

**CITY OF OAKLAND  
AGENDA REPORT**

FILED  
OFFICE OF THE CITY CLERK  
OAKLAND  
2004 SEP 30 AM 8:04

TO: Office of the City Administrator  
ATTN: Deborah Edgerly  
FROM: Public Works Agency  
DATE: October 12, 2004

RE: RESOLUTION AUTHORIZING THE CITY ADMINISTRATOR TO AWARD A CONSTRUCTION CONTRACT IN AN AMOUNT NOT TO EXCEED TWO HUNDRED THOUSAND DOLLARS (\$200,000) FOR CONSTRUCTION OF THE RETAINING WALL ON THE CORNER OF SHEPHERD CANYON ROAD AND SARONI DRIVE, WITHOUT RETURN TO COUNCIL, PROVIDED THAT IF THE BIDS ARE NOT RECEIVED OR ARE NON-RESPONSIVE, THE CITY ADMINISTRATOR MAY REJECT ALL BIDS AND NEGOTIATE AND AWARD THE CONTRACT NOT TO EXCEED \$200,000, WITHOUT RETURN TO COUNCIL (PROJECT NO. C253710)

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**SUMMARY**

A resolution has been prepared for Council approval that authorizes the City Administrator to award a contract for the construction of the retaining wall at the corner of Shepherd Canyon Road and Saroni Drive to the lowest responsible bidder, in accordance with the terms of its bid, for an amount not to exceed Two Hundred Thousand Dollars (\$200,000), without return to Council (Project Number C253710).

This project is consistent with the Mayor and City Council Goals to Maintain and Enhance Oakland's Physical Assets and to Improve Oakland's Neighborhoods. The retaining wall is located in Council District 4.

The City of Oakland Public Works Agency is finalizing the design of the retaining wall and is planning to construct it before winter 2004. It is recommended that the resolution be approved.

**FISCAL IMPACT**

The funding for the construction of the retaining wall is allocated for the roadway slide repair project in the Measure B ACTIA Fund (2211), Construction Account 57411, Project No. C253710.

In accordance with City policy, the 3% assessment for Contract Compliance will be set aside in the appropriate accounts upon award of the contract. This project is not eligible for the 1.5% Public Art Assessment.

## **BACKGROUND**

The retaining wall at the corner of Saroni Drive and Shepherd Canyon Road, which was constructed in 1992 as part of a private development to support a pedestrian and bike path, partially failed in January 2004 due to heavy storms. Sandbags were installed immediately to reduce further destruction of the public pedestrian and bike path and to reduce damage from surface runoff to the private property adjacent to the public path. PWA staff engineers are monitoring the situation to prevent further damage and ensure the safety of public.

No as-built data is available for this retaining wall. However, the major cause of the wall failure appears to be lack of a sub-drain behind the wall and the wall being under-designed for lateral forces.

The consulting firm of Ninyo and Moore was retained to investigate the cause of the retaining wall failure and collect geotechnical data for design of a replacement wall. Ninyo and Moore performed a geotechnical investigation of the site and recommended replacement of sections of the retaining wall greater than five feet high (Ninyo and Moore report dated 4-30-2004). Staff had further discussion with the geotechnical consultant to resolve issues related to lateral forces due to seismic loading. These issues were resolved by end of May 2004. After additional field assessment of the damaged wall, staff came to the conclusion that the damage is more comprehensive and that the entire length of the retaining wall must be replaced to prevent further failure of the entire wall.

PWA staff completed the design of the new retaining wall in mid-September 2004. Staff plans to advertise by mid-October and award by early November 2004, before the winter rains. Construction of the wall is expected to be completed by early December 2004.

## **KEY ISSUES AND IMPACTS**

The project will remove an unsafe condition by constructing a new retaining wall. Failure to rebuild this wall before winter may cause further damage to public and private improvements.

## **PROJECT DESCRIPTION**

This project consists of construction of approximately 150 linear feet of soldier piles and lagging retaining wall to replace the collapsed existing retaining wall.

## **SUSTAINABLE OPPORTUNITIES**

Economic: Local/ Small Local Business Enterprise (LBE/SLBE) program will be utilized for this project. The construction of the project generates jobs in the local economy.

Environmental: There will be reduction of more than 50% of materials landfilled to comply with the Waste Management and Reduction Act.

Improvements to the retaining wall will make the pedestrian and bike path usable again and this will aid in making walking a more attractive mode of transportation, thereby encouraging reduction in automobile usage and reducing vehicle emissions and improving air quality.

Social Equity: The construction of the retaining wall benefits the residents of the neighborhoods in which they are located.

**DISABILITY AND SENIOR CITIZEN ACCESS**

The retaining wall construction will make the pedestrian path safe and usable again, and this will aid the disabled and senior citizen access in the area.

**RECOMMENDATION AND RATIONALE**

Staff recommends that the City Council approve a resolution that authorizes the City Administrator to award a contract for the construction of the retaining wall at the corner of Shepherd Canyon Road and Saroni Drive to the lowest responsible bidder, in accordance with the terms of its bid for an amount not to exceed Two Hundred Thousand Dollars (\$200,000), without return to Council (Project Number C253710). This project will remove an unsafe condition in the area.

**ACTION REQUESTED OF THE CITY COUNCIL**

Staff recommends that the City Council approve the resolution.

Respectfully submitted,

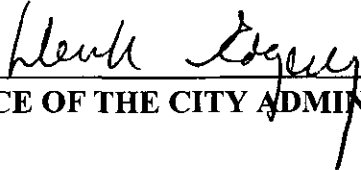


**RAUL GODINEZ II, P.E.**  
Director, Public Works Agency

Reviewed by:  
Fuad Sweiss, P.E.  
Interim Engineering Design Division Manager

Prepared by:  
Emad Mirsaeidi, P.E.  
Interim Supervising Civil Engineer

APPROVED AND FORWARDED  
TO THE PUBLIC WORKS COMMITTEE:



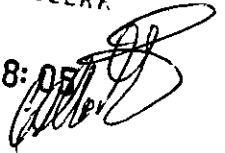
**OFFICE OF THE CITY ADMINISTRATOR**

# OAKLAND CITY COUNCIL

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

FILED  
OFFICE OF THE CITY CLERK  
OAKLAND

2004 SEP 30 AM 8:05



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

Requires two-thirds vote of the Council

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RESOLUTION AUTHORIZING THE CITY ADMINISTRATOR TO AWARD A CONSTRUCTION CONTRACT IN AN AMOUNT NOT TO EXCEED TWO HUNDRED THOUSAND DOLLARS (\$200,000) FOR CONSTRUCTION OF THE RETAINING WALL ON THE CORNER OF SHEPHERD CANYON ROAD AND SARONI DRIVE, WITHOUT RETURN TO COUNCIL, PROVIDED THAT IF THE BIDS ARE NOT RECEIVED OR ARE NON-RESPONSIVE, THE CITY ADMINISTRATOR MAY REJECT ALL BIDS AND NEGOTIATE AND AWARD THE CONTRACT NOT TO EXCEED \$200,000, WITHOUT RETURN TO COUNCIL (PROJECT NO. C253710)

**WHEREAS**, the retaining wall at the corner of Shepherd Canyon and Saroni Drive failed in January 2004; and

**WHEREAS**, the Public Works Agency is expediting the design of the retaining wall to replace the damaged wall before the winter of 2004; and

**WHEREAS**, the City will advertise and solicit competitive bids for this project provided that the urgent need to have a contract in place makes it necessary to accelerate the contract award process by authorizing the City Administrator to award a contract without return to Council; and

**WHEREAS**, there are sufficient funds available in the Measure B ACTIA Fund (2211), Construction Account 57411, Project No. C253710 for the contract work; 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 services; now, therefore, be it

**RESOLVED:** That the City Administrator, is authorized to award a contract for the Construction of the retaining wall at the corner of Shepherd Canyon Road and Saroni Drive to

the lowest responsible bidder, in accordance with the terms of its bid therefore, for an amount not to exceed Two Hundred Thousand Dollars (\$200,000), without return to Council; and be it

**FURTHER RESOLVED:** That in the event that bids are not received, or bids are deemed not responsive, the City Administrator is authorized to reject bids and negotiate a contract not to exceed \$200,000, without return to Council; and be it

**FURTHER RESOLVED:** That the City Administrator is hereby authorized to execute any amendments or modifications to said agreement within the limitations of the project specifications; 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, \_\_\_\_\_, 2004\_\_\_\_\_

**PASSED BY THE FOLLOWING VOTE:**

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

NOES-

ABSENT-

ABSTENTION-

ATTEST: \_\_\_\_\_

**CEDA FLOYD**  
City Clerk and Clerk of the Council  
of the City of Oakland, California