

OFFICE OF THE CITY CLERK

OAKLAND CITY COUNCIL



2007 JUL 12 PM 4:13

City Attorney

RESOLUTION No. 80784 C.M.S.

Introduced by Councilmember _____

RESOLUTION:

- 1) **AWARDING A CONSTRUCTION CONTRACT TO RAY'S ELECTRIC FOR THE CITYWIDE TRAFFIC SIGNAL PROJECT (CITY PROJECT NOS. C269010, C269410, C269710, C269910, C222310, C270110) FOR TRAFFIC SIGNAL INSTALLATIONS AT HIGH STREET AT SANTA RITA STREET, ~~PIEDMONT AVENUE AT LINDA AVENUE,~~ AND TELEGRAPH AVENUE AT 66TH STREET, TRAFFIC SIGNAL MODIFICATIONS AT HIGH STREET AT FOOTHILL BOULEVARD AND INSTALLATION OF PEDESTRIAN COUNTDOWN MODULES AT VARIOUS LOCATIONS IN THE TOTAL AMOUNT OF ~~SIX HUNDRED FIFTY THREE THOUSAND NINE HUNDRED FORTY FIVE DOLLARS (\$653,945.00)~~ FOUR HUNDRED NINETY-FOUR THOUSAND EIGHT HUNDRED SEVENTY-FOUR DOLLARS (\$494,874.00), AND**

- 2) **WAIVING THE COMPETITIVE BID PROCESS AND AWARDING A CONTRACT TO RAY'S ELECTRIC FOR INSTALLATION OF AN ADDITIONAL TRAFFIC SIGNAL ON HARRISON STREET AT WESTLAKE MIDDLE SCHOOL FOR AN AMOUNT OF TWO HUNDRED THOUSAND DOLLARS (\$200,000.00)**

WHEREAS, on April 9, 2007, three (3) bids were received by the Office of the City Clerk of the City of Oakland for the Citywide Traffic Signal Project (City Project Nos. C269010, C269410, C269710, C269910, C222310, C270110); and

WHEREAS, Ray's Electric submitted the lowest responsible and responsive bid; and

WHEREAS, there are sufficient funds for the construction contract in the Measure B Funds (2211 and 2212); State Gas Tax Fund (2230); Capital Improvement Projects, Transportation Services Division, Organization (92246); and

WHEREAS, the City wishes to install an additional traffic signal on Harrison Street at Westlake Middle School in response to long-standing community concerns for traffic and school safety has requested that the City expedite installation of the signal to coincide with the beginning of the school year, and prior to the opening of the new Whole Foods market nearby; and

WHEREAS, the additional traffic signal on Harrison Street was not included in the advertised notice inviting bids for the "Citywide Traffic Signal Project" described above, for which Ray's Electric submitted the lowest responsible and responsive bid; and

WHEREAS, the City's advertising, bid and award process takes approximately six months, which would delay the start of construction until at least early 2008; and

WHEREAS, to expedite installation of the traffic signal on Harrison Street at Westlake Middle School, staff recommends that the work be negotiated and awarded to Ray's Electric to be performed in conjunction with the "Citywide Traffic Signal Project" described above; and

WHEREAS, the City lacks the equipment and 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 or better performance; and

WHEREAS, Ray's Electric complies with all Local/Small Local Business Enterprise Program requirements; and

WHEREAS, the City Council finds and determines 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 services; now, therefore, be it

RESOLVED: That the construction contract for the Citywide Traffic Signal Project (City Project Nos. C269010, C269410, C269710, C269910, C222310, C270110) is hereby awarded to Ray's Electric for installations at High Street at Santa Rita Street, ~~Piedmont Avenue at Linda Avenue,~~ Telegraph Avenue at 66th Street, and modifications at High Street at Foothill Boulevard, and Installation of Pedestrian Countdown Modules at Various Locations in accordance with terms of its bid, dated April 9, 2007, in the amount of ~~six hundred fifty three thousand nine hundred forty five dollars (\$653,945.00)~~ four hundred ninety-four thousand eight hundred seventy-four dollars (\$494,874.00) and be it

FURTHER RESOLVED: That, pursuant to Oakland Municipal Code 2.04.050.I.5 and based on the findings set forth in the City Administrator's agenda report accompanying this resolution and information provided at the City Council meeting on this matter, the City Council finds and determines that it is in the best interests of the City to waive the competitive bid process for the installation of a new traffic signal on Harrison Street at Westlake Middle School and so waives; and

FURTHER RESOLVED: That the City Administrator is authorized to negotiate and award the contract for the installation of a traffic signal on Harrison Street at Westlake Middle School to Ray's Electric in an amount not-to-exceed two hundred thousand dollars (#200,000.00); and

FURTHER RESOLVED: That the plans and specifications prepared by the Director of the Public Works Agency for the Citywide Traffic Signal Project (City Project Nos. C269010, C269410, C269710, C269910, C222310, C270110) are hereby approved; and be it

FURTHER RESOLVED: That the amount of the bond for faithful performance, \$653,945.00 (100% of contract), and the amount for a bond to guarantee payment of all claims for labor and materials furnished and for amount due under the Unemployment Insurance Act, \$653,945.00 (100% of contract), with respect to such work are hereby approved; and be it

FURTHER RESOLVED: That the amount of faithful performance and payment bonds for the installation of a traffic signal on Harrison Street at Westlake Middle School shall be 100% of the contract; and be it

FURTHER RESOLVED: That the City Administrator, or her designee, is hereby authorized to enter into a contract with Ray's Electric Company on behalf of the City of Oakland and execute any amendments or modifications of said contract 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(s) shall be reviewed and approved for form and legality by the City Attorney, and a copy of the contract shall be kept on file in the Office of the City Clerk; and be it

FURTHER RESOLVED: That the City Clerk is hereby directed to post conspicuously forthwith notice of the above award on the official bulletin board in the Office of the City Clerk.

IN COUNCIL, OAKLAND, CALIFORNIA, JUL 17 2007, 20__

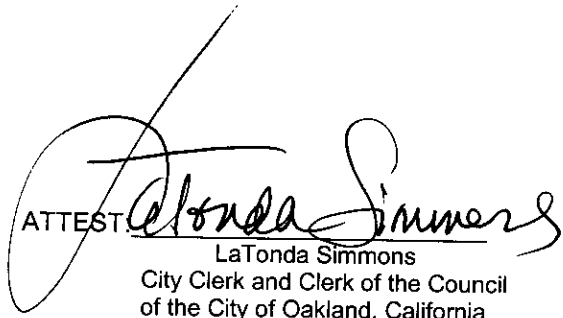
PASSED THE FOLLOWING VOTE:

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

Revised

Approved as to Form and Legality

Carl...
City Attorney

Deleted: _____

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OAKLAND CITY COUNCIL

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IN COUNCIL, OAKLAND, CALIFORNIA, _____, 20__

PASSED THE FOLLOWING VOTE:

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

NOES –

ABSENT –

ABSTENTION –

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