

OAKLAND CITY COUNCIL
RESOLUTION NO. 77847 - C.M.S.

FILED
OFFICE OF THE CITY CLERK
OAKLAND
2003 MAY 15 AM 11:30

INTRODUCED BY COUNCILMEMBER _____

Requires two-thirds vote of the Council

RESOLUTION AUTHORIZING ACCEPTANCE AND APPROPRIATION OF A PRIVATE DONATION IN THE AMOUNT OF \$45,000 FROM THE SPLASH PAD NEIGHBORHOOD FORUM, AND INCREASING THE CHANGE ORDER LIMIT BY \$125,000 ON THE CONSTRUCTION CONTRACT WITH RAY'S ELECTRIC FOR THE SPLASH PAD PARK RENOVATION AND STREETScape IMPROVEMENTS PROJECT (PROJECT NO. C151900)

WHEREAS, the Splash Pad Neighborhood Forum, a non-profit neighborhood organization, wishes to make a donation in the amount of \$45,000, which was generated through their fund raising efforts, to the Splash Pad Park Renovation and Streetscape Improvements project; and

WHEREAS, on October 29, 2002, the City Council approved Resolution No. 77508 C.M.S., awarding the contract for the construction of the Splash Pad Park Renovation and Streetscape Improvements project to Ray's Electric in an amount not to exceed \$771,500; and

WHEREAS, the project specifications limit the cumulative increase to this construction contract to 20% of the authorized contract amount; and any spending above the 20% cap requires approval of the Council; and

WHEREAS, since the commencement of construction, additional work was required; these additional items are being paid for with the existing funds in the construction contingency and fall within the 20% change order limit; and

WHEREAS, the proposed additional funds of \$125,000 are from the following two sources: a donation in the amount of \$45,000 from the Splash Pad Neighborhood Forum and the additional Pay-Go funds in the amount of \$80,000 from Council District 2; and

WHEREAS, with the proposed additional funds of \$125,000, the change order limit needs to be increased in order for the funds to be utilized; and

WHEREAS, the additional funds will be used to pay for any unforeseen conditions or requirements, and may possibly be used to add alternate bid items to the project scope, which were not originally awarded; 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; and

WHEREAS, the City Council finds 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 service; now, therefore, be it

RESOLVED: That the City Council hereby designates the City Manager, or his designee, the authority to accept and appropriate a private donation in the amount of \$45,000 from the Splash Pad Neighborhood Forum and to increase the change order limit by \$125,000 on the construction contract with Ray's Electric for the Splash Pad Park Renovation and Streetscape Improvements project; and be it

FURTHER RESOLVED: That the approval of this Resolution requires a two-thirds vote of the Council members.

JUN 03 2003

IN COUNCIL, OAKLAND, CALIFORNIA, _____, 2003

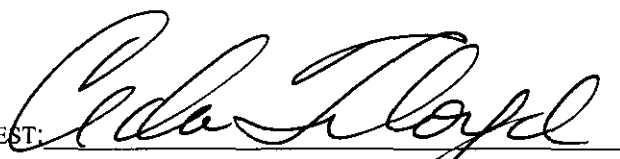
PASSED BY THE FOLLOWING VOTE:

AYES- BROOKS, BRUNNER, CHANG, NADEL, QUAN, REID, WAN, AND PRESIDENT DE LA FUENTE -8

NOES- 0

ABSENT- 0

ABSTENTION- 0

ATTEST: 
CEDA FLOYD
City Clerk and Clerk of the Council
of the City of Oakland, California