


Oakland City Attorney's Office

OFFICE OF THE CITY CLERK
OAKLAND

OAKLAND CITY COUNCIL
RESOLUTION NO. 79827 C.M.S.
2005 MAR -1 AM 8:50

INTRODUCED BY COUNCILMEMBER _____

REQUIRES TWO-THIRDS VOTE OF THE COUNCIL

RESOLUTION AUTHORIZING THE CITY ADMINISTRATOR TO AWARD A CONSTRUCTION CONTRACT TO PHOENIX ELECTRIC, THE LOWEST RESPONSIBLE AND RESPONSIVE BIDDER, FOR THE CITYWIDE PEDESTRIAN SAFETY PROGRAM (CITY PROJECT NO. C188510) IN THE AMOUNT OF FIVE HUNDRED SEVENTY-NINE THOUSAND FIVE HUNDRED THIRTY-SIX DOLLARS (\$579,536.00), AND REJECTING ALL OTHER BIDS

WHEREAS, on November 14, 2005, two bids were received by the Office of the City Clerk of the City of Oakland for the Citywide Pedestrian Safety Program (City Project No. C188510); and

WHEREAS, Phoenix Electric, bidding as the prime contractor, submitted the lowest responsible and responsive bid; and

WHEREAS, there are sufficient funds for the construction contract in the Municipal Capital Improvement Fund (5500); Capital Improvement Projects – Transportation Services Organization (92246); Signal and Safety Devices Account (57412); and Citywide Pedestrian Safety Project (C188510); and Measure B Fund (2210); Capital Improvement Projects – Transportation Services Organization (92246); Signal and Safety Devices Account (57412); and Pedestrian Signal Heads Project (C214410); and

WHEREAS, the City lacks the equipment and 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, Phoenix Electric complies with all Local/Small Local Business Enterprise Program requirements; and

WHEREAS, the City Council finds and determines 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 construction contract for the Citywide Pedestrian Safety Program (City Project No. C188510) is hereby awarded to Phoenix Electric in accordance with terms of its bid, dated November 14, 2005, for the amount of five hundred seventy-nine thousand five hundred thirty-six dollars (\$579,536.00); and be it

FURTHER RESOLVED: That the plans and specifications prepared by the Director of the Public Works Agency for Citywide Pedestrian Safety Program (City Project No. C188510) are hereby approved; and be it

FURTHER RESOLVED: That the amount of the bond for faithful performance, \$579,536.00 (100% of Contract), and the amount for a bond to guarantee payment of all claims for labor and materials furnished and for amount due under the Unemployment Insurance Act, \$579,536.00 (100% of Contract), with respect to such work are hereby approved; and be it

FURTHER RESOLVED: That the City Administrator, or her designee, is hereby authorized to enter into a contract with Phoenix Electric on behalf of the City of Oakland and execute any amendments or modifications of said contract 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 for form and legality by the City Attorney, and a copy of the contract shall be kept 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.

APR 4 2006

IN COUNCIL, OAKLAND, CALIFORNIA, _____, 2006

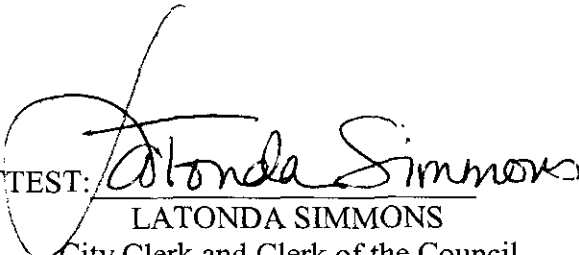
PASSED BY THE FOLLOWING VOTE:

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