

OAKLAND CITY COUNCIL
RESOLUTION No. 79416

FILED
OF THE CITY CLERK
OAKLAND
GEMES

B. Reeves

INTRODUCED BY COUNCILMEMBER _____

2005 JUN 30 PM 2:51

Requires two-thirds vote of the Council

RESOLUTION TO REJECT ALL BIDS AS NON-RESPONSIVE AND AUTHORIZE THE CITY ADMINISTRATOR TO NEGOTIATE, AWARD AND EXECUTE A CONSTRUCTION CONTRACT TO AJW CONSTRUCTION FOR ON-CALL SIDEWALK AND CURB RAMP WORK AT VARIOUS LOCATIONS THROUGHOUT THE CITY OF OAKLAND IN 2005 AND 2006 IN AN AMOUNT NOT TO EXCEED \$525,000.00 WITHOUT RETURN TO THE CITY COUNCIL

WHEREAS, on March 28, 2005, two bids were received by the Office of the City Clerk of the City of Oakland for On-Call Sidewalk and Curb Ramp Work at Various Locations Throughout the City of Oakland for 2005 and 2006 (Project No. C78061); and

WHEREAS, the two bids received were non-responsive and did not meet the City's L/SLBE and local trucking program requirements; and

WHEREAS, AJW Construction was the lowest bidder but did not meet the local trucking requirements; and

WHEREAS, there are sufficient funds in the amount of \$525,000.00 for construction of the work in Measure B funds (2211) project C78061 and Transportation Development Act Funds (2162) project C209130, and the engineer's estimate for the work is \$576,498.00; and

WHEREAS, the funding for this project was budgeted for sidewalk repair and curb ramp installation; 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 safety and economy; 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 Council rejects all bids submitted on March 28, 2005 for the On-Call Sidewalk and Curb Ramp Work at Various Locations Throughout the City of Oakland for 2005 and 2006 (Project No. C78061); and be it

FURTHER RESOLVED: That the City Administrator is hereby authorized to negotiate, award and execute a contract with **AJW Construction** in an amount not to exceed \$525,000.00, on behalf of the City of Oakland and to execute any amendments, extensions or modifications of said

agreement, within the limitations of the project specifications without return to the City Council; and be it

FURTHER RESOLVED: That the contractor shall be required to meet all of the City's contracting programs; and be it

FURTHER RESOLVED: That the contractor shall provide faithful performance bond and payment bond to guarantee payment of all claims for labor and materials furnished and for the amount due under the Unemployment Insurance Act, for one hundred percent (100%) of the contract amount prior to execution of the contract; 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 City Clerk is hereby directed to post conspicuously forthwith notice of the above award on the official bulletin board 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.

JUL 19 2005

IN COUNCIL, OAKLAND, CALIFORNIA, _____, 2005

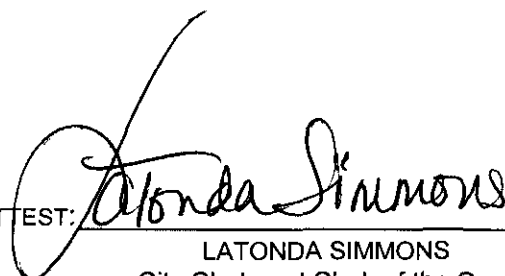
PASSED BY THE FOLLOWING VOTE:

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