



City Attorney

OAKLAND CITY COUNCIL

RESOLUTION No. 17 80662 C.M.S.

RESOLUTION AUTHORIZING AWARD OF A CONTRACT TO TOP GRADE CONSTRUCTION IN THE AMOUNT OF TWO MILLION SIX HUNDRED NINETY THOUSAND ONE HUNDRED SEVENTY-TWO DOLLARS (\$2,690,172.00) FOR THE REVIVE CHINATOWN PEDESTRIAN-ORIENTED IMPROVEMENTS (PROJECT NO. G278210)

WHEREAS, on April 2, 2007, bids were received by the Office of the City Clerk of the City of Oakland for the Revive Chinatown Pedestrian-Oriented Improvements (Project Number G278210); and

WHEREAS, Ray's Electric, the lowest bidder, did not submit a complete bid package and, therefore, their bid was deemed non-responsive; and

WHEREAS, Top Grade Construction is the lowest responsible and responsive bidder and has complied with all bidding requirements and is in full compliance with the City's Disadvantaged Business Enterprise (DBE) program; and

WHEREAS, there are sufficient funds in the project budget for the construction work and project management; 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; 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 contract for the Revive Chinatown Pedestrian-Oriented Improvements is hereby awarded to Top Grade Construction, in accordance with the terms of its bid dated April 2, 2007, for the amount of Two Million Six Hundred Ninety Thousand One Hundred Seventy-Two Dollars (\$2,690,172.00); and be it

FURTHER RESOLVED: That the plans and specifications prepared by the Director of Public Works for this project are hereby approved; and be it

FURTHER RESOLVED: That the amount of the bond for faithful performance, (\$2,690,172.00), and the amount for a bond to guarantee payment of all claims for labor and materials furnished and for the amount due under the Unemployment Insurance Act, (\$2,690,172.00), with respect to such work are hereby approved; and be it

FURTHER RESOLVED: That the City Administrator, or her designee, is hereby authorized to enter into a contract with Top Grade Construction, on behalf of the City of Oakland and to 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 shall be reviewed and approved by the City Attorney for form and legality and placed on file in the Office of the City Clerk.

IN COUNCIL, OAKLAND, CALIFORNIA, JUN 19 2007, 20

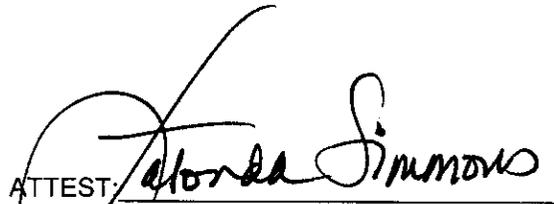
PASSED BY THE FOLLOWING VOTE:

AYES - BROOKS, ~~FRANKE~~, CHANG, KERNIGHAN, NADEL, QUAN, REID, and PRESIDENT DE LA FUENTE - 7

NOES - 0

ABSENT - Brunner - 1

ABSTENTION - 0

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