4000-4009 Santa Cruz Street at the Former Oak Knoll Naval Hospital Complex) to Clarify the Agency's Source of Funds for the Demolition Work.

SUMMARY

On March 2, 2010, the City Council and Agency Board authorized staff to dispense with advertising and conduct an alternative bidding process, which entailed soliciting bids from qualified certified Local Business and/or Small Business Enterprises (LBE) to demolish 18

Item: _____
CED Committee
May 11, 2010

abandoned housing units at the former Oak Knoll Naval Hospital Complex. Staff issued a Construction Bid in March with notices mailed to all certified contractors with A, B and C-21 licenses. On the bid due date of April 8, 2010, staff received two bids, both of which exceeded the engineer's estimate of \$180,000.

Staff is now seeking City Council authorization to 1) reject both bids received; 2) solicit additional bids in accordance with another alternative bidding process approved under Resolution No. 82574 C.M.S. (a copy of which is included as *Attachment A*) for an amount not-to-exceed the engineer's estimate of \$180,000; and 3) if additional bids are over budget, non-responsive or non-responsible, authorizing the City Administrator to negotiate and award a construction contract on the open market for an amount not-to-exceed \$198,000.

Staff is also requesting that the Agency adopt a resolution amending Resolution No. 2010-0017 C.M.S. adopted March 2, 2010 (authorizing contribution of \$235,830 of Agency funds to the City for the demolition work) to clarify the source of funds for the work.

FISCAL IMPACT

Redevelopment Agency Resolution No. 2010-0017 C.M.S. (a copy of which is included as *Attachment B*) authorizes the contribution in an amount not-to-exceed \$235,830 to the City under the Cooperation Agreement for all internal work order and third-party contract costs associated with the demolition of the 18 units at Oak Knoll. Funds are available in Oak Knoll Redevelopment Area Fund balance (9546). The fund balance remaining after the use of this \$235,830 will be more than \$200,000.

Resolution No. 82574 C.M.S authorizes the City to accept and appropriate the Agency contribution not-to-exceed \$235,830 to ORA Projects Fund (7780), Oak Knoll Organization (88699); in an Oak Knoll Project to be established. The following provides a breakdown of the estimated project costs:

Services	Estimated Costs
City Staff Project Management and Contract Administration	\$30,300
Demolition	\$180,000
Demolition Contingency	\$21,030
Postage/Duplication/Ads	\$4,500
Total Not-to-Exceed:	\$235,830

Item: _____
CED Committee
May 11, 2010

BACKGROUND

It is imperative that the Agency remove these abandoned housing units given their decayed condition and life safety concerns—particularly the threat of wildfire—for the surrounding neighborhood.

The hazardous materials abatement work on these 18 units is complete and the houses are ready for demolition. To prevent further delay, staff is seeking the authorization needed to expedite the execution of a construction contract, including negotiating on the open market if necessary.

KEY ISSUES AND IMPACTS

To expedite this project, staff received authorization to dispense with advertising and authorize an alternative competitive bidding process, whereby staff could solicit bids from certified LBE demolition contractors, and, with City Administrator authorization, award the contract in an amount not-to-exceed the Engineer's Estimate of \$180,000 to the lowest responsive, responsible bidder without returning to the City Council. The bids received were as follows:

Turner Construction Group	\$197,711
DeKay Demolition and Clearing, Inc.	\$212,824

Since both bids exceeded the \$180,000 authorized by the City Council, and the City should be able to get bids for the work within the engineer's estimate in the current market, staff determined that it would be in the best interests of the City and Agency to reissue the Construction Bid with authorization to negotiate and award a construction contract on the open market should the next set of bids be over the engineer's estimate, non-responsive, or non-responsible.

PROJECT DESCRIPTION

The 18 units targeted for demolition are located at 9020-9036 Barcelona Street and 4000-4009 Santa Cruz Street, which are within the Redevelopment Agency's 5.45 acre parcel at Oak Knoll.

All hazardous materials have been removed and disposed of in accordance with City and Bay Area Air Quality Management District standards and requirements.

CEDA Design, Engineering and Construction will manage the demolition component of the project. The structures will be demolished and all materials will be removed from the site and disposed in accordance with the Standard Specifications for Public Works Construction Edition (GREENBOOK), the "Special Provisions" and the "Standard Details for Public Works Construction 2002 Edition" for the Oak Knoll Demolition Project. Concrete slabs will be kept in place to reduce the risk of erosion.

Item: _____
CED Committee
May 11, 2010

Only certified LBE contractors will be eligible to submit bids during the next alternative bid round. In the event the next set of bids exceeds the engineer's estimate, staff requests authority to exercise the option of awarding a contract on the open market in an amount not-to-exceed \$198,000. Demolishing the units is the highest priority.

SUSTAINABLE OPPORTUNITIES

Economic: In its present condition, the property makes no economic contribution to the area. Demolition of the existing residential structures will increase the value of the property.

Environmental: Demolition of the abandoned units will prevent future environmental degradation, as well as reduce the risk of wildfire caused by trespassers.

Social Equity: Demolition of the units will provide a safer environment for the surrounding neighborhood and future users. It will also prepare the land for eventual public use, socially and equally beneficial to all Oakland residents. Furthermore, the project should provide employment opportunities for Oakland residents and work for local businesses.

DISABILITY AND SENIOR CITIZEN ACCESS

Seniors and people with disabilities will not be impacted by this project.

RECOMMENDATION(S) AND RATIONALE

Staff recommends adoption of the Resolution 1) rejecting both bids received; 2) authorizing the City Administrator to dispense with advertising and solicit additional bids in accordance with the alternative bidding process approved under Resolution No. 82574 C.M.S. (from qualified contractors that are certified Local Business Enterprises) for an amount not-to-exceed the Engineer's Estimate of \$180,000; and 3) if additional bids are over the engineer's estimate, non-responsive or non-responsible, authorizing the City Administrator to negotiate and award a construction contract on the open market for an amount not-to-exceed \$198,000.

Staff is also requesting that the Agency adopt a resolution amending Resolution No. 2010-0017 C.M.S. to clarify the source of funds for the Agency's contribution to the City for the demolition work. The use of Fund Balance, which requires Agency Board authorization, was not articulated in Resolution No. 2010-0017 C.M.S.

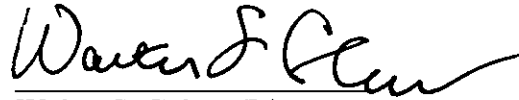
These abandoned units pose life safety risks to the surrounding community. With more latitude to negotiate, City staff will be able to execute a contract this time around.

Item: _____
CED Committee,
May 11, 2010

ACTION REQUESTED OF THE CITY COUNCIL

Staff requests that the City Council adopt the City and Agency Resolutions.

Respectfully submitted,



Walter S. Cohen, Director
Community and Economic Development Agency

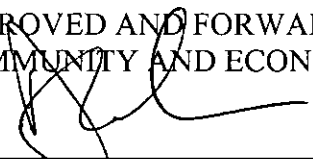
Reviewed by:

Gregory Hunter, Deputy Director of Economic
Development and Redevelopment

Prepared by:

Al Auletta, Redevelopment Area Manager

APPROVED AND FORWARDED TO THE
COMMUNITY AND ECONOMIC DEVELOPMENT COMMITTEE:



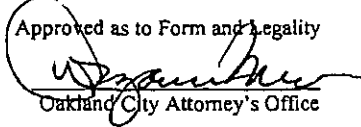
Office of the Agency Administrator

Item: _____
CED Committee
May 11, 2010

FILED
OFFICE OF THE CITY CLERK
OAKLAND

2010 FEB 10 AM 10:02

Approved as to Form and Legality


Oakland City Attorney's Office

OAKLAND CITY COUNCIL

RESOLUTION No. 82574 C.M.S

A RESOLUTION:

1) DISPENSING WITH ADVERTISING AND AUTHORIZING AN ALTERNATIVE COMPETITIVE BIDDING PROCESS FOR THE CONTRACT FOR DEMOLITION OF 18 BUILDINGS LOCATED AT 4000-4009 BARCELONA STREET AND 9020-9036 SANTA CRUZ STREET AT THE FORMER OAK KNOLL NAVAL HOSPITAL COMPLEX, ACCORDING TO PLANS AND SPECIFICATIONS FOR THE OAK KNOLL DEMOLITION PROJECT, AND AUTHORIZING THE CITY ADMINISTRATOR TO AWARD THE CONTRACT TO THE LOWEST RESPONSIVE, RESPONSIBLE BIDDER WITHOUT RETURNING TO THE CITY COUNCIL IN AN AMOUNT NOT-TO-EXCEED THE ENGINEER'S ESTIMATE OF \$180,000 FOR SAID DEMOLITION WORK; AND

2) AUTHORIZING THE CITY ADMINISTRATOR TO ACCEPT AND APPROPRIATE A CONTRIBUTION OF OAK KNOLL REDEVELOPMENT FUNDS UNDER THE COOPERATION AGREEMENT IN AN AMOUNT NOT-TO-EXCEED \$235,830 FOR ALL COSTS ASSOCIATED WITH THE DEMOLITION OF 18 BUILDINGS LOCATED AT 4000-4009 BARCELONA STREET AND 9020-9036 SANTA CRUZ STREET AT THE FORMER OAK KNOLL NAVAL HOSPITAL COMPLEX

WHEREAS, the Redevelopment Agency owns 5.45 acres of property within the 181 acre Oak Knoll Redevelopment Project Area (comprised of the former Oak Knoll Naval Hospital Complex); and

WHEREAS, the Redevelopment Agency property contains 18 abandoned, blighted and unusable housing units located at 4000-4009 Barcelona Street and 9020-9036 Santa Cruz Street that present public safety concerns for the surrounding neighborhood; and

WHEREAS, the Redevelopment Agency and the City wish to alleviate the blight, hazardous and unsafe conditions caused by the deterioration of the 18 units ; and

WHEREAS, the City and the Redevelopment Agency entered into a Cooperation Agreement on July 1, 2004, which generally governs the provision of assistance and the payment of funds between the two agencies, including Redevelopment Agency financial contributions and other assistance to support City activities in further of the Agency's redevelopment goals and associated City staff costs; and

WHEREAS, Section 33420 of the California Health and Safety Code authorizes a Redevelopment Agency to pay for the clearance of buildings, structures, or other improvements on any Agency-acquired land; and

WHEREAS, on May 20, 2008, the Agency Board adopted Resolution No. 2008-0042 C.M.S. authorizing the use of Agency funds for as-needed environmental services with several competitively selected firms, including AECOM USA, Inc. (formerly ENSR Corporation) and SCA Environmental, Inc., which will perform the hazardous materials abatement and monitoring components of the Oak Knoll Demolition Project; and

WHEREAS, the City must expeditiously procure the services of a qualified demolition contractor to ensure that the buildings are removed prior to the summer to mitigate the danger posed to surrounding neighborhoods from wildfires, which can be set by vagrants occupying the structures; and

WHEREAS, to expedite the work, City staff will solicit bids from three (3) certified Local Business Enterprises (LBEs) qualified to do the work and the City Administrator will award the work to the lowest, responsible, responsive bidder; and

WHEREAS, Oakland Municipal Code section 2.04.050.I.5, authorizes the City Council to dispense with the advertising and bidding process required under Oakland Municipal Code section 2.04.050.A upon a finding that it is in the best interests of the City to do so; and

WHEREAS, the City has independently reviewed and considered the environmental determination, and the City finds and determines that this action is exempt from CEQA and that each of the following provisions of the CEQA Guidelines (which is not an inclusive list) provides an independent basis for such finding: Section 15330 (actions taken to prevent, minimize, stabilize mitigate the release/threatened release of hazardous waste or hazardous substances), Section 15308 (actions for the protection of the environment), Section 15307 (actions for the protection of natural resources), Section 15306 (information collection) and Section 15061(b)(3) (general rule) of the CEQA Guidelines; now, therefore, be it

RESOLVED: That pursuant to Oakland Municipal Code section 2.04.050.I.5 and the reasons stated above in the City Administrator's report accompanying this resolution, the City Council hereby finds that it is in the best interests of the City to dispense with advertising and to authorize the alternative competitive bidding process used by staff to select a contractor for the Oak Knoll Demolition project (demolition of 18 buildings located at 4000-4009 Barcelona Street and 9020-9036 Santa Cruz Street at the former

Oak Knoll Naval Hospital Complex), according to plans and specifications for the project, and so waives advertising and authorizes an alternative bidding process; and be it

FURTHER RESOLVED: That the City Administrator is authorized to award the contract for the Oak Knoll Demolition project (demolition of 18 buildings located at 4000-4009 Barcelona Street and 9020-9036 Santa Cruz Street at the former Oak Knoll Naval Hospital Complex) to the lowest responsive, responsible bidder in the alternative budding process in an amount not to exceed the engineer's estimate of \$180,000 for said demolition work without returning to the City Council; and be it

FURTHER RESOLVED: That the City Council hereby authorizes dispensing with advertising and authorizing an alternative competitive bidding process for the contract for demolition of 18 buildings located at 4000-4009 Barcelona Street and 9020-9036 Santa Cruz Street at the former Oak Knoll Naval Hospital Complex, according to plans and specifications for the Oak Knoll Demolition project, and authorizing the City Administrator to award the contract to the lowest responsive, responsible bidder without returning to the City Council in an amount not to exceed the engineer's estimate of \$180,000 for said demolition work; and be it

FURTHER RESOLVED: That the City Administrator is authorized to accept a contribution in an amount not-to-exceed \$235,830 from the Redevelopment Agency's Oak Knoll Redevelopment Project Area Tax Increment Funds (9546) under the Cooperation Agreement to be used to cover all City staff and contract procurement costs and external demolition contracting costs related to the demolition of the 18 units located at 4000-4009 Barcelona Street and 9020-9036 Santa Cruz Street in the Oak Knoll Redevelopment Project Area; and be it

FURTHER RESOLVED: That the City Administrator is authorized to appropriate such funds to the Oak Knoll Project (P331910) and an amount not-to-exceed \$235,830 will be deposited into the City's Oakland Redevelopment Agency Fund (7780), under Project Number to be established; and be it

FURTHER RESOLVED: That the City Council approves the plans and specifications for the removal of hazardous materials at and demolition of 18 units located at 4000-4009 Barcelona Street and 9020-9036 Santa Cruz Street in the Oak Knoll Redevelopment Project Area prepared by the Directors of Public Works and CEDA Design, Engineering and Construction; and be it

FURTHER RESOLVED: That based on the City Administrator's representations stated above, the City Council finds and determines that these contracts are of a technical and temporary nature, shall not result in the loss of employment or salary by any person having permanent status in the competitive service, and are in the public interest because of economy or better performance; and be it

FURTHER RESOLVED: That the Contractors shall provide good and sufficient performance and payment bonds for one hundred percent of their contract price; and be it

FURTHER RESOLVED: That the City Administrator is hereby authorized to execute any amendments or modifications to said agreement within the limitations of the project specification; and be it

FURTHER RESOLVED: That the project is exempt from CEQA, as specified above; and be it

FURTHER RESOLVED: That the City Administrator or his designee shall cause to be filed with the County of Alameda a Notice of Exemption for this action; and be it

FURTHER RESOLVED: That the City Administrator is further authorized to take whatever action is necessary with the respect to the abatement and demolition work in the Oak Knoll Redevelopment Area and the project consistent with this Resolution and its basic purposes; and be it

FURTHER RESOLVED: That the City Clerk shall post notice of the contract awards made hereunder, City Attorney shall approve the contracts authorized hereunder for form and legality and copies shall be placed on file in the Office of the City Clerk.

IN COUNCIL, OAKLAND, CALIFORNIA, MAR 2 2010, 2010

PASSED BY THE FOLLOWING VOTE:

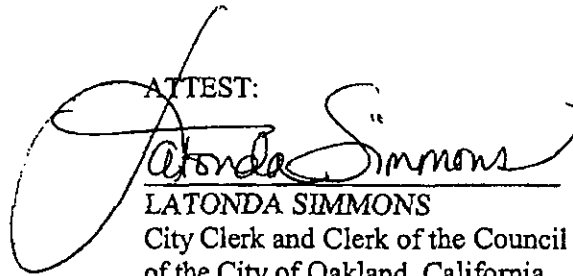
AYES - BROOKS, DE LA FUENTE, KAPLAN, KERNIGHAN, NADEL, QUAN,
REID AND PRESIDENT BRUNNER - 8

NOES - 0

ABSENT - 0

ABSTENTION - 0

ATTEST:


LATONDA SIMMONS
City Clerk and Clerk of the Council
of the City of Oakland, California

FILED
OFFICE OF THE CITY CLERK
OAKLAND

2010 FEB 10 AM 10:02

Approved as to form and legality:


Agency Counsel

**REDEVELOPMENT AGENCY
OF THE CITY OF OAKLAND**

2010-0017

RESOLUTION No. _____ C.M.S

AN AGENCY RESOLUTION AUTHORIZING THE CONTRIBUTION AND ALLOCATION OF OAK KNOLL REDEVELOPMENT AREA FUNDS TO THE CITY OF OAKLAND UNDER THE COOPERATION AGREEMENT IN AN AMOUNT NOT-TO-EXCEED \$235,830 FOR ALL COSTS ASSOCIATED WITH THE DEMOLITION OF 18 BUILDINGS LOCATED AT 4000-4009 BARCELONA STREET AND 9020-9036 SANTA CRUZ STREET AT THE FORMER OAK KNOLL NAVAL HOSPITAL COMPLEX

WHEREAS, the Redevelopment Agency owns 5.45 acres of property within the 181 acre Oak Knoll Redevelopment Project Area (comprised of the former Oak Knoll Naval Hospital Complex); and

WHEREAS, the Redevelopment Agency property contains 18 abandoned, blighted and unusable housing units located at 4000-4009 Barcelona Street and 9020-9036 Santa Cruz Street that present public safety concerns for the surrounding neighborhood; and

WHEREAS, the Redevelopment Agency wishes to alleviate the blight and unsafe conditions caused by the deterioration of the 18 units , and to clear the site for subsequent redevelopment; and

WHEREAS, the City and the Redevelopment Agency entered into a Cooperation Agreement on July 1, 2004, which generally governs the provision of assistance and the payment of funds between the two agencies, including Redevelopment Agency financial contributions and other assistance to support City activities in further of the Agency's redevelopment goals and associated City staff costs; and

WHEREAS, Section 33420 of the California Health and Safety Code authorizes a Redevelopment Agency to pay for the clearance of buildings, structures, or other improvements on any Agency-acquired land; and

WHEREAS, the Agency has independently reviewed and considered the environmental determination, and the Agency finds and determines that this action is exempt from CEQA and that each of the following provisions of the CEQA Guidelines

(which is not an inclusive list) provides an independent basis for such finding: Section 15330 (actions taken to prevent, minimize, stabilize mitigate the release/threatened release of hazardous waste or hazardous substances), Section 15308 (actions for the protection of the environment), Section 15307 (actions for the protection of natural resources), Section 15306 (information collection) and Section 15061(b)(3) (general rule) of the CEQA Guidelines; now, therefore, be it

RESOLVED: That the Agency hereby approves and commits the use of Redevelopment Agency Oak Knoll Operations Fund (9546), Oak Knoll Organization (88699) and Oak Knoll Project (S315110) in the amount not-to-exceed \$235,830 for all costs associated with the demolition of buildings located at 4000-4009 Barcelona Street and 9020-9036 Santa Cruz Street at the former Oak Knoll Naval Hospital complex, and contributes said funds to the City of Oakland under the Cooperation Agreement; and be it

FURTHER RESOLVED: That the project is exempt from CEQA, as specified above; and be it

FURTHER RESOLVED: That the Agency Administrator is authorized to take whatever action is necessary with the respect to the abatement and demolition work in the Oak Knoll Redevelopment Project Area consistent with this Resolution and its basic purposes.

IN AGENCY, OAKLAND, CALIFORNIA, MAR 2 2010, 2010

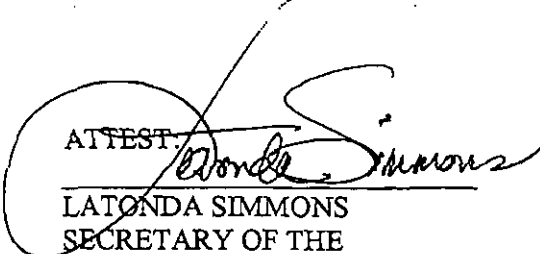
PASSED BY THE FOLLOWING VOTE:

AYES – BROOKS, DE LA FUENTE, KAPLAN, KERNIGHAN, NADEL, QUAN, REID AND CHAIRPERSON BRUNNER - 8

NOES - 0

ABSENT - 0

ABSTENTION - 0

ATTEST: 
LATONDA SIMMONS
SECRETARY OF THE
REDEVELOPMENT AGENCY
OF THE CITY OF OAKLAND,
CALIFORNIA

FILED
APR 29 2010
7:49 PM

Approved as to form and legality
[Signature]
Deputy City Attorney

OAKLAND CITY COUNCIL

RESOLUTION No. _____ C.M.S

RESOLUTION:

1) REJECTING BIDS DATED APRIL 8, 2010 SUBMITTED FOR THE DEMOLITION OF 18 BUILDINGS LOCATED AT 9020-9036 BARCELONA STREET AND 4000-4009 SANTA CRUZ STREET AT THE FORMER OAK KNOLL NAVAL HOSPITAL COMPLEX; AND

2) AUTHORIZING THE CITY ADMINISTRATOR TO SOLICIT ADDITIONAL BIDS IN ACCORDANCE WITH THE ALTERNATIVE COMPETITIVE BIDDING PROCESS AS APPROVED UNDER RESOLUTION NO. 82574 C.M.S., WHICH DISPENSED WITH ADVERTISING AND AUTHORIZED SOLICITATION OF BIDS FROM LOCAL, QUALIFIED CONTRACTORS, AND TO AWARD A CONSTRUCTION CONTRACT TO THE LOWEST RESPONSIVE, RESPONSIBLE BIDDER IN AN AMOUNT NOT-TO-EXCEED \$180,000, WITHOUT RETURNING TO THE CITY COUNCIL; AND

3) IF THE ADDITIONAL BIDS EXCEED THE ENGINEER'S ESTIMATE, ARE NON-RESPONSIVE OR NON-RESPONSIBLE, AUTHORIZING THE CITY ADMINISTRATOR TO NEGOTIATE AND AWARD A CONSTRUCTION CONTRACT ON THE OPEN MARKET IN AN AMOUNT NOT-TO-EXCEED \$198,000, WITHOUT RETURNING TO THE CITY COUNCIL

WHEREAS, City Resolution No. 82574 C.M.S. authorized 1) dispensing with advertising and authorizing an alternative competitive bidding process for the contract for demolition of 18 buildings located at 9020-9036 Barcelona Street and 4000-4009 Santa Cruz Street at the former Oak Knoll Naval Hospital Complex, according to plans and specifications for the Oak Knoll Demolition Project and 2) the City Administrator to award the contract to the lowest responsive, responsible bidder without returning to the City Council in an amount not-to-exceed the Engineer's Estimate of \$180,000 for said demolition work; and

WHEREAS, staff conducted an alternative bid process, soliciting bids from qualified contractors that are also certified Local Business Enterprises and received only two bids that exceed the engineer's estimate of \$180,000; and

WHEREAS, the City must expeditiously procure the services of a qualified demolition contractor to ensure that the buildings are removed prior to the summer to mitigate the danger posed to surrounding neighborhoods from wildfires, which can be set by vagrants occupying the structures; and

WHEREAS, Oakland Municipal Code section 2.04.050.I.5, authorizes the City Council to dispense with the advertising and bidding process required under Oakland Municipal Code section 2.04.050.A upon a finding that it is in the best interests of the City to do so; and

WHEREAS, the City Administrator has determined that the City lacks the equipment and qualified personnel to perform the necessary work and the City Administrator has determined that the performance of this contract is in the public interest because of economy; 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 service; and

WHEREAS, the City has independently reviewed and considered the environmental determination, and the City finds and determines that this action is exempt from CEQA and that each of the following provisions of the CEQA Guidelines (which is not an inclusive list) provides an independent basis for such finding: Section 15330 (actions taken to prevent, minimize, stabilize mitigate the release/threatened release of hazardous waste or hazardous substances), Section 15308 (actions for the protection of the environment), Section 15307 (actions for the protection of natural resources), Section 15306 (information collection) and Section 15061(b)(3) (general rule) of the CEQA Guidelines; now, therefore, be it

RESOLVED: That pursuant to Oakland Municipal Code section 2.04.050.I.5 and the reasons stated above in the City Administrator's report accompanying this resolution, the City Council hereby finds that it is in the best interests of the City to dispense with advertising, and does so, with respect to the contract for the Oak Knoll Demolition project (demolition of 18 buildings located at 9020-9036 Barcelona Street and 4000-4009 Santa Cruz Street at the former Oak Knoll Naval Hospital Complex); and be it

FURTHER RESOLVED: That the City Administrator is authorized to solicit bids from qualified contractors that are also certified Local Business Enterprises (in accordance with the alternative bidding process approved under Resolution No. 82574 C.M.S.) for the Oak Knoll Demolition project (demolition of 18 buildings located at 9020-9036 Barcelona Street and 4000-4009 Santa Cruz Street at the former Oak Knoll Naval Hospital Complex), and to award a construction contract for said project to the lowest responsive, responsible bidder in an amount not-to-exceed \$180,000 without returning to the City Council; and be it

FURTHER RESOLVED: That if the additional bids are over the engineer's estimate, non-responsive or non-responsible, the City Administrator is authorized to negotiate and award a construction contract on the open market in an amount not-to-exceed \$198,000, without returning to the City Council; and be it

FURTHER RESOLVED: That the City Council hereby rejects bids dated April 8, 2010 received for the Oak Knoll Demolition project (demolition of 18 buildings located at 9020-9036 Barcelona Street and 4000-4009 Santa Cruz Street at the former Oak Knoll Naval Hospital Complex), according to plans and specifications for the project; and be it

FURTHER RESOLVED: That based on the City Administrator's representations stated above, the City Council finds and determines that these contracts are of a technical and temporary nature, shall not result in the loss of employment or salary by any person having permanent status in the competitive service, and are in the public interest because of economy or better performance; and be it

FURTHER RESOLVED: That the Contractors shall provide good and sufficient performance and payment bonds for one hundred percent of their contract price; and be it

FURTHER RESOLVED: That the City Administrator is hereby authorized to execute any amendments or modifications to said agreement within the limitations of the project specification; and be it

FURTHER RESOLVED: That the project is exempt from CEQA, as specified above; and be it

FURTHER RESOLVED: That the City Administrator or his designee shall cause to be filed with the County of Alameda a Notice of Exemption for this action; and be it

FURTHER RESOLVED: That the City Administrator is further authorized to take whatever action is necessary with the respect to the abatement and demolition work in the Oak Knoll Redevelopment Area and the project consistent with this Resolution and its basic purposes; and be it

FURTHER RESOLVED: That the City Attorney shall approve the contracts authorized hereunder for form and legality and copies shall be placed on file in the Office of the City Clerk.

IN COUNCIL, OAKLAND, CALIFORNIA, _____, 2010

PASSED BY THE FOLLOWING VOTE:

AYES – BROOKS, DE LA FUENTE, KAPLAN, KERNIGHAN, NADEL, QUAN, REID AND PRESIDENT BRUNNER

NOES –

ABSENT –

ABSTENTION –

ATTEST:

LATONDA SIMMONS
City Clerk and Clerk of the Council
of the City of Oakland, California

FILED
OFFICE OF THE CITY CLERK
OAKLAND
2010 APR 29 PM 7:49

Approved as to form and legality:



Agency Counsel

**REDEVELOPMENT AGENCY
OF THE CITY OF OAKLAND**

RESOLUTION No. _____ C.M.S

AN AGENCY RESOLUTION AMENDING RESOLUTION 2010-0017 C.M.S. (AUTHORIZING THE CONTRIBUTION AND ALLOCATION OF OAK KNOLL REDEVELOPMENT AREA FUND BALANCE TO THE CITY OF OAKLAND UNDER THE COOPERATION AGREEMENT IN AN AMOUNT NOT-TO-EXCEED \$235,830 FOR ALL COSTS ASSOCIATED WITH THE DEMOLITION OF 18 BUILDINGS LOCATED AT 9020-9036 BARCELONA STREET AND 4000-4009 SANTA CRUZ STREET AT THE FORMER OAK KNOLL NAVAL HOSPITAL COMPLEX) TO CLARIFY THE AGENCY'S SOURCE OF FUNDS FOR THE DEMOLITION WORK

WHEREAS, on March 2, 2010, the Agency adopted Resolution No. 2010-0017 C.M.S. that authorized the contribution of \$235,830 of Oak Knoll Redevelopment Area funds to pay for all City costs associated with the demolition of 18 abandoned and blighted units on land the Agency owns within the 181 acre Oak Knoll Redevelopment Project Area (comprised of the former Oak Knoll Naval Hospital Complex); and

WHEREAS, it is necessary to amend Resolution 2010-0017 C.M.S. to clarify that the source of the \$235,830 for the demolition work is Oak Knoll Fund Balance; now, therefore, be it

RESOLVED: That Resolution No. 2010-0017 C.M.S. is hereby amended to delete the language in the first "RESOLVED," and substitute the following therefore: "That the Agency hereby approves and commits the use of Redevelopment Agency Oak Knoll Fund Balance (9546), Oak Knoll Organization (88699), Oak Knoll Project (\$315110), in the amount not-to-exceed \$235,830 for all costs associated with the demolition of buildings located at 9020-9036 Barcelona Street and 4000-4009 Santa Cruz Street at the former Oak Knoll Naval Hospital complex, and contributes said funds to the City of Oakland under the Cooperation Agreement;" and be it

FURTHER RESOLVED: That, except as amended by this resolution, in all other respects, Resolution No. 2010-0017 C.M.S. remains in full force and effect.

IN AGENCY, OAKLAND, CALIFORNIA, _____, 2010

PASSED BY THE FOLLOWING VOTE:

AYES – BROOKS, DE LA FUENTE, KAPLAN, KERNIGHAN, NADEL, QUAN,
REID AND CHAIRPERSON BRUNNER

NOES –

ABSENT –

ABSTENTION –

ATTEST:

LATONDA SIMMONS
SECRETARY OF THE
REDEVELOPMENT AGENCY
OF THE CITY OF OAKLAND,
CALIFORNIA