

OAKLAND CITY COUNCIL
RESOLUTION No. 79322 C.M.S.

FILED
OFFICE OF THE CITY CLERK
OAKLAND
2005 JUN -9 PM 6:30

INTRODUCED BY COUNCILMEMBER _____

REQUIRES TWO-THIRDS VOTE OF THE COUNCIL

RESOLUTION AUTHORIZING AWARD OF A CONTRACT TO McGUIRE AND HESTER FOR THE CONSTRUCTION OF RAILROAD AVENUE IMPROVEMENTS PHASE I – 85th AVENUE TO LOUISIANA STREET (PROJECT NO. C230610) FOR AN AMOUNT NOT TO EXCEED \$794,925

WHEREAS, on March 21, 2005, four bids were received by the Office of the City Clerk of the City of Oakland for the Construction of Railroad Avenue Improvements Phase I – 85th Avenue to Louisiana Street (Project No. C230610); and

WHEREAS, McGuire and Hester as a certified LBE bidding as a prime is the lowest responsible bidder for the project; and

WHEREAS, there are sufficient funds in Coliseum Tax Allocation Bond Series 2003 Fund (9453), Capital Improvement Projects – Economic Development Organization (94800), Structures and Improvements Account (57311), and Railroad Avenue Street Improvements Project (T248810) for the contract work; and

WHEREAS, these funds will be transferred on the City side to the Oakland Redevelopment Agency City Fund (7780), Capital Improvement Projects – Street Design Organization (92242), Structures and Improvements Account (57311), and Railroad Avenue Improvements Phase I – 85th Avenue to Louisiana Street Project (C230620) for the contract work; 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 interest because of economy or better performance; and

WHEREAS, McGuire and Hester complies with all LBE/SLBE requirements; 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 contract for the construction of Railroad Avenue Improvements Phase I – 85th Avenue to Louisiana Street (Project No. C230610) is hereby awarded to McGuire and Hester in accordance with the terms of its bid therefore, dated March 21, 2005, for an amount not to exceed seven hundred ninety-four thousand, nine hundred twenty-five dollars (\$794,925); and be it

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

FURTHER RESOLVED: That the amount of the bond for faithful performance, \$794,925, 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, \$794,925 with respect to such work are hereby approved; and be it

FURTHER RESOLVED: That the City Administrator is hereby authorized to enter into a contract with McGuire and Hester on behalf of the City of Oakland and to execute any amendments or modifications to said agreement within the limitations of the project specifications; and be it

FURTHER RESOLVED: That all other bids are hereby rejected; 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 City Clerk is hereby directed to post conspicuously forthwith notice of the above award on the official bulletin board 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.

JUN 21 2005

IN COUNCIL, OAKLAND, CALIFORNIA, _____, 2005

PASSED BY THE FOLLOWING VOTE:

AYES- BROOKS, BRUNNER, CHANG, KERNIGHAN, ~~NADEL~~, QUAN, ~~REID~~
AND PRESIDENT DE LA FUENTE - 6

NOES- 0

ABSENT- NADEL & REID - 2

ABSTENTION- 0

ATTEST:


LATONDA SIMMONS

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