

**CITY OF OAKLAND**  
**AGENDA REPORT**

OFFICE OF THE CITY CLERK

2005 JAN 10 11:43:36

TO: Office of the City Administrator  
ATTN: Deborah Edgerly  
FROM: Public Works Agency  
DATE: January 10, 2006

RE: RESOLUTION AUTHORIZING AWARD OF A CONTRACT TO ANDES CONSTRUCTION, INC. FOR THE REHABILITATION OF SANITARY SEWERS IN UNDERHILLS ROAD FROM GROSVENOR PLACE TO SUNNY HILLS ROAD (PROJECT NO. C260110) FOR THE AMOUNT OF TWO HUNDRED SEVENTY-FIVE THOUSAND ONE HUNDRED SEVENTY-THREE DOLLARS (\$275,173.00)

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**SUMMARY**

A resolution has been prepared authorizing the City Administrator to award a construction contract in the amount of \$275,173.00 to Andes Construction, Inc. for the Rehabilitation of Sanitary Sewers in Underhills Road from Grosvenor Place to Sunny Hills Road (Project No. C260110). The work to be completed under this project is part of the City's annual Sanitary Sewer Rehabilitation program. The work is located in Council District 2 as shown on the location map in *Attachment A*.

It is recommended that the resolution be approved.

**FISCAL IMPACT**

There are sufficient funds in the project budget for the work. Funding for this project is available in the Sewer Service Fund (3100); Capital Project-Sanitary Sewer Design Organization (92244); Sewers Account (57417); Rehabilitation of Sanitary Sewers in Underhills Road from Grosvenor Place to Sunny Hills Road (Project No. C260110). These funds were specifically allocated for this project.

**BACKGROUND**

On October 4, 2005, Notices Inviting Bids for this project were mailed to 471 contractors. Contract Documents were distributed to local Builders' Exchanges and ads were placed in the Oakland Tribune, the San Francisco Chronicle, and the Daily Pacific Builders – McGraw Hill newspapers.

On October 24, 2005, the City Clerk received four bids for this project in the amounts of \$275,173.00, \$316,652.00, \$343,075.00, and \$388,000.00, as shown in *Attachment B*. The

Item: \_\_\_\_\_  
Public Works Committee  
January 10, 2006

lowest bidder, Andes Construction, Inc. is deemed responsive and responsible and therefore is recommended for the award. The Engineer's estimate for the work is \$255,465.00.

This project will rehabilitate and upgrade the sanitary sewers within the project area and eliminate the infiltration of rain and groundwater into the sanitary sewer system; and limit the overflows and backups during wet weather. This project meets the Mayor/Council Goals and Citywide Objective to **Build Community and Foster Livable Neighborhoods** by providing for clean, well-maintained and accessible streets and sidewalks, facilities, amenities, parks, recreational facilities and trees.

In general, the proposed work consists of rehabilitating/replacing approximately 2,075 linear feet of existing 8" to 10" diameter sanitary sewer pipes; rehabilitating or replacing over 13 sewer structures; reconnecting house connection sewers; and other related work as indicated on the plans and specifications.

Under the proposed contract with Andes Construction, Inc. SLBE participation of \$275,173.00 (100%) exceeds the City's 20% LBE/SLBE requirement. The contractor shows \$10,000.00 (100%) for trucking that exceeds the 20% Local Trucking participation requirement. The contractor is required to have 50% of the work hours performed by Oakland residents, and 50% of all new hires are to be Oakland residents. The LBE/SLBE information has been verified by the Contract Compliance Division of the City Administrator's Office and is shown in *Attachment C*.

### **KEY ISSUES AND IMPACTS**

This sanitary sewer cyclic project was created in coordination with the resurfacing of the Underhills Road. The engineer's estimate for this project is \$255,465.00. Staff has analyzed Andes Construction's unit prices and has determined they are reasonable given the current construction climate. Construction is scheduled to begin in February 2006 and should be completed by April 2006. The contract specifies \$1,000.00 in liquidated damages per working day if the contract completion time of 30 working days is exceeded. The project schedule is shown in *Attachment B*.

### **SUSTAINABLE OPPORTUNITIES**

Economic: The contractor is required to have 50% of the work hours performed by Oakland residents, and 50% of all new hires are to be Oakland residents.

Environmental: The replacement of the sanitary sewers will eliminate the possibility of sewer leakage and overflows and thus prevent potential harm to groundwater resources and the bay. The contractor will be required to make every effort to reuse clean fill materials and use recyclable concrete and asphalt products.

Social Equity: This project is part of the citywide program to eliminate wastewater overflows thereby benefiting all Oakland residents.

**DISABILITY AND SENIOR CITIZEN ACCESS**

There is no direct impact or benefit to seniors or people with disabilities.

**RECOMMENDATION AND RATIONALE**

It is recommended that the construction contract be awarded to the responsible and responsive bidder, Andes Construction Inc., in the amount of \$275,173.00 for the Rehabilitation of Sanitary Sewers in Underhills Road from Grosvenor Place to Sunny Hills Road (Project No. C260110). Andes Construction, Inc. has met the LBE/SLBE requirements, and there are sufficient funds in the project account.

**ACTION REQUESTED OF THE CITY COUNCIL**

Staff recommends that the City Council approve the resolution.

Respectfully submitted,

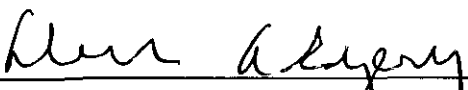


**RAUL GODINEZ II, P.E.**  
Director, Public Works Agency

Reviewed by:  
Michael Neary, P.E.  
Assistant Director, Public Works Agency  
Design & Construction Services Dept.

Prepared by:  
Emad Mirsaeidi, P.E.  
Acting Engineering Design &  
R.O.W. Division Manager

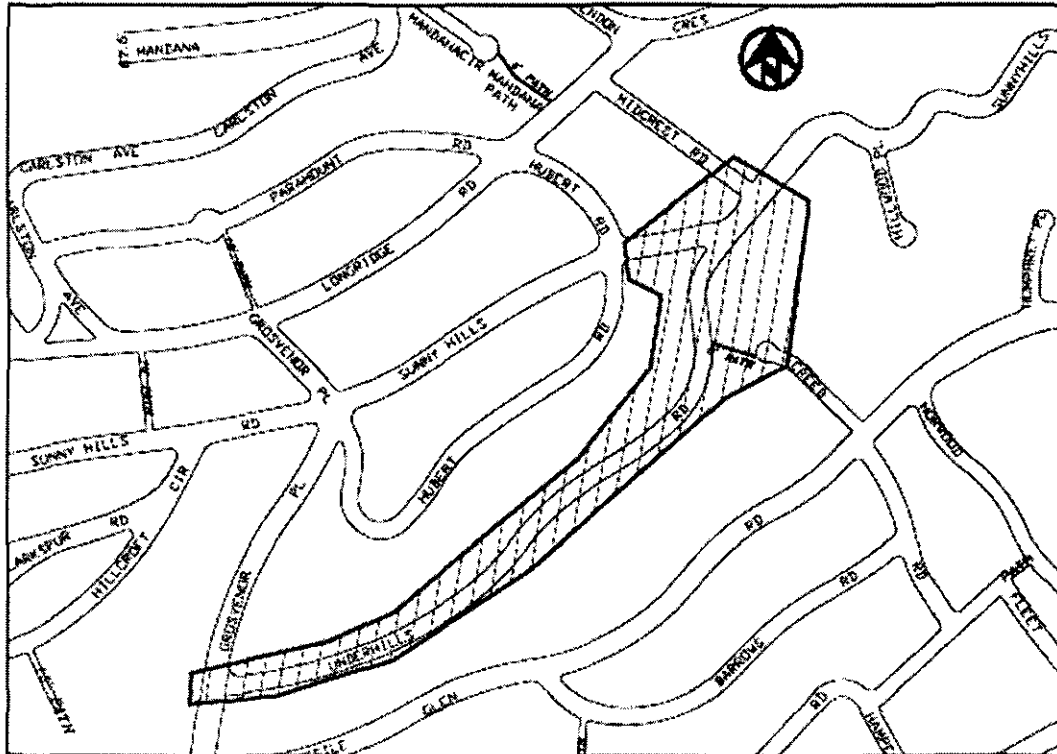
APPROVED AND FORWARDED TO THE  
PUBLIC WORKS COMMITTEE:

  
**OFFICE OF THE CITY ADMINISTRATOR**

*Attachment A*

# PLANS FOR THE REHABILITATION OF SANITARY SEWERS IN UNDERHILLS RD FROM GROSVENOR PL TO SUNNY HILLS RD

CITY PROJECT NO. C260110



LOCATION MAP

NOT TO SCALE

LIMIT OF WORK 

**Attachment B**

**Rehabilitation of Sanitary Sewers in Underhills Road from  
 Grosvenor Place to Sunny Hills Road  
 (Project No. C260110)**

**List of Bidders**

Company	Status	Location	Bid Amount
Andes Construction, Inc.	SLBE	Oakland	\$275,173.00
Pacific Trenchless	SLBE	Oakland	\$316,652.00
D'arcy & Hardy	SLBE	San Francisco	\$343,075.00
KJ Woods		San Francisco	\$388,000.00

**Project Schedule**

ID	Task Name	Start	Finish	2005				2006			
				Qtr 4	Qtr 1	Qtr 2	Qtr 3	Qtr 4	Qtr 1	Qtr 2	Qtr 3
1	<b>Project No. C260110</b>	<b>Mon 5/2/05</b>	<b>Fri 4/28/06</b>								
2	Pre-Design	Mon 5/2/05	Fri 5/27/05								
3	Design	Thu 6/2/05	Mon 7/11/05								
4	Bid/Award	Mon 9/12/05	Tue 1/10/06								
5	Construction	Mon 2/6/06	Fri 4/28/06								

*Attachment C*



**OFFICE OF THE CITY ADMINISTRATOR**  
Contract Compliance & Employment Services Division

# Memo

**To:** Gwen McCormick - Contract Administrator Supervisor  
**From:** Dasco Munoz - Contract Compliance Officer  
**Through:** Deborah Barnes, CC&ES Manager *Deborah Barnes*  
**Date:** November 8, 2005  
**Re:** Rehabilitation of Sanitary Sewers in the Underhills Rd. from Grosvenor Pl to Sunny Hills Project C260110

Contract Compliance & Employment Services reviewed four (4) bids received in response to the above referenced project. Below is the outcome of our compliance evaluation for the twenty percent (20%) minimum participation requirement and a preliminary review for compliance with the Equal Benefits Ordinance (EBO).

Company Name	Bid Amount (If applicable)	Total L/SLBE	LBE	SLBE	Trucking	Total Credited	Preferences		Banked Credits Eligibility	EBO Compliant ? Y/N
							Bid Discounts	Adjusted Bid Amount		
Andes Construction	\$275,173.00	100.00%	0.00%	100.00%	100%	100.00%	5%	\$261,414	2%	Y
Pacific Trenchless Inc.	\$316,652.00	100.00%	0.00%	100.00%	100%	100.00%	5%	\$300,819	2%	Y
Darcy & Harty	\$343,075.00	20.55%	0.00%	20.55%	100%	20.55%	2%	\$336,214	0%	Y
KJ woods	\$388,000.00	23.20%	21.91%	1.29%	100%	10.00%	0%	\$388,000	0%	Y

As noted above, Andes Construction, Pacific Trenchless and Darcy & Harty met or exceeded the 20% L/SLBE requirements and are in compliance with the Equal Benefit Ordinance (EBO). KJ Woods did not meet the 20% L/SLBE requirement.

Should you have any questions you may contact Dasco Munoz at 238-3970

2005 NOV 10 AM 10:40  
 OFFICE OF THE CITY ADMINISTRATOR

**Contract Compliance and Employment Services Evaluation Form**

**Project No.:** C260110

**Project Name:** Rehabilitation of Sanitary Sewers in the Underhills Rd. from Grosvenor Pl to Sunny Hills

**Contractor:** Andes Construction

**Contractor's Bid Amount:** \$275,173.00

**Engineer's Estimate:** \$255,465.00

**Over/Under the Engineers Estimate:** \$19,708.00

**Bid Discounted Amount:** \$13,758.65

**Discount Points:** 5%

**Discounted Bid Price:** \$261,414.35

1. Did the 20% requirements apply? **YES**

2. Did the contractor meet the 20% requirement? **YES**

a) % of I.BE **0.00%**  
b) % of SI.BE **100.00%**

3. Did the contractor meet the Trucking requirement? **YES**

a) % of Local Trucking **100.00%**

4. Did the contractor received bid discount points? **YES**  
(If yes, list the points received) **5%**

5. Additional Comments.

6. Date evaluation completed and returned to Contact Admin./Initiating Dept. **11/8/2005**

**Reviewing Officer:** *[Signature]* **Date:** 11/8/2005

**Approved By:** *[Signature]* **Date:** 11/8/05



# LBE/SLBE Participation Bidder 1

Project Name: Rehabilitation of Sanitary Sewers in the Underhills Rd. from Grosvenor Pl to Sunny Hills

Project No.: C260110		Engineers Est: 255,465.00				Under/Over Engineers Estimate: 19,708.00				For Tracking Only		
Discipline	Prime & Subs	Location	Cert. Status	LBE	SLBE	Total	S/LBE	Total	TOTAL	Ethn.	MBE	WBE
						LBE/SLBE	Trucking	Trucking	Dollars			
<b>PRIME</b>	Andes Construction	Oakland	CR		210,173.00	210,173.00			210,173.00	H	210,173.00	
Excavation	Mosto Construction	Oakland	CB		50,000.00	50,000.00			50,000.00	H	\$50,000.00	
Saw Cut	Bay Line Const.	Oakland	CB		5,000.00	5,000.00			5,000.00	H	\$5,000.00	
Trucking	Foston Trucking	Oakland	CB		10,000.00	10,000.00	10,000.00	10,000.00	10,000.00	AA	\$10,000.00	
<b>Project Totals</b>				0.00	275,173.00	275,173.00	10,000.00	10,000.00	275,173.00		\$275,173.00	
				0.00%	100.00%	100.00%	100%	100%				
<b>Requirements:</b> The 20% requirements is a combination of 10% LBE and 10% SLBE participation. An SLBE firm can be counted 100% towards achieving 20% requirements.				<b>LBE 10%</b>	<b>SLBE 10%</b>	<b>TRUCKING 20%</b>	<b>LBE/SLBE 20%</b>		<b>Ethnicity</b> AA = African American AI = Asian Indian AP = Asian Pacific C = Caucasian H = Hispanic NA = Native American O = Other NL = Not Listed			
<b>Legend</b>				LBE = Local Business Enterprise SLBE = Small Local Business Enterprise Total LBE/SLBE = All Certified Local and Small Local Businesses NPLBE = NonProfit Local Business Enterprise NPSLBE = NonProfit Small Local Business Enterprise		UB = Uncertified Business CB = Certified Business MBE = Minority Business Enterprise WBE = Women Business Enterprise						

**Contract Compliance and Employment Services Evaluation Form**

**Project No.:** C260110

**Project Name:** Rehabilitation of Sanitary Sewers in the Underhills Rd. from Grosvenor PI to Sunny Hills

**Contractor:** Pacific Trenchless Inc.

**Contractor's Bid Amount:** \$316,652.00

**Engineer's Estimate:** \$255,465.00

**Over/Under the Engineers Estimate:** -\$61,187.00

**Bid Discounted Amount:** \$15,832.60

**Discount Points:** 5%

**Discounted Bid Price:** \$300,819.40

1. Did the 20% requirements apply? **YES**

2. Did the contractor meet the 20% requirement? **YES**

a)	% of LBE	<b><u>0.00%</u></b>
b)	% of SLBE	<b><u>100.00%</u></b>

3. Did the contractor meet the Trucking requirement? **YES**

a)	% of Local Trucking	<b><u>100.00%</u></b>
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4. Did the contractor received bid discount points? **YES**  
(If yes, list the points received) **5%**

5. Additional Comments.

6. Date evaluation completed and returned to Contact Admin./Initiating Dept. **11/8/2005**

**Reviewing Officer:**



**Date:** 11/8/2005

**Approved By:**



**Date:** 11/8/05

## LBE/SLBE Participation Bidder 2

Project Name: Rehabilitation of Sanitary Sewers in the Underhills Rd. from Grosvenor Pl to Sunny Hills

Project No.: C260110		Engineers Est: 255,465.00				Under/Over Engineers Estimate: -61,187.00							
Discipline	Prime & Subs	Location	Cert. Status	LBE	SLBE	Total LBE/SLBE	S/LBE Trucking	Total Trucking	TOTAL Dollars	For Tracking Only			
										Ethn.	MBE	WBE	
Prime	Pacific Trenchless Inc.	Oakland	CB		309,652.00	309,652.00			309,652.00	C			
Trucking	Williams Trucking	Oakland	CB		3,000.00	3,000.00	3,000.00	3,000.00	3,000.00	AA	\$3,000.00		
Concrete	AJW Construction	Oakland	CB		4,000.00	4,000.00			4,000.00	H	\$4,000.00		
<b>Project Totals</b>				0.00	316,652.00	316,652.00	3,000.00	3,000.00	316,652.00		\$7,000.00	\$0.00	
				0.0%	100.00%	100.00%	100.00%	100.00%					
<b>Requirements:</b> The 20% requirements is a combination of 10% LBE and 10% SLBE participation. An SLBE firm can be counted 100% towards achieving 20% requirements.				<b>LBE 10%</b>	<b>SLBE 10%</b>	<b>TRUCKING 20%</b>	<b>LBE/SLBE 20%</b>			<b>Ethnicity</b> AA = African American AI = Asian Indian AP = Asian Pacific C = Caucasian H = Hispanic NA = Native American O = Other NL = Not Listed			
<b>Legend</b>				LBE = Local Business Enterprise		SLBE = Small Local Business Enterprise		Total LBE/SLBE = All Certified Local and Small Local Businesses		NPLBE = NonProfit Local Business Enterprise		NPSLBE = NonProfit Small Local Business Enterprise	
				UB = Uncertified Business		CB = Certified Business		MBE = Minority Business Enterprise		WBE = Women Business Enterprise			

**Contract Compliance and Employment Services Evaluation Form**

**Project No.:** C260110

**Project Name:** Rehabilitation of Sanitary Sewers in the Underhills Rd. from Grosvenor PI to Sunny Hills

**Contractor:** Darcy & Harty

**Contractor's Bid Amount:** \$343,075.00

**Engineer's Estimate:** \$255,465.00

**Over/Under the Engineers Estimate:** -\$87,610.00

**Bid Discounted Amount:** \$6,861.50

**Discount Points:** 2%

**Discounted Bid Price:** \$336,213.50

1. Did the 20% requirements apply? **YES**

2. Did the contractor meet the 20% requirement? **YES**

a)	% of LBE	<b><u>0.00%</u></b>
b)	% of SLBE	<b><u>20.55%</u></b>

3. Did the contractor meet the Trucking requirement? **YES**

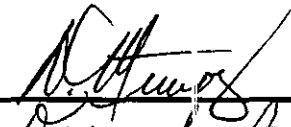
a)	% of Local Trucking	<b><u>100.00%</u></b>
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4. Did the contractor received bid discount points? **YES**  
(If yes, list the points received) **2%**

5. Additional Comments.

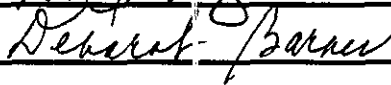
6. Date evaluation completed and returned to Contact Admin./Initiating Dept. **11/8/2005**

**Reviewing Officer:**



**Date:** 11/8/2005

**Approved By:**



**Date:** 11/8/2005

# LBE/SLBE Participation Bidder 3

Project Name: Rehabilitation of Sanitary Sewers in the Underhills Rd. from Grosvenor Pl to Sunny Hills

Project No.: C260110		Engineers Est: 255,465.00				Under/Over Engineers Estimate: -87,610.00							
Discipline	Prime & Subs	Location	Cert. Status	LBE	SLBE	Total LBE/SLBE	S/LBE Trucking	Total Trucking	TOTAL Dollars	For Tracking Only			
										Ethn.	MBE	WBE	
Prime	Darcy & Harty	SF	UB						272,575.00	C			
Saw-Cut	Owens Concrete Saw	Oakland	CB		4,000.00	4,000.00			4,000.00	C		\$4,000	
Trucking	Williams Trucking	Oakland	CB		8,000.00	8,000.00	8,000.00	8,000.00	8,000.00	AA	\$8,000.00		
Fill	AJW Construction	Oakland	CB		23,500.00	23,500.00			23,500.00	H	\$23,500.00		
Supplies	General Supply	Oakland	CB		35,000.00	35,000.00			35,000.00	AA	\$35,000.00		
<b>Project Totals</b>				0.00	70,500.00	70,500.00	8,000.00	8,000.00	343,075.00		\$66,500.00	\$4,000.00	
				0.0%	20.55%	20.55%	100.00%	100.00%					
<b>Requirements:</b> The 20% requirements is a combination of 10% LBE and 10% SLBE participation. An SLBE firm can be counted 100% towards achieving 20% requirements.				<b>LBE 10%</b>	<b>SLBE 10%</b>	<b>TRUCKING 20%</b>	<b>LBE/SLBE 20%</b>			<b>Ethnicity</b> AA = African American AI = Asian Indian AP = Asian Pacific C = Caucasian H = Hispanic NA = Native American O = Other NL = Not Listed			
<b>Legend</b> LBE = Local Business Enterprise SLBE = Small Local Business Enterprise Total LBE/SLBE = All Certified Local and Small Local Businesses NPLBE = NonProfit Local Business Enterprise NPSLBE = NonProfit Small Local Business Enterprise				UB = Uncertified Business CB = Certified Business MBE = Minority Business Enterprise WBE = Women Business Enterprise									

**Contract Compliance and Employment Services Evaluation Form**

**Project No.:** C260110

**Project Name:** Rehabilitation of Sanitary Sewers in the Underhills Rd. from Grosvenor Pl to Sunny Hills

**Contractor:** KJ woods

**Contractor's Bid Amount:** \$388,000.00

**Engineer's Estimate:** \$255,465.00

**Over/Under the Engineers Estimate:** -\$132,535.00

**Bid Discounted Amount:** \$0.00

**Discount Points:** 0%

**Discounted Bid Price:** \$388,000.00

1. Did the 20% requirements apply? **YES**

2. Did the contractor meet the 20% requirement? **NO**

a)	% of LBE	<b><u>21.91%</u></b>
b)	% of SLBE	<b><u>1.29%</u></b>

3. Did the contractor meet the Trucking requirement? **YES**

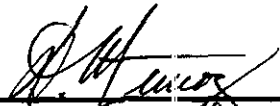
a)	% of Local Trucking	<b><u>100.00%</u></b>
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4. Did the contractor received bid discount points? **NO**  
(If yes, list the points received) **0%**

5. Additional Comments.  
This contractor did not have the minimum SLBE participation requirement.

6. Date evaluation completed and returned to Contact Admin./Initiating Dept. **11/8/2005**

**Reviewing  
Officer:**



**Date:** 11/8/2005

**Approved By:**



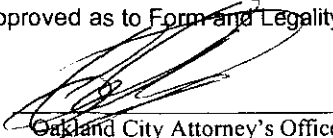
**Date:** 11/8/05

# LBE/SLBE Participation Bidder 4

Project Name: Rehabilitation of Sanitary Sewers in the Underhills Rd. from Grosvenor Pl to Sunny Hills

Project No.: C260110		Engineers Est: 255,465.00				Under/Over Engineers Estimate: -132,535.00						
Discipline	Prime & Subs	Location	Cert. Status	LBE	SLBE	Total LBE/SLBE	S/LBE Trucking	Total Trucking	TOTAL Dollars	For Tracking Only		
										Ethn.	MBE	WBE
Prime	KJ woods	SF	UB						278,000.00	C		
Trucking	S&S Trucking	Oakland	CB		3,000.00	3,000.00	3,000.00	3,000.00	3,000.00	H	\$3,000.00	
Sawing	Bayline	Oakland	CB		2,000.00	2,000.00			2,000.00	H	\$2,000.00	
Excavation	Peak Engineering	Oakland	CB	85,000.00		85,000.00			85,000.00	AI	\$85,000.00	
D Supply	JF Liner	Vacaville	UB						20,000.00	NL		
<b>Project Totals</b>				85,000.00	5,000.00	90,000.00	3,000.00	3,000.00	388,000.00		\$90,000.00	\$0.00
				21.9%	1.29%	23.20%	100.00%	100.00%				
<b>Requirements:</b> The 20% requirements is a combination of 10% LBE and 10% SLBE participation. An SLBE firm can be counted 100% towards achieving 20% requirements.				<b>LBE 10%</b>	<b>SLBE 10%</b>	<b>TRUCKING 20%</b>	<b>LBE/SLBE 20%</b>			<b>Ethnicity</b> AA = African American AI = Asian Indian AP = Asian Pacific C = Caucasian H = Hispanic NA = Native American O = Other NL = Not Listed		
<b>Legend</b>				LBE = Local Business Enterprise		UB = Uncertified Business						
				SLBE = Small Local Business Enterprise		CB = Certified Business						
				Total LBE/SLBE = All Certified Local and Small Local Businesses		MBE = Minority Business Enterprise						
				NPLBE = NonProfit Local Business Enterprise		WBE = Women Business Enterprise						
				NPSLBE = NonProfit Small Local Business Enterprise								

OFFICE OF THE CITY CLERK  
OAKLAND

  
Oakland City Attorney's Office

2005 DEC 28 PM 4: 36

# OAKLAND CITY COUNCIL

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

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

Requires two-thirds vote of the Council

RESOLUTION AUTHORIZING AWARD OF A CONTRACT TO ANDES CONSTRUCTION, INC. FOR THE REHABILITATION OF SANITARY SEWERS IN UNDERHILLS ROAD FROM GROSVENOR PLACE TO SUNNY HILLS ROAD (PROJECT NO. C260110) FOR THE AMOUNT OF TWO HUNDRED SEVENTY-FIVE THOUSAND ONE HUNDRED SEVENTY-THREE DOLLARS (\$275,173.00)

**WHEREAS**, on October 24, 2005, four bids were received by the Office of the City Clerk of the City of Oakland for the Rehabilitation of Sanitary Sewers in Underhills Road from Grosvenor Place to Sunny Hills Road (Project No. C260110); and

**WHEREAS**, Andes Construction, Inc. a certified SLBE bidding as a prime, 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 this project is available in the Sewer Service Fund (3100); Capital Project-Sanitary Sewer Design Organization (92244); Sewers Account (57417); Rehabilitation of Sanitary Sewers in Underhills Rd from Grosvenor Pl to Sunny Hills Rd (Project No. C260110) and these funds were specifically allocated for this project; 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**, Andes Construction, Inc. complies with all LBE/SLBE 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 services; now, therefore, be it

**RESOLVED:** That the contract for the Rehabilitation of Sanitary Sewers in Underhills Road from Grosvenor Place to Sunny Hills Road (Project No. C260110) is hereby awarded to Andes Construction, Inc. in accordance with the terms of its bid therefore, dated October 24,



2005, for the amount of Two Hundred Seventy-Five Thousand One Hundred Seventy-Three Dollars (\$275,173.00); and be it

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

**FURTHER RESOLVED:** That the amount of the bond for faithful performance, \$275,173.00, 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, \$275,173.00, 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 Andes Construction, Inc. 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; 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.

IN COUNCIL, OAKLAND, CALIFORNIA, \_\_\_\_\_, 2006

PASSED BY THE FOLLOWING VOTE:

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

NOES-

ABSENT-

ABSTENTION-

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

LATONDA SIMMONS  
City Clerk and Clerk of the Council  
of the City of Oakland, California