

OFFICE OF THE CITY CLERK
2007 OCT 11 PM 2:13

OAKLAND CITY COUNCIL

RESOLUTION No. 80924 C.M.S.

Introduced by Councilmember _____

RESOLUTION AUTHORIZING AWARD OF A CONSTRUCTION CONTRACT TO RAY'S ELECTRIC IN THE AMOUNT OF ONE MILLION EIGHT HUNDRED FIFTY-SIX THOUSAND EIGHT HUNDRED TWENTY DOLLARS (\$1,856,820.00) FOR THE 40TH STREET, MACARTHUR TRANSIT HUB IMPROVEMENT PROJECT (PROJECT NO. G283010)

WHEREAS, on August 20, 2007, bids were received by the Office of the City Clerk of the City of Oakland for the 40th Street, MacArthur Transit Hub Improvement Project (Project Number G283010); and

WHEREAS, John Clay General Engineering Contractor, Inc., the lowest bidder, did not submit a complete bid package and, therefore, their bid was deemed non-responsive; and

WHEREAS, Ray's Electric is the lowest responsible and responsive bidder and has complied with all bidding requirements and is in full compliance with the City's Disadvantaged Business Enterprise (DBE) program; and

WHEREAS, Ray's Electric bid for the project is \$1,856,820.00 and the total project implementation budget, including the construction contract, procurement, contingency and project administration, is estimated to be \$2,477,800.00; and

WHEREAS, there are sufficient funds in the project budget remaining for the construction contract, procurement, contingency and project management; and

WHEREAS, funding from the Regional Bicycle and Pedestrian Grant Program in the amount \$896,000.00 and funding from Congestion Management Agency Alameda County Transportation for Livable Communities Grant for the amount of \$193,000.00 for the MacArthur Transit Hub Project is available in the Metropolitan Transportation Commission Grant Fund (2163) and MacArthur Transit Hub Streetscape Project (G283010); and

WHEREAS, funding from the Broadway/MacArthur/San Pablo Redevelopment Agency, totaling \$220,000.00 for the MacArthur Transit Hub Project is available in the Oakland Redevelopment Agency Projects Fund (7780) and MacArthur Transit Hub Streetscape Project (G283020); and

WHEREAS, funding from the City of Oakland Measure B: Pedestrian and Bicycle Pass Through Funds, totaling \$150,000.00 for the MacArthur Transit Hub Project is available in the Measure B: Bicycle and Pedestrian Fund (2212) and MacArthur Transit Hub Streetscape Project (G283030); and

WHEREAS, funding totaling \$253,800.00 for the MacArthur Transit Hub Project is available in the Metropolitan Transit Commission Fund (2163) and MacArthur Transit Hub Streetscape Project (G283040); and

WHEREAS, funding from the Broadway/MacArthur/San Pablo Redevelopment Agency 2006 Tax Exempt Bond Issue, totaling \$550,000.00 for the MacArthur Transit Hub Project is available in the Oakland Redevelopment Agency Projects Fund (7780) and MacArthur Transit Hub Streetscape Project (G283050); and

WHEREAS, funding from the ACTIA Bicycle and Pedestrian Discretionary Funds Grant, totaling \$215,000.00 for the MacArthur Transit Hub Project is available in the Measure B ACTIA Grant Fund (2211) and MacArthur Transit Hub Streetscape Project (G283060); 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; 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 construction contract for the 40th Street, MacArthur Transit Hub Improvements is hereby awarded to Ray's Electric in accordance with the terms of its bid dated August 20, 2007, for the amount of One Million Eight Hundred Fifty-Six Eight Hundred Twenty Dollars (\$1,856,820.00); and be it

FURTHER RESOLVED: That the plans and specifications prepared by the Director, 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, (\$1,856,820.00), 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, (\$1,856,820.00), with respect to such work are hereby approved; and be it

FURTHER RESOLVED: That the City Administrator, or her designee, is hereby authorized to enter into a construction contract with Ray's Electric, on behalf of the City of Oakland and to execute any amendments or modifications of said contract 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 and placed on file in the Office of the City Clerk.

IN COUNCIL, OAKLAND, CALIFORNIA, NOV 6 2007, 2007

PASSED BY THE FOLLOWING VOTE:

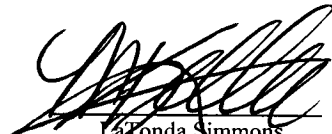
AYES - BROOKS, BRUNNER, CHANG, KERNIGHAN, NADEL, QUAN, REID, and PRESIDENT DE LA FUENTE - 8

NOES - 0

ABSENT - 0

ABSTENTION - 0

ATTEST:


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