

OAKLAND CITY COUNCIL

FILED
OFFICE OF THE CITY CLERK
OAKLAND

RESOLUTION No. _____ C.M.S.

2003 OCT 16 PM 3:15

INTRODUCED BY COUNCILMEMBER _____



Two-Thirds Vote

RESOLUTION AUTHORIZING THE CITY MANAGER TO ENTER INTO A CONSTRUCTION AGREEMENT WITH VORTEX INC. IN AN AMOUNT NOT TO EXCEED NINETY TWO THOUSAND TWO HUNDRED DOLLARS (\$92,200) FOR THE CONSTRUCTION OF THE LAKE MERRITT DOCK AT 17TH STREET AND LAKESIDE DRIVE, PROJECT NO. G139410

WHEREAS, on July 10, 2001, the City Council approved a resolution authorizing the City Manager to negotiate an agreement with Lake Merritt Breakfast Club (LMBC) for the rehabilitation of the Lake Merritt Dock project at 17th Street and Lakeside Drive; and

WHEREAS, during negotiations, the City and LMBC agreed that the interests of both parties would be better served if LMBC donate to the City the project funds raised and materials collected and the City hired the construction contractor and design consultant; and

WHEREAS, the work requires specialized equipment and expertise due to the project's location in a federal and state regulated water system; and

WHEREAS, the Lake Merritt Breakfast Club recommends Vortex, Inc., a qualified firm that has prior experience with work in Lake Merritt; and

WHEREAS, part of the agreement between the City and LMBC is to utilize the existing contractor and design consultant recommended by LMBC, and

WHEREAS, the City received a proposal from Vortex, Inc., for the construction of the dock, and

WHEREAS, LMBC agreed to donate portion of the funds, materials, paid expenses and fees worth up to a total of \$41,059 towards the Lake Merritt Dock project at 17th Street and Lakeside Drive, and

WHEREAS, Resolution #77945 authorizes the City Manager to accept a donation of up to \$41,059 from the LMBC; and

WHEREAS, Staff received approval of grant funding from the State Department of Parks and Recreation in the amount of \$492,500 for the Lake Merritt Seawall study and for construction of Seawall related projects, and

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ORA/COUNCIL
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WHEREAS, The Lake Merritt seawall study has been completed and the balance of \$244,642 is available to be utilized to complete the dock project, and

WHEREAS, the City now intends to commence design and construction of the Lake Merritt Dock, now therefore, be it

RESOLVED: That, pursuant to O.M.C Chapter 2.04, section 2.04.050.I.5, the City Council finds and determines that it is in the best interests of the City to waive the formal advertising and bidding and authorize the City Manager to award a contract to Vortex, Inc. for construction of the Lake Merritt Dock project at 17th Street and Lakeside Drive in accordance with Project No. G139410, the contractor's bid dated September 25, 2003, the City of Oakland Standard Specifications for Public Works Construction 2000 Edition and the City of Oakland Standard Details for Public Works Construction 2002 Edition, in an amount not to exceed ninety two thousand two hundred dollars (\$92,200); and be it

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

FURTHER RESOLVED: That the amount of the bond for faithful performance, \$92,200, 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, \$92,200, with respect to such work are hereby approved; and be it

FURTHER RESOLVED: That the City Manager is hereby authorized to execute any amendments or modifications of said contract within the limitations of the project specifications; and be it

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; and be it

IN COUNCIL, OAKLAND, CALIFORNIA,

2003

PASSED BY THE FOLLOWING VOTE:

AYES- BRUNNER, CHANG, NADEL, REID, BROOKS, WAN, AND
PRESIDENT DE LA FUENTE

NOES-

ABSENT-

ABSTENTION-

10.30cc
ORA/COUNCIL

ATTEST:

NOV 04 2003

CEDA FLOYD

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