

City Attorney

OFFICE OF THE CITY CLERK

2007 MAR 15 PM 2:03 **OAKLAND CITY COUNCIL**

**RESOLUTION No. 80499 C.M.S.**

**RESOLUTION AUTHORIZING THE CITY ADMINISTRATOR, OR HER DESIGNEE, TO AWARD A CONSTRUCTION CONTRACT FOR THE SHEFFIELD VILLAGE RECREATION CENTER ADA IMPROVEMENTS PROJECT IN ACCORD WITH SPECIFICATION NO. C259410 TO ROCKRIDGE BUILDERS IN THE AMOUNT OF FOUR HUNDRED NINETY-EIGHT THOUSAND THREE HUNDRED FIFTY-ONE DOLLARS (\$498,351.00)**

**WHEREAS**, the project will bring the recreation center into compliance with the Americans With Disabilities Act ("ADA"), state accessibility code, Parks and Recreation program requirements, and County Health requirements; and

**WHEREAS**, the project has been competitively bid twice and both times the sole bid exceeded the City's construction budget; and

**WHEREAS**, the City Council previously waived further competitive bidding for the project and authorized the City Administrator to reject all bids and to negotiate a contract in Resolution No. 79852 C.M.S.; and

**WHEREAS**, the City was not able to negotiate a contract within budget with the prior sole bidder; and

**WHEREAS**, staff conducted extensive outreach to local contractors to request non-binding proposals for the project; and

**WHEREAS**, four proposals were received and the proposal from Rockridge Builders is the most responsive and is within budget; and

**WHEREAS**, sufficient funds are available in the project budget for this work; and

**WHEREAS**, Rockridge Builders meets the City's Local Business Program requirements and Equal Benefits Ordinance; and

**WHEREAS**, the project has been delayed due to non-responsive bids, and approval of this resolution will enable construction to commence as early as May 2007 with completion by November 2007; and

**WHEREAS**, this contract is of a technical and temporary nature; 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 Administrator, or her designee, is hereby authorized to award a construction contract on behalf of the City of Oakland to Rockridge Builders in the amount of four hundred ninety-eight three hundred fifty-one dollars (\$498,351.00) for Sheffield Village Recreation Center ADA Improvements Project in accord with Specification No. C259410 and contractor's bid dated March 2, 2007, and to execute any amendments or modifications of said contract within the limitations of the project specifications; and, be it

**FURTHER RESOLVED:** The amount of the bond for faithful performance, \$498,351.00, and the amount for a bond to guarantee payment of all claims for labor and material furnished and for the amount due under the Unemployment Insurance Act, \$498,351.00, with respect to such work are hereby approved; and, be it

**FURTHER RESOLVED:** That the contract shall be reviewed and approved by the City Attorney for form and legality prior to execution and placed on file in the Office of the City Clerk.

IN COUNCIL, OAKLAND, CALIFORNIA, APR 3 2007, 2007

**PASSED BY THE FOLLOWING VOTE:**


AYES - BROOKS, BRUNNER, CHANG, KERNIGHAN, ~~NASR~~, QUAN, REID, and PRESIDENT DE LA FUENTE - 7

NOES - 0

ABSENT - 0

ABSTENTION - 0

Excused - Nadel - 1

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