

B. Pleb

INTRODUCED BY COUNCILMEMBER _____

RESOLUTION AUTHORIZING THE CITY ADMINISTRATOR TO APPLY FOR, ACCEPT, AND APPROPRIATE 1) \$824,000 OF FEDERAL SURFACE TRANSPORTATION PROGRAM FUNDS FOR STREET REHABILITATION; AND 2) \$901,788 OF CONGESTION MANAGEMENT AGENCY TRANSPORTATION IMPROVEMENT PROGRAM FUNDS FOR LOCAL STREET REHABILITATION AND TRAFFIC SAFETY

WHEREAS, the Transportation Equity Act for the 21st Century (TEA 21) (Public Law 105-178, June 9, 1998) and the TEA 21 Restoration Act (Public Law 105-206, July 22, 1998) continue the Surface Transportation Program (23 U.S.C. § 133 and the Congestion Mitigation and Air Quality Improvement Program (CMAQ) (23 U.S.C. § 149); and

WHEREAS, pursuant to TEA 21, and the regulations promulgated thereunder, eligible project sponsors wishing to receive Surface Transportation Program or Congestion Mitigation and Air Quality Improvement Program grants for a project shall submit an application first with the appropriate metropolitan transportation planning organization (MPO), for review and inclusion in the MPO's Transportation Improvement Program (TIP); and

WHEREAS, the Metropolitan Transportation Commission is the MPO for the San Francisco Bay region; and

WHEREAS, the City of Oakland is an eligible project sponsor for Surface Transportation Program or Congestion Mitigation and Air Quality Improvement Program funds; and

WHEREAS, the City of Oakland wishes to submit a grant application to MTC for funds from the Surface Transportation Program or Congestion Mitigation and Air Quality Improvement Program in the amount of \$824,000 for the street resurfacing; and

WHEREAS, MTC requires, as part of the application, a resolution stating the following:

- 1) the commitment of necessary local matching funds of at least 11.47%; and
- 2) that the sponsor understands that the Surface Transportation Program and Congestion Mitigation and Air Quality Improvement Program funding is fixed at the programmed amount, and therefore any cost increase cannot be expected to be funded with Surface Transportation Program or Congestion Mitigation and Air Quality Improvement Program funds; and

- 3) the assurance of the sponsor to complete the project as described in the application, and if approved, as programmed in MTC's TIP; and
- 4) that the sponsor understands that funds must be obligated by September 30 of the year that the project is programmed for in the TIP, or the project may be removed from the program; and

WHEREAS, the Congestion Management Agency (CMA) issued a call for projects for local street and road rehabilitation and traffic safety projects to be funded by the Congestion Management Agency Transportation Improvement Program; and

WHEREAS, the City of Oakland is an eligible project sponsor for Congestion Management Agency Transportation Improvement Program funds; and

WHEREAS, the City of Oakland wishes to submit three grant applications to the CMA for funds from the CMA TIP for the following projects:

- 1) \$275,000 – New Traffic Signal at 73rd Avenue and Garfield Avenue
- 2) \$349,145 – Street Resurfacing on local residential streets
- 3) \$277,643 – Local Match (for an existing STP Cycle 2 street resurfacing grant); and

WHEREAS, the CMA TIP projects do not required local matching funds; now, therefore, be it

RESOLVED: That City of Oakland City Administrator, or her designee, is authorized to execute and file an application for funding under the Surface Transportation Program of TEA-21 Reauthorization, Cycle 1 Augmentation in the amount of \$824,000 and to accept and appropriate said funds to the City of Oakland Street Resurfacing Project; and be it

FURTHER RESOLVED: That City of Oakland is an eligible sponsor of projects in the STP, CMAQ, and TE Program; and be it

FURTHER RESOLVED, that City of Oakland is authorized to submit an application for STP, CMAQ, and TE funds for Street Resurfacing; and be it

FURTHER RESOLVED, that there is no legal impediment to the City of Oakland making applications for STP, CMAQ, and TE funds; and be it

FURTHER RESOLVED: That there is no pending or threatened litigation which might in any way adversely affect the proposed project, or the ability of the City of Oakland to deliver such projects; and be it

FURTHER RESOLVED: That the City of Oakland City Administrator, or her designee, is authorized to execute and file an application for funding under the Surface Transportation Program or the Congestion Mitigation and Air Quality Improvement Program of TEA-2I Reauthorization in the amount of \$850,000 for Street Rehabilitation; and be it

FURTHER RESOLVED: That City of Oakland by adopting this resolution does hereby state that:

- 1) The City of Oakland will provide \$94,512 (11.47%) in local matching funds; and
- 2) The City of Oakland understands that the Surface Transportation Program and Congestion Mitigation and Air Quality Improvement Program funding for the project is fixed and that any cost increases must be funded by the City of Oakland from local matching funds, and that City of Oakland does not expect any cost increases to be funded with Surface Transportation Program or Congestion Mitigation and Air Quality Improvement Program funds; and
- 3) The City of Oakland Street Resurfacing Project will be built as described in this resolution and, if approved, for the amount shown in the Metropolitan Transportation Commission (MTC) Transportation Improvement Program (TIP) with obligation occurring within the timeframe established below; and
- 4) The program funds are expected to be obligated by September 30 of the year the project is programmed for in the TIP; and be it

FURTHER RESOLVED: That a copy of this resolution will be transmitted to the MTC and CMA in conjunction with the filing of the applications; and be it

FURTHER RESOLVED: That the MTC and CMA is requested to support the applications for the projects described in the resolution and to program the project, if approved, in MTC's TIP; and be it

FURTHER RESOLVED: That City of Oakland City Administrator, or her designee, is authorized to execute and file an application for funding under the CMA TIP for up to \$901,788 and to accept and appropriate said funds to the following projects:

- 1) \$275,000 – New Traffic Signal at 73rd Avenue and Garfield Avenue
- 2) \$349,145 – Street Resurfacing on local residential streets
- 3) \$277,643 – Local Match (for an existing STP Cycle 2 street resurfacing grant); and be it

FURTHER RESOLVED: That the City Administrator, or her designee, is authorized on behalf of the City of Oakland, to execute and submit all documents, payment requests and related actions, as well as, to accept and appropriate any additional funds received for the completion of the STP Cycle 1 Augmentation and CMA TIP projects.

JUN 21 2005

IN COUNCIL, OAKLAND, CALIFORNIA, _____, 20____

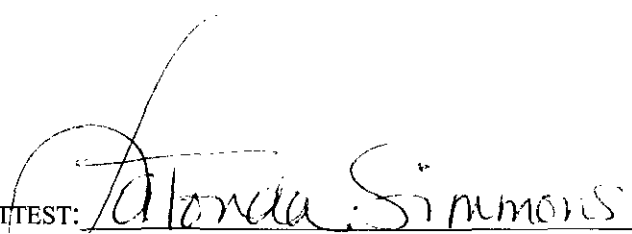
PASSED BY THE FOLLOWING VOTE:

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

OAKLAND CITY COUNCIL

79301

OFFICE OF THE CITY CLERK

RESOLUTION No.

C.M.S.

2005 JUN 2 PM 12:44

RESOLUTION AWARDING A CONTRACT TO MEDTRONIC-PHYSIO CONTROL FOR FURNISHING REPLACEMENT DEFIBRILLATOR MONITORS AND ACCESSORY EQUIPMENT IN AN AMOUNT NOT TO EXCEED \$856,670.76 IN ACCORDANCE WITH SPECIFICATION NO. 03-465-14-1.

[Handwritten signature]

WHEREAS, Bids for replacement defibrillator monitors and accessories received from Bound Tree Medical, Zoll Medical and Life-Assist did not meet the minimum specification; and

RESOLVED: The City Council hereby rejects the bids submitted by Bound Tree Medical, Zoll Medical and Life-Assist for non-compliance; now be it

FURTHER RESOLVED: That a contract for furnishing replacement defibrillator monitors and accessory equipment to the City of Oakland in the amount not to exceed \$856,670.76 in accordance with Specification No. 03-465-14-1 and the general conditions therefore on file in the Purchasing Section is hereby awarded to Medtronic-Physio Control, a corporation, according to its bid filed with the City Clerk on June 7, 2004; and, be it

FURTHER RESOLVED: That the City Administrator is hereby authorized to execute said contract on behalf of the City of Oakland; and be it

FURTHER RESOLVED: That the contract shall be approved for form and legality by the City Attorney and copies shall be on file in the City Clerk's Office; and, be it

FURTHER RESOLVED: That all other bids are hereby rejected; and, be it

FURTHER RESOLVED: That the City Clerk is hereby directed to post notice of the above award on the City's official bulletin board.

JUN 21 2005

IN COUNCIL, OAKLAND, CALIFORNIA, _____, 2005

PASSED BY THE FOLLOWING VOTE:

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

NOES- *[initials]*
ABSENT- *[initials]*
ABSTENTION- *[initials]*

ATTEST: *[Signature]*
LA TONDA SIMMONS
City Clerk and Clerk of the Council
of the City of Oakland, California