

OFFICE OF THE CITY CLERK

2008 APR 19 11:4:29

OAKLAND CITY COUNCIL**RESOLUTION No. 81256 C.M.S.**

RESOLUTION AUTHORIZING THE CITY ADMINISTRATOR, OR HER DESIGNEE, TO AWARD A CONSTRUCTION MANAGER AT RISK CONTRACT TO SWINERTON BUILDERS FOR AN AMOUNT NOT TO EXCEED SIX MILLION EIGHT HUNDRED THOUSAND DOLLARS (\$6,800,000.00) FOR THE FIRE STATION NO. 18 PROJECT

WHEREAS, the existing Fire Station No. 18 facility is over 80 years old, is significantly deteriorated, and lacks space to adequately house the fire fighters and modern emergency response equipment; and

WHEREAS, retrofitting the existing Fire Station No. 18 facility is considered impractical and not cost effective; and

WHEREAS, a replacement Fire Station No. 18 is urgently needed to provide a safe and modern facility and to provide effective fire services in the area; and

WHEREAS, in November 2007, the City of Oakland issued a Request for Qualifications/Proposals for Construction Management At Risk (CMAR) services for the Fire Station No. 18 project; and

WHEREAS, five proposals were received by the Department of Contract and Purchasing; and

WHEREAS, the top four firms were short-listed for interviews based the quality and content of their proposals; and

WHEREAS, the short-listed firms were then interviewed and evaluated based on their relevant experience, organization, qualifications of the project team, and responses to the interview questions; and

WHEREAS, the top ranked firm was Swinerton Builders, a Oakland firm; and

WHEREAS, Swinerton Builders has the technical expertise to perform the work required, and clearly demonstrated their understanding of the technical complexities and regulatory issues involved in the design and construction of a new fire station; and

WHEREAS, on June 21, 2007, the City Council approved the Capital Improvement Program (CIP) budget, which included \$2 million for fiscal year 2007-2008 and \$8 million for fiscal year 2008-2009 from Oakland Redevelopment Agency project fund for the replacement of Fire Station

No. 18 with a new and larger facility; and

WHEREAS, the City may use the alternative project delivery method commonly known as “ construction manager-at-risk with or without formal bidding when it is in the “ best interests of the city” to waive formal bidding pursuant to Section 2.04.050; 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

WHEREAS, approval of this resolution will authorize a CMAR contract amount in an not to exceed \$6,800,000.00 for the Fire Station No. 18 project with Swinerton Builders and funds from the Oakland Redevelopment Agency in fiscal year 2007-2008 have been appropriated (Fund 7780, Fire Station No. 18 Project No. C328310, Capital Project Management Organization 92270), and the balance of the funding will be appropriated in July 2008; therefore be it

RESOLVED: The Council finds and determines that it is in the best interests of the City based on the reasons and circumstances set forth in the Report accompanying this Resolution to accept the alternative project delivery method of construction manager at risk for this project and waive the competitive bidding requirement of Section 2.04.050 pursuant to Section 2.04.050 I of the Oakland Municipal Code; and be it

FURTHER RESOLVED: That the City Administrator, or her designee, is hereby authorized to award a CMAR contract on behalf of the City of Oakland for the Fire Station No. 18 project to Swinerton Builders in the amount of Six Million Eight Hundred Thousand Dollars (\$6,800,000.00) and to execute any amendments or modifications of said contract within the

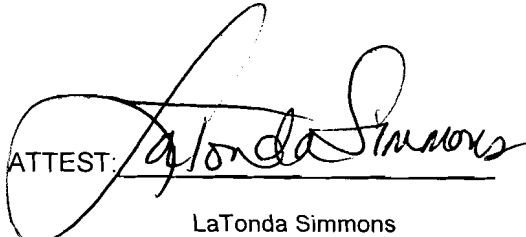
IN COUNCIL, OAKLAND, CALIFORNIA, MAY 6 2008 , 2008

PASSED BY THE FOLLOWING VOTE:

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

NOES- 0
ABSENT- 0

ABSTENTION- 0

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