

FILED
OFFICE OF THE CITY CLERK
OAKLAND

08 FEB 29 AM 9:00

OAKLAND CITY COUNCIL

RESOLUTION No. 81166 C.M.S.

Introduced by Councilmember _____

Approved as to Form and Legality


City Attorney

RESOLUTION AUTHORIZING AWARD OF A CONSTRUCTION CONTRACT TO AJW CONSTRUCTION FOR ON-CALL CITYWIDE SIDEWALK REPAIR FY 07-08 CONTRACT B – COUNCIL DISTRICTS 4, 5, 6, AND 7 (PROJECT NO. C269160) IN THE AMOUNT OF EIGHT HUNDRED FORTY NINE THOUSAND NINE HUNDRED SEVENTY FIVE DOLLARS (\$849,975.00)

WHEREAS, on September 24, 2007, four bids were received by the Office of the City Clerk of the City of Oakland for On-Call Citywide Sidewalk Repair FY 07-08, Contract B – Council Districts 4, 5, 6, and 7 (Project No. C269160); and

WHEREAS, AJW Construction was the only bidder; and

WHEREAS, on December 18, 2007, the City Council authorized the City Administrator or her designee to negotiate on behalf of the City of Oakland a contract with AJW Construction for the On-Call Citywide Sidewalk Repair FY 07-08, Contract B – Council Districts 4, 5, 6, and 7 (Project No. C269160) for a Not-To-Exceed amount of \$850,000.00; and

WHEREAS, on January 10, 2008, the City of Oakland negotiated a contract with AJW Construction for \$849,975.00; and

WHEREAS, AJW Construction is the sole responsible bidder for the project and met the City's LBE/SLBE and local trucking program requirements; and

WHEREAS, there are sufficient funds in the project budget for the work. Project funding is available in the Capital Reserves Fund (5510); Sidewalk Repair Program Organization (92452); Street Construction Account (57411); Sidewalk Repairs -5510 Project (C269160) and FY 06-07 Mid-Cycle Allocation of ORA Central City East: Operations Fund (9540), City Council Priority FY 06-07 Project (P293020) that will be mirrored into a new project number to be determined; and

WHEREAS, the funding for this project was budgeted for sidewalk repair; and

WHEREAS, the Engineer's Estimate for the negotiated contract is \$811,450.00; 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 safety and economy; 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 On-Call Citywide Sidewalk Repair FY 07-08, Contract B – Council Districts 4, 5, 6, and 7 (Project No. C269160) is hereby awarded to AJW Construction in accordance with the terms of the contractor’s signed bid therefore, dated January 31, 2008, for the amount of eight hundred forty-nine nine hundred seventy-five dollars (\$849,975.00); and be it

FURTHER RESOLVED: That the amount of the bond for faithful performance, \$849,975.00, 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, \$849,975.00, with respect to such work are hereby approved; and be it

FURTHER RESOLVED: That the plans and specifications prepared by the Development Director of the Community and Economic Development Agency for this project are hereby approved; and be it

FURTHER RESOLVED: That the City Administrator is hereby authorized to enter into a contract with Rosas Brothers Construction on behalf of the City of Oakland and to execute any change orders, amendments, extensions or modifications of 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 for form and legality prior to execution 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.

IN COUNCIL, OAKLAND, CALIFORNIA, MAR 18 2008, 2008

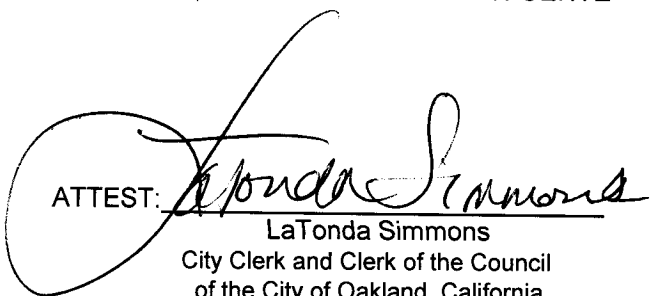
PASSED BY THE FOLLOWING VOTE:

AYES - BROOKS, BRUNNER, CHANG, KERNIGHAN, NADEL, QUAN, REID, and PRESIDENT DE LA FUENTE - 7

NOES - 0

ABSENT - 0

ABSTENTION - Brooks - 1

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