

**CITY OF OAKLAND
COUNCIL AGENDA REPORT**

FILED
OFFICE OF THE CITY CLERK
OAKLAND

2003 JUL 10 PM 3:21

TO: Office of the City Manager
ATTN: Deborah Edgerly, Interim City Manager
FROM: Public Works Agency
DATE: July 22, 2003

RE: RESOLUTION AUTHORIZING THE CITY MANAGER TO AWARD A CONSTRUCTION CONTRACT IN AN AMOUNT NOT TO EXCEED \$300,000, FOR REHABILITATION OF STAIRS IN THE OAKMORE NEIGHBORHOOD, WITHOUT RETURN TO COUNCIL, PROVIDED THAT IF THE BIDS ARE NOT RECEIVED OR ARE NON-RESPONSIVE, THE CITY MANAGER MAY REJECT ALL BIDS AND NEGOTIATE AND AWARD THE CONTRACT NOT TO EXCEED \$300,000, WITHOUT RETURN TO COUNCIL

SUMMARY

A resolution has been prepared authorizing the City Manager to award a construction contract in an amount not to exceed \$300,000 for the Rehabilitation of Stairs in the Oakmore Neighborhood. In the event that bids are not received, or bids are not responsive, the Interim City Manager or her designee will reject bids and negotiate a contract not to exceed \$300,000. The project is located in Council District 4.

In order to expedite the contract award process and complete rehabilitation of stairs in City paths in the Oakmore neighborhood prior to the winter season, staff recommends the City Manager be authorized to award a construction contract upon receipt and review of bids.

FISCAL IMPACT

Funding for this project will be provided from Measure B Sales Tax Funds, Fund No. 2210, Project C214810, and Fund 2211, Project C214820. The funds needed to complete this phase of the project, \$300,000, which includes a 10% contingency, are available.

BACKGROUND

The Rehabilitation of Stairs in the Oakmore Neighborhood consists of repair and reconstruction of four sets of stairs in existing City paths, which are damaged and unfit for pedestrian use. The stairs run between Arden Place, Bridgeview Drive, Leimert Boulevard and Oakview Drive (see attached Site Plan).

The project meets the Mayor/City Council Goals and Citywide Objectives **#3 Improve Oakland Neighborhoods**, and **#6 Maintain & Enhance Oakland's Physical Assets**, by improving the physical appearance, livability and integrity of this neighborhood.

KEY ISSUES AND IMPACTS

Repair and reconstruction of the stairs should begin as soon as possible in order to have work completed before the rainy season. Under the current Council process, an award of contract would not come to the Public Works Committee until the first scheduled meeting after the summer recess on September 23, and subsequently be approved by the full Council on September 30. Execution of a contract normally takes approximately one month, resulting in a construction start date of early November, with construction taking approximately two months. Beginning construction in November could result in delays and reduced productivity, due to the likelihood of encountering inclement weather.

In order to expedite the execution of a construction contract, Public Works is concurrently advertising for bids and will award a contract to the responsible low bidder after Council approves the resolution. In the event that bids are not received, or bids are not responsive, the Interim City Manager or her designee will reject bids and negotiate a contract not to exceed \$300,000. Bidders will be required to meet the City's standard bid and contracting requirements, including Local/Small Local Business Enterprise goals.

The following schedule is proposed for the project:

Request & Open Informal Bids:	June 16-July 28, 2003
Award Contract:	July 29, 2003
Execute Contract:	July 30-August 30, 2003
Begin Construction:	September 2, 2003
Complete Construction:	November 14, 2003

SUSTAINABLE OPPORTUNITIES

Repair and reconstruction of the stairs will aid in making walking a more attractive mode of transportation, thereby encouraging reduction in automobile usage and reducing vehicle emissions.

DISABILITY AND SENIOR CITIZEN ACCESS

This project will make repairs and reconstruct stairways with new handrails, thereby making them safe and usable for senior citizens and persons with disabilities.

RECOMMENDATION AND RATIONALE

Staff recommends that the resolution be approved in order to expedite the Rehabilitation of Stairs in the Oakmore Neighborhood.

ACTION REQUESTED OF THE CITY COUNCIL

Staff recommends that the City Council approve the resolution to authorize the City Manager to award a construction contract not to exceed \$300,000.

Respectfully submitted,



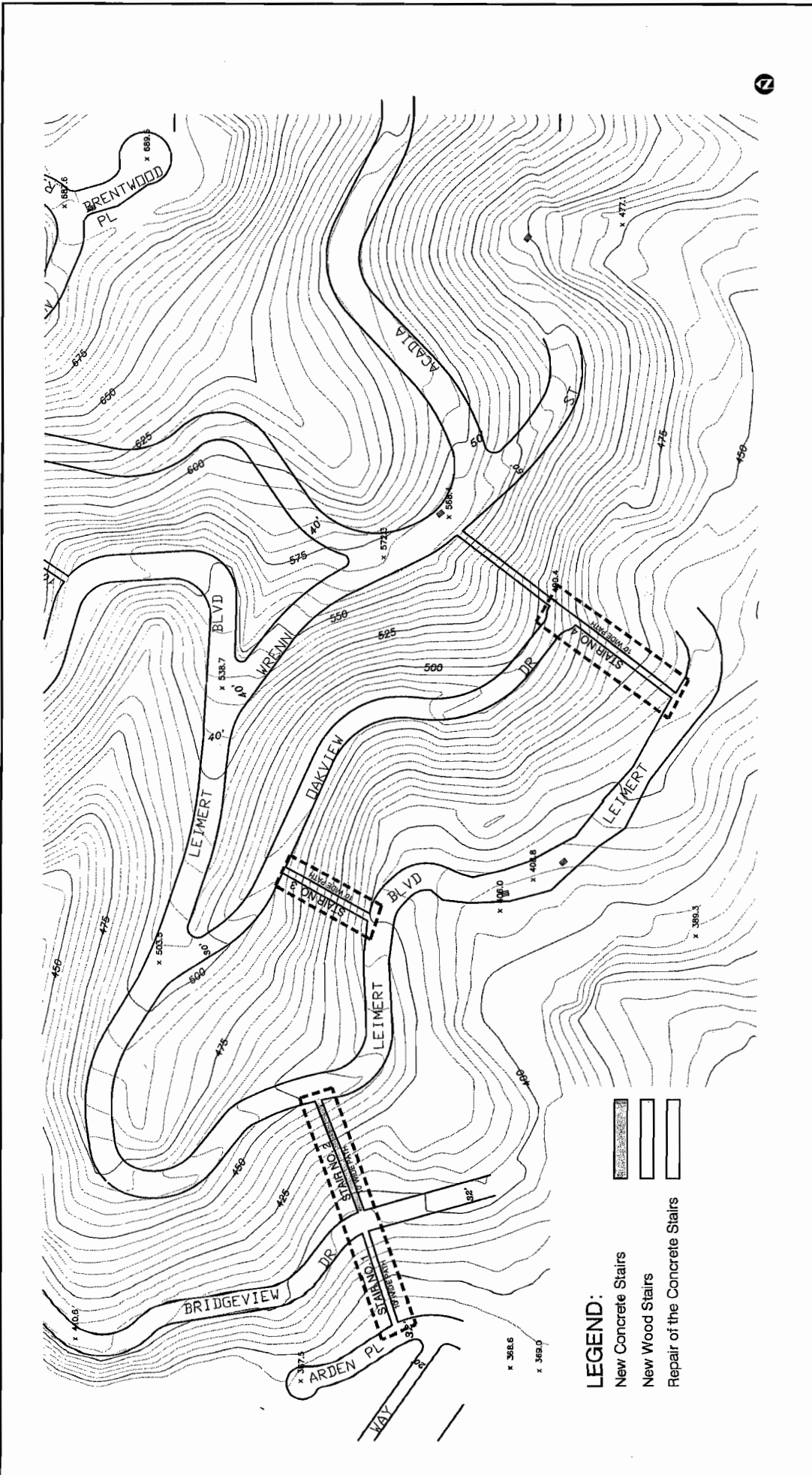
CLAUDETTE R. FORD
Director, Public Works Agency

Reviewed by:
Raul Godinez II, P.E.
Assistant Director, Public Works Agency
Design & Construction Services

Prepared by:
Wladimir Wlassowsky, P.E.
Supervising Civil Engineer

APPROVED AND FORWARDED
TO THE PUBLIC WORKS COMMITTEE


OFFICE OF THE CITY MANAGER



PLANS FOR THE RECONSTRUCTION OF THE OAKMORE STAIRS	 CITY OF OAKLAND DESIGN AND CONSTRUCTION SERVICES DEPARTMENT 200 PIONEER AVENUE, SUITE 200, OAKLAND, CA 94612 TEL: (415) 233-2300, FAX: (415) 233-7270 PROJECT NO. 214810	CIVIL ENGINEER FILE NO. SEE NO. 6541 EPERSON CHECKED BY DESIGNED BY DRAWN BY 6541/KCS	No. DATE BY REFERENCE	SCALE: NTS UNIT:
				DATE: APRIL 10, 2003 SHEET NO. 05

OAKLAND CITY COUNCIL

RESOLUTION No. _____

C. M. S.

FILED
OFFICE OF THE CITY CLERK
OAKLAND, CALIF.

INTRODUCED BY COUNCILMEMBER _____

2003 JUL 10 PM 3:21

Requires two-thirds vote of the Council

RESOLUTION AUTHORIZING THE CITY MANAGER TO AWARD A CONSTRUCTION CONTRACT IN AN AMOUNT NOT TO EXCEED \$300,000, FOR REHABILITATION OF STAIRS IN THE OAKMORE NEIGHBORHOOD, WITHOUT RETURN TO COUNCIL, PROVIDED THAT IF THE BIDS ARE NOT RECEIVED OR ARE NON-RESPONSIVE, THE CITY MANAGER MAY REJECT ALL BIDS AND NEGOTIATE AND AWARD THE CONTRACT NOT TO EXCEED \$300,000, WITHOUT RETURN TO COUNCIL

WHEREAS, the Rehabilitation of Stairs in the Oakmore Neighborhood is a community-requested project which is consistent with the City Council Budget Priorities of **Clean and Livable Communities** and **Renewed Infrastructure** and supports the City Council Budget Priorities of **Vital Neighborhood Commerce** by improving a pedestrian connection to the Oakmore neighborhood commercial district; and

WHEREAS, the Rehabilitation of Stairs in the Oakmore Neighborhood consists of repair and reconstruction of four sets of stairs in existing City paths which are damaged and are unfit for pedestrian use; and

WHEREAS, the City will advertise and solicit competitive bids for this project provided that the urgent need to have a contract in place makes it necessary to accelerate the contract award process by authorizing the City Manager to award a contract without return to Council; and

WHEREAS, there are sufficient funds available from Measure B Sales Tax Funds, Fund No. 2210, Project Number C214810 for the contract work; 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 because of economy; and

WHEREAS, the City Council finds that services under this contract will be temporary; 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

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PUBLIC WORKS CMTE

JUL 22 2003

RESOLVED: That the City Manager is authorized to award a contract for the Rehabilitation of Stairs in the Oakmore Neighborhood to the lowest responsible bidder, in accordance with the terms of its bid therefore, for an amount not to exceed Three Hundred Thousand Dollars (\$300,000), without return to Council; 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 of one-half the bid amount, 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, equal to the bid amount, with respect to such work are hereby approved; and be it

FURTHER RESOLVED: That in the event that bids are not received, or bids are deemed not responsive, the City Manager is authorized to reject bids and negotiate a contract not to exceed \$300,000, without return to Council; and be it

FURTHER RESOLVED: That the City Manager is hereby authorized to execute any amendments or modifications to said agreement; and be it

FURTHER RESOLVED: That the contract shall be reviewed and approved by the City Attorney and placed on file in the Office of the City Clerk; and be it

FURTHER RESOLVED: That the approval of this Resolution requires a two-thirds vote of the Council members.

IN COUNCIL, OAKLAND, CALIFORNIA, _____, 2003

PASSED BY THE FOLLOWING VOTE:

AYES- BROOKS, BRUNNER, CHANG, NADEL, QUAN, REID, WAN and PRESIDENT DE LA FUENTE

NOES-

ABSENT-

ABSTENTION-

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PUBLIC WORKS CMTE
JUL 22 2003

ATTEST: _____

CEDA FLOYD
City Clerk and Clerk of the Council
of the City of Oakland, California