

CITY OF OAKLAND

AGENDA REPORT

OFFICE OF THE CITY ADMINISTRATOR

2007 JUL 10 AM 7:59

TO: Office of the City Administrator
ATTN: Deborah Edgerly
FROM: Public Works Agency
DATE: July 10, 2007

RE: **RESOLUTION:**

- 1) **AWARDING A CONSTRUCTION CONTRACT TO RAY'S ELECTRIC FOR THE CITYWIDE TRAFFIC SIGNAL PROJECT (CITY PROJECT NOS. C269010, C269410, C269710, C269910, C222310, C270110) FOR TRAFFIC SIGNAL INSTALLATIONS AT HIGH STREET AT SANTA RITA STREET, PIEDMONT AVENUE AT LINDA AVENUE, AND TELEGRAPH AVENUE AT 66TH STREET, TRAFFIC SIGNAL MODIFICATIONS AT HIGH STREET AT FOOTHILL BOULEVARD AND INSTALLATION OF PEDESTRIAN COUNTDOWN MODULES AT VARIOUS LOCATIONS IN THE TOTAL AMOUNT OF SIX HUNDRED FIFTY-THREE THOUSAND NINE HUNDRED FORTY-FIVE DOLLARS (\$653,945.00); AND**
- 2) **WAIVING THE COMPETITIVE BID PROCESS AND AWARDING A CONTRACT TO RAY'S ELECTRIC FOR INSTALLATION OF AN ADDITIONAL TRAFFIC SIGNAL ON HARRISON STREET AT WESTLAKE MIDDLE SCHOOL FOR AN AMOUNT OF TWO HUNDRED THOUSAND DOLLARS (\$200,000.00)**

SUMMARY

A resolution has been prepared authorizing the City Administrator to 1) award a construction contract to Ray's Electric for the Citywide Traffic Signal Projects (City Project Nos. C269010, C269410, C269710, C269910, C222310, C270110) for new traffic signals at three intersections: High Street/Santa Rita Street; Piedmont Avenue/Linda Avenue; Telegraph Avenue/66th Street; and traffic signal modification at High Street/Foothill Boulevard, and the installation of pedestrian countdown modules at various locations in the total amount of \$653,945.00; and 2) waiving the competitive bid process and awarding a contract to Ray's Electric for the installation of a traffic signal on Harrison Street at Westlake Middle School for an amount of \$200,000.00.

Item #: _____
Public Works Committee
July 10, 2007

All of the projects were approved as part of the 2005-2007 Capital Improvement Program, except for the traffic signal on Harrison Street at Westlake Middle School, which is being paid for from City Council District 3 Pay-Go funds. This signal responds to long-standing community requests for traffic and school safety, and concerns about additional traffic from the upcoming opening of a new Whole Foods grocery store later this fall. The project includes improvements citywide, in City Council Districts 1 to 7. Funds from the five City projects in the total amount of \$853,945.00 from Measure B and Gas Tax Funds are available for this project.

Staff recommends approval of the resolution.

FISCAL IMPACT

The resolution will authorize a \$653,945.00 and a \$200,000.00 contract with Ray's Electric. Construction costs for the Traffic Signal Projects in the amount of \$853,945.00 are available from Measure B and Gas Tax funds in the following accounts:

High Street at Santa Rita Street

- Measure B Fund (2211); Capital Improvement Projects, Transportation Services Division, Organization (92246); Project (C269010), in the amount of \$159,014.00.

Piedmont Avenue at Linda Avenue

- Measure B Fund (2211); Capital Improvement Projects, Transportation Services Division, Organization (92246); Project (C269410), in the amount of \$159,071.00.

Telegraph Avenue at 66th Street

- Measure B Fund (2212); Capital Improvement Projects, Transportation Services Division, Organization (92246); Project (C269710), in the amount of \$154,090.00.

Harrison Street at Westlake Middle School

- Measure B Fund (221); Capital Improvement Projects, Transportation Services Division, Organization (92246); Project (District 3 Pay-Go), in the amount of \$100,000.00
- State Gas Tax Fund (2230); Capital Improvement Projects, Transportation Services Division, Organization (92246); Project (District 3 Pay-Go), in the amount of \$100,000.00

High Street at Foothill Boulevard

- Measure B Fund (2211); Capital Improvement Projects, Transportation Services Division, Organization (92246); Project (C269910), in the amount of \$87,680.00.

Pedestrian Countdown Modules at Various Locations

- Measure B Fund (2212); Capital Improvement Projects, Transportation Services Division, Organization (92246); Project (C222310), in the amount of \$82,800.00.

- Measure B Fund (2212); Capital Improvement Projects, Transportation Services Division, Organization (92246); Project (C270110), in the amount of \$11,290.00.

Implementation of this project will increase annual operation and maintenance costs by an estimated \$10,000.00.

KEY ISSUES AND IMPACTS

On April 9, 2007, the City Clerk opened three bids for the project. Ray's Electric (Oakland), Steiny Construction (San Francisco), and Phoenix Electric Company (San Francisco) submitted bids of \$653,945.00, \$921,278.00 and \$675,580.00, respectively.

On May 29, 2007, the Office of the City Administrator, Contract Compliance & Employment Services Division determined that Ray's Electric exceeded the 20% L/SLBE Program participation requirement. Phoenix Electric Company does not meet the L/SLBE Program requirements; its bid is the second lowest. Steiny Construction's bid has clerical errors on several items and was deemed non-responsive. All three firms are compliant with the Equal Benefit Ordinance. Ray's Electric has been determined to be the lowest responsible and responsive bidder, and is recommended for award of the construction contract.

The Contract Compliance & Employment Services Division memos and evaluation forms as well as the Contract Administration letter are provided in Attachment A.

After bid opening, in late June, a final traffic safety report managed by Public Works, Transportation Services Division was issued, recommending the installation of a traffic signal on Harrison Street at Westlake Middle School. The study considered input from the neighboring community organization, including schools and churches, which concur with the recommendation for a new signal. The study the impacts of the new Whole Foods Store, which is scheduled to open in late Fall. In order to meet the community's request for the installation to take place as soon as possible, staff recommends that an additional \$200,000 contract be approved in order to install this traffic signal. Funding for the signal is provided by Council District 3 Pay-Go funds.

Execution of a contract will take approximately one month, resulting in a projected construction start in September 2007. With construction scheduled for 70 working days, the project is expected to be completed by January 2008. However, the expected contract completion date may vary due to the lead time for material procurement, unforeseeable construction conditions, and inclement weather. The contract specifies that the contractor will be assessed \$500.00 in liquidated damages per working day if the construction schedule of 70 working days is exceeded, taking into account inclement weather. The Resident Engineer assigned to this construction project will monitor the contractor's progress to ensure the project is completed in a timely manner.

Item #: _____
Public Works Committee
July 10, 2007

PROJECT DESCRIPTION

The work consists of the installation of new traffic signals at three intersections: High Street/Santa Rita Street; Piedmont Avenue/Linda Avenue; Telegraph Avenue/66th Street. The project also includes traffic signal modifications at High Street/Foothill Boulevard, and the installation of pedestrian countdown modules at various locations citywide. All of these projects were approved by the City Council in the 2005-2007 Capital Improvement Program. The work under this resolution also includes the installation of a traffic signal at Harrison and Westlake Middle School, funded by District 3 Councilmember's Pay-Go fund. This signal will address long-standing community concerns regarding traffic and school safety as well as concerns about additional traffic from the new Whole Foods store.

The new traffic signals will be fully actuated with safety lights, accessible pedestrian signals, video detection system, emergency vehicle preemption, global positioning system, internally illuminated street name signs, and curb ramps in compliance with the Americans with Disabilities Act.

The new traffic signals, modified signal, and pedestrian countdown signals will improve access and safety for all modes of transportation.

SUSTAINABLE OPPORTUNITIES

Economic: The improvements will have a positive impact on the local economy by improving vehicular and pedestrian safety, and the associated costs of injuries and property damage. The work will be done by a local construction firm, resulting in commensurate local benefits.

Environmental: The improvements to pedestrian facilities will aid in making walking a more attractive mode of transportation, thereby encouraging reduction in automobile usage and reducing vehicle emissions.

Social Equity: The improvements will improve overall living conditions by providing greater accessibility and safety to pedestrians. Senior citizens, persons with disabilities and children will greatly benefit from these improvements.

DISABILITY AND SENIOR CITIZEN ACCESS

This project includes accessibility improvements such as tactile pedestrian pushbuttons with audible units and wheelchair ramps with detectable warning domes, which will assist senior citizens and persons with disabilities.

RECOMMENDATION AND RATIONALE

Staff recommends that City Council approve the resolution awarding a construction contract to Ray's Electric for the Citywide Traffic Signal Project in an amount of \$653,945.00, and waiving the bidding process and awarding a contract for installation of an additional traffic signal on Harrison Street at Westlake Middle School in the amount of \$200,000.00.

ACTION REQUESTED OF THE CITY COUNCIL

Staff recommends that the City Council approve the resolution.

Respectfully submitted,



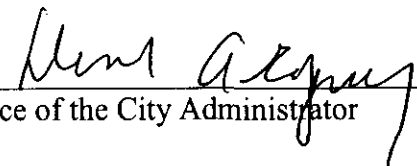
Raul Godinez II, P.E.
Director, Public Works Agency

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

Wladimir Wlassowsky, P.E.
Transportation Services Manager

Prepared by:
Ade Oluwasogo, P.E.
Supervising Transportation Engineer

**APPROVED AND FORWARDED TO THE
PUBLIC WORKS COMMITTEE:**



Office of the City Administrator

Item #: _____
Public Works Committee
July 10, 2007



Memo

Office of the City Administrator
Contract Compliance & Employment Services Division

To: Gwen McCormick, Supervisor, Contract Administration, PWA
 From: Shelley Darensburg, Contract Compliance Officer
 Through: Deborah Barnes, Manager, CC&ES Division *Deborah Barnes*
 CC: Philip Ho, Transportation Engineer
 Date: May 29, 2007
 Re: Compliance Analysis: Citywide Traffic Signal Projects 2005-2006: High Street at Santa Rita Street, Piedmont Avenue at Linda Avenue, Telegraph Avenue at 66th Street, High Street at Foothill Blvd, and Countdown Pedestrian Signals at Various Locations, Including Additive Alternates 1 & 2

Contract Compliance & Employment Services reviewed three (3) 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.

The L/SLBE findings are as follows:

	Company Name	Bid Amount (If Applicable)	Proposed Participation			Preferences			Banked Credits Eligibility?	EBO Compliant? (Y/N)	
			Total L/SLBE	LBE	SLBE	Trucking*	Total Credited	Adjusted Bid Amount			Bid Discounts %
1	Ray's Electric	\$653,945	54.28%	1.53%	52.75%	100%	54.28%	\$621,248	5%	0	Y
2	Phoenix Electric	\$675,580	0%	0%	0%	NA	0%	\$0	0%	0	Y
3	Steiny & Company, Inc.	\$921,278	0%	0%	0%	NA	0%	\$0	0%	0	Y

As noted above, Phoenix Electric and Steiny & Company, Inc., failed to meet the City's minimum 20% L/SLBE participation requirement. *Per the Project Manager, trucking is not substantial.

All firms are EBO compliant.

If you have questions or need additional information, please contact Shelley Darensburg, Contract Compliance Officer, at 238-7325.

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 CONTRACT COMPLIANCE & EMPLOYMENT SERVICES DIVISION
 MAY 30 2007 12:36 PM

RECEIVED
 PUBLIC WORKS AGENCY
 TRAFFIC ENGINEERING
 MAY 31 2007 1:04 PM

LBE/SLBE Participation Bidder 1

Project Name: Citywide Traffic Signal Projects 2005/2006, High Street at Santa Rita Street, Piedmont Avenue at Linda Avenue, Telegraph Avenue at 66th Street, High Street at Foothill Blvd and Countdown Pedestrian Signals at Various Locations, Including Additive Alternates 1 & 2

Project No.:		Engineers Est:		Under/Over Engineers Estimate: \$257,211.70								
C269010, C269410, C269740, C269910, C222310		\$911,156.70										
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: Traffic Signals General Materials Concrete Trucking	Ray's Electric	Oakland	CB		\$343,445	\$343,445			\$343,445	C		
	Jam Services	Livermore	UB						\$275,000	C		
	Alameda Electric	Alameda	UB						\$24,000	C		
	Central Concrete	Oakland	CB	\$10,000		\$10,000			\$10,000	C		
	Williams Trucking	Oakland	CB		\$1,500	\$1,500	\$1,500.00	\$1,500	\$1,500	AA	\$1,500	
Project Totals				\$10,000	\$344,945	\$354,945	\$1,500	\$1,500	\$653,945		\$1,500	\$0
				1.53%	52.75%	54.28%	100%	100%	100%		0.23%	0%
Requirements: The 20% requirements is a combination of 10% LBE and 10% SLBE participation. An SLBE firm can be counted 100% towards achieving 20% requirements.				LBE 10%	SLBE 10%	TRUCKING 20%	LBE/SLBE 20%			Ethnicity AA = African American A = Asian C = Caucasian H = Hispanic NA = Native American O = Other NL = Not Listed		
Legend				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 & EMPLOYMENT SERVICES
PROJECT EVALUATION FORM

PROJECT NO. C269010, C269410, C269710, C269910, C222310

PROJECT NAME: Citywide Traffic Signal Projects 2005/-2006, High Street at Santa Rita Street, Piedmont Avenue at Linda Avenue, Telegraph Avenue at 66th Street, High Street at Foothill Blvd and Countdown Pedestrian Signals at Various Locations, including Additive Alternates 1 & 2

CONTRACTOR: Ray's Electric

<u>Engineer's Estimate:</u>	<u>Contractors' Bid Amount</u>	<u>Over/Under Engineer's Estimate</u>
\$911,156.70	\$653,945	\$257,211.70
<u>Amount of Bid Discount:</u>	<u>Adjusted Bid Amount:</u>	<u>Discount Points:</u>
\$32,697	\$621,248	5%

2. Did the contractor meet the 20% requirement **YES**
- a) % of LBE participation **1.53%**
 - b) % of SLBE participation **52.75%**

3. Did the contractor meet the Trucking requirement? **NA**
- a) Total trucking participation **100%**

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

5. Additional Comments.
Ray's Electric listed \$1,500 in trucking dollars. However, per the Project Manager, trucking is not substantial.

6. Date evaluation completed and returned to Contract Admin./Initiating Dept.

5/29/2007
Date

Reviewing Officer: Shelley Darenburg **Date:** 5/29/07

Approved By Leonal Barner **Date:** 5/30/07

LBE/SLBE Participation Bidder 2

Project Name: Citywide Traffic Signal Projects 2005/2006, High Street at Santa Rita Street, Piedmont Avenue at Linda Avenue, Telegraph Avenue at 66th Street, High Street at Foothill Blvd and Countdown Pedestrian Signals at Various Locations, including Additive Alternates 1 & 2

Project No.: C269010, C269410, C269710, C269910, C222310		Engineers Est: \$911,156.70		Under/Over Engineers Estimate: \$235,576.70								
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	Phoenix Electric	San Francisco	UB						\$447,531	AP	\$447,531	
Striping	Striping Graphics	Petaluma	UB						\$18,453	C		
Electrical	Bay Area Lightworks	San Francisco	UB						\$58,650	AP	\$58,650	
Electrical (partial)	Uwa Electric Co.	Oakland	UB						\$150,947	AA	\$150,947	
Project Totals				\$0	\$0	\$0	\$0	\$0	\$675,580		\$657,128	\$0.00
				0%	0%	0%	100%	100%	100%		97%	
Requirements: The 20% requirements is a combination of 10% LBE and 10% SLBE participation. An SLBE firm can be counted 100% towards achieving 20% requirements.				LBE 10%	SLBE 10%	TRUCKING 20%	LBE/SLBE 20%			Ethnicity AA = African American A = Asian C = Caucasian H = Hispanic NA = Native American O = Other NL = Not Listed		
Legend				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								



**CONTRACT COMPLIANCE & EMPLOYMENT SERVICES
PROJECT EVALUATION FORM**

C269010, C269410, C269710, C269910, C222310

PROJECT NAME: Citywide Traffic Signal Projects 2005/-2006, High Street at Santa Rita Street, Piedmont Avenue at Linda Avenue, Telegraph Avenue at 66th Street, High Street at Foothill Blvd and Countdown Pedestrian Signals at Various Locations, Including Additive Alternates 1 & 2

CONTRACTOR: Phoenix Electric

<u>Engineer's Estimate:</u> \$911,156.70	<u>Contractors' Bid Amount</u> \$675,580	<u>Over/Under Engineer's Estimate</u> \$235,576.70
<u>Amount of Bid Discount:</u> \$0	<u>Adjusted Bid Amount:</u> \$0	<u>Discount Points:</u> 0%

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

2. Did the contractor meet the 20% requirement **NO**
 - a) % of LBE participation **0%**
 - b) % of SLBE participation **0%**

3. Did the contractor meet the Trucking requirement? **N/A**
 - a) Total trucking participation **0%**

4. Did the contractor receive bid discount points? **NO**
(If yes, list the points received) **0%**

5. Additional Comments.
Phoenix Electric did not meet the City of Oakland's minimum 20% L/SLBE requirement. Per the Project Manager, trucking is not substantial.
6. Date evaluation completed and returned to Contract Admin./Initiating Dept.

5/29/2007

Date

**Reviewing
Officer:**

Shelley Darenburg

Date: 5/29/07

Approved By

Jewell Bann

Date: 5/30/07

LBE/SLBE Participation Bidder 3

Project Name: Citywide Traffic Signal Projects 2005/2006, High Street at Santa Rita Street, Piedmont Avenue at Linda Avenue, Telegraph Avenue at 66th Street, High Street at Foothill Blvd and Countdown Pedestrian Signals at Various Locations, Including Additive Alternates 1 & 2

Project No.: C269010, C269410, C269710, C269910, C222310		Engineers Est: \$911,156.70				Under/Over Engineers Estimate: -\$10,121.30						
Discipline	Prime & Subs	Location	Cert. Status	LBE	SLBE	Total LBE/SLBE	L/SLBE Trucking	Total Trucking	TOTAL Dollars	For Tracking Only		
										Ethn	MBE	WBE
PRIME	Steiny & Company, Inc.	Vallejo	UB						\$921,278	C		
Project Totals				\$0	\$0	\$0	\$0	\$0	\$921,278		\$0	\$0
				0%	0%	0%	100%	100%	100%		0%	
Requirements: The 20% requirements is a combination of 10% LBE and 10% SLBE participation. An SLBE firm can be counted 100% towards achieving 20% requirements.				LBE 10%	SLBE 10%	TRUCKING 20%	LBE/SLBE 20%			Ethnicity AA = African American A = Asian C = Caucasian H = Hispanic NA = Native American O = Other NL = Not Listed		
Legend				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								



CONTRACT COMPLIANCE & EMPLOYMENT SERVICES
PROJECT EVALUATION FORM

PROJECT NO. C269010, C269410, C269710, C269910, C222310

PROJECT NAME: Citywide Traffic Signal Projects 2005/-2006, High Street at Santa Rita Street, Piedmont Avenue at Linda Avenue, Telegraph Avenue at 66th Street, High Street at Foothill Blvd and Countdown Pedestrian Signals at Various Locations, Including Additive Alternates 1 & 2

CONTRACTOR: Steiny & Company, Inc.

<u>Engineer's Estimate:</u>	<u>Contractors' Bid Amount</u>	<u>Over/Under Engineer's Estimate</u>
\$911,156.70	\$921,278	-\$10,121.30
<u>Amount of Bid Discount:</u>	<u>Adjusted Bid Amount:</u>	<u>Discount Points:</u>
\$0	\$0	0%

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

2. Did the contractor meet the 20% requirement **NO**
 - a) % of LBE participation **0%**
 - b) % of SLBE participation **0%**

3. Did the contractor meet the Trucking requirement? **NA**
 - a) Total trucking participation **0%**

4. Did the contractor receive bid discount points? **NO**
 (If yes, list the points received) -

5. Additional Comments.
Steiny & Company, Inc. did not meet the City of Oakland's minimum 20% local/small local business enterprise requirement. Per the Project Manager, trucking is not substantial.

6. Date evaluation completed and returned to Contract Admin./Initiating Dept.

5/29/2007

Date

Reviewing Officer:

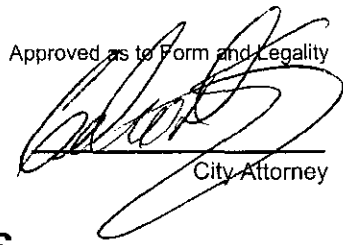
Shelley Darenburg

Date: 5/29/07

Approved By

Demof Barnes

Date: 5/30/07



City Attorney

OAKLAND CITY COUNCIL

OFFICE OF THE CITY CLERK
2007 JUN 28 PM 7:58

RESOLUTION No. _____ C.M.S.

Introduced by Councilmember _____

RESOLUTION:

- 1) **AWARDING A CONSTRUCTION CONTRACT TO RAY'S ELECTRIC FOR THE CITYWIDE TRAFFIC SIGNAL PROJECT (CITY PROJECT NOS. C269010, C269410, C269710, C269910, C222310, C270110) FOR TRAFFIC SIGNAL INSTALLATIONS AT HIGH STREET AT SANTA RITA STREET, PIEDMONT AVENUE AT LINDA AVENUE, AND TELEGRAPH AVENUE AT 66TH STREET, TRAFFIC SIGNAL MODIFICATIONS AT HIGH STREET AT FOOTHILL BOULEVARD AND INSTALLATION OF PEDESTRIAN COUNTDOWN MODULES AT VARIOUS LOCATIONS IN THE TOTAL AMOUNT OF SIX HUNDRED FIFTY-THREE THOUSAND NINE HUNDRED FORTY-FIVE DOLLARS (\$653,945.00), AND**
- 2) **WAIVING THE COMPETITIVE BID PROCESS AND AWARDING A CONTRACT TO RAY'S ELECTRIC FOR INSTALLATION OF AN ADDITIONAL TRAFFIC SIGNAL ON HARRISON STREET AT WESTLAKE MIDDLE SCHOOL FOR AN AMOUNT OF TWO HUNDRED THOUSAND DOLLARS (\$200,000.00)**

WHEREAS, on April 9, 2007, three (3) bids were received by the Office of the City Clerk of the City of Oakland for the Citywide Traffic Signal Project (City Project Nos. C269010, C269410, C269710, C269910, C222310, C270110); and

WHEREAS, Ray's Electric submitted the lowest responsible and responsive bid; and

WHEREAS, there are sufficient funds for the construction contract in the Measure B Funds (2211 and 2212); State Gas Tax Fund (2230); Capital Improvement Projects, Transportation Services Division, Organization (92246); and

WHEREAS, the City wishes to install an additional traffic signal on Harrison Street at Westlake Middle School in response to long-standing community concerns for traffic and school safety has requested that the City expedite installation of the signal to coincide with the beginning of the school year, and prior to the opening of the new Whole Foods market nearby; and

WHEREAS, the additional traffic signal on Harrison Street was not included in the advertised notice inviting bids for the "Citywide Traffic Signal Project" described above, for which Ray's Electric submitted the lowest responsible and responsive bid; and

WHEREAS, the City's advertising, bid and award process takes approximately six months, which would delay the start of construction until at least early 2008; and

WHEREAS, to expedite installation of the traffic signal on Harrison Street at Westlake Middle School, staff recommends that the work be negotiated and awarded to Ray's Electric to be performed in conjunction with the "Citywide Traffic Signal Project" described above; 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 economy or better performance; and

WHEREAS, Ray's 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 Traffic Signal Project (City Project Nos. C269010, C269410, C269710, C269910, C222310, C270110) is hereby awarded to Ray's Electric for installations at High Street at Santa Rita Street, Piedmont Avenue at Linda Avenue, Telegraph Avenue at 66th Street, and modifications at High Street at Foothill Boulevard, and Installation of Pedestrian Countdown Modules at Various Locations in accordance with terms of its bid, dated April 9, 2007, in the amount of six hundred fifty-three thousand nine hundred forty-five dollars (\$653,945.00); and be it

FURTHER RESOLVED: That, pursuant to Oakland Municipal Code 2.04.050.I.5 and based on the findings set forth in the City Administrator's agenda report accompanying this resolution and information provided at the City Council meeting on this matter, the City Council finds and determines that it is in the best interests of the City to waive the competitive bid process for the installation of a new traffic signal on Harrison Street at Westlake Middle School and so waives; and

FURTHER RESOLVED: That the City Administrator is authorized to negotiate and award the contract for the installation of a traffic signal on Harrison Street at Westlake Middle School to Ray's Electric in an amount not-to-exceed two hundred thousand dollars (\$200,000.00); and

FURTHER RESOLVED: That the plans and specifications prepared by the Director of the Public Works Agency for the Citywide Traffic Signal Project (City Project Nos. C269010, C269410, C269710, C269910, C222310, C270110) are hereby approved; and be it

FURTHER RESOLVED: That the amount of the bond for faithful performance, \$653,945.00 (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, \$653,945.00 (100% of contract), with respect to such work are hereby approved; and be it

FURTHER RESOLVED: That the amount of faithful performance and payment bonds for the installation of a traffic signal on Harrison Street at Westlake Middle School shall be 100% 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 Company 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(s) 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.

IN COUNCIL, OAKLAND, CALIFORNIA, _____, 20__

PASSED 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