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OAKLAND
2009 MAY 14 PM 4:19

OAKLAND CITY COUNCIL

Approved as to Form and Legality


City Attorney

RESOLUTION No. 82041 C.M.S.

Introduced by Councilmember _____

RESOLUTION AUTHORIZING THE CITY ADMINISTRATOR, OR HIS DESIGNEE, TO AWARD A CONSTRUCTION CONTRACT TO AJW CONSTRUCTION FOR THE CITYWIDE ON-CALL CURB RAMP PROJECT (PROJECT NO. C316310) FOR THE AMOUNT OF FIVE HUNDRED TEN THOUSAND, ONE HUNDRED TWENTY-FIVE DOLLARS (\$510,125.00)

WHEREAS, on January 29, 2009, six bids were received by the Office of the City Clerk of the City of Oakland for the repair of Citywide on-call curb ramps (Project No. C316310); and

WHEREAS, AJW Construction, a certified SLBE bidding as a prime, is the lowest 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 following project account:

- Measure B- ACTIA Fund (2211), Capital Projects – Sidewalk Repair Maintenance Organization (92452), Street Construction Account (57411), Project No. C316310, \$133,866.00.
- Capital Reserve Fund (5510), Capital Projects – Sidewalk Repair Maintenance Organization (92452), Street Construction Account (57411), Project No. C316320, \$78,284.00.
- Metropolitan Transportation Commission TDA Fund (2162), Capital Projects – Sidewalk Repair Maintenance Organization (92452), Street Construction Account (57411) Project No. C354910, \$50,000.00.
- Metropolitan Transportation Commission TDA Fund (2162), Capital Projects – Sidewalk Repair Maintenance Organization (92452), Street Construction Account (57411), Project No. G335310, \$150,000.00.
- ADA Transition Plan Fund (5200), Capital Projects – Sidewalk Repair Maintenance Organization (92452), Street Construction Account (57411), Project No. C316330, \$200,000.00; and

WHEREAS, these funds were specifically allocated for this project, and the project will create a safe path of travel, comply with Americans with Disabilities Act mandates and meet citizen demand; 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, AJW Construction complies with all LBE/SLBE and trucking requirements; 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 Citywide on-call curb ramp project (Project No. C316310) is hereby awarded to AJW Construction in accordance with the terms of its bid therefore, dated January 29, 2009, for the amount of five hundred ten thousand, one hundred twenty-five dollars (\$510,125.00); 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, \$510,125.00, 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, \$510,125.00, with respect to such work are hereby approved; and be it

FURTHER RESOLVED: That the City Administrator, or his designee, is hereby authorized to enter into a construction contract with AJW Construction 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 construction 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, JUN 2 2009, 20

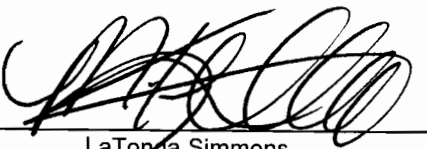
PASSED BY THE FOLLOWING VOTE:

AYES - BROOKS, DE LA FUENTE, KAPLAN, KERNIGHAN, NADEL, QUAN, ~~REID~~, and PRESIDENT BRUNNER - 7

NOES - 0

ABSENT - Reid - 1

ABSTENTION - 0

ATTEST: 
LaTopda Simmons
City Clerk and Clerk of the Council
of the City of Oakland, California