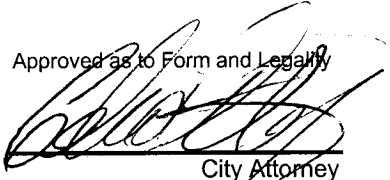


OFFICE OF THE CITY CLERK  
2000

Approved as to Form and Legality



City Attorney

2000 FEB 12 PM **OAKLAND CITY COUNCIL**

**RESOLUTION No. 81090 C.M.S.**

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**RESOLUTION AUTHORIZING THE CITY ADMINISTRATOR, OR HER DESIGNEE, TO REJECT ALL BIDS FOR THE MAIN LIBRARY TEEN ZONE IMPROVEMENTS PROJECT, WAIVE THE COMPETITIVE BIDDING REQUIREMENTS, NEGOTIATE, AND AWARD A CONSTRUCTION CONTRACT WITH ROCKRIDGE BUILDERS IN AN AMOUNT NOT TO EXCEED THREE HUNDRED NINETY THOUSAND DOLLARS (\$390,000.00), AND TO APPROPRIATE TWO HUNDRED FIFTY THOUSAND DOLLARS (\$250,000.00) TO THE MAIN LIBRARY TEEN ZONE IMPROVEMENTS PROJECT FROM THE PUBLIC LIBRARY FUND**

**WHEREAS**, two bids were received by the Office of the City Clerk for the Main Library Teen Zone Improvements Project from Harding Construction Inc., and Rockridge Builders; and

**WHEREAS**, Harding Construction Inc., was the lowest responsible bidder and was awarded the construction contract pursuant to Resolution 80391 C.M.S. in February 2007 but could not comply with the City's bonding requirements; and

**WHEREAS**, the bid from the second bidder, Rockridge Builders, is no longer valid given the length of time that has passed; and

**WHEREAS**, the project delays and the temporary location of the Teen Zone negatively impact teen and other library services, and

**WHEREAS**, in order to minimize further delays, it is in the City's best interest to reject all bids, waive the competitive bidding requirements, negotiate, and award a construction contract with Rockridge Builders; and

**WHEREAS**, the City's Municipal Code, Title 2, Chapter 2.04.050 I (5) allows an exception to the competitive bidding process when it has been determined that it is not in the best interest of the City to formally bid the work; and

**WHEREAS**, Rockridge Builders is a certified small local business and will be required to meet the requirements of the City's Local Business Enterprise Program, Local Trucking requirements, and Local Employment requirements; and

**WHEREAS**, upon approval of this resolution there will be sufficient funds to award the construction contract; and

**WHEREAS**, the City lacks the equipment and qualified personnel to perform the necessary

work; and

**WHEREAS**, the City Council finds and determines based on the representations set forth in the City Administrator's report accompanying this Resolution that the construction contract approved hereunder is technical and temporary in nature; 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 service; now, therefore, be it

**RESOLVED:** That pursuant to O.M.C., Title 2, Section 2.04.050 I (5), the City Council finds and determines that it is in the best interest of the City to waive formal bid requirements; and, be it

**FURTHER RESOLVED:** That the City Administrator, or her designee, is hereby authorized to reject all other bids and to waive the competitive bidding requirements; and, be it

**FURTHER RESOLVED:** That the City Administrator is hereby authorized to negotiate and award a construction contract with Rockridge Builders in an amount not to exceed \$390,000.00 without return to Council for the Main Library Teen Zone Improvements Project in accord with Specification No. P241410, and to execute any amendments or modifications of said contract within the limitations of the project specifications; and, be it

**FURTHER RESOLVED:** That the City Administrator is authorized to appropriate \$250,000.00 from the unreserved fund balance of the Public Library Fund (2993) into Project No. (TBD), Capital Project Management Organization (92270); and, be it

**FURTHER RESOLVED:** That the City Administrator is authorized to carry out any financial actions necessary to carry out the intent of the resolution, with the exception of those related to an increase in compensation or the allocation of additional funds; 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.

IN COUNCIL, OAKLAND, CALIFORNIA, MAR 4 2008, 2008

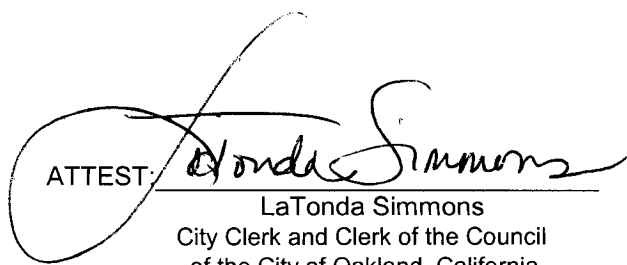
**PASSED BY THE FOLLOWING VOTE:**

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

NOES - 0

ABSENT - 0

ABSTENTION - 0

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