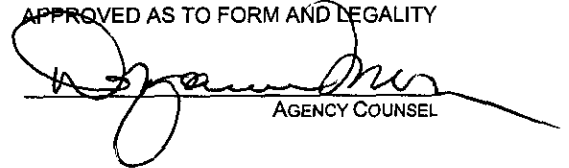


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AGENCY COUNSEL

## REDEVELOPMENT AGENCY OF THE CITY OF OAKLAND

2007-0037  
RESOLUTION NO. \_\_\_\_\_ C.M.S.

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**RESOLUTION REJECTING BIDS AND AUTHORIZING THE AGENCY ADMINISTRATOR, OR HER DESIGNEE, TO AWARD A CONSTRUCTION CONTRACT FOR MODIFICATION OF THE 17TH STREET ENTRY TO THE OAKLAND ICE CENTER IN ACCORD WITH SPECIFICATION NO. G84040 TO ROCKRIDGE BUILDERS IN AN AMOUNT NOT-TO-EXCEED OF ONE HUNDRED FIFTY-NINE THOUSAND THREE HUNDRED AND NINETY DOLLARS (\$159,390.00)**

**WHEREAS**, on May 2, 1997, the Agency acquired ownership of the twin-rink ice skating facility located at 519 – 18<sup>th</sup> Street known as the Oakland Ice Center ( OIC) following the default by the original owner of the OIC on an Agency loan to construct the OIC; and

**WHEREAS**, pursuant to Agency Resolution No. 97-12 C.M.S., the Redevelopment Agency is authorized to enter into contracts necessary to manage and operate the OIC; and

**WHEREAS**, over the past several years the OIC has lost most of the close-by, secure parking that used to be available directly across the street from the main entrance to the facility due to relocation of the Oakland School for the Arts, renovation of the Fox Theater and development of the Fox Courts and Uptown housing projects; and

**WHEREAS**, even the limited amount of remaining parking north of the OIC is scheduled to be lost within the next few months; and

**WHEREAS**, given the fact that close-by, secure parking is judged to be critical to the successful operation of the OIC; and

**WHEREAS**, alternative parking options, including the new Rotunda garage, are available on the south side of the OIC; and

**WHEREAS**, safe and convenient utilization of these alternative parking options by patrons of the OIC would be enhanced and facilitated by the creation of direct access to the OIC from the 17<sup>th</sup> Street side of the OIC; and

**WHEREAS**, modification of an existing emergency exit from the OIC on 17<sup>th</sup> Street (the "Project") would create this direct access; and

**WHEREAS**, the Agency solicited and received four bids for the Project; and

**WHEREAS**, the apparent low bidder, Alde Construction of South San Francisco, and the highest and the next highest bidder, Rodan Builders, Inc. of Belmont and Bay Construction of Oakland, failed to meet the City of Oakland's Local and Small Local Business Enterprise (L/SLBE) Program requirements; and

**WHEREAS**, Rockridge Builders of Oakland was the only bidder that met, and in fact, exceeded the City's L/SBE Program requirements with local business enterprise participation of 77 percent; and

**WHEREAS**, Rockridge Builders' bid (\$159,390.00) exceeded the engineer's estimate by only \$19,390.00; and

**WHEREAS**, given the urgency of timely completion of the Project, the absence of other responsive bidders, and the range of current bid amounts, it is unlikely that re-bidding the Project will result in a bid that is low enough to offset the potential negative financial impact to the OIC and the Agency that might result from the 2-3 month delay necessary to re-bid the Project; and

**WHEREAS**, the contract awarded hereunder is of a technical and temporary nature and 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 Agency Administrator is hereby authorized to award a contract to Rockridge Builders in an amount not-to-exceed one hundred fifty nine thousand three hundred ninety dollars (\$159,390.00) for Modification of the 17th Street Entry to the Oakland Ice Center in accord with Specification No. G84040; and be it

**FURTHER RESOVLED**, That funding for the Project will be allocated from 1989 Bonds Fund (9516), Capital Improvement Projects – Economic Development Organization (94800), Buildings: Additions Account (57212) and Oakland Ice Center Project (P131210); and be it

**FURTHER RESOLVED:** That all other bids received for construction of the 17th Street Entry to the Oakland Ice Center, Specification No. G84040, are hereby rejected; and be it

**FURTHER RESOLVED:** That the contractor shall be required to provide performance and payment bonds in an amount sufficient to cover 100% of the contract price; and be it

**FURTHER RESOLVED:** That the Agency Administrator is authorized to take whatever action is necessary with respect to this contract and the Project consistent with this Resolution and its basic purposes; and be it

**FURTHER RESOLVED:** That any agreements authorized hereunder, including amendments, modifications, or extensions, shall be approved as to form and legality by the Office of the Agency Counsel and filed with the Agency Secretary.

IN AGENCY, OAKLAND, CALIFORNIA, MAY 1 2007, 2007


**PASSED BY THE FOLLOWING VOTE:**

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

NOES- 0

ABSENT- 0

ABSTENTION- 0

ATTEST:   
LATONDA SIMMONS  
Secretary of the Redevelopment Agency  
of the City of Oakland