

OAKLAND CITY COUNCIL
RESOLUTION NO. 77818 C.M.S.

FILED
OFFICE OF THE CITY CLERK
OAKLAND

2003 MAY 14 PM 1:15

INTRODUCED BY COUNCILMEMBER _____

Requires two-thirds vote of the Council

RESOLUTION AUTHORIZING (1) THE CITY MANAGER OR HIS DESIGNEE, TO AWARD A CONSTRUCTION CONTRACT FOR THE CITY STABLES RESTROOM/CONCESSIONS BUILDING PROJECT IN AN AMOUNT NOT TO EXCEED ONE HUNDRED THIRTY THOUSAND DOLLARS (\$130,000), WITHOUT RETURN TO COUNCIL, PROVIDED THAT IF THE BIDS RECEIVED ARE NOT RESPONSIVE, THE CITY MANAGER, OR HIS DESIGNEE, MAY (2) REJECT ALL BIDS, AND NEGOTIATE AND AWARD THE CONTRACT IN AN AMOUNT NOT TO EXCEED \$ 130,000, WITHOUT RETURN TO COUNCIL

WHEREAS, construction documents for the City Stables Restroom/Concessions Building project (Project No G121410) have been prepared and construction bids will be received on May 12, 2003; and

WHEREAS, it is necessary to expedite the completion of this project prior to the "Day at the Ranch" festival at the City Stables; and

WHEREAS, the City Stables Restroom/Concessions Building project is consistent with City Council Budget Priorities of "Renewed Infrastructure," and "Support for Youth"; and

WHEREAS, the construction contract will be for an amount not to exceed \$130,000 including a construction contingency; and

WHEREAS, there are sufficient funds available in Project No. G121410, Fund 5006, Organization 92270, Accounts 57211 & 78811 for the contract work; 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 Manager, or his designee, is authorized to award and enter into a construction contract on behalf of the City of Oakland for the construction of the City Stables Restroom/Concessions Building project to the lowest, responsible, and responsive bidder in accordance with the terms of its bid, for an amount not to exceed one hundred thirty thousand dollars (\$130,000) without return to Council, and to reject all other bids; and be it

FURTHER RESOLVED: That if the initial bids are non-responsive, the City Manager, or his designee, is authorized to reject all bids and negotiate, award, and enter into a construction contract on behalf of the City of Oakland for this project in an amount not to exceed one hundred thirty thousand dollars (\$130,000) without return to Council; and be it

FURTHER RESOLVED: That staff will return to Council with an informational report regarding the award of the construction contract; and be it

FURTHER RESOLVED: That the City Manager, or his designee, is hereby authorized to execute any amendments or modifications of said contract within the limitations of the project specifications; and be it

FURTHER RESOLVED: That the contract shall be reviewed and approved by the City Attorney and placed on file 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.

MAY 20 2003

IN COUNCIL, OAKLAND, CALIFORNIA, _____, 2003

PASSED BY THE FOLLOWING VOTE:

AYES- BROOKS, BRUNNER, CHANG, NADEL, QUAN, REID, WAN, AND PRESIDENT DE LA FUENTE **-7**

NOES-

Excused QUAN **-1**
ABSENT-

ABSTENTION-

ATTEST:



CEDA FLOYD

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