

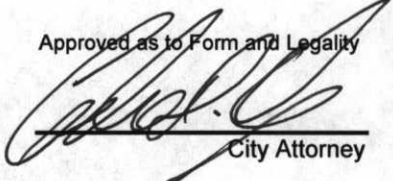
FILED
OFFICE OF THE CITY CLERK
OAKLAND

2014 MAY 14 AM 10:02

OAKLAND CITY COUNCIL

RESOLUTION NO. 85020 C.M.S.

Approved as to Form and Legality



City Attorney

Introduced by Councilmember _____

RESOLUTION AWARDING AND AUTHORIZING THE CITY ADMINISTRATOR, OR DESIGNEE TO EXECUTE A CONSTRUCTION CONTRACT TO BELIVEAU ENGINEERING CONTRACTORS, INC., THE LOWEST RESPONSIVE AND RESPONSIBLE BIDDER IN ACCORDANCE WITH PROJECT PLANS AND SPECIFICATIONS FOR LINDEN PARK IMPROVEMENT PROJECT (B00560) AND WITH CONTRACTOR'S BID IN THE AMOUNT OF TWO HUNDRED SEVENTY THREE THOUSAND AND SIX HUNDRED DOLLARS (\$273,600.00)

WHEREAS, located in a densely populated area of North Oakland, next door to the North Oakland Community Charter School (NOCCS), Linden Park's heavy use and deferred maintenance have resulted in the decline of the park's large central lawn, which is now bare soil; through a Community and City partnership to make improvements, plans have been developed to replace the lawn with an all season synthetic turf and to upgrade adjacent hardscape and planting areas; and

WHEREAS, there are four fund sources available for the project: Municipal Capital Improvement fund 5500, org. 92270, account 57112, Project No. B00560, \$262,117.62; and Capital Reserves fund 5510, org. 92270, account 57112) Project No. B273030, \$11,482.38; totaling \$273,600.00; and

WHEREAS, the project was advertised on March 4, 2014, and on March 27, 2014, the City Clerk received four (4) bids; and

WHEREAS, Contract Compliance deemed three of the four bids to be non-responsive, and deemed Beliveau Engineering Contractors, Inc. is the lowest responsive and responsible bidder; and

WHEREAS, it is in the best interest of the City to award the contract to Beliveau Engineering Contractors, Inc. in order to complete the construction in a timely manner to meet funding timeline and start construction during school summer session; 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

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 construction contract for the Linden Park Improvement Project (B00560) is awarded to Beliveau Engineering Contractors, Inc., the lowest responsive, responsible bidder, in accord with plans and specifications for the Project and contractor's bid therefore, dated March 27, 2014, in the amount of Two Hundred Seventy Three Thousand Six Hundred Dollars (\$273,600.00) and be it

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

FURTHER RESOLVED, That the City Administrator is authorized to execute any amendments or modifications of the contract within the limitations of the project specifications; and be it

FURTHER RESOLVED, That the successful contractor shall provide 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 prior to execution of the contract; 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, = JUN 3 2014

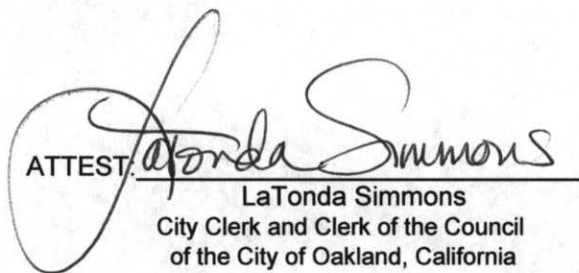
PASSED BY THE FOLLOWING VOTE:

AYES - BROOKS, GALLO, GIBSON MCELHANEY, KALB, KAPLAN, REID, SCHAAF and PRESIDENT KERNIGHAN - 8

NOES - 0

ABSENT - 0

ABSTENTION 0

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