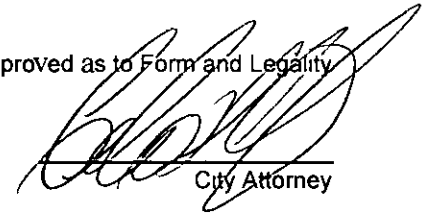


FILED  
OFFICE OF THE CITY CLERK  
OAKLAND  
2013 DEC -5 PM 1:31

# OAKLAND CITY COUNCIL

Approved as to Form and Legality



City Attorney

RESOLUTION No. 84783 C.M.S.

Introduced by Councilmember \_\_\_\_\_

**RESOLUTION AUTHORIZING THE CITY ADMINISTRATOR OR HER DESIGNEE TO EXECUTE A CONSTRUCTION CONTRACT WITH RAY'S ELECTRIC, THE LOWEST RESPONSIVE AND RESPONSIBLE BIDDER, FOR THE CONSTRUCTION OF THE RAILROAD GRADE CROSSING IMPROVEMENTS AT THE INTERSECTIONS OF BROADWAY/EMBARCADERO AND FRUITVALE AVENUE NEAR SAN LEANDRO STREET (PROJECT NOS. C459010, C458910) IN ACCORDANCE WITH PLANS AND SPECIFICATIONS FOR THE PROJECT AND WITH CONTRACTOR'S BID IN THE AMOUNT OF THREE-HUNDRED THIRTY-SEVEN THOUSAND, SEVEN HUNDRED NINETY DOLLARS, AND TWENTY-FIVE CENTS (\$337,790.25) AND REJECT ALL OTHER BIDS**

**WHEREAS**, on September 5, 2013, four bids were received by the Office of the City Clerk for the construction of Railroad Grade Crossing Improvements at the intersections of Broadway/Embarcadero and Fruitvale Avenue near San Leandro Street (C459010, C458910), and

**WHEREAS**, Ray's Electric, is deemed the lowest responsive and responsible bidder for the Railroad Grade Crossing Improvements at the intersections of Broadway/Embarcadero and Fruitvale Avenue near San Leandro Street Project, and

**WHEREAS**, there is sufficient funding in the project budget for the work in Grant Fund (2140), Transportation Services Organization (92246), Street Construction Account (57411), CA 130 Grade Crossing Improvements at the intersections of Broadway/Embarcadero and Fruitvale Avenue near San Leandro Street (C459010, C458910), 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 and 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 Railroad Grade Crossing Improvements at the intersections of Broadway/Embarcadero and Fruitvale Avenue near San Leandro Street is hereby awarded to Ray's Electric, the lowest responsive and responsible bidder, in accordance with project plans and specifications in the amount of Three Hundred and Thirty-Seven Thousand, Seven Hundred and Ninety Dollars, and Twenty-Five Cents (\$337,790 25), and be it

**FURTHER RESOLVED:** That the plans and specifications prepared by 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 Ray's Electric on behalf of the City of Oakland and execute any amendment 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

**JAN 07 2014**

IN COUNCIL, OAKLAND, CALIFORNIA, \_\_\_\_\_, 20\_\_

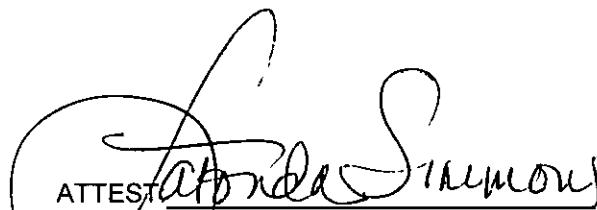
PASSED THE FOLLOWING VOTE

AYES – BROOKS, GALLO, GIBSON-MCELHANEY, KALB, KAPLAN, REID, SCHAAF AND PRESIDENT KERNIGHAN — 8

NOES – ∅

ABSENT – ∅

ABSTENTION – ∅

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