

  
Celso Ortiz (Oct 27, 2020 16:40 PDT)

City Attorney's Office

**OAKLAND CITY COUNCIL**  
**RESOLUTION NO. 88400 C.M.S.**

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**RESOLUTION AWARDDING A CONSTRUCTION CONTRACT TO PACIFIC TRENCHLESS, INC., THE LOWEST RESPONSIVE AND RESPONSIBLE BIDDER, IN ACCORDANCE WITH PROJECT SPECIFICATIONS FOR THE SANITARY SEWER CAPACITY UPGRADE IN MAYBELLE AVE AND HIGH ST (PROJECT NO. 1004844) AND WITH CONTRACTOR'S BID FOR AN AMOUNT NOT TO EXCEED ONE MILLION THREE HUNDRED SEVENTY-SEVEN THOUSAND FORTY-FOUR DOLLARS (\$1,377,044.00)**

**WHEREAS**, on September 17, 2020 three bids were received by the office of City Clerk of the City of Oakland for the Sanitary Sewer Capacity Upgrade on Maybelle Ave and High St (Project no. 1004844); and

**WHEREAS**, Pacific Trenchless, Inc., is deemed the lowest responsive and responsible bidder for the project; and

**WHEREAS**, there is sufficient funding for this contract available in the Sewer Service Fund (3100), Sanitary Sewer Design Organization (92244), SS capacity Upgrade Maybelle Project (1004844), and Sanitary Sewer Capacity Upgrade Project (1004843); and

**WHEREAS**, this project will help reduce the amount of sanitary sewer maintenance and wet weather peak flows; 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

**WHEREAS**, Pacific Trenchless, Inc. complies with all LBE/SLBE and trucking requirements; now, therefore, be it

**WHEREAS**, the City Administrator has determined that 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 for the Sanitary Sewer Capacity Upgrade in Maybelle Ave and High St (Project No. 1004844) to Pacific Trenchless, Inc., the lowest responsive and responsible bidder, for an amount not to exceed one million three hundred seventy-seven thousand and forty-four dollars (\$1,377,044.00) in accord with specifications for the project and with contractor's bid dated September 17, 2020; and be it

**FURTHER RESOLVED:** That the amount of the bond for faithful performance, \$1,377,044.00, and the amount of the bond to guarantee payment of all claims for labor and materials furnished under the Unemployment Insurance Act, \$1,377,044.00, 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 Pacific Trenchless, Inc., 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 Pacific Trenchless, Inc. fails to return the complete signed contract documents and supporting documents within the days specified in the Special Provisions without returning 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 Director, or designee, are hereby approved; 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.

IN COUNCIL, OAKLAND, CALIFORNIA,

DEC 0 1 2020

PASSED BY THE FOLLOWING VOTE:

AYES - FORTUNATO BAS, GALLO, GIBSON MCELHANEY, KALB, REID, TAYLOR, THAO AND  
PRESIDENT KAPLAN - 8

NOES - 0

ABSENT - 0

ABSTENTION - 0

ATTEST



ASHA REED

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