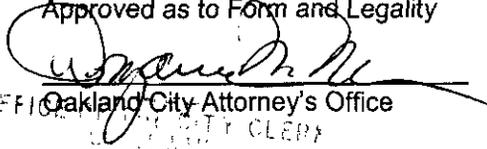


Approved as to Form and Legality


OFFICE OF THE CITY CLERK
Oakland City Attorney's Office

OAKLAND CITY COUNCIL

2006 SEP 14 PM 12:19

RESOLUTION No: 80167 C.M.S.

RESOLUTION AUTHORIZING THE CITY ADMINISTRATOR, OR HER DESIGNEE, TO AWARD A CONSTRUCTION CONTRACT TO R.V. STICH CONSTRUCTION, INC., FOR THE LAKESIDE PARK FIRE HYDRANT PROJECT (NO. C242113) IN THE AMOUNT OF THREE HUNDRED EIGHTY EIGHT THOUSAND FOUR HUNDRED SEVENTY FOUR DOLLARS (\$388,474.00)

WHEREAS, on July 10, 2006, two bids were received by the Office of the City Clerk for the Lakeside Park Fire Hydrant project; and

WHEREAS, R.V. Stich Construction, Inc. (Richmond), is the lowest responsible bidder and has met the City's L/SLBE program requirements; and

WHEREAS, sufficient funds totaling \$388,474.00 are available for the contract from the Measure DD Series A and expected to be available from Series B Bond Fund (5320) in the Lakeside Park Fire Hydrant Project (No. C242113) and the Capital Project Management Organization (92270); 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

RESOLVED: That the City Administrator, or her designee, is hereby authorized to award a construction contract on behalf of the City of Oakland for the Lakeside Park Fire Hydrant Project to R.V. Stich Construction, Inc. in the amount of Three Hundred Eighty Eight Thousand Four Hundred Seventy Four Dollars (\$388,474.00) and to execute any amendments or modifications of said contract within the limitations of the project specifications; and be it

FURTHER RESOLVED: That in the event the issuance of the Measure DD Series B Bond Fund is delayed and not available in time for the payment of the construction contract, funding will be advanced from existing Measure DD Series A Lake Merritt Systemwide Improvement funds that have not been spent or from the projects which are on hold, and will be recovered from the Series B Bond when the funds do become available; and be it

FURTHER RESOLVED: That the plans and specifications prepared by the Director of Public Works for this project are hereby approved; and be it

FURTHER RESOLVED: That the City Administrator is hereby authorized to reject all other bids; and be it

FURTHER RESOLVED: The amount of the bond for faithful performance, \$388,474.00, and the amount for a bond to guarantee payment of all claims for labor and material furnished and for the amount due under the Unemployment Insurance Act, \$388,474.00, with respect to such work are hereby approved; and be it

FURTHER RESOLVED: That the contract shall be reviewed and approved by the City Attorney and placed on file in the Office of the City Clerk; and be it

OCT - 3 2006

IN COUNCIL, OAKLAND, CALIFORNIA, _____, 2006

PASSED BY THE FOLLOWING VOTE:

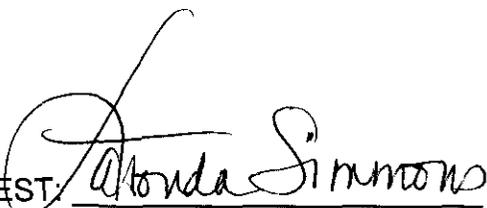
AYES - BROOKS, ~~BRUNNER~~, CHANG, KERNIGHAN, NADEL, QUAN, REID,
AND PRESIDENT OF THE COUNCIL ~~DE LA FUENTE~~ - 6

NOES - 0

ABSENT - Brunner - 1

ABSTENTION - 0

~~Excused - De La Fuente~~

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