

OAKLAND CITY COUNCIL

RESOLUTION No. 77984

FILED
OFFICE OF THE CITY CLERK
OAKLAND

INTRODUCED BY COUNCILMEMBER _____

2003 JUL 10 PM 3:21

Requires two-thirds vote of the Council

RESOLUTION AUTHORIZING THE CITY MANAGER TO AWARD A CONSTRUCTION CONTRACT IN AN AMOUNT NOT TO EXCEED \$248,000, FOR STORM DRAINAGE IMPROVEMENTS ON LA CRESTA AVENUE FROM HAMPEL STREET TO E. 38TH STREET (PROJECT NO. C237710), WITHOUT RETURN TO COUNCIL, PROVIDED THAT IF THE BIDS ARE NOT RECEIVED OR ARE NON-RESPONSIVE, THE CITY MANAGER MAY REJECT ALL BIDS AND NEGOTIATE AND AWARD THE CONTRACT NOT TO EXCEED \$248,000, WITHOUT RETURN TO COUNCIL

WHEREAS, the Storm Drainage Improvement project on La Cresta Avenue from Hampel Street to E. 38th Street is consistent with the City Council Budget Priorities of Clean and Livable Communities, Renewed Infrastructure – repair and maintain the City’s infrastructure, including streets, sidewalks, sewers and storm drains, buildings, and vegetation management; and

WHEREAS, the project consists of removal and abandonment of the existing deteriorated storm drainage cross-culvert pipes and manhole, installation of 950 LF of 18-inch storm drain pipe, installation of four inlets, three manholes, two curb ramps in front of Glenview Elementary School, and miscellaneous items and related work as indicated on the plans and specifications; and

WHEREAS, the City will advertise and solicit competitive bids for this project provided that the urgent need to have all work completed before the start of 2003-2004 rainy season makes it necessary to accelerate the contract award process by authorizing the City Manager to award a contract without return to Council; and

WHEREAS, there are sufficient funds for the subject project in Fund Number 5500, Project Number C237710; 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’s best interest because of economy or better performance; 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 City Manager is authorized to award a contract for the Storm Drainage Improvement on La Cresta Avenue from Hampel Street to E. 38th Street to the lowest responsible bidder, in accordance with the terms of its bid therefore, for an amount not to exceed Two Hundred Forty-Eight Thousand Dollars (\$248,000), without return to Council; and be it

FURTHER RESOLVED: That the plans and specifications prepared by the Director of Public Works for this project will be approved; and be it

FURTHER RESOLVED: That the amount of the bond for faithful performance of one-half the bid amount, 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, equal to the bid amount, with respect to such work are hereby approved; and be it

FURTHER RESOLVED: That in the event that bids are not received, or bids are deemed not responsive, the City Manager is authorized to reject bids and negotiate a contract not to exceed \$248,000, without return to Council; and be it

FURTHER RESOLVED: That the City Manager is hereby authorized to execute any amendments or modifications to said agreement; and be it

FURTHER RESOLVED: That the 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 approval of this Resolution requires a two-thirds vote of the Council members.

IN COUNCIL, OAKLAND, CALIFORNIA, JUL 29 2003, 2003

PASSED BY THE FOLLOWING VOTE:

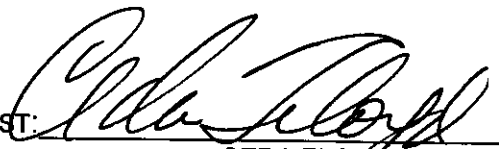
AYES- BROOKS, BRUNNER, CHANG, NADEL, QUAN, REID, WAN AND
PRESIDENT DE LA FUENTE - 8

NOES- 0

ABSENT- 0

ABSTENTION- 0

ATTEST:



CEDA FLOYD
City Clerk and Clerk of the Council
of the City of Oakland, California