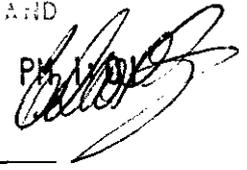


**OAKLAND CITY COUNCIL**

RESOLUTION NO. 78347 C. M. 2004 JAN 29 PM

FILED  
OFFICE OF THE CITY CLERK  
OAKLAND



INTRODUCED BY COUNCILMEMBER \_\_\_\_\_

Requires two-thirds vote of the Council

**RESOLUTION AUTHORIZING THE CITY MANAGER TO BID, ADVERTISE, ACCEPT BIDS, NEGOTIATE IF NECESSARY AND AWARD A CONSTRUCTION CONTRACT FOR INSTALLATION OF AN IRRIGATION SYSTEM WITHIN THE PARK BOULEVARD MEDIAN STRIP FROM ESTATES DRIVE TO EXCELSIOR STREET, AT TRIANGULAR TRAFFIC ISLANDS AND THE MINI-PARK LANDSCAPE AREA WITHIN PARK BOULEVARD VICINITY FOR AN AMOUNT NOT TO EXCEED TWO HUNDRED THOUSAND DOLLARS (\$200,000)**

**WHEREAS**, Councilmember De La Fuente's office and Councilmember Henry Chang's office dedicated \$150,000 and \$100,000 respectively from their transportation-related council discretionary accounts for the construction of an irrigation system within the Park Boulevard median strip; and

**WHEREAS**, the construction cost of the project is estimated at \$200,000; and

**WHEREAS**, the City has contracted with PGA Landscape Architects to design the irrigation system; and

**WHEREAS**, the design of the irrigation system is complete; and

**WHEREAS**, the remaining balance of \$50,000 from the transportation-related council discretionary accounts will be utilized for design, project and construction management; and

**WHEREAS**, a member of the Glenview Neighborhood District, a landscape architect, prepared the planting plans; and

**WHEREAS**, the members of the Glenview Neighborhood District volunteered the plants and the labor to perform the median planting; and

**WHEREAS**, the members of the Association plan to start planting by Spring 2004; and

**WHEREAS**, City staff has reviewed the planting plans and concurs that the plants comply with City standard plants; and

**WHEREAS**, the normal bid and award process takes approximately four months; and

**WHEREAS**, waiting for the completion of the normal bid and award period would delay the community intended planting period; and

**WHEREAS**, funds to construct the project are available in fund B246800 and B247100; 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 or better performance; 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; and

**WHEREAS**, the City now intends to commence construction of the Park Boulevard median work; now, therefore, be it

**RESOLVED:** That the City Council hereby authorizes the City Manager to advertise for and competitively bid and award to the lowest responsible bidder, or to reject all bids and negotiate and award a construction contract to the lowest responsible bidder for an amount not to exceed \$200,000 for the installation of an irrigation system within the Park Boulevard Median Strip from Estates Drive to Excelsior Street, at Triangular Traffic Islands and the Mini-Park Landscape Area within the Park Boulevard vicinity, according to City Standard Specifications and Contractor's bid; and be it

**FURTHER RESOLVED:** That the City Council hereby allocates the funds for the construction of the Park Boulevard Median Irrigation Project; and be it

**FURTHER RESOLVED:** That the plans and specifications prepared by the PGA Architects for this project are hereby approved; and be it

**FURTHER RESOLVED:** That the amount of the bond for faithful performance, \$200,000 and the amount for a 100% bond to guarantee payment of all claims for labor and materials furnished, and for the amount due under the Unemployment Insurance Act, with respect to such work are hereby approved; and be it

**FURTHER RESOLVED:** That the City Manager is hereby authorized to enter into a contract with the successful contractor on behalf of the City of Oakland and to execute any amendments or modifications to said agreement within the limitations of the project specifications; and be it

**FURTHER RESOLVED:** That the Office of the City Attorney shall approve all documents, agreements, and amendments as to form and legality and a copy will be placed on file at the Office of the City Clerk; and be it

**FURTHER RESOLVED:** That the approval of this resolution requires a two-thirds vote of the Council members.

IN COUNCIL, OAKLAND, CALIFORNIA, FEB 17 2004, 2004

PASSED BY THE FOLLOWING VOTE:

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

NOES- 0

ABSENT- 0

ABSTENTION- 0

ATTEST:

  
CEDA FLOYD  
City Clerk and Clerk of the Council  
of the City of Oakland, California