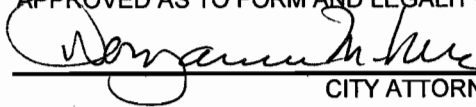


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OFFICE OF THE CITY CLERK
OAKLAND


CITY ATTORNEY

2008 NOV -7 AM 3:51

OAKLAND CITY COUNCIL

RESOLUTION No. 81680 C.M.S.

RESOLUTION REJECTING ALL BIDS FOR THE DEMOLITION OF UNSAFE STRUCTURES LOCATED AT 2621, 2631, AND 2633 WALLACE STREET PROJECT, AUTHORIZING RE-BID OF THE PROJECT, WAIVING ADVERTISING, AND AUTHORIZING THE CITY ADMINISTRATOR OR DESIGNEE TO AWARD THE CONSTRUCTION CONTRACT IN A NOT-TO-EXCEED AMOUNT OF \$200,000.00 FOR THE DEMOLITION OF UNSAFE STRUCTURES LOCATED AT 2621, 2631, AND 2633 WALLACE STREET PROJECT TO THE LOWEST RESPONSIBLE, RESPONSIVE BIDDER, OR TO NEGOTIATE WITH THE BIDDERS IF BIDS ARE DEEMED NON-RESPONSIVE OR NON-RESPONSIBLE, WITHOUT RETURN TO COUNCIL

WHEREAS, since February 8, 2002, the abandoned buildings located at 2621, 2631, and 2633 Wallace Street have been red-tagged by the City, deemed unsafe and in substandard condition and a blight, and should be demolished due to impending danger to the neighborhood which started with a landslide that happened during the 2001/2002 winter storms; and

WHEREAS, the City Council waived advertising and authorized the direct solicitation of bids and hiring of the lowest responsible bidder to demolish the unsafe buildings on Wallace Street in Resolution No. 81550 C.M.S. and the City received three bids for the demolition project on September 29, 2008; and

WHEREAS, the lowest bidder, \$125,798.00, failed to meet the City's Small Local Business Enterprise requirements and the other two bidders, \$218,500.00 and \$238,300.00, exceeded the Council authorized contract limit of \$200,000.00 as well as the engineer's estimate of \$173,000.00; and

WHEREAS, it is in the City's best interest to reject all bids, revise plans and specifications and re-bid the project to expedite commencement of the project by late November; and

WHEREAS, the continuous threat of impending danger to the neighborhood from these abandoned unsafe buildings remains unchanged; and

WHEREAS, the City Administrator has determined that this contract is of a technical and temporary nature, shall not result in the loss of employment or salary by any person having permanent status in the competitive service and is in the public interest because of economy or better performance; and

WHEREAS: Funds for the demolition project has been appropriated into City Financial System (Entity 1), Oakland Redevelopment Agency Fund (7780), Central City East Organization (88699), Contingency Account (54011), Demolition of Unsafe Structures Located At 2621, 2631, And 2633 Wallace Street Project (P353210) and Central City East Program (SC18). The mirror project is from the Oakland Redevelopment Agency (Entity 5), Wallace Street project (S353110), and Central City East Fund (9543); now, therefore, be it

RESOLVED: That the City Administrator or designee is authorized to reject all bids for the Demolition of Unsafe Structures Located at 2621, 2631, and 2633 Wallace Street project, to revise plans and specifications and re-bid the project waiving advertising and to award the construction contract in a not-to-exceed amount of \$200,000.00 for said demolition to the lowest responsible, responsive bidder, or to negotiate with the lowest bidder if bids are deemed non-responsive or non-responsible, without return to council; and be it

FURTHER RESOLVED: That the successful contractor shall be required to meet all City contracting policies; and be it

FURTHER RESOLVED: That the plans and specifications for this project are approved and the successful contractor shall provide proper performance and payment bonds for one hundred percent of the contract price; and be it

FURTHER RESOLVED: That the City Council finds that this contract is of a technical and temporary nature, shall not result in the loss of employment or salary by any person having permanent status in the competitive service and is in the public interest because of economy or better performance; and be it

FURTHER RESOLVED: That the City Administrator is authorized to execute any amendments or modifications of said contract with the contractors within the limitations of the scope of work, plans, and specifications; and be it

FURTHER RESOLVED: That the contracts 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 AGENCY, OAKLAND, CALIFORNIA, NOV 18 2008, 20_____

PASSED BY THE FOLLOWING VOTE:


AYES - ~~BROOKS, BRUNNER, REID~~, CHANG, KERNIGHAN, NADEL, QUAN, ~~REID~~, and PRESIDENT DE LA FUENTE - 5

NOES - 0

ABSENT - Reid, Brooks, Brunner - 3

ABSTENTION - 0

ATTEST: _____


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