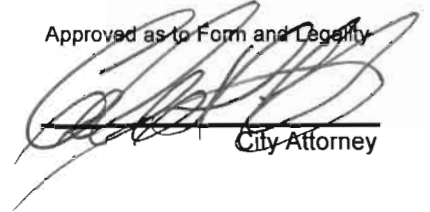


FILED
OFFICE OF THE CITY CLERK
OAKLAND

Approved as to Form and Legality



City Attorney

2012 MAY 10 PM 12:10 OAKLAND CITY COUNCIL

RESOLUTION No. 83879 C.M.S.

RESOLUTION AWARDING A CONSTRUCTION CONTRACT TO BELIVEAU ENGINEERING CONTRACTORS, INC., THE LOWEST RESPONSIVE, RESPONSIBLE BIDDER FOR THE INSTALLATION OF STORMWATER TRASH CONTROL UNITS ON HIGH STREET NEAR TIDEWATER AVENUE AND ON ALAMEDA AVENUE NEAR FRUITVALE AVENUE (PROJECT NO. C424420) IN THE AMOUNT OF SEVEN HUNDRED FORTY THREE THOUSAND AND TWO HUNDRED DOLLARS (\$743,200.00) AND IN ACCORD WITH CONTRACTOR'S BID

WHEREAS, on March 23, 2012, four bids were received by the Office of the City Clerk of the City of Oakland for the Installation of Stormwater Trash Control Units on High Street Near Tidewater Avenue and on Alameda Avenue Near Fruitvale Avenue (Project No. C424420); and

WHEREAS, The installation of the storm water trash separators will help the City meet the new Municipal Regional Stormwater Discharge Permit (MRP) trash pollution reduction regulations citywide; and

WHEREAS, approval of this resolution will authorize the City Administrator to award a construction contract to Beliveau Engineering Contractors, Inc., in the amount of \$743,200.00 for the construction of two underground storm water trash separators that will reduce trash pollutants flowing in Damon Slough and the Oakland Estuary; and

WHEREAS, Beliveau Engineering Contractors, Inc., a certified SLBE bidding as a prime is deemed the lowest responsive and responsible bidder for the project; and

WHEREAS, there will be sufficient funds in the project budget for the work. Funding for this project will be available in the following project accounts:

	<u>Amount</u>
American Recovery and Reinvestment, California State Water Resources Control Board (Project C424420, Fund 2159, Organization 92242, Account 57411)	\$ 457,350.00
The San Francisco Estuary Partnership Trash Capture (Project C390720, Fund 2159, Organization 92242, Account 57411)	\$ 242,570.00
Anticipating approval of a Resolution on May 8, 2012 for Stormwater Treatment Grant from the Bay Area Stormwater Management Agencies Association. (Project G444210, Fund 2159, Organization 92242, Account 57411)	\$ 43,280.00
Total grant funds available for award of construction contract	\$ 743,200.00

; 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, that the performance of this contract is in the public interest because of economy or better performance and that this contract is of a professional, scientific or technical nature; and

WHEREAS, Beliveau Engineering Contractors, Inc. complies with all LBE/SLBE and trucking requirements; 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

FURTHER RESOLVED: That the City Administrator is authorized to award a construction contract To Beliveau Engineering Contractors, Inc., for the Installation of Stormwater Trash Control Units on High Street near Tidewater Avenue and on Alameda Avenue near Fruitvale Avenue (Project No. C424420) in the Amount of seven hundred forty three thousand and two hundred dollars (\$743,200.00) and in accordance with the plans and specifications for the Project and the contractor's bid dated March 23, 2012; and be it

FURTHER RESOLVED: That the City Council hereby approves the plans and specifications prepared at the direction of the Assistant Director of Public Works for this project; and be it

FURTHER RESOLVED: That the City Administrator is authorized to execute any amendments or modifications of the contract with Beliveau Engineering Contractors, Inc. within the limitations of the project specifications; and be it

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

FURTHER RESOLVED: That the faithful performance bond and a bond to guarantee payment of all claims for labor and materials furnished and for the amount of 100% of the contract price and due under the Unemployment Insurance Act submitted 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.

JUN 5 2012

IN COUNCIL, OAKLAND, CALIFORNIA, _____,

PASSED BY THE FOLLOWING VOTE:

AYES - BROOKS, ~~BRUNNER~~, DE LA FUENTE, KAPLAN, KERNIGHAN, NADEL, SCHAAF, and ~~WILLIAMS~~ - 6

NOES - 0

ABSENT - 0

ABSTENTION - 0

Excused - Reid, Brunner - 2

ATTEST: _____



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