

FILED
OFFICE OF THE CLERK
OAKLAND

OAKLAND CITY COUNCIL

RESOLUTION No. 84106 C.M.S.

2012 NOV 15 PM 3
Introduced by Councilmember _____


City Attorney

Resolution: Authorizing The City Administrator, or His Designee To Award a Construction Contract To Rosas Brother Construction, Inc. The Lowest Responsible, Responsive Bidder, In Accord With Plans And Specifications For Citywide Curb Ramps and Sidewalk Repair Project No. C428011 And Contractor's Bid Therefor, In The Amount of One Million Seven Hundred Thirty-Three Thousand Two Hundred Sixty-four Dollars and Sixty Cents (\$1,733,264.60).

WHEREAS, on September 27, 2012, two bids were received by the Office of the City Clerk of the City of Oakland for Citywide Curb Ramps and Sidewalk Repair, Project No. C428011; and

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

WHEREAS, the City of Oakland's curb ramps and sidewalk is considered a significant asset that impacts the quality of life for those who live and work in Oakland; and

WHEREAS, the City of Oakland coordinates and screens all proposed streets for conflicts with sewer, storm drainage, gas, water, electrical, cable, and fiber optic replacement projects to insure that all underground; and

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

- Measure B – ACTIA Fund (2211), Project No. C428010, and
- Measure B – Bicycle/Pedestrian Fund (2212), Project No. C428210

WHEREAS, the funds were specifically allocated for this project, and the project will create a safe path of travel, comply with Americans with Disabilities Act mandates and meet citizen demand; 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, Rosas Brothers Construction, Inc. complies with all LBE/SLBE and trucking requirements; 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; now, therefore, be it; and

RESOLVED: That the contract for the Citywide Curb Ramps and Sidewalk Repair Project No. C428011 is awarded to Rosas Construction Inc., the lowest responsible, responsive bidder, in accordance with the plans and specifications for the Project and contractor's bid therefor, dated September 27, 2012, in the amount of One Million Seven Hundred Thirty-Three Thousand Two Hundred Sixty-Four Dollars and Sixty Cents (\$1,733,264.60); and be it

FURTHER RESOLVED: That all other bids submitted for Project No. C428011 are hereby rejected; and be it

FURTHER RESOLVED: That the amount of the bond for faithful performance and the amount for a bond to guarantee payment of all claims for labor and materials furnished and for amount due under the Unemployment Insurance Act, shall be for 100% of the contract price and are hereby approved; and be it

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

FURTHER RESOLVED: That the contract and this resolution has been approved by the Office of the City Attorney as to form and legality, and a copy is on file in the Office of the City Clerk.

IN COUNCIL, OAKLAND, CALIFORNIA, DEC 4 2012

PASSED BY THE FOLLOWING VOTE:

AYES - BROOKS, ~~BROWNE~~, DE LA FUENTE, KAPLAN, KERNIGHAN, NADEL, SCHAAF and
PRESIDENT REID - 7

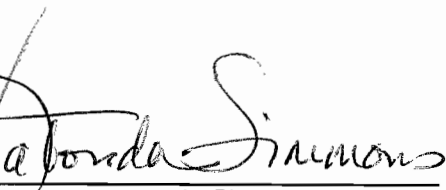
NOES - 0

ABSENT - 0

ABSTENTION - 0

Excused - Brunner - 1

ATTEST:



LaTonda Simmons

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