

FILED
OFFICE OF THE CITY CLERK
OAKLAND
2008 SEP -4 PM 2:06

Approved as to Form and Legality


Deputy City Attorney

OAKLAND CITY COUNCIL

RESOLUTION No. 81550 C.M.S.

Introduced by Councilmember _____

RESOLUTION ACCEPTING AND APPROPRIATING CENTRAL CITY EAST REDEVELOPMENT FUNDS IN THE AMOUNT OF \$800,000.00 FROM THE REDEVELOPMENT AGENCY, AUTHORIZING ALLOCATION OF \$600,000.00 OF SAID FUNDS TO ENGINEERING AND SLOPE STABILIZATION, AND WAIVING ADVERTISING AND AUTHORIZING DIRECT SOLICITATION OF COMPETITIVE BIDS FOR AND AWARD OF A CONSTRUCTION CONTRACT TO THE LOWEST RESPONSIBLE, RESPONSIVE BIDDER FOR DEMOLITION OF UNSAFE STRUCTURES LOCATED AT 2621, 2631, AND 2633 WALLACE STREET (PROJECT NO. TBD) IN A NOT-TO-EXCEED AMOUNT OF \$200,000.00 WITHOUT RETURN TO COUNCIL

WHEREAS, since February 8, 2002, the buildings at 2621, 2631, and 2633 Wallace Street have been red-tagged by the City, deemed unsafe, in substandard conditions, blighted and need to be demolished due to a landslide resulting from the 2001/2002 winter storms; and

WHEREAS, City notices sent to the property owners on March 21, 2002, demanded abatement of dangerous conditions and elimination of hazardous conditions in the neighborhood; and

WHEREAS, City notices sent to property owners on March 6, 2007, stated that all efforts by City staff to mitigate unsafe and hazardous conditions through its code reinforcement actions have been unsuccessful and the City was contacting a geological firm to provide recommendations; and

WHEREAS, on July 31, 2007, the City geotechnical engineering consultant, Kleinfelder, recommends that the buildings on the three properties should be demolished in order to stabilize the slide; and

WHEREAS, the City and the Redevelopment Agency of the City of Oakland agree that demolishing the buildings and stabilizing the slopes on those properties will eliminate physical blight conditions and health and safety hazards, and is therefore consistent with the goals of the Central City East Redevelopment Project; and

WHEREAS, the City and Redevelopment Agency entered into a Cooperation Agreement on July 1, 2004, which generally governs the provision of assistance and the payment of funds between the two agencies, including Redevelopment Agency

reimbursement of blight abatement costs incurred by the City in furtherance of the Agency's redevelopment efforts; and

WHEREAS, the Redevelopment Agency is contributing \$800,000 in Central City East funds to the City from Central City East Tax Allocation Bond Series 2006A – Taxable Bonds Fund (9543), Central City East Organization (88699), Central City East Land Acquisition Project (S233351) for the purpose of demolishing the substandard buildings, engineering and stabilizing the slide, and restoring the slope at 2621, 2631, and 2633 Wallace Street; and

WHEREAS, it is necessary to complete the work before the onset of the rainy season (in October/November 2008) to reduce the potential for further destabilization due to rain of the abandoned failed and overhanging structure on Wallace Street; and

WHEREAS, dispense of advertising and direct solicitation of bids will expedite the work by 15 to 30 days; and

WHEREAS, the City has contacted eleven (11) local contractors and four (4) non-local contractors to solicit bids for the demolition work and bidders will be required to comply with the City's purchasing policies; and

WHEREAS, the contract to be awarded hereunder is in the public interest because of economy or better performance, is of a technical and temporary nature and 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 Council hereby accepts and appropriates up to \$800,000 in Redevelopment Agency funds under the Cooperation Agreement for the purpose of demolishing the substandard buildings, engineering and stabilizing the slide, and restoring the slope at 2621, 2631, and 2633 Wallace Street, and allocates these monies to the Oakland Redevelopment Agency Projects Fund (7780), Org (88699), (Project No. To Be Determined); and be it

FURTHER RESOLVED: That pursuant to Oakland Municipal Code Section 2.04.050.1.5, the Council finds and determines that it is in the City's best interests to waive advertising requirements and authorize direct solicitation of competitive bids without advertising to qualified contractors and so waives the requirement; and be it

FURTHER RESOLVED: That the City Administrator or designee is authorized to award a contract to the lowest, responsible, and responsive bidder for Demolition of Unsafe Structures Located at 2621, 2631 and 2633 Wallace Street (Project No. *To Be Determined*) in accord with the plans and specifications for said project and contractor's bid in an amount not-to-exceed \$200,000.00 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 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 COUNCIL, OAKLAND, CALIFORNIA, SEP 16 2008, 20

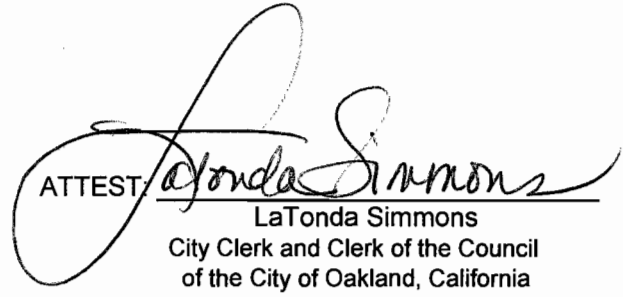
PASSED BY THE FOLLOWING VOTE:

AYES - BROOKS, BRUNNER, CHANG, KERNIGHAN, NADEL, QUAN, REID, and PRESIDENT DE LA FUENTE - 8

NOES - 0

ABSENT - 0

ABSTENTION - 0

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