

FILED  
OFFICE OF THE CITY CLERK  
OAKLAND

2011 SEP 15 PM 1:06

Approved as to Form and Legality

  
City Attorney

## OAKLAND CITY COUNCIL

RESOLUTION No. 83571 -C.M.S.

Introduced by Councilmember \_\_\_\_\_

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**RESOLUTION AWARDING A CONSTRUCTION CONTRACT TO RAY'S ELECTRIC, THE LOWEST RESPONSIVE AND RESPONSIBLE BIDDER, FOR THE STATE SAFE ROUTES TO SCHOOLS (SR2S) CYCLE 7 PROJECT (CITY PROJECT NO. C357010) IN ACCORDANCE WITH PROJECT PLANS AND SPECIFICATIONS IN THE AMOUNT OF THREE HUNDRED EIGHTY-TWO THOUSAND, SEVEN HUNDRED TWO DOLLARS (\$382,702.00)**

**WHEREAS**, the City of Oakland was awarded the State Safe Route to Schools (SR2S) Cycle 7 grant which was accepted and appropriated by City Council on March 18, 2008 (Resolution No. 81125 C.M.S.); and

**WHEREAS**, on July 21, 2011, the City received bids from Ray's Electric, AJW Construction, and Beliveau Engineering Contractors, Inc. in the amounts of \$382,702.00, \$414,378.10, and \$584,342.00, respectively, in response to the Notice Inviting Bids for the construction of the SR2S Cycle 7 Project; and

**WHEREAS**, Ray's Electric is the lowest responsible and responsive bidder for the project and has met the L/SLBE Program participation requirements; and

**WHEREAS**, there is sufficient funding in the project budget in the following accounts:

- \$353,002.00: State of California Department of Transportation Fund (2140); Capital Projects – Traffic Engineering Organization (92246); Safe Routes To Schools Cycle 7 Project (C357010); and
- \$29,700.00: Measure B Fund (2211); Capital Projects – Traffic Engineering Organization (92246); Safe Routes To Schools Cycle 7 Project (C357020)

**WHEREAS**, the engineer's estimate for the work is \$494,284.00; and

**WHEREAS**, the City Council finds that the City lacks the equipment and qualified personnel to perform the necessary work and that the performance of this contract is in the public interest because of economy and better performance; and

**WHEREAS,** the City Administrator has determined 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 contract for the construction of the SR2S Cycle 7 Project is hereby awarded to Ray's Electric, the lowest responsive and responsible bidder, in accordance with project plans and specifications in the amount of three hundred eighty-two thousand, seven hundred two dollars (\$382,702.00); and be it

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

**FURTHER RESOLVED:** That the contractor shall provide a faithful performance bond and payment bond to guarantee payment of all claims for labor and materials furnished and for the amount due under the Unemployment Insurance Act for one hundred percent (100%) of the contract amount prior to execution 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 on behalf of the City of Oakland and execute any amendment or modifications to said agreement 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 shall be reviewed and approved by the City Attorney for form and legality and placed on file in the Office of the City Clerk.

IN COUNCIL, OAKLAND, CALIFORNIA, OCT 4 2011, 20      

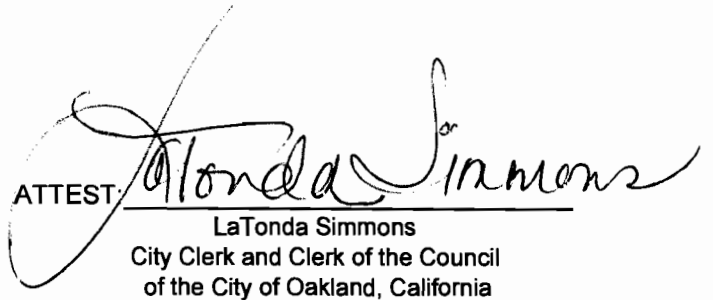
**PASSED BY THE FOLLOWING VOTE:**

AYES - BROOKS, BRUNNER, DE LA FUENTE, KAPLAN, KERNIGHAN, NADEL, SCHAAF AND PRESIDENT REID - 8

NOES - 0

ABSENT - 0

ABSTENTION - 0

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