
City Attorney

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OFFICE OF THE CITY CLERK
OAKLAND

2016 JUN 30 AM 11:47

OAKLAND CITY COUNCIL

RESOLUTION No. 86293 C.M.S.

Introduced by Councilmember _____

RESOLUTION: 1) AUTHORIZING THE REMOVAL OF TRAVEL LANES AND THE INSTALLATION OF CLASS II BICYCLE LANES ON BROADWAY FROM BROADWAY TERRACE TO KEITH AVENUE; 2) AWARDED A CONSTRUCTION CONTRACT TO RAY'S ELECTRIC, THE LOWEST RESPONSIVE, RESPONSIBLE BIDDER, IN ACCORDANCE WITH PLANS AND SPECIFICATIONS FOR UPPER BROADWAY ROAD DIET AND CITYWIDE RECTANGULAR RAPID FLASHING BEACON PROJECT (PROJECT NO. C369550) AND WITH CONTRACTOR'S BID IN THE AMOUNT OF ONE MILLION SEVEN HUNDRED SIXTY-ONE THOUSAND EIGHT HUNDRED THIRTY-SIX DOLLARS AND SEVENTY CENTS (\$1,761,836.70); AND 3) ADOPTING CALIFORNIA ENVIRONMENTAL QUALITY ACT EXEMPTION FINDINGS

WHEREAS, the City of Oakland's Bicycle Master Plan was adopted by City Council on December 7, 2007 as part of the Land Use and Transportation Element of the City's General Plan and reaffirmed by City Council on December 4, 2012; and

WHEREAS, the City of Oakland's Bicycle Master Plan calls for the implementation of a citywide network of bikeways to connect downtown, transit stations, commercial districts, neighborhoods, and the waterfront; and

WHEREAS, the Bicycle Master Plan identifies Broadway from Broadway Terrace to Keith Avenue as a proposed bikeways; and

WHEREAS, the Complete Streets Policy for the City of Oakland was adopted by City Council on February 5, 2013 and the Policy calls for the incorporation of bicycle lanes in reconstruction and maintenance projects to create a connected network of facilities for bicyclists; and

WHEREAS, Action 1B.1 of the Bicycle Master Plan states, "Include bicycle safety and access improvements in roadway resurfacing, realignment, and reconstruction projects"; and

WHEREAS, Broadway from Broadway Terrace to Keith Avenue will be resurfaced and have been designed to include useful bikeway connections; and

WHEREAS, the installation of bicycle lanes on Broadway would reduce the number of travel lanes from four (4) through lanes to three travel lanes from Broadway Terrace to Keith Avenue,

would include a two-way center left turn lane to address traffic operations and would also include enhancement of pedestrian crossings via pedestrian-activated yield and stop signals for vehicles, and median and sidewalk extensions (“Project”); and

WHEREAS, the Project is consistent with the City’s General Plan, Bicycle Master Plan, and Complete Streets Policy; and

WHEREAS, as required by Public Resources Code section 21080.20.5, the City, in part, has prepared an assessment of traffic and safety impacts of the Project, which concluded that the Project will have negligible impacts on traffic operations and will not result in a decrease in safety for any travel mode; and

WHEREAS, City Council has directed staff to prepare reports for their approval when bicycle projects require the reduction of travel lanes on a roadway; and

WHEREAS, in accordance with Government Code section 6061, on April 1, 2016, the City published notice of public hearing on April 18, 2016, to consider the proposed Project ; that notice was published in the Oakland Tribune, a newspaper of general circulation in the area affected by the proposed Project; and

WHEREAS, as required by Public Resources Code section 21080.20.5, on April 18, 2016, the City held duly noticed public hearing to hear and respond to public comments on the Project; the hearing was held at College Avenue Presbyterian Church (5951 College Ave), which is in close proximity to area affected by the Project; and

WHEREAS, after a duly noticed public meeting, on July 12, 2016, the Public Works Committee voted to recommend the proposal to the City Council; and

WHEREAS, on July 19, 2016, the City Council considered the proposed Project; and

WHEREAS, the proposed Project is exempt from the California Environmental Quality Act (“CEQA”) pursuant to Public Resources Code Section 21080.20.5 (restriping of streets for bicycle lanes), and on a separate and independent basis, the project is also exempt from CEQA pursuant to CEQA Guidelines Sections 15183 (Projects Consistent with a Community Plan, General Plan or Zoning), 15301(c) (Existing Facilities, Highways and Streets), 15304(h) (minor alterations to land), and/or 15061(b)(3) (No Significant Effect on the Environment); each of the aforementioned provides a separate and independent basis for CEQA compliance; and

WHEREAS, on May 19, 2016, the City Clerk received one bid from Ray’s Electric for the construction Upper Broadway Road Diet and Citywide Rectangular Rapid Flashing Beacon Project in the amount of \$1,761,836.70; and

WHEREAS, Ray’s Electric is deemed the lowest, responsive and responsible bidder for the Upper Broadway Road Diet and Citywide Rectangular Rapid Flashing Beacon Project, and the bid exceeded the Local and Small Local Business Enterprise (L/SLBE) participation requirement; and

WHEREAS, the engineer’s estimate for the work is \$1,606,360.43; and

WHEREAS, there is sufficient fund in the project budget for the work; and

- \$1,049,879.00 from Measure BB Local Streets and Roads Fund (2216); Streets and Structures Organization (92242); Street Construction Account (57411); Citywide Street Resurfacing (C491141);
- \$238,029.00 from California Department of Transportation (2140); Transportation Services Organization (92246); Street Construction Account (57411); Caldecott Settlement Projects - Broadway at Lawton (C369550);
- \$306,435.00 from Measure BB Local Streets and Roads Fund (2216); Streets and Structures Organization (92246); Signal and Safety Devices Account (57412); Traffic Signal Management (C491140);
- \$318,454.00 from Measure B Local Streets and Roads Fund (2211); Streets and Structures Organization (92246); Signal and Safety Devices Account (57412); Transportation and Pedestrian Improvements (C371410);
- \$70,914.00 from Measure BB Local Streets and Roads Fund (2216); Infrastructure Planning and Funding Organization (92260); Street Construction Account (57411); Pedestrian Facilities (C491230);
- \$42,382.00 from Measure BB Local Streets and Roads Fund (2216); Infrastructure Planning and Funding Organization (92260); Street Construction Account (57411); Bike Facilities (C491220);

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 or 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 Upper Broadway Road Diet and Citywide Rectangular Rapid Flashing Beacon Project is hereby awarded to Ray's Electric, the lowest, responsible, responsive bidder, in accordance with project plans and specifications in the amount of One Million Seven Hundred Sixty-One Thousand Eight Hundred Thirty-Six Dollars and Seventy Cents (\$1,761,836.70); and be it

FURTHER RESOLVED: That the City Council authorizes the installation of bicycle lanes on Broadway by reducing the number of travel lanes from four (4) through lanes to three travel lanes from Broadway Terrace to Keith Avenue; and be it

FURTHER RESOLVED: That the plans and specifications prepared including any subsequent changes during construction, that will be reviewed and adopted by the Director of Public Works or designee 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 designee is hereby authorized to enter into a contract with Ray's Electric 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 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; and be it

FURTHER RESOLVED: That this Resolution complies with CEQA and the City Administrator or designee shall file a Notice of Exemption with appropriate agencies.

IN COUNCIL, OAKLAND, CALIFORNIA, JUL 19 2016

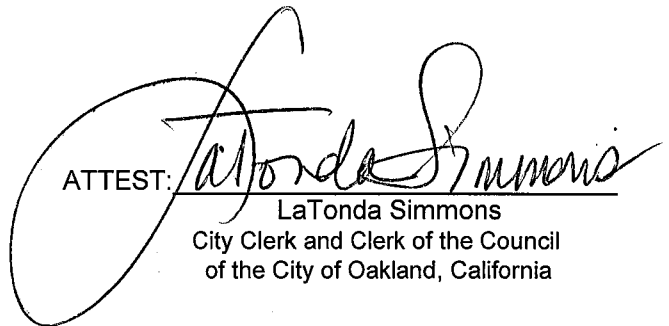
PASSED BY THE FOLLOWING VOTE:

AYES - BROOKS, CAMPBELL WASHINGTON, GALLO, GUILLEN, KALB, KAPLAN, REID, and PRESIDENT GIBSON MCELHANEY - 8

NOES - 0

ABSENT - 0

ABSTENTION - 0

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