

OAKLAND CITY COUNCIL**RESOLUTION No. 83416 C.M.S.**

Introduced by Councilmember _____

City Attorney

RESOLUTION AWARDING A CONSTRUCTION CONTRACT TO ANDES CONSTRUCTION, INC., FOR THE ON-CALL SANITARY SEWERS EMERGENCY PROJECT FY 2011-12 (PROJECT NO. C329120) IN ACCORD WITH THE SPECIFICATIONS FOR THE PROJECT AND CONTRACTOR'S BID IN THE AMOUNT OF THREE HUNDRED SEVENTEEN THOUSAND FIVE HUNDRED DOLLARS (\$317,500.00)

WHEREAS, on March 17, 2011, two bids were received by the Office of the City Clerk of the City of Oakland for the On-Call Sanitary Sewers Emergency Project FY 2011-12 (Project No. C329120); and

WHEREAS, Andes Construction, Inc., a certified SLBE bidding as a prime, is deemed the responsive and responsible bidder for the project; and

WHEREAS, there are sufficient funds in the project budget for the work. Funding for this project is available in the following project account:

- Sewer Service Fund (3100); Capital Projects - Sanitary Sewer Design Organization (92244); Sewers Account (57417); Project No. C329120; \$317,500.00; these funds were specifically allocated for this project; and this project will help reduce the amount of sanitary sewer maintenance requirement; and

WHEREAS, the City Administrator finds that the City lacks the equipment and qualified personnel to perform the necessary work, that the performance of this contract is in the public interest because of economy or better performance and that this contract is of a professional, scientific or technical nature; and

WHEREAS, Andes Construction, Inc., complies with all LBE/SLBE and trucking requirements; 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 construction contract for the On-Call Sanitary Sewers Emergency Project FY 2011-12 (Project No. C329120) is hereby awarded to Andes Construction, Inc., in accordance with the project plans and specifications for the project and forms of its bid therefore, dated March 17, 2011, for the amount of Three Hundred Seventeen Thousand Five Hundred Dollars (\$317,500.00); and be it

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

FURTHER RESOLVED: That the amount of the bond for faithful performance, \$317,500.00, and the amount for a bond to guarantee payment of all claims for labor and materials furnished and for the amount due under the Unemployment Insurance Act, \$317,500.00, with respect to such work are hereby approved; and be it

FURTHER RESOLVED: That the City Administrator, or his designee, is hereby authorized to enter into a contract with Andes Construction, Inc., 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 in the event the contractor awarded by this resolution is determined to be unresponsive to the timely execution of the contract as specified by the project specification, the City Administrator is hereby authorized to negotiate and award the contract to the next responsive, responsible bidders for an amount not-to-exceed \$349,250.00; and be it

FURTHER RESOLVED: That all other bids are hereby rejected; and be it

FURTHER RESOLVED: That the City Council finds that the City lacks the equipment and qualified personnel to perform the necessary work, that the performance of this contract is in the public interest because of economy or better performance and that this contract is of a professional, scientific or technical nature; and

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.

JUN 21 2011

IN COUNCIL, OAKLAND, CALIFORNIA, _____, 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