

FILED  
 2005 MAR 10 PM 1:51

*Roger [Signature]*

INTRODUCED BY COUNCILMEMBER \_\_\_\_\_

**RESOLUTION AUTHORIZING THE CITY ADMINISTRATOR TO INCREASE THE CONSTRUCTION CONTRACT WITH VANGUARD CONSTRUCTION FOR THE WEST OAKLAND BAY TRAIL BY SEVENTY THOUSAND ONE HUNDRED SEVENTY-ONE DOLLARS (\$70,171) TO COVER ADDITIONAL CHANGE ORDER WORK, FOR A TOTAL CONTRACT AMOUNT NOT-TO-EXCEED SIX HUNDRED SIXTY-NINE THOUSAND AND SEVENTY-SIX DOLLARS (\$669,076)**

**WHEREAS**, on April 27, 2004, the City Council approved resolution No. 78563 C.M.S. awarding the construction contract for the West Oakland Bay Trail to Vanguard Construction, in an amount not-to-exceed \$598,905; and

**WHEREAS**, to date, construction contingency funds have been allocated to pay the cost of allowable construction change orders in the amount of \$119,780.56, bringing the total contract amount to \$598,905; and

**WHEREAS**, the City of Oakland desires to issue a change order to the contract for said project in excess of the authorized contract amount, which may be approved by the City Administrator or his/her designee pursuant to the Standard Specifications for Public Works Construction and the City of Oakland's Project Specifications, Section 3-2; and

**WHEREAS**, an increase to the change order limit in the amount of \$70,171 will allow the City to issue a change order to the contract for said project in order to complete construction on schedule and to meet grant funding deadlines; and

**WHEREAS**, funds are available to bring the total contract amount to \$669,076, as shown herein: and

Fund	Project	Amount
FY TDA (Fund 2162)	G134020	\$100,000
Measure B (Fund 2210)	G134040	\$285,000
MCI for Hazardous Material (Fund 5500)	C181210	\$94,761
ABAG Bay Trail Grant	G181710	\$189,315
Total		\$669,076

**WHEREAS**, said funds are available and appropriated for the West Oakland Bay Trail project; and

**WHEREAS**, the City lacks the equipment and personnel to perform the necessary work; and

**WHEREAS**, the City Council finds and determines that 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 Council hereby designates the City Administrator or his/her designee the authority to increase the construction contract with Vanguard Construction for the West Oakland Bay Trail by \$70,171 to cover additional change order work, for a total contract amount not-to-exceed \$669,076.

IN COUNCIL, OAKLAND, CALIFORNIA, APR 05 2005, 20    

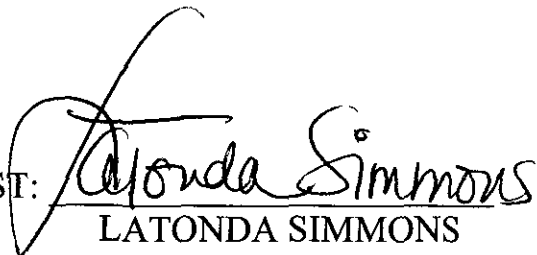
**PASSED THE FOLLOWING VOTE:**

AYES – BROOKS, BRUNNER, CHANG, NADEL, QUAN, REID, AND  
PRESIDENT DE LA FUENTE - 7

NOES –  $\emptyset$

ABSENT –  $\emptyset$

ABSTENTION –  $\emptyset$

ATTEST:   
LATONDA SIMMONS  
Interim City Clerk and Interim Clerk of the Council  
Of the City of Oakland, California