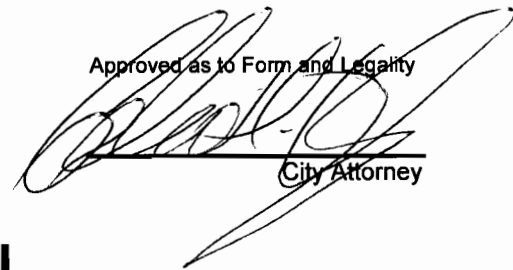


FILED
OFFICE OF THE CITY CLERK
OAKLAND

Approved as to Form and Legality



City Attorney

2011 OCT 13 PM 3:25
OAKLAND CITY COUNCIL

RESOLUTION No. 83621 C.M.S.

Introduced by Councilmember _____

RESOLUTION AWARDING A CONSTRUCTION CONTRACT TO PHOENIX ELECTRIC, THE LOWEST RESPONSIVE AND RESPONSIBLE BIDDER, FOR THE CONSTRUCTION OF THE LAKESHORE/LAKE PARK AVENUE COMPLETE STREETS PROJECT (PROJECT NOS. C390010, C390030, C242315) IN ACCORD WITH THE PROJECT PLANS AND SPECIFICATIONS AND THE CONTRACTOR'S BID IN THE AMOUNT OF EIGHT HUNDRED FORTY-SIX THOUSAND, THREE HUNDRED AND THIRTY-SIX DOLLARS (\$846,336.00)

WHEREAS, on August 18, 2011, two bids were received by the Office of the City Clerk of the City of Oakland for the Construction of the Lakeshore/Lake Park Avenue Complete Streets Project (City Project No. C390010, C390030, C242315); and

WHEREAS, Phoenix Electric complies with the 20% Local and Small Local Business Enterprise (L/SLBE) participation, 50% Local Employment Program (LEP), the 15% Oakland Apprenticeship Program, and Equal Benefits Ordinance (EBO) requirements bidding as a prime, and is the lowest responsive and responsible bidder for the project; and

WHEREAS, there are sufficient funds in the project budget for the work. Funding for the contract work will be available in the following project accounts:

- \$520,121.91: ACTIA Fund (2214), Transportation Services Division: Traffic Capital Projects (30232); Lakeshore/Lake Park Avenue Complete Streets Project (C390010)
- \$260,286.03: AC Transit Fund (2999), Transportation Services Division: Traffic Capital Projects (92246); Lakeshore/Lake Park Avenue Complete Streets Project (C390030)
- \$200,000.00: Lakeshore Measure DD Mitigation Fund (5320), Transportation Services Division: Traffic Capital Projects (92246); Lakeshore/Lake Park Avenue Complete Streets Project (C242315)

WHEREAS, the engineer's estimate for the work including base bid and alternative bid is \$806,943; and

WHEREAS, Phoenix Electric proposed \$846,336.00 and \$59,798.00 for the base bid and the alternative bid respectively; and

WHEREAS, Funds are available to construct the project base bid only; 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 or better performance; 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 contract for the Construction of the Lakeshore/Lake Park Avenue Complete Streets Project (Project Nos. C390010, C390030, C242315) is hereby awarded to Phoenix Electric in accordance with the terms of its bid therefore, dated August 18, 2011, in the amount of eight hundred forty-six thousand, three hundred and thirty-six dollars (\$846,336.00); and be it

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

FURTHER RESOLVED: That the amount of the bond for faithful performance, \$846,336.00, 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, \$846,336.00, with respect to such work are hereby approved; and be it

FURTHER RESOLVED: That the City Administrator is hereby authorized to enter into a contract with Phoenix Electric on behalf of the City of Oakland and to execute any amendments or modifications to said agreement within the limitations of the project specifications; and be it

FURTHER RESOLVED: That all other bids are hereby rejected; 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.

IN COUNCIL, OAKLAND, CALIFORNIA, NOV 15 2011, 20

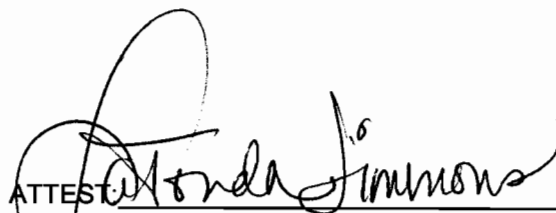
PASSED BY THE FOLLOWING VOTE:

AYES - BROOKS, BRUNNER, DE LA FUENTE, KAPLAN, KERNIGHAN, NADEL, SCHAAF AND PRESIDENT REID - 8

NOES - 0

ABSENT - 0

ABSTENTION - 0

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