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OFFICE OF THE CITY CLERK
OAKLAND

2013 JUN 12 PM 3:16

Approved as to Form and Legality

Oakland City Attorney's Office

OAKLAND CITY COUNCIL

Resolution No. 84486 C.M.S.

Introduced by Councilmember _____

RESOLUTION AUTHORIZING THE CITY ADMINISTRATOR, OR HER DESIGNEE, TO AWARD A CONSTRUCTION CONTRACT FOR ON-CALL LICENSED CONSTRUCTION WORK IN AN AMOUNT NOT TO EXCEED TWO HUNDRED THOUSAND DOLLARS (\$200,000.00) EACH TO THE PREQUALIFIED FIRMS OF 1) CAS FINANCIAL & CONSTRUCTION SERVICES INC., 2) FOUR DIMENSIONS LANDSCAPE CO., 3) MAGDAVE ASSOCIATES, INC., 4) PETERS CONSTRUCTION, 5) SUMMERHILL ELECTRIC, INC., AND 6) WESLEY CONSTRUCTION

WHEREAS, licensed construction services are needed to construct projects that involve streets and sidewalks; curb ramps; bike facilities; traffic signals; intelligent transportation systems; streetscape elements; pavement markings; signage; minor paving; underground utilities; creeks and waterways; stormwater quality elements; bridges; parks; athletic fields; recreation centers; public safety buildings; libraries; administration buildings; and others; and

WHEREAS, on-call construction contracts facilitate the delivery of small and/or unexpected projects promptly and efficiently to support the City's Capital Improvement Program; and

WHEREAS, unscheduled construction projects will occur throughout the three-year contract period and will likely require on-call construction services; and

WHEREAS, the construction services will be funded through the various individual projects and funds will be identified prior to the performance of the construction services; and

WHEREAS, the City conducted a two-tier pre-qualification process in accordance with Oakland Municipal Code Chapter 2.04.045; and

WHEREAS, competitive bids on each project will be solicited from each contractor, either from Tier 1 or Tier 2, that possesses the appropriate contractor license type with sufficient remaining contract capacity; and

WHEREAS, the six recommended contractors meet the requirements of OMC Chapter 2.04.045(b), known as the Mandatory Preferred Small Local Business Program, for pre-qualification for as-needed construction services less than \$250,000; and

WHEREAS, the City Administrator has determined that the construction contracts approved hereunder are temporary in nature and that 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 shall not result in the loss of employment or salary by any person having permanent status in the competitive services; now, therefore, be it

RESOLVED: That the City Administrator, or her designee, is hereby authorized to enter into construction contracts in an amount not to exceed two hundred thousand dollars (\$200,000.00) each with 1) CAS Financial & Construction Services, 2) Four Dimensions Landscape Company, 3) Magdave Associates, Inc., 4) Peters Construction, 5) Summerhill Electric, Inc., and 6) Wesley Construction for on-call construction services over a period of three years; and, be it

FURTHER RESOLVED: That the contractor shall provide performance and payment bonds for 100% of the value of the work assignment prior to the commencement of any work under its on-call construction contract; and be it

FURTHER RESOLVED: That for any work issued under this resolution requiring the use of any City General Purpose Fund money not already specifically appropriated by City Council to the project, the City Administrator shall return to the City Council for approval of the allocation of the General Purpose Fund money; and be it

FURTHER RESOLVED: That the City Administrator, or her designee, is hereby authorized to approve the on-call construction specifications as prepared by the Assistant Director of the Department of Engineering and Construction, and to execute any amendments or modifications of said contract within the limitations of the specifications of the on-call construction work; 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, JUL 2 2013

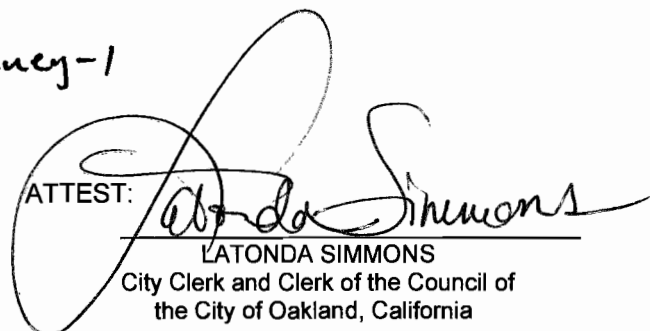
PASSED BY THE FOLLOWING VOTE:

AYES - BROOKS, GALLO, ~~GIBSON MCELHANEY~~, KALB, KAPLAN, REID, SCHAAF and PRESIDENT KERNIGHAN - 7

NOES - 0

ABSENT - Gibson McElhane - 1

ABSTENTION - 0

ATTEST: 
LATONDA SIMMONS
City Clerk and Clerk of the Council of
the City of Oakland, California