



City Attorney

RECEIVED
2008 MAY - 1 11 3:41

OAKLAND CITY COUNCIL

RESOLUTION No. 81295 C.M.S.

Introduced by Councilmember _____

RESOLUTION AUTHORIZING AWARD OF A CONSTRUCTION CONTRACT TO ANDES CONSTRUCTION, INC. FOR THE REHABILITATION OF SANITARY SEWERS IN THE AREA BOUNDED BY EMBARCADERO, FALLON STREET, 12TH STREET, AND ALICE STREET – SUBBASIN 64-01 (PROJECT NO. C267110) FOR THE AMOUNT OF THREE MILLION ONE HUNDRED SEVEN THOUSAND ONE HUNDRED FORTY-TWO DOLLARS (\$3,107,142.00)

WHEREAS, on March 3, 2008, two bids were received by the Office of the City Clerk of the City of Oakland for the Rehabilitation of Sanitary Sewers in the Area Bounded By Embarcadero, Fallon Street, 12th Street, and Alice Street – Subbasin 64-01 (Project No. C267110); and

WHEREAS, Andes Construction, Inc. bidding as a prime, is the responsive and responsible bidder for the project; and

WHEREAS, there are sufficient funds in the project budget for the work. Funding for this project is available in the Sewer Service Fund (3100); Capital Project-Sanitary Sewer Design Organization (92244); Sewer Account (57417); Rehabilitation of Sanitary Sewers in the Area Bounded By Embarcadero, Fallon Street, 12th Street, and Alice Street – Subbasin 64-01 (Project No. C267110) and these funds were specifically allocated for this project; 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 or better performance; and

WHEREAS, Andes Construction, Inc. complies with all LBE/SLBE goals; 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 Rehabilitation of Sanitary Sewers in the Area Bounded By Embarcadero, Fallon Street, 12th Street, and Alice Street – Subbasin 64-01 (Project No. C267110) is hereby awarded to Andes Construction, Inc. in accordance with the terms of its bid therefore, dated March 3, 2008 for the amount of Three Million One Hundred Seven Thousand One Hundred Forty-Two Dollars (\$3,107,142.00); and be it

FURTHER RESOLVED: That the plans and specifications prepared by the Deputy Director of the Community and Economic Development Agency for this project are hereby approved; and be it

FURTHER RESOLVED: That the amount of the bond for faithful performance, \$3,107,142.00, and the amount for a bond to guarantee payment of all claims for labor materials furnished and for the amount due under the Unemployment Insurance Act, \$3,107,142.00, with respect to such work are hereby approved; and be it

FURTHER RESOLVED: That the City Administrator is hereby authorized to enter into a contract with Andes Construction, Inc. on behalf of the City of Oakland and to execute any amendments or modifications to said agreement 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 and placed on file in the Office of the City Clerk; and be it

FURTHER RESOLVED: That the City Clerk is hereby directed to post conspicuously forthwith notice of the above award on the official bulletin board in the Office of the City Clerk.

IN COUNCIL, OAKLAND, CALIFORNIA, MAY 20 2008, 2008

PASSED BY THE FOLLOWING VOTE:

AYES - BROOKS, BRUNNER, CHANG, KERNIGHAN, NADEL, QUAN, REID, and PRESIDENT DE LA FUENTE - 8

NOES - 0

ABSENT - 0

ABSTENTION - 0

ATTEST:



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