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OAKLAND
2008 SEP 11 PM 3:20

Approved as to Form and Legality

Oakland City Attorney's Office

OAKLAND CITY COUNCIL

Resolution No. 81576 C.M.S.

Introduced by Councilmember _____

RESOLUTION AUTHORIZING THE CITY ADMINISTRATOR, OR DESIGNEE, TO INCREASE THE CONSTRUCTION CONTRACT FOR THE CITY STABLES PADDOCKS PROJECT (NO. C213720) WITH ROCKRIDGE BUILDERS BY AN ADDITIONAL \$200,000.00 FOR THE CONSTRUCTION OF A HAYBARN AND TURNOUT AREA(S) FOR A TOTAL CONTRACT NOT-TO-EXCEED AMOUNT OF \$550,000.00, SUBJECT TO THE RECEIPT OF ADDITIONAL GRANT FUNDING WITHOUT RETURN TO COUNCIL

WHEREAS, the City Stables Paddocks project is a much needed project to provide the community with year-round equestrian recreational opportunities; and

WHEREAS, on July 15, 2008, the City Council approved Resolution No. 81455 C.M.S. awarding a construction contract to Rockridge Builders in an amount not to exceed \$350,000.00 for the City Stables Paddocks project and

WHEREAS, the hay barn and turnout area(s) were alternate bid items and not included in the original contract with Rockridge Builders because sufficient funding was not available; and

WHEREAS, staff has applied for a Stewardship Council Infrastructure Fund (SCIF) grant, in the amount of \$200,000.00 for the construction of a hay barn and turnout area(s) and in winter 2008, the grantor will notify the City if the grant is to be awarded for the project; and

WHEREAS, staff is requesting authorization to increase the construction contract with Rockridge Builders by an additional \$200,000.00 for the construction of a hay barn and turnout area(s) for a total contract not-to-exceed amount of \$550,000.00, subject to the receipt of additional grant funding without return to Council to cover the additional improvements; and

WHEREAS, staff is requesting authorization to increase the construction contract at this time in order to be able to expedite the added improvements if the grant funding is awarded; and

WHEREAS, the hay barn and turnout area(s) must be completed by summer 2009 to ensure that the facilities are ready for the 2009 summer program; and

WHEREAS, the construction contract increase and the added project improvements are subject to the confirmation of the SCIF grant, and the contractor will not be directed to proceed with any of the added improvements until the grant is fully confirmed; and

WHEREAS, the City lacks the equipment and qualified personnel to perform the necessary work, and the City Council finds that the performance of this contract is in the public interest because of economy and services under this contract will be temporary; 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 service; now, therefore, be it

RESOLVED: That if the SCIF application is approved, the City Administrator is authorized to accept and appropriate funds to Community and Economic Development Agency within the Miscellaneous Grant Fund (2999); Capital Improvement Projects (92270), and a project to be created; and be it

RESOLVED: That the City Administrator is hereby authorized to increase the construction contract with Rockridge Builders, by an additional \$200,000.00 for the construction of a hay barn and turnout area(s) for a total contract not-to-exceed amount of \$550,000.00, subject to the receipt of additional grant funding without return to Council; and be it

FURTHER RESOLVED: That if the grant is not received or a reduced amount is awarded, the added scope of work will not be included or will be reduced as appropriate; and be it

FURTHER RESOLVED: That the City Administrator, or designee, is hereby authorized to execute any amendments or modifications of said contract within the limitations of the revised project specifications; and be it

FURTHER RESOLVED: That should additional funds be received for this project, the City Administrator, or designee, is authorized on behalf of the City of Oakland, to negotiate, apply for, accept, appropriate, submit and execute all documents, including, but not limited to, applications, contracts, amendments, payment requests, and related actions for the completion of this project; and be it

FURTHER RESOLVED: That a copy of the agreement will be on file in the City Clerk's Office and will be approved for form and legality by the Office of the City Attorney,

IN COUNCIL, OAKLAND, CALIFORNIA, OCT 7 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