

2006 MAR 14 PM 2:48 OAKLAND CITY COUNCIL

79823

RESOLUTION No: \_\_\_\_\_ C.M.S.

INTRODUCED BY COUNCILMEMBER \_\_\_\_\_

Requires the 2/3 vote of Council

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**RESOLUTION AUTHORIZING THE CITY ADMINISTRATOR, OR HER DESIGNEE, TO AWARD A CONSTRUCTION CONTRACT TO BELIVEAU ENGINEERING CONTRACTORS, INC., FOR THE LINCOLN SQUARE JUNK SHIP RENOVATION PROJECT (G250510) IN THE AMOUNT NOT TO EXCEED FOUR HUNDRED AND SIX THOUSAND DOLLARS (\$406,000.00)**

**WHEREAS**, on January 23, 2006, five bids were received by the Office of the City Clerk for the Lincoln Square Junk Ship Renovation project; and

**WHEREAS**, Beliveau Engineering Contractors, Inc. (Oakland), is the lowest responsible bidder and has met the City's L/SLBE program requirements; and

**WHEREAS**, sufficient funds totaling \$447,079 are available for the contract and contingency from the following sources: \$172,139 from Proposition 40, the California Clean Water, Clean Air, Safe Neighborhood Parks, and Coastal Protection Act of 2002, California Parks and Recreation Fund (2134), Lincoln Square Tot Lot Renovation (Prop 40) Project (G250510), Capital Project Management Organization (92270); \$194,940 from Proposition 12, the 2000 Parks Bond Act, California Parks and Recreation Fund (2134), Lincoln Square Tot Lot Renovation (Prop 12) Project (G250610), Capital Project Management Organization (92270); \$40,000 from Alameda County Source Reduction and Recycling Fund (2175), Procurement of Recycled Products Project (H63630), Environmental Services, Recycling & Solid Waste Organization (30682); and \$40,000 from Capital Improvement Fund (5500), Lincoln Square Play Structure ADA Upgrade Project (G250620), Capital Project Management Organization (92270); and

**WHEREAS**, 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 is in the public interest because of economy; and

**WHEREAS**, the City Council finds that services under this contract will be temporary; 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, or her designee, is hereby authorized to award a construction contract on behalf of the City of Oakland for Lincoln Square Junk Ship Renovation Project to Beliveau Engineering Contractors, Inc., in the amount not to exceed Four Hundred and Six Thousand Dollars (\$406,000.00) 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 hereby authorized to reject all other bids; and be it

**FURTHER RESOLVED:** The amount of the bond for faithful performance, \$406,000.00, and the amount for a bond to guarantee payment of all claims for labor and material furnished and for the amount due under the Unemployment Insurance Act, \$406,000.00, with respect to such work are hereby approved; and be it

**FURTHER RESOLVED:** That the contract shall be reviewed and approved by the City Attorney and placed on file in the Office of the City Clerk; and be it

**FURTHER RESOLVED:** That the approval of this Resolution requires a two-thirds vote of the Council members.

IN COUNCIL, OAKLAND, CALIFORNIA, APR 4 2006, 2006

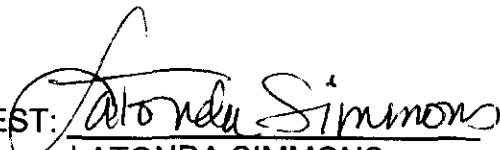
PASSED BY THE FOLLOWING VOTE:

AYES - BRUNNER, KERNIGHAN, NADEL, QUAN, BROOKS, REID, CHANG,  
AND PRESIDENT OF THE COUNCIL 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