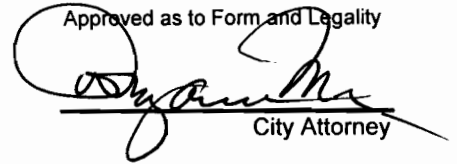


FILED
OFFICE OF THE CITY CLERK
OAKLAND

2010 NOV -4 PM 1:09

OAKLAND CITY COUNCIL

Approved as to Form and Legality


City Attorney

RESOLUTION No. 83098 C.M.S.

RESOLUTION AWARDING A CONTRACT TO BELIVEAU ENGINEERING CONTRACTORS, INC., THE LOWEST, RESPONSIBLE, RESPONSIVE BIDDER, FOR THE CONSTRUCTION OF THE 25TH STREET MINI PARK IMPROVEMENT PROJECT (NO. C377610) IN ACCORD WITH PROJECT PLANS AND SPECIFICATIONS AND CONTRACTOR'S BID THEREFORE IN THE AMOUNT OF FOUR HUNDRED SEVENTY THOUSAND DOLLARS (\$470,000.00)

WHEREAS, four bids were received by the Office of the City Clerk on September 16, 2010, for the 25th Street Mini Park Improvement Project (No. C377610); and

WHEREAS, Beliveau Engineering Contractors, Inc., a certified local business, is the lowest responsible, responsive bidder, and has met the City's Local Business Program requirements and Equal Benefits Ordinance; and

WHEREAS, there are sufficient funds of \$515,000.00 available for the construction contract for the 25th Street Mini Park Improvement Project in Project No. C377610; Capital Project Organization (92270); and

WHEREAS, the City Administrator has determined that the construction contract approved hereunder is of a professional, scientific or technical and temporary nature, is in the public interest because of economy and that the City lacks the equipment and qualified personnel to perform the necessary work; 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 service; now, therefore, be it

RESOLVED: That the construction contract for the 25th Street Mini Park Improvement Project is hereby awarded to Beliveau Engineering Contractors, Inc. in accordance with project specifications and plans and terms of the contractor's bid therefore dated September 16, 2010, in the amount of four hundred seventy thousand dollars (\$470,000.00); and be it

FURTHER RESOLVED: That the City Council hereby approves the plans and specifications for this project that the Director of the Public Works Agency had prepared; and be it

FURTHER RESOLVED: That the faithful performance bond and a bond to guarantee payment of all claims for labor and material furnished due under the Unemployment Insurance Act for

100% of the contract price submitted with respect to such work are hereby approved; and be it

FURTHER RESOLVED: That on the basis of the City Administrator's determinations, the City Council finds that the construction contract approved hereunder is of a professional, scientific or technical and temporary nature, is in the public interest because of economy and that the City lacks the equipment and qualified personnel to perform the necessary work; and

FURTHER RESOLVED: That on the basis of the City Administrator's determinations, the City Council finds 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

FURTHER RESOLVED: That the City Council authorizes the City Administrator to execute any amendments or modifications of the contract with Beliveau Engineering Contractors, Inc. within the limitations of the project specifications; and be it

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

FURTHER RESOLVED: That the contract shall be reviewed and approved by the City Attorney for form and legality prior to execution and placed on file in the Office of the City Clerk; and be it

IN COUNCIL, OAKLAND, CALIFORNIA, DEC 7 2010, 2010

PASSED BY THE FOLLOWING VOTE:

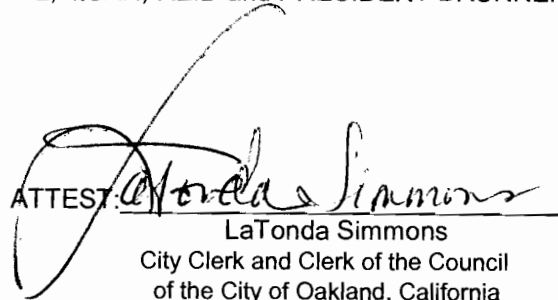
AYES - BROOKS, DE LA FUENTE, KAPLAN, KERNIGHAN, NADEL, QUAN, REID and PRESIDENT BRUNNER - 8

NOES - 0

ABSENT - 0

ABSTENTION - 0

ATTEST:


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