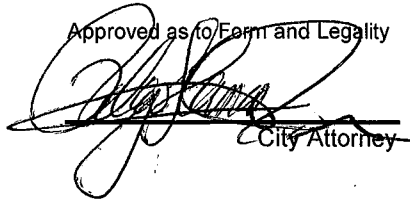


FILED  
OFFICE OF THE CITY CLERK  
OAKLAND

2017 MAR -2 PM 7:00

# OAKLAND CITY COUNCIL

Approved as to Form and Legality



City Attorney

RESOLUTION No. 86649 C.M.S.

Introduced by Councilmember \_\_\_\_\_

**RESOLUTION AWARDING A CONSTRUCTION CONTRACT TO BELIVEAU ENGINEERING, THE LOWEST RESPONSIVE, RESPONSIBLE BIDDER, IN ACCORDANCE WITH PLANS AND SPECIFICATIONS AND CONTRACTOR'S BID FOR THE HIGH STREET, COURTLAND AVENUE, AND YGNACIO AVENUE INTERSECTION IMPROVEMENTS PROJECT (PROJECT NO. C490610) IN THE AMOUNT OF ONE MILLION ONE HUNDRED SEVENTY-ONE THOUSAND ONE HUNDRED SIXTY-ONE DOLLARS AND FIFTY CENTS (\$1,171,161.50)**

**WHEREAS**, on July 15, 2014, the City Council authorized the City Administrator to apply for \$1,128,000.00 in federal Active Transportation Program (ATP) funds for the High Street, Courtland Avenue, Ygnacio Avenue Intersection Improvement Project by Resolution No. 85106 C.M.S.; and

**WHEREAS**, the High Street, Courtland Avenue, and Ygnacio Avenue Intersection Improvements Project includes raised median, pedestrian refuge, curb extension and/or extended sidewalks to shorten crossings, ADA ramps, bicycle detection and symbols, pedestrian countdown heads, signage, landscaping, bio-filtration measures, pavement marking and striping, traffic lanes realignment, new traffic signals, and new roadway paving; and

**WHEREAS**, The City advertised the project in October 2016 and received five (5) bids with Beliveau Engineering's bid in the amount of \$1,171,161.50, being the lowest bid; and

**WHEREAS**, Beliveau Engineering is deemed the lowest responsive and responsible bidder meeting the federal DBE goal for the project and therefore is recommended for the award of contract; and

**WHEREAS**, funding for the construction contract in the amount of \$1,171,161.50 will be available in the following project accounts:

- Department of Transportation Fund (2116); Engineering Design: Streets & Structures Organization (92242); Street Construction Account (57411); Project 1003200; Engineering Design Program (IN05); \$884,706.00
- Measure B Fund (2211); Engineering Design: Streets & Structures Organization (92242); Street Construction Account (57411); Project 1003200; Engineering Design Program (IN05); \$286,455.50; and

**WHEREAS**, the City Council finds and determines based on the representations set forth in the City Administrator's report accompanying this Resolution that the construction contract approved hereunder is temporary in nature; and

**WHEREAS**, the City lacks the equipment and qualified personnel to perform the necessary work, that the performance of this contract is in the public interest because of economy or better performance and that this contract is of a professional, scientific or technical nature; 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 the City Administrator is authorized to award a Construction Contract to Beliveau Engineering, the lowest responsive, responsible bidder, in accordance with plans and specifications and contractor's bid dated December 8, 2016 for the High Street, Courtland Avenue, and Ygnacio Avenue Intersection Improvements Project (Project No. C490610) in the amount of One Million One Hundred Seventy-One Thousand One Hundred Sixty-One Dollars and Fifty Cents (\$1,171,161.50); and be it

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**FURTHER RESOLVED:** That the amount of the bond for faithful performance bond, \$1,171,161.50, and the bond to guarantee payment of all claims for labor and materials furnished and for the amount under the Unemployment Insurance Act, \$1,171,161.50, with respect to such work are hereby approved; and be it

**FURTHER RESOLVED:** That the City Administrator, or designee, is hereby authorized to enter into a contract with Beliveau Engineering on behalf of the City of Oakland and to execute any amendments or modifications of the contract within the limitations of the project specifications; and be it

**FURTHER RESOLVED:** That the City Administrator, or designee, is hereby authorized to negotiate with the second lowest bidder and/or next lowest bidder for the same awarded amount, if Beliveau Engineering fails to return the complete signed contract documents and supporting documents within the days specified in the Special Provision without going back to City Council; and be it

**FURTHER RESOLVED:** That the plans and specifications prepared for this project, including any subsequent changes during construction, that will be reviewed and adopted by the City Engineer, or designee, are hereby approved; and be it

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**FURTHER RESOLVED:** That the City Administrator, or designee, is hereby authorized to reject all other bids; and be it

**FURTHER RESOLVED:** That the contract shall be reviewed and approved by the City Attorney for form and legality prior to execution and placed on file in the Office of the City Clerk.

IN COUNCIL, OAKLAND, CALIFORNIA, MAR 21 2017, 20    

**PASSED BY THE FOLLOWING VOTE:**

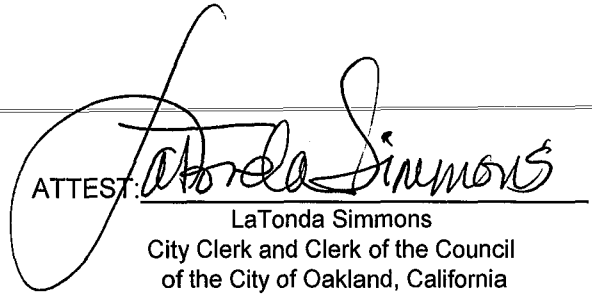
AYES - BROOKS, CAMPBELL WASHINGTON, GALLO, GIBSON MCELHANEY, GUILLEN, KALB, KAPLAN and PRESIDENT REID - 4

NOES - 0

ABSENT - 4

ABSTENTION - 0

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