

FILED
OFFICE OF THE CITY CLERK
OAKLAND

2012 JUN 14 PM 1:28

OAKLAND CITY COUNCIL

RESOLUTION No. 83954 C.M.S.

Approved as to Form and Legality


City Attorney

RESOLUTION AUTHORIZING THE CITY ADMINISTRATOR TO AWARD A CONSTRUCTION CONTRACT TO AJW CONSTRUCTION, THE LOWEST RESPONSIVE/RESPONSIBLE BIDDER, FOR THE CONSTRUCTION OF THE SAFE ROUTES TO SCHOOL (SRTS), CYCLE 2 PROJECT (CITY PROJECT NO. C376210) IN ACCORDANCE WITH THE PROJECT PLANS AND SPECIFICATIONS IN THE AMOUNT OF FOUR HUNDRED FIFTY-TWO THOUSAND, SEVEN HUNDRED FIVE DOLLARS AND SEVENTY-FIVE CENTS (\$452,705.75) AND IN ACCORD WITH CONTRACTOR'S BID

WHEREAS, on April 5, 2012, three bids were received for the project from AJW Construction, Sposeto Engineers, Inc, and JJR Construction, Inc in the amounts of \$452,705.75, \$496,136.35, and \$558,470.15, respectively, in response to the Notice Inviting Bids for the construction of the Safe Routes to School, Cycle 2 Project; and

WHEREAS, the City of Oakland was awarded a federal Safe Routes to School (SRTS) grant through the Federal SAFETEA-LU (The Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users) program, and the grant was accepted and appropriated by City Council on January 6, 2009, per Resolution No. 81736 C.M.S.; and

WHEREAS, AJW Construction is the lowest responsive bidder for the project, and the bid complies with the 4.17% Race Conscious Underutilized Disadvantaged Business Enterprise (UDBE) participation; and

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

- \$452,705.75: State of California Department of Transportation Fund (2116); Capital Projects – Traffic Engineering Organization (92246); Safe Routes To School, Cycle 2 Project (C3376210)

WHEREAS, the engineer's estimate for the work is \$598,715.00; and

WHEREAS, the City Council finds that the City lacks the equipment and qualified personnel to perform the necessary work and that the performance of this contract is in the public interest because of economy or better performance; and

WHEREAS, the City Administrator has determined 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 Safe Routes To School (SRTS), Cycle 2 Project (Project No. C376210) is hereby awarded to AJW Construction in accordance with the project plans and specifications in the amount of four hundred fifty-two thousand, seven hundred five dollars and seventy-five cents (\$452,705.75); 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 contractor shall provide a 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 City Administrator, or her designee, is hereby authorized to enter into a contract with AJW Construction 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 for form and legality and placed on file in the Office of the City Clerk.

IN COUNCIL, OAKLAND, CALIFORNIA, JUL 3 2012, 20

PASSED BY THE FOLLOWING VOTE:

AYES - BROOKS, BRUNNER, DE LA FUENTE, KAPLAN, ~~KERNIGHAN~~, NADEL, SCHAAF, and PRESIDENT REID - 7

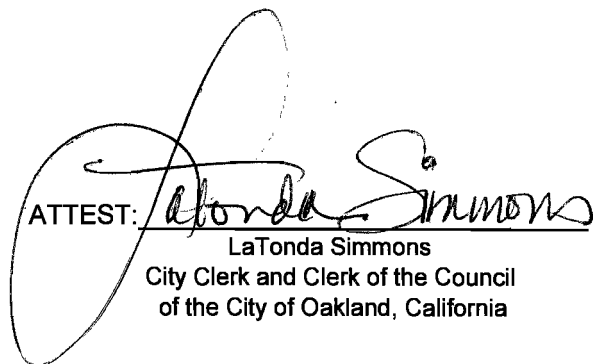
NOES - 0

ABSENT - 0

ABSTENTION - 0

Excused - Kernighan - 1

ATTEST:



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