FILED
OFFICE OF THE CITY CLERK
OAKLAND
2017 APR 27 PM 12: 59

Approved as to Form and Legality

City Attorney

OAKLAND CITY COUNCIL

RESOLUTION NO. 86738 C.M.S.

Introduced by Councilmember _____

STAFF RECOMMENDS THAT THE CITY COUNCIL ADOPT A RESOLUTION AWARDING A CONSTRUCTION CONTRACT TO ROSAS CONSTRUCTION, THE LOWEST RESPONSIVE, RESPONSIBLE BIDDER, FOR CITYWIDE CURB RAMPS AND SIDEWALK REPAIR (PROJECT NO. 1001614) IN ACCORDANCE WITH PLANS AND SPECIFICATIONS FOR THE PROJECT AND WITH CONTRACTOR'S BID IN THE AMOUNT OF FIVE HUNDRED TWENTY- ONE THOUSAND DOLLARS ($521,000.00).

WHEREAS, On February 23, 2017, the City Clerk received two bids for Citywide Curb Ramps and Sidewalk Repair (Project No. 1001614; and

WHEREAS, Rosas Construction, a certified SLBE bidding as a prime, is deemed the lowest responsive and responsible bidder for the project; and

WHEREAS, funding for this project will be available in the following project account as part of FY 2016-17 CIP budget: Fund 2216 Measure BB, Org. 92242, Account 57411, and Project 1001614; and

WHEREAS, the City Council finds and determines based on the representations set forth in the City Administrator's report accompanying this Resolution that the construction contract approved hereunder is temporary in nature; and

WHEREAS, the City lacks the equipment and qualified personnel to perform the necessary work, that the performance of this contract is in the public interest because of economy or better performance and that this contract is of a professional, scientific or technical nature; and

WHEREAS, Rosas Construction, complies with all LBE/SLBE and trucking requirements; 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 is authorized to award a construction contract to Rosas Construction, the lowest responsive and responsible bidder in accordance with project plans and specifications for Citywide Curb Ramps and Sidewalk Repair (Project No. 1001614) and with contractor's bid in the amount of five hundred twenty-one thousand dollars ($521,000.00) and in accordance with plans and specifications for the Project and contractor's

bid dated February 23, 2017; and be it

FURTHER RESOLVED: That the amount of the bond for faithful performance bond, $521,000.00, and the bond to guarantee payment of all claims for labor and materials furnished and for the amount under the Unemployment Insurance Act, $521,000.00 with respect to such work are hereby approved; and be it

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

FURTHER RESOLVED: That the City Administrator, or designee, is hereby authorized to negotiate with the second lowest bidder and/or next lowest bidder for the same awarded amount, if Rosas Construction fails to return the complete signed contract documents and supporting documents within the days specified in the Special Provision without going back to City Council; and be it

FURTHER RESOLVED: That the plans and specifications prepared for this project, including any subsequent changes during construction, that will be reviewed and adopted by the Director, or designee, are hereby approved; and be it

FURTHER RESOLVED: That the City Administrator, or designee, is hereby authorized to reject all other bids; 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, MAY 16 2017, _____

PASSED BY THE FOLLOWING VOTE:

AYES - BROOKS, CAMPBELL WASHINGTON, GALLO, GIBSON MCELHANEY, GUILLEN, KALB, KAPLAN, and PRESIDENT REID — 8

NOES - 0

ABSENT - 0

ABSTENTION - 0

ATTEST: LaTonda Simmons

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