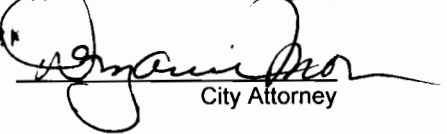


FILED
OFFICE OF THE CITY CLERK
OAKLAND

Approved as to Form and Legality


City Attorney

2009 DEC -3 PM 6:19

OAKLAND CITY COUNCIL

Resolution No. 82466 C.M.S.

RESOLUTION: AWARDING A CONSTRUCTION CONTRACT TO RAY'S ELECTRIC, THE LOWEST RESPONSIBLE RESPONSIVE BIDDER, FOR CITYWIDE GUARDRAIL INSTALLATION AND THE INSTALLATION OF A TRAFFIC SIGNAL AT THE INTERSECTION OF INTERNATIONAL BOULEVARD AND 50TH AVENUE (CITY PROJECT NOS. C313620, C270310 AND C313810) IN ACCORD WITH PROJECT PLANS AND SPECIFICATIONS AND CONTRACTOR'S BID IN AN AMOUNT NOT-TO-EXCEED TWO HUNDRED EIGHTY-THREE THOUSAND THREE HUNDRED TWENTY-TWO DOLLARS (\$283,322.00), AND WAIVING ADVERTISING AND BIDDING FOR AND AWARDING A CONTRACT TO RAY'S ELECTRIC FOR INSTALLATION OF AN ADDITIONAL TRAFFIC SIGNAL AT THE INTERSECTION OF FOOTHILL BOULEVARD AND 64TH AVENUE FOR AN AMOUNT NOT-TO-EXCEED TWO HUNDRED THOUSAND DOLLARS (\$200,000.00).

WHEREAS, on July 9, 2009, three (3) bids were received by the City of Oakland Office of the City Clerk for the Citywide Guardrail and Traffic Signal Installation at International Boulevard and 50th Avenue Project (City Project Nos. C313620, C270310, C313810); and

WHEREAS, Ray's Electric submitted the lowest responsible and responsive bid; and

WHEREAS, for the construction of the citywide guardrails and the traffic signal at International Boulevard and 50th Avenue, there are sufficient funds for the construction contract in the Measure B Funds (2211), Capital Improvement Projects, Transportation Services Division Organization (92246), Signal and Safety Account (57412), Project Nos. C313620, C270310 and C313810 in the amount of \$283,322.00; and

WHEREAS, the City wishes to install an additional traffic signal on Foothill Boulevard and 64th Avenue in response to community concerns for traffic and school safety; and

WHEREAS, the Oakland Municipal Purchasing Ordinance provides for the Council to dispense with advertising and bidding upon a Council determination that it is in the best interests of the City; and

WHEREAS, staff recommends that the Council waive the advertising and bidding process for installation of the traffic signal on Foothill Boulevard and 64th Avenue and award the

work to Ray's Electric in order to meet the community's request for the installation to take place as soon as possible; and

WHEREAS, waiving the advertising and bidding process will result in substantial time and cost savings in design and construction because the low bid from Ray's Electric, the proposed contractor for a similar signal installation at International Boulevard and 50th Avenue, will be used as a baseline for the construction costs; and

WHEREAS, staff recommends a contract not to exceed an additional \$200,000.00 be awarded in order to install this traffic signal on Foothill Boulevard and 64th Avenue; and

WHEREAS, there are sufficient funds for the construction of the traffic signal at Foothill Boulevard and 64th Avenue, in the Citywide Street Resurfacing Project No. G339620 in the amount of \$200,000.00; and

WHEREAS, a resolution accepting and appropriating up to three hundred thousand dollars (\$300,000.00) from the Redevelopment Agency fund from the Foothill & Seminary Streetscape Improvement project, to the Resurfacing of Macarthur Boulevard from 90th Avenue to Foothill Boulevard Project to pay for traffic signal on Foothill Boulevard and 64th Avenue will accompany this resolution; and

WHEREAS, Ray's Electric complies with all Local/Small Local Business Enterprise (L/SLBE) Program requirements; and

WHEREAS, the City lacks the equipment and personnel to perform the necessary work and the City Council finds and determines that the performance of this contract is in the public interest because of economy or better performance and is temporary; and

WHEREAS, this contract is of a technical and temporary nature and the City Administrator has determined 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 Guardrail and Traffic Signal Installation at International Boulevard and 50th Avenue Project (City Project Nos. C313620, C270310 and C313810) is hereby awarded to Ray's Electric, the lowest responsible responsive bidder, in accordance with plans and specifications for the project and terms of its bid, dated July 9, 2009, in an amount not-to-exceed two hundred eighty-three thousand three hundred twenty-two dollars (\$283,322.00); and be it

FURTHER RESOLVED: That the plans and specifications prepared by the Transportation Engineer of the Community and Economic Development Agency for the CIP Traffic Signal Project (City Project Nos. C313620, C270310, C313810) are hereby approved; and be it

FURTHER RESOLVED: That, pursuant to Oakland Municipal Code Section 2.04.050.I.5, and for the reasons stated above and in the City Administrator's report

accompanying this resolution, the City Council finds and determines that it is in the best interests of the City to waive advertising and bidding requirements for Installation of Traffic Signal at Foothill Boulevard and 64th Avenue, and so waives the requirements; and be it

FURTHER RESOLVED: That the construction contract for the Installation of a Traffic Signal at Foothill Boulevard and 64th Avenue is hereby awarded to Ray's Electric, in accordance with plans and specifications for the project and terms of its bid, in an amount not-to-exceed two hundred thousand dollars (\$200,000.00); and be it

FURTHER RESOLVED: That the Citywide Guardrail Project will be funded from:

- Measure B Fund (2211), Capital Improvement Projects, Transportation Services Division Organization (92246), Signal and Safety Account (57412), Project (C270310) in the amount of \$36,433.00, and
- Measure B Fund (2211), Capital Improvement Projects, Transportation Services Division Organization (92246), Signal and Safety Account (57412), Project (C313810) in the amount of \$74,120.00; and be it

FURTHER RESOLVED: That the signal installation at International Boulevard and 50th Avenue will be funded from:

- Measure B Fund (2211), Capital Improvement Projects, Transportation Services Division Organization (92246), Signal and Safety Account (57412), Project (C313620) in the amount of \$172,769.00; and be it

FURTHER RESOLVED: That the signal installation at Foothill Boulevard and 64th Avenue will be funded from the following account, pending the resolutions for transfer of Redevelopment Agency funds from the Foothill & Seminary Streetscape Improvement project, to the Resurfacing of MacArthur Boulevard from 90th Avenue to Foothill Boulevard Project:

- Measure B Fund (2211), Capital Improvement Projects, Citywide Street Resurfacing FY 2007-2008, Project (G339620) in the amount of \$200,000.00, with a new project number to be assigned upon approval of this resolution and transfer resolutions; and be it

FURTHER RESOLVED: That the amount of the bonds for faithful performance bonds to guarantee payment of all claims for labor and materials furnished and for amount due under the Unemployment Insurance Act for each contract shall be 100% of the contract prices; and be it

FURTHER RESOLVED: That the City Administrator, or his designee, is hereby authorized to enter into the contracts with Ray's Electric Company on behalf of the City of Oakland and execute any amendments or modifications of said contracts within the limitations of the project specifications; and be it

FURTHER RESOLVED: That all other bids for the Citywide Guardrail and Traffic Signal Installation at International Boulevard and 50th Avenue Project (City Project Nos. C313620, C270310 and C313810) are hereby rejected; and be it

FURTHER RESOLVED: That the contracts shall be reviewed and approved for form and legality by the City Attorney, and copies of the contracts shall be kept on file in the Office of the City Clerk.

IN COUNCIL, OAKLAND, CALIFORNIA, JAN - 5 2010

PASSED BY THE FOLLOWING VOTE:

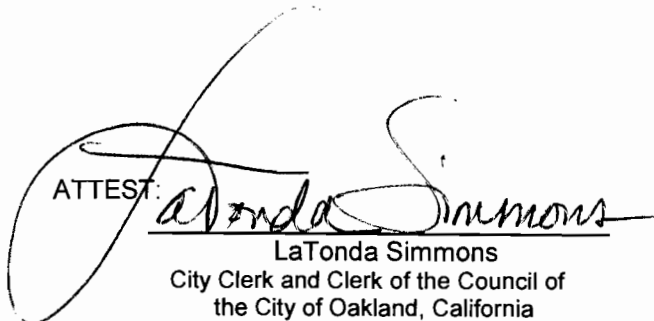
AYES - BROOKS, DE LA FUENTE, KAPLAN, KERNIGHAN, NADEL, QUAN, REID, AND
PRESIDENT BRUNNER - 8

NOES - 0

ABSENT - 0

ABSTENTION - 0

ATTEST:


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