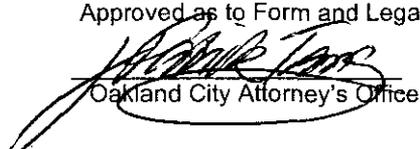


OFFICE OF THE CITY CLERK
OAKLAND

2006 APR 13 PM 3:14

Approved as to Form and Legality


Oakland City Attorney's Office

OAKLAND CITY COUNCIL

Resolution No. _____ C.M.S.

Introduced by Councilmember _____

RESOLUTION REJECTING ALL BIDS FOR THE SHEFFIELD VILLAGE RECREATION CENTER ADA IMPROVEMENTS PROJECT AND AUTHORIZING THE CITY ADMINISTRATOR, OR HER DESIGNEE, TO RE-BID, TO NEGOTIATE IF NECESSARY AFTER RE-BID, AND TO AWARD A CONSTRUCTION CONTRACT WITHIN BUDGET FOR AN AMOUNT NOT TO EXCEED THREE HUNDRED AND ELEVEN THOUSAND DOLLARS (\$311,000.00)

WHEREAS, improvements are needed at the Sheffield Village Recreation Center to address deficiencies in accessibility and program spaces, and to comply with Alameda County Health Department requirements; and

WHEREAS, on December 12, 2005, one bid was received by the Office of the City Clerk for the Sheffield Village Recreation Center ADA Improvements Project (Project No. C259410); and

WHEREAS, the sole bid should be rejected because it substantially exceeds the construction estimate and available budget; and

WHEREAS, in an effort to accelerate the project schedule and to complete the building improvements as soon as possible, staff proposes rejecting the sole bid, re-bidding the project, and awarding a construction contract within budget for an amount not to exceed \$311,000.00; and

WHEREAS, in the event that the new bids are non-responsive or exceed the project budget again, staff recommends negotiating a contract, starting with the lowest bidder, and awarding a construction contract within budget for an amount not to exceed \$311,000.00; and

WHEREAS, the City's Municipal Code, Title 2, Section 2.04.050 I (5) allows an exception to the competitive bidding process when it is determined that it is not in the best interest of the City to formally bid the work; and

WHEREAS, the contractor will be required to meet the requirements of the City's L/SLBE program, Local Trucking requirements, and Local Employment requirements; and

WHEREAS, staff will return to Council with a separate resolution to request approval of the construction contract; and

WHEREAS, sufficient funds totaling \$311,000.00 are available in the project budget for this work as follows: \$175,000.00 from the fiscal year 2004-05 ADA Transition Plan Municipal Improvement Capital Fund (5500), Sheffield Village Recreation Center ADA Project (C259410), Capital Project Management Organization (92270); \$50,000.00 from Capital Improvement Fund (5500), District 7 Pay-Go Project (B01100), Capital Project Management Organization (92270); \$50,000.00 from Capital Reserve Fund (5500), District 7 Pay-Go Project (B01100), Capital Improvement Project - Council Organization (94001); \$6,000.00 from Measure D Recycled Product Purchase Preference Fund (2175), Procurement of Recycled Products FY 04-05 (H63630), Environmental Services Organization (30682); and \$30,000.00 grant from Alameda County Waste Management Authority – Stopwaste.Org as approved by the Alameda County Waste Management Board on July 20, 2005 and as authorized to accept and appropriate per Resolution 79585 C.M.S. dated November 16, 2005; now, therefore, be it

RESOLVED: That the City Administrator, or her designee, is hereby authorized to reject all bids, to re-bid the project, and to award a construction contract within budget in an amount not to exceed \$311,000.00 for the Sheffield Village Recreation Center ADA Improvements Project; and be it

FURTHER RESOLVED: That if the re-bid process is unsuccessful, staff will negotiate a contract within budget starting with the lowest bidder for an amount not to exceed \$311,000.00; and be it

FURTHER RESOLVED: That pursuant to O.M.C., Title 2, Section 2.04.050 I(5), the City Council finds and determines that it is in the best interest of the City to waive formal bid requirements in the event that re-bidding yields non-responsive bids a second time.

IN COUNCIL, OAKLAND, CALIFORNIA, _____, 2006

PASSED BY THE FOLLOWING VOTE:

AYES - BRUNNER, KERNIGHAN, NADEL, QUAN, BROOKS, REID, CHANG, AND
PRESIDENT DE LA FUENTE

NOES-

ABSENT-

ABSTENTION-

ATTEST:

LATONDA SIMMONS
City Clerk and Clerk of the Council of
the City of Oakland, California