

**REDEVELOPMENT AGENCY OF THE
CITY OF OAKLAND
AGENDA REPORT**

OFFICE OF THE CITY CLERK
27 MARCH 2007 2:07

TO: Office of the City Administrator
ATTN: Deborah A. Edgerly
FROM: Community and Economic Development Agency
DATE: March 27, 2007

RE: **Resolution Rejecting Bids and Authorizing the Agency Administrator, or Her Designee, to Award a Construction Contract for Modification of the 17th Street Entry to the Oakland Ice Center in Accordance with Specification No. G84040 to Rockridge Builders in an Amount Not-to-Exceed One Hundred Fifty-Nine Thousand Three Hundred and Ninety Dollars (\$159,390.00)**

SUMMARY

A resolution has been prepared authorizing the Agency Administrator, or her designee, to award a construction contract for the modification of an existing emergency exit from the Oakland Ice Center (OIC) into an alternate entrance to the facility (the "Project"). The Project will make the Rotunda garage and other parking options south of the OIC more accessible and secure for OIC patrons who are experiencing an increasing loss of parking spaces on the north side of the OIC. The proposed contract will be with Rockridge Builders in the amount of (\$159,390). Rockridge Builders is the lowest responsible bidder and its bid exceeds the City's Local/Small Local Business Program requirements, with seventy-seven percent (77%) of the work scheduled to be performed by small local business enterprises. Funds are available for this contract in an Agency capital improvement account for the OIC described below. The Project is located in Council District 3.

FISCAL IMPACT

The resolution will authorize a \$159,390 construction contract for the Project with Rockridge Builders. Funds for payment of this contract are available in Redevelopment Agency 1989 Bonds Fund (9516), Capital Improvement Projects – Economic Development Organization (94800), Buildings: Additions Account (57212), Oakland Ice Center Project (P131210). Currently, there is \$214,423 in this account, which was set up in 1997 with \$288,000 of residual funds from the construction of the OIC and \$370,000 of settlement proceeds of the original owner's bankruptcy to provide capital improvement funds for the OIC.

Item: _____
CED Committee
March 27, 2007

BACKGROUND

Over the past three years, the Oakland Ice Center has experienced a steady loss of easily-accessible affordable parking, which is critical to its successful operation. In 2004, the Oakland School for the Arts (OSA) relocated to a space that covered over half of the nearly block-long parking lot directly across from the main entrance to the OIC on 18th Street. In September 2006, 35 of the then 45 remaining parking spaces directly behind the Fox Theater were lost, as well as 25 metered spaces on 18th Street, to accommodate construction staging for the renovation of the Fox Theater. In a few months, the last 15 parking spaces in the remainder of the lot across 18th Street, the remaining 20 metered spaces on 18th Street, and another 20 spaces on San Pablo Avenue will be lost so that OSA portables can be relocated in order to vacate space for construction of the Fox Courts affordable housing project. Another 20 parking spaces licensed to the Agency for use by the OIC during evenings and weekends in a lot adjacent to the east end of the OIC will no longer be available beginning September 2007 when the final extension of that license expires.

It was envisioned when the OSA, Fox Courts and Fox Theater projects were being planned that the 350-space Rotunda garage at 17th Street and San Pablo Avenue would provide an alternative to the on-street and off-street parking that would be lost to the OIC over the course of development of these projects. The Rotunda garage was completed and opened for business in February 2006. In September 2006, Agency staff negotiated with the owner of the Rotunda garage to extend operating hours from 7 pm to 11 pm on Monday through Thursday, and 8 am to 7 pm on Saturday to accommodate patrons of the OIC. Having direct access to the OIC from 17th Street will make it more convenient and safer for patrons to utilize the Rotunda garage.

In December 2006, with the assistance of Public Works Agency staff, the Redevelopment Agency advertised for bids for the Project. The Project is proposed to include:

1. Replacement of the existing metal exit doors with glazed aluminum doors at the both ends of a small vestibule behind the existing exit.
2. Fabrication and installation of a metal and glass canopy and supports at the exterior of the new entrance with lighting underneath.
3. Fabrication and installation of three metal blade signs with uplighting atop the exterior canopy.

On January 22, 2007, the City Clerk received four bids for the Project. Alde Construction, which is located in South San Francisco, submitted the apparent low bid in the amount of \$119,880, but further examination of this bid by the City's Contract Compliance Division revealed that Alde Construction's bid had no local and small local business enterprise participation, and therefore was not in compliance with the City and Redevelopment Agency's Local and Small Local Business Enterprise Program (L/SLBE), which requires at least 20 percent local and small local business enterprise participation. Alde Construction was in compliance with the City's Equal Benefits Ordinance (EBO). Rockridge Builders of Oakland was the second lowest bidder,

submitting a bid in the amount of \$159,390 that was fully compliant with both the L/SLBE program and the EBO ordinance. In fact Rockridge Builders' bid listed small and small local business enterprise participation of 77 percent. Rodan Builders, Inc. of Belmont and Bay Construction Company of Oakland were the other two firms submitting bids of \$202,000 and \$209,900 respectively. Both Rodan Builders' and Bay Construction's bids were EBO compliant, but neither of their bids was compliant with the City's L/SLBE program reporting zero percent small and small/local business enterprise participation. This information has been verified by the Contract Compliance and Employment Services Division of the City Administrator's Office and is summarized in the compliance analysis memo (Attachment A).

PROJECT DESCRIPTION

The Project will begin with the removal of the existing metal emergency doors and replacement of those doors with glazed aluminum storefront doors. A second set of glazed aluminum doors will be installed at the end of a small vestibule just inside the OIC to create a small holding area. A key pad and remote release will be installed on the new inner door and a security camera mounted within the vestibule to allow regular patrons to let themselves in during certain hours, and OIC staff at the main north entrance of the facility to monitor the new alternate entry and remotely admit patrons. An approximate 16 feet long curved glass and steel canopy will be erected over the new entry with three 3-by 8-foot metal blade signs announcing the OIC attached to the top of the three canopy support columns (See rendering of new entry exterior in Attachment B). The signs and canopy will be lighted for evening visibility.

KEY ISSUES AND IMPACTS

Completion of the Project will make it easier and safer for patrons of the OIC to utilize alternate parking options, including the Rotunda garage, as more parking options disappear on the north side of the OIC. Industry experts agree that close affordable parking is a critical factor in the successful operation of an ice skating facility. It is expected that the new entry will be primarily used during evening hours and on weekends when usage of the OIC is at peak levels.

The only responsive bid received, from Rockridge Builders in the amount of \$159,390, is \$19,390 higher than the engineer's estimate for the project. Given that two of the other non-responsive bids were for considerably more than \$159,390, it is not expected that re-bidding the project will yield any bids that are significantly lower than Rockridge Builders' bid to justify the actual and potential costs resulting from re-bidding the Project. The pending loss of another 60 parking spaces on the north side of the OIC will further increase the parking shortage at the OIC in the next several months. Given the unlikelihood of realizing any significant savings from re-bidding the project, staff does not believe that the 2-3 month delay necessary to re-bid the project is justified in this case. The estimated duration of the construction work is 50 working days from the date of the Notice to Proceed. With approval of this resolution, it is anticipated that the new entry could be completed by July 2007. The construction contract specifies \$500 in liquidated damages per calendar day if the contract completion time is exceeded.

SUSTAINABLE OPPORTUNITIES

Economic: The Project will help offset the negative impact of the loss of parking on patronage and revenue for the OIC. It will also provide revenue for the small local businesses working on the project.

Environmental: The contractor will be required to complete a job site waste reduction and recycling plan for construction of the Project.

Social Equity: The Project will make it easier for Oakland residents to participate in and enjoy the various recreational activities at the OIC.

DISABILITY AND SENIOR CITIZEN ACCESS

The new entry on 17th Street is designed to be accessible to disabled persons.

RECOMMENDATION (S) AND RATIONALE

It is recommended that the City Administrator, or her designee, be authorized to award a construction contract for the Project to Rockridge Builders in the amount of \$159,390. Rockridge Builders, exceeded the City's L/SLBE requirements, and though its bid is \$19,390 above the engineer's estimate for the Project, there are sufficient funds available to construct the Project and re-bidding of the Project is not expected to produce an appreciably lower responsive bid that would justify the cost and delay incurred by re-bidding the Project.

ACTION REQUESTED OF THE CITY COUNCIL

Staff recommends approval of the attached Redevelopment Agency resolution awarding a construction contract to Rockridge Builders in the amount of \$159,390 for construction of a 17th Street entry to the Oakland Ice Center.

Respectfully submitted,



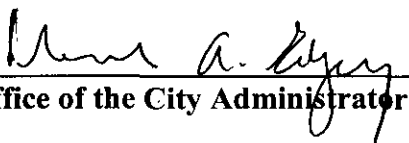
for

Gregory Hunter
Interim Director for Redevelopment,
Economic Development, Housing and
Community
Development

Prepared by:
John Quintal
Economic Development Analyst

Attachment A: Contract Compliance Memo and Evaluation
Attachment B: Rendering of New Entry Exterior

APPROVED AND FORWARDED TO THE
COMMUNITY AND ECONOMIC
DEVELOPMENT COMMITTEE:


Office of the City Administrator

ATTACHMENT A
CONTRACT COMPLIANCE ANALYSIS MEMO
OAKLAND ICE CENTER – ENTRY MODIFICATIONS

Memo

Office of the City Administrator

Contract Compliance & Employment Services Division

To: Gwen McCormick, PWA
From: Shelley Darensburg, Contract Compliance Officer, CC&ES Division
Through: Deborah Barnes, CC&ES Manager *Deborah Barnes*
CC: John Quintal
Date: February 6, 2007
Re: **Compliance Analysis:**
Modification of 17th Street Entrance to the Oakland Ice Center
Project No. G84040

Contract Compliance & Employment Services reviewed the four (4) bids received in response to the above referenced project. Below is the outcome of our compliance evaluation for the twenty percent (20%) minimum Local and Small Local Business Enterprise (L/SLBE) Program participation requirement and a preliminary review for compliance with the Equal Benefits Ordinance (EBO).

The L/SLBE findings are as follows:

Company Name	Bid Amount	Discounted Bid Amount	Proposed Participation					Banked Credits	EBO Compliant Y/N
			Total L/SLBE	LBE	SLBE	Local Trucking	Total Credited		
Alde Construction	\$119,880	\$119,880	0%	0%	0%	N/A	0%	0	Y
Rockridge Builders	\$159,390	\$151,421	94%	17%	77%	N/A	77%	2	Y
Rodan Builders	\$202,000	\$202,000	0%	0%	0%	N/A	0%	0	Y
Bay Construction	\$209,900	\$209,900	0%	0%	0%	N/A	0%	0	Y

As noted above, Rockridge Builders, the second lowest bidder exceeded the minimum 20% L/SLBE participation requirement. The other three bidders failed to meet the minimum 20% L/SLBE Requirement. All of the firms are EBO compliant.

If you have questions or need additional information, please contact Shelley Darensburg, Contract Compliance Officer, at 238-7325.

17:00 2/6/07

CONTRACT COMPLIANCE & EMPLOYMENT SERVICES
PROJECT EVALUATION FORM

PROJECT NO. G84040

PROJECT NAME:

Modification of 17th Street Entrance to the Oakland Ice Center

CONTRACTOR: Alde Construction

<u>Engineer's Estimate:</u>	<u>Contractors' Bid Amount</u>	<u>Over/Under Engineer's Estimate</u>
\$140,000	\$119,880	\$20,120.00
<u>Discounted Bid Amount:</u>	<u>Amt. of Bid Discount</u>	<u>Discount Points:</u>
\$119,880	\$0	0%

1. Did the 20% requirements apply? YES

2. Did the contractor meet the 20% requirement No

a) % of LBE participation 0%

b) % of SLBE participation 0%

3. Did the Trucking requirement apply? No

4. Did the contractor meet the Trucking requirement? N/A

a) Total trucking participation 0%

5. Did the contractor receive bid discounts? No

(If yes, list the percentage received) 0%

6. Additional Comments.

Bidder did not meet the minimum 20% L/SLBE participation requirement and is therefore, non-responsive.

7. Date evaluation completed and returned to Contract Admin./Initiating Dept.

2/5/2007

Date

Reviewing
Officer:

Shelley Darenburg

Date: 2/5/07

Approved By

Deborah Barnes

Date: 2/6/07

LBE/SLBE Participation Bidder 1

Project Name: Modification of 17th Street Entrance to the Oakland Ice Center

Project No.: G84040		Engineers Est: \$140,000				Under/Over Engineers Estimate: 20,120.00						
Discipline	Prime & Subs	Location	Cert. Status	LBE	SLBE	Total LBE/SLBE	L/SLBE Trucking	Total Trucking	TOTAL Dollars	For Tracking Only		
										Ethn.	MBE	WBE
PRIME	Alde Construction	SSF	UB						119,880	AP	119,880	
Project Totals				\$0	\$0	\$0	\$0	\$0	\$119,880		\$119,880	\$0.00
				0%	0%	0%	100%	100%	100%		100%	
Requirements: The 20% requirements is a combination of 10% LBE and 10% SLBE participation. An SLBE firm can be counted 100% towards achieving 20% requirements.				LBE 10%	SLBE 10%	TRUCKING 20%	LBE/SLBE 20%			Ethnicity AA = African American A = Asian C = Caucasian H = Hispanic NA = Native American O = Other NL = Not Listed		
Legend				LBE = Local Business Enterprise SLBE = Small Local Business Enterprise Total LBE/SLBE = All Certified Local and Small Local Businesses NPLBE = NonProfit Local Business Enterprise NPSLBE = NonProfit Small Local Business Enterprise		UB = Uncertified Business CB = Certified Business MBE = Minority Business Enterprise WBE = Women Business Enterprise						



City of Oakland

Equal Benefits Ordinance

Certificate of Compliance

is hereby awarded to

Alde Construction

For satisfying all requirements necessary for compliance with the Equal Benefits Ordinance

Deborah Barnes

Deborah Barnes
Contract Compliance & Employment Services Manager

February 6, 2007

Date

CONTRACT COMPLIANCE & EMPLOYMENT SERVICES
PROJECT EVALUATION FORM

PROJECT NO. G84040

PROJECT NAME:

Modification of 17th Street Entrance to the Oakland Ice Center

CONTRACTOR: Rockridge Builders

<u>Engineer's Estimate:</u>	<u>Contractors' Bid Amount</u>	<u>Over/Under Engineer's Estimate</u>
\$140,000	\$159,390	(\$19,390.00)
<u>Discounted Bid Amount:</u>	<u>Amt. of Bid Discount</u>	<u>Discount Points:</u>
\$151,421	\$7,970	5%

1. Did the 20% requirements apply? YES

2. Did the contractor meet the 20% requirement No
 - a) % of LBE participation 17%
 - b) % of SLBE participation 77%

3. Did the Trucking requirement apply? No

4. Did the contractor meet the Trucking requirement? N/A
 - a) Total trucking participation 0%

5. Did the contractor receive bid discounts? Yes
(If yes, list the percentage received) 5%

6. Additional Comments.

7. Date evaluation completed and returned to Contract Admin./Initiating Dept.

2/5/2007

Date

Reviewing Officer:

Shelley Aurenburg

Date: 2/5/07

Approved By

Patrick Barnes

Date: 2/6/07

LBE/SLBE Participation Bidder 2

Project Name: Modification of 17th Street Entrance to the Oakland Ice Center

Project No.: G84040		Engineers Est: \$140,000				Under/Over Engineers Estimate: -19,390.00						
Discipline	Prime & Subs	Location	Cert. Status	LBE	SLBE	Total LBE/SLBE	L/SLBE Trucking	Total Trucking	TOTAL Dollars	For Tracking Only		
										Ethn.	MBE	WBE
PRIME	Rockridge Builders	Oakland	CB		66,120	66,120			66,120	C		
Structural Steel	Bob's Iron	Oakland	CB		25,570	25,570			25,570	C		
Alum. Storefront	Eastbay Glass	Oakland	CB		31,400	31,400			31,400	AA	31,400	
Illuminated Sign	Arrow Sign	Oakland	CB	\$26,500		26,500			26,500	C		
Electrical	County Electrical	Concord	UB						9,800	C		
Project Totals				\$26,500	\$123,090	\$149,590	\$0	\$0	\$159,390		\$31,400	\$0.00
				17%	77%	94%	100%	100%	100%		20%	
Requirements: The 20% requirements is a combination of 10% LBE and 10% SLBE participation. An SLBE firm can be counted 100% towards achieving 20% requirements.				LBE 10%	SLBE 10%	TRUCKING 20%	LBE/SLBE 20%			Ethnicity AA = African American A = Asian C = Caucasian H = Hispanic NA = Native American O = Other NL = Not Listed		
Legend				LBE = Local Business Enterprise	SLBE = Small Local Business Enterprise	Total LBE/SLBE = All Certified Local and Small Local Businesses	NPLBE = NonProfit Local Business Enterprise	NPSLBE = NonProfit Small Local Business Enterprise	UB = Uncertified Business	CB = Certified Business	MBE = Minority Business Enterprise	WBE = Women Business Enterprise



City of Oakland

Equal Benefits Ordinance

Certificate of Compliance

is hereby awarded to

Rockridge Builders

For satisfying all requirements necessary for compliance with the Equal Benefits Ordinance.

Deborah Barnes
for Deborah Barnes
Contract Compliance & Employment Services Manager

6/23/05
Date

CONTRACT COMPLIANCE & EMPLOYMENT SERVICES
PROJECT EVALUATION FORM

PROJECT NO. G84040

PROJECT NAME:

Modification of 17th Street Entrance to the Oakland Ice Center

CONTRACTOR: Rodan Builders

<u>Engineer's Estimate:</u>	<u>Contractors' Bid Amount</u>	<u>Over/Under Engineer's Estimate</u>
\$140,000	\$202,000	(\$62,000.00)

<u>Discounted Bid Amount:</u>	<u>Amt. of Bid Discount</u>	<u>Discount Points:</u>
\$202,000	\$0	0%

1. Did the 20% requirements apply? YES

2. Did the contractor meet the 20% requirement No
 - a) % of LBE participation 0%
 - b) % of SLBE participation 0%

3. Did the Trucking requirement apply? No

4. Did the contractor meet the Trucking requirement? N/A
 - a) Total trucking participation 0%

5. Did the contractor receive bid discounts? No

(If yes, list the percentage received) 0%

6. Additional Comments.
**Bidder did not meet the minimum 20% L/SLBE participation requirement.
Therefore bidder is non-responsive.**

7. Date evaluation completed and returned to Contract Admin./Initiating Dept.

2/5/2007

Date

Reviewing
Officer:

Shelley Danensberg

Date: 2/5/06

Approved By

Deborah Barner

Date: 2/7/06

LBE/SLBE Participation Bidder 3

Project Name: Modification of 17th Street Entrance to the Oakland Ice Center

Project No.: G84040		Engineers Est: \$140,000				Under/Over Engineers Estimate: -62,000.00						
Discipline	Prime & Subs	Location	Cert. Status	LBE	SLBE	Total LBE/SLBE	L/SLBE Trucking	Total Trucking	TOTAL Dollars	For Tracking Only		
										Ethn.	MBE	WBE
PRIME	Rodan Builders	Fremont	UB						68,480	C		
Drilling	Concord Iron	Pittsburg	UB						60,000	NL		
Skylight	CWI	SF	UB						31,170	NL		
Painting	Minas Painting	Melbourne	UB						2,500	C		
Electrical	Celestial Tech	Oakland	UB						39,850	AA	39,850	
Project Totals				\$0	\$0	\$0	\$0	\$0	\$202,000		\$39,850	\$0.00
				0%	0%	0%	100%	100%	100%		20%	
Requirements: The 20% requirements is a combination of 10% LBE and 10% SLBE participation. An SLBE firm can be counted 100% towards achieving 20% requirements.				LBE 10%	SLBE 10%	TRUCKING 20%	LBE/SLBE 20%			Ethnicity AA = African American A = Asian C = Caucasian H = Hispanic NA = Native American O = Other NL = Not Listed		
Legend				LBE = Local Business Enterprise SLBE = Small Local Business Enterprise Total LBE/SLBE = All Certified Local and Small Local Businesses NPLBE = NonProfit Local Business Enterprise NPSLBE = NonProfit Small Local Business Enterprise		UB = Uncertified Business CB = Certified Business MBE = Minority Business Enterprise WBE = Women Business Enterprise						



City of Oakland

Equal Benefits Ordinance
Certificate of Compliance

is hereby awarded to
Roldan Builders, Inc.

For satisfying all requirements necessary for compliance with the Equal Benefits Ordinance

Deborah Barnes

Deborah Barnes
Contract Compliance & Employment Services Manager

February 4, 2007

Date

CONTRACT COMPLIANCE & EMPLOYMENT SERVICES
PROJECT EVALUATION FORM

PROJECT NO. G84040

PROJECT NAME: Modification of 17th Street Entrance to the Oakland Ice Center

CONTRACTOR: Bay Construction

<u>Engineer's Estimate:</u>	<u>Contractors' Bid Amount</u>	<u>Over/Under Engineer's Estimate</u>
\$140,000	\$209,900	(\$69,900.00)
<u>Discounted Bid Amount:</u>	<u>Amt. of Bid Discount</u>	<u>Discount Points:</u>
\$209,900	\$0	0%

1. Did the 20% requirements apply? YES

2. Did the contractor meet the 20% requirement No

a) % of LBE participation 0%

b) % of SLBE participation 0%

3. Did the Trucking requirement apply? No

Bidder failed to achieve the minimum 20% L/SLBE participation requirement. N/A

a) Total trucking participation 0%

5. Did the contractor receive bid discounts? No

(If yes, list the percentage received) 0%

6. Additional Comments.

Bidder did not meet the minimum 20% L/SLBE participation requirement. The Bidder is an Oakland firm but its SLBE certification has expired. Therefore, Bidder is non-responsive.

7. Date evaluation completed and returned to Contract Admin./Initiating Dept.

2/5/2007

Date

Reviewing Officer:

Shelley Darenburg

Date: 2/5/07

Approved By

Deborah Baker

Date: 2/6/07

LBE/SLBE Participation Bidder 4

Project Name: Modification of 17th Street Entrance to the Oakland Ice Center

Project No.: G84040		Engineers Est: \$140,000				Under/Over Engineers Estimate: -69,900.00						
Discipline	Prime & Subs	Location	Cert. Status	LBE	SLBE	Total LBE/SLBE	L/SLBE Trucking	Total Trucking	TOTAL Dollars	For Tracking Only		
										Ethn.	MBE	WBE
PRIME	Bay Construction	Oakland	UB						120,961	AP		
Drilling	Hillside Drilling	Richmond	UB						9,769	NL		
Skylight	CWI	SF	UB						31,170	NL		
Steel	R&S	Martinez	UB						5,000	C		
Doors	Metropolitan	SF	UB						26,000	C		
Electrical	Columbia Electric	Oakland	UB						17,000	NL		
Project Totals				\$0	\$0	\$0	\$0	\$0	\$209,900		\$0	\$0.00
				0%	0%	0%	100%	100%	100%		0%	
Requirements: The 20% requirements is a combination of 10% LBE and 10% SLBE participation. An SLBE firm can be counted 100% towards achieving 20% requirements.				LBE 10%	SLBE 10%	TRUCKING 20%	LBE/SLBE 20%			Ethnicity AA = African American A = Asian C = Caucasian H = Hispanic NA = Native American O = Other NL = Not Listed		
Legend				LBE = Local Business Enterprise		UB = Uncertified Business						
				SLBE = Small Local Business Enterprise		CB = Certified Business						
				Total LBE/SLBE = All Certified Local and Small Local Businesses		MBE = Minority Business Enterprise						
				NPLBE = NonProfit Local Business Enterprise		WBE = Women Business Enterprise						
				NPSLBE = NonProfit Small Local Business Enterprise								



City of Oakland

Equal Benefits Ordinance

Certificate of Compliance

is hereby awarded to

Bay Construction Company

For satisfying all requirements necessary for compliance with the Equal Benefits Ordinance

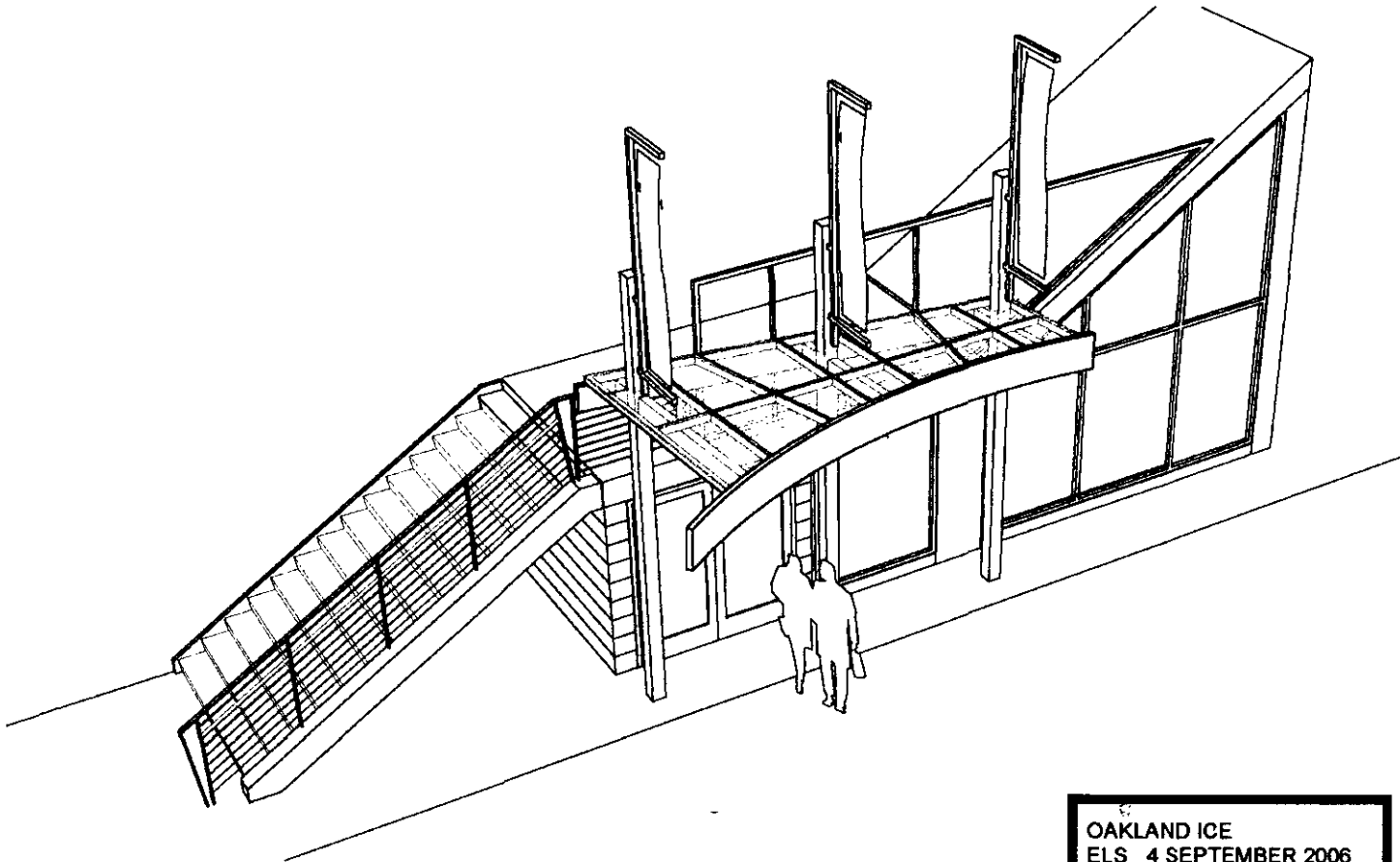
Deborah Barnes

Deborah Barnes
Contract Compliance & Employment Services Manager

June 28, 2006

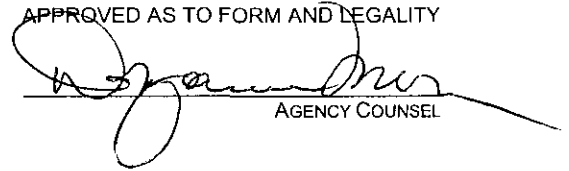
Date

ATTACHMENT B
NEW ENTRY EXTERIOR - OAKLAND ICE CENTER



OAKLAND ICE
ELS 4 SEPTEMBER 2006

2007 MAR 15 PM 2:07


AGENCY COUNSEL

REDEVELOPMENT AGENCY OF THE CITY OF OAKLAND

RESOLUTION NO. _____ C.M.S.

RESOLUTION REJECTING BIDS AND AUTHORIZING THE AGENCY ADMINISTRATOR, OR HER DESIGNEE, TO AWARD A CONSTRUCTION CONTRACT FOR MODIFICATION OF THE 17TH STREET ENTRY TO THE OAKLAND ICE CENTER IN ACCORD WITH SPECIFICATION NO. G84040 TO ROCKRIDGE BUILDERS IN AN AMOUNT NOT-TO-EXCEED OF ONE HUNDRED FIFTY-NINE THOUSAND THREE HUNDRED AND NINETY DOLLARS (\$159,390.00)

WHEREAS, on May 2, 1997, the Agency acquired ownership of the twin-rink ice skating facility located at 519 – 18th Street known as the Oakland Ice Center (OIC) following the default by the original owner of the OIC on an Agency loan to construct the OIC; and

WHEREAS, pursuant to Agency Resolution No. 97-12 C.M.S., the Redevelopment Agency is authorized to enter into contracts necessary to manage and operate the OIC; and

WHEREAS, over the past several years the OIC has lost most of the close-by, secure parking that used to be available directly across the street from the main entrance to the facility due to relocation of the Oakland School for the Arts, renovation of the Fox Theater and development of the Fox Courts and Uptown housing projects; and

WHEREAS, even the limited amount of remaining parking north of the OIC is scheduled to be lost within the next few months; and

WHEREAS, given the fact that close-by, secure parking is judged to be critical to the successful operation of the OIC; and

WHEREAS, alternative parking options, including the new Rotunda garage, are available on the south side of the OIC; and

WHEREAS, safe and convenient utilization of these alternative parking options by patrons of the OIC would be enhanced and facilitated by the creation of direct access to the OIC from the 17th Street side of the OIC; and

WHEREAS, modification of an existing emergency exit from the OIC on 17th Street (the "Project") would create this direct access; and

WHEREAS, the Agency solicited and received four bids for the Project; and

WHEREAS, the apparent low bidder, Alde Construction of South San Francisco, and the highest and the next highest bidder, Rodan Builders, Inc. of Belmont and Bay Construction of Oakland, failed to meet the City of Oakland's Local and Small Local Business Enterprise (L/SLBE) Program requirements; and

WHEREAS, Rockridge Builders of Oakland was the only bidder that met, and in fact, exceeded the City's L/SBE Program requirements with local business enterprise participation of 77 percent; and

WHEREAS, Rockridge Builders' bid (\$159,390.00) exceeded the engineer's estimate by only \$19,390.00; and

WHEREAS, given the urgency of timely completion of the Project, the absence of other responsive bidders, and the range of current bid amounts, it is unlikely that re-bidding the Project will result in a bid that is low enough to offset the potential negative financial impact to the OIC and the Agency that might result from the 2-3 month delay necessary to re-bid the Project; and

WHEREAS, the contract awarded hereunder is of a technical and temporary nature and shall not result in the loss of employment or salary by any person having permanent status in the competitive service; now, therefore, be it

RESOLVED: That the Agency Administrator is hereby authorized to award a contract to Rockridge Builders in an amount not-to-exceed one hundred fifty nine thousand three hundred ninety dollars (\$159,390.00) for Modification of the 17th Street Entry to the Oakland Ice Center in accord with Specification No. G84040; and be it

FURTHER RESOVLED, That funding for the Project will be allocated from 1989 Bonds Fund (9516), Capital Improvement Projects – Economic Development Organization (94800), Buildings: Additions Account (57212) and Oakland Ice Center Project (P131210); and be it

FURTHER RESOLVED: That all other bids received for construction of the 17th Street Entry to the Oakland Ice Center, Specification No. G84040, are hereby rejected; and be it

FURTHER RESOLVED: That the contractor shall be required to provide performance and payment bonds in an amount sufficient to cover 100% of the contract price; and be it

FURTHER RESOLVED: That the Agency Administrator is authorized to take whatever action is necessary with respect to this contract and the Project consistent with this Resolution and its basic purposes; and be it

FURTHER RESOLVED: That any agreements authorized hereunder, including amendments, modifications, or extensions, shall be approved as to form and legality by the Office of the Agency Counsel and filed with the Agency Secretary.

IN AGENCY, OAKLAND, CALIFORNIA, _____, 2007

PASSED BY THE FOLLOWING VOTE:

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

NOES-

ABSENT-

ABSTENTION-

ATTEST: _____
 LATONDA SIMMONS
 Secretary of the Redevelopment Agency
 of the City of Oakland