
City Attorney

2010 JUN 29 PM 2:51

OAKLAND CITY COUNCIL

RESOLUTION No. 82900 C.M.S.

RESOLUTION AUTHORIZING THE CITY ADMINISTRATOR TO AWARD A CONSTRUCTION CONTRACT TO THE LOWEST, RESPONSIVE, AND RESPONSIBLE BIDDER FOR THE HARDY PARK RESTROOM PROJECT (CITY PROJECT NO. C338710) IN AN AMOUNT NOT-TO-EXCEED ONE HUNDRED FORTY THOUSAND DOLLARS (\$140,000.00) WITHOUT FURTHER COUNCIL REVIEW OR ACTION

WHEREAS, the City of Oakland wishes to provide amenities to residents who use our parks; and

WHEREAS, in Exhibit A to Resolution No. 80674 C.M.S. dated June 21, 2007, the City Council appropriated \$500,000 to Districts 1 and 4 for park improvements; and

WHEREAS, on March 4, 2008, the City Council adopted a report regarding the status of City Council Modifications to the FY 2007-09 Policy Budget (Exhibit A to Resolution No. 80674 C.M.S.) to fund park improvements to District 1 identified as Hardy Park Restroom in the amount of \$250,000.00; and

WHEREAS, sufficient funds for the Hardy Park Restroom Project construction contract are available in Capital Reserves Fund 5510, Project No. C338710, Capital Project Management Organization 92270; Landscape Improvement Account No. 57112, Program IN06; and

WHEREAS, the City Council finds and determines based on the representations set forth in the City Administrator's report accompanying this resolution that the construction contract approved hereunder is temporary in nature; 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, is professional, technical or scientific and temporary in nature, and shall not result in the loss of employment or salary by any person having permanent status in the competitive service; and

WHEREAS, the contractor selected will be required to comply with all City of Oakland Contracting Programs, such as LBE/SLBE requirements, etc.; now, therefore, be it

RESOLVED: That the City Council authorizes the City Administrator to award a construction contract to the lowest, responsive, and responsible bidder for the construction of the Hardy Park Restroom Project (City Project No. 338710) in an amount not-to-exceed one hundred forty thousand dollars (\$140,000.00) without further council review or action; and be it

FURTHER RESOLVED: That the City Administrator, or designee, is hereby authorized to reject all other bids; and be it

FURTHER RESOLVED: That the faithful performance construction bond to guarantee payment of all claims for labor and materials furnished in the amount of 100% of the construction contract price as required under the Unemployment Insurance Act are provided by the construction contractor and hereby approved; and be it

FURTHER RESOLVED: That the City Council hereby approves the plans and specifications for the Hardy Park Restroom project; and be it

FURTHER RESOLVED: That the contract shall be reviewed and approved as to form and legality by the Office of the City Attorney prior to execution and placed 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, JUL 20 2010

PASSED BY THE FOLLOWING VOTE:

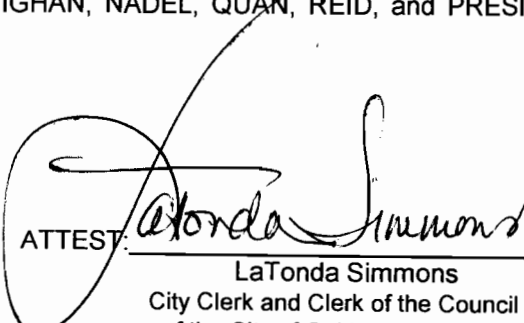
AYES - BROOKS, DE LA FUENTE, KAPLAN, KERNIGHAN, NADEL, QUAN, REID, and PRESIDENT BRUNNER - 8

NOES - 0

ABSENT - 0

ABSTENTION - 0

ATTEST



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