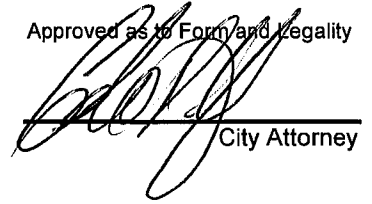


FILED
OFFICE OF THE CITY CLERK
OAKLAND
2015 JUN 10 PM 4:02

OAKLAND CITY COUNCIL

Approved as to Form and Legality



City Attorney

RESOLUTION No. 85680 C.M.S.

Introduced by Councilmember _____

RESOLUTION AWARDING A CONSTRUCTION CONTRACT TO J. HOWARD ENGINEERING, INC., THE LOWEST RESPONSIVE AND RESPONSIBLE BIDDER, IN ACCORDANCE WITH PROJECT PLANS AND SPECIFICATIONS FOR THE REHABILITATION OF SANITARY SEWERS IN THE AREA BOUNDED BY 17TH STREET, 21ST STREET, 27TH STREET, INYO AVENUE, AND 25TH STREET (PROJECT NO. C329145) AND WITH CONTRACTOR'S BID IN THE AMOUNT OF TWO MILLION NINE HUNDRED FORTY-NINE THOUSAND THREE HUNDRED THIRTY-EIGHT DOLLARS (\$2,949,338.00)

WHEREAS, on March 19, 2015, three bids were received by the Office of the City Clerk of the City of Oakland for the Rehabilitation of Sanitary Sewers in the area bounded by 17th Street, 21st Street, 27th Street, Inyo Avenue, and 25th Street (Project No. C329145); and

WHEREAS, J. Howard Engineering, Inc., a certified SLBE bidding as a prime, is deemed the lowest responsive and responsible bidder for the project; and

WHEREAS, funding for this project will be available in the following project account as part of FY 2015-16 CIP budget:

- Sewer Service Fund (3100); Capital Projects - Sanitary Sewer Design Organization (92244); Sewers Account (57417); Project No. C329145; \$2,949,338.00; and these funds were specifically allocated for this project; this project will help reduce the amount of sanitary sewer maintenance requirement; 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 temporary in nature; and

WHEREAS, 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, J. Howard Engineering, 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 service now, therefore, be it

RESOLVED: That the City Administrator is authorized to award a construction contract for the Rehabilitation of Sanitary Sewers in the area bounded by 17th Street, 21st Street, 27th Street, Inyo Avenue, and 25th Street (Project No. C329145) to J. Howard Engineering, Inc., the lowest responsive and responsible bidder, in an amount of Two Million Nine Hundred Forty-Nine Thousand Three Hundred Thirty-Eight Dollars (\$2,949,338.00) pending the adoption of the FY15-17 Capital Improvement budget for project C329145 and in accordance with plans and specifications for the Project and contractor's bid dated March 19, 2015; and be it

FURTHER RESOLVED: That the amount of the bond for faithful performance bond, \$2,949,338.00, and the bond to guarantee payment of all claims for labor and materials furnished and for the amount under the Unemployment Insurance Act, \$2,949,338.00, with respect to such work are hereby approved; and be it

FURTHER RESOLVED: That the City Administrator, or designee, is hereby authorized to enter into a contract with J. Howard Engineering, Inc. on behalf of the City of Oakland and to execute any amendments or modifications of the contract within the limitations of the project specifications; and be it

FURTHER RESOLVED: That the City Administrator, or designee, is hereby authorized to negotiate with the second lowest bidder and/or next lowest bidder for the same awarded amount, if J. Howard Engineering, Inc. fails to return the complete signed contract documents and supporting documents within the days specified in the Special Provision without going back to City Council; and be it

FURTHER RESOLVED: That the plans and specifications prepared for this project, including any subsequent changes during construction, that will be reviewed and adopted by the Director, or designee, are hereby approved; and be it

FURTHER RESOLVED: That the City Administrator, or designee, is hereby authorized to reject all other bids; 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.

JUL 07 2015

IN COUNCIL, OAKLAND, CALIFORNIA, _____, 20____

PASSED BY THE FOLLOWING VOTE:

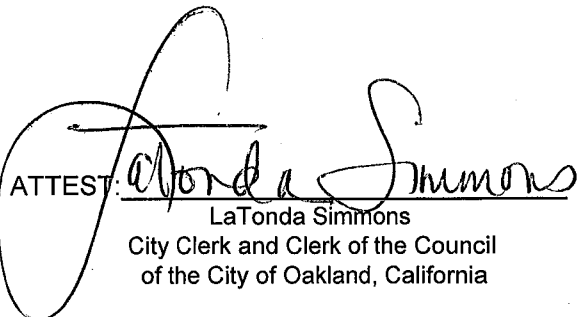
AYES - BROOKS, CAMPBELL WASHINGTON, GALLO, GUILLEN, KALB, KAPLAN, ~~REID~~, and PRESIDENT GIBSON MCELHANEY ...7

NOES - 0

ABSENT - 0

ABSTENTION - 0

Excused - Reid - 1

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