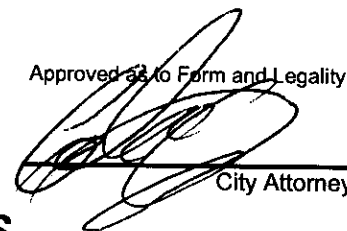


2007 APR 26 AM 8:41

Approved as to Form and Legality

OAKLAND CITY COUNCIL

RESOLUTION No. 80588 C.M.S.


City Attorney

Introduced by Councilmember _____

RESOLUTION AUTHORIZING AWARD OF A CONSTRUCTION CONTRACT TO AJW CONSTRUCTION FOR CITYWIDE SIDEWALK REPAIR FY 06-07 (PROJECT NO. C269110) FOR THE AMOUNT OF SEVEN HUNDRED SEVENTY ONE THOUSAND FIVE HUNDRED SEVENTY FIVE DOLLARS (\$771,575.00) AND INCREASING THE CHANGE ORDER LIMIT FROM 20 PERCENT TO 33 PERCENT

WHEREAS, on January 8, 2007, three bids were received by the Office of the City Clerk of the City of Oakland for Citywide Sidewalk Repair, FY 06-07 (Project No. C269110); and

WHEREAS, AJW Construction is the lowest responsible bidder for the project and met the City's LBE/SLBE and local trucking program requirements; and

WHEREAS, there are sufficient funds in the project budget for the work. Project funding is available in Measure B Fund (2210), Measure B - ACTIA Fund (2211), Measure B - Bicycle/Pedestrian Pass-Thru Fund (2212); Sidewalk Repair Program Organization (92452); Street Construction Account (57411); in Project Numbers C269110, C269120, C78051, C209140; and

WHEREAS, the funding for this project was budgeted for sidewalk repair and curb ramp installation; and

WHEREAS, the Engineer's Estimate for the work is \$820,300.00; 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 safety and economy; 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; and

WHEREAS, the Public Works Agency recommends an increase of the change order limit from 20 percent to 33 percent to utilize previously allocated funds to address additional sidewalk repair needs; now, therefore be it

RESOLVED: That the contract for Citywide Sidewalk Repair, FY 06-07 (Project No. C269110) is hereby awarded to AJW Construction in accordance with the terms of the contractor's bid therefore, dated January 8, 2007, for the amount of seven hundred seventy one thousand five hundred seventy five dollars (\$771,575.00); and be it

FURTHER RESOLVED: That the change order limit be increased from 20 percent to 33 percent, in order to address additional sidewalk repair needs; and be it

FURTHER RESOLVED: That the amount of the bond for faithful performance, \$771,575.00, 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, \$771,575.00, with respect to such work are hereby approved; 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 City Administrator is hereby authorized to enter into a contract with AJW Construction on behalf of the City of Oakland and to execute any change orders, amendments, extensions or modifications of 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 for form and legality prior to execution 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 15 2007 , 2007

PASSED BY THE FOLLOWING VOTE:

AYES - ~~Brooks~~, BRUNNER, CHANG, KERNIGHAN, NADEL, QUAN, REID, and ~~PRESIDENT DE LA FUENTE~~ - 6

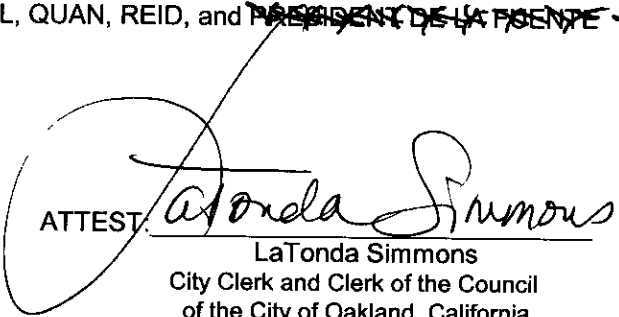
NOES - 0

ABSENT - 0

ABSTENTION - Brooks

Excused - De La Fuente - 1

ATTEST


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