

# OAKLAND CITY COUNCIL

RESOLUTION NO. \_\_\_\_\_ C.M.S.

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**RESOLUTION AWARDING A CONSTRUCTION CONTRACT TO RAY'S ELECTRIC INC., FOR SAFE ROUTES TO TRANSIT IMPROVEMENTS ON COLLEGE AVENUE FROM BROADWAY TO ALCATRAZ AVENUE, PROJECT NO. 1000653, THE LOWEST, RESPONSIBLE, RESPONSIVE BIDDER IN ACCORDANCE WITH PROJECT PLANS, SPECIFICATIONS, STATE REQUIREMENTS, AND WITH CONTRACTOR'S BID IN THE AMOUNT OF TWO MILLION TWO HUNDRED NINETY-TWO THOUSAND FIVE HUNDRED NINETY-NINE DOLLARS AND FIFTY CENTS (\$2,292, 599.50)**

**WHEREAS**, in September 2013, the City of Oakland submitted an application to the Safe Routes to Transit Program requesting grant funds for the Rockridge BART Access Improvement Project; and

**WHEREAS**, in February 2014, the Metropolitan Transportation Commission (MTC) approved the programming of \$472,000.00 of Regional Measure 2 grant funds for the Rockridge BART Access Improvement Project; and

**WHEREAS**, BART has pledged \$18,000.00 to cover a portion of the costs to acquire and manage the installation of bicycle lockers and racks; and

**WHEREAS**, BART will administer the acquisition and installation of bicycle lockers and racks at the BART station; and

**WHEREAS**, the Fourth Bore Coalition is contributing \$50,000.00 as match for this grant to help ensure these projects are constructed; and

**WHEREAS**, in November 2014, the City Council passed Resolution No. 85303 C.M.S., which authorized the City Administrator, the Director of Public Works, or the Assistant Director, Bureau of Engineering and Construction, to accept and execute agreements with BART, Fourth Bore Coalition, and Metropolitan Transportation Commission (MTC) for the SR2T grant funds and to accept and appropriate: 1) four hundred seventy-two thousand dollars (\$472,000.00) in Regional Measure 2 (RM-2) Safe Routes to Transit (SR2T) funds; 2) eighteen thousand dollars (\$18,000.00) matching funds from BART; and 3) fifty thousand dollars (\$50,000.00) matching funds from Fourth Bore Coalition; to fund pedestrian and bicycle access and safety improvement around Rockridge Bart Station, and at the intersections of College Avenue/Keith Avenue and College Avenue/Miles Avenue; and

**WHEREAS**, on August 9, 2019, the City placed an advertisement on six newspapers, inviting construction bids; and

**WHEREAS**, on September 19, 2019, one bid was received by the Office of the City Clerk for the construction of the Safe Routes to Transit Improvements College Avenue from Broadway to Alcatraz Ave (Project No. 1000653 Rebid); and

**WHEREAS**, Ray's Electric is deemed the lowest, responsible, responsive bidder for the Safe Routes to Transit Improvements College Avenue from Broadway to Alcatraz Ave (Project No. 1000653 Rebid); and the bid is compliant with the City's Local and Small Local Business (L/SLBE) Enterprises and Equal Benefits Ordinance (EBO); and

**WHEREAS**, there is sufficient fund in the project budget and other sources for construction work. The project is funded by the followings:

- **Safe Routes to Transit:** Metropolitan Transportation Commission Grant \$311,360, Safe Route to Transit, Project 1000653, Organization 92246, Expense 57412, Task 8.0, Award 22017, Fund 2163, Program NB33.
- **Caldecott Settlement:** State Grant, Pedestrian Facilities Caldecott Tunnel \$223,611.21, Project 1001383, Organization 92270, Expense 57411, Task 8.0, Award 21756, Fund 2140, Program NB33.
- **3 Year Paving Plan:** Measure KK 2<sup>nd</sup> Tranche, Street Resurfacing, \$1,181,738.50, Project 1001293, Organization 92270, Expense 57411, Task 8.0, Award 23686, Fund 5332, Program IN05.
- **CIP Neighborhood Traffic Safety Program:** Measure B, Neighborhood Traffic Calming, \$245,889.79, Project 1003349, Organization 92246, Expense 57411, Task 1.0, Award 23234, Fund 2211, Program NB33.
- **CIP Transportation Grant Matching Program:** Fiscal Year 2020-21 funds, Measure BB, LS&R Grant Matching Funds, \$330,000, Project 1001512, Organization 92246, Expense 57411, Task 1.0, Award 23244, Fund 2216, Program IN05.

**WHEREAS**, the engineer's estimate for the work is \$2,884,718; and

**WHEREAS**, the City Council finds that the City lacks the equipment and qualified personnel to perform the necessary work and that the performance of this contract is in the public interest because of economy or better performance; and

**WHEREAS**, the City Administrator has determined 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 the Safe Routes to Transit Improvements College Avenue from Broadway to Alcatraz Ave Project is hereby awarded to Ray's Electric, the lowest, responsible, responsive bidder, in accordance with project plans and specifications in the amount of two million two hundred ninety-two thousand five hundred ninety-nine dollars and 50 cents (\$2,292,599.50); and be it

**FURTHER RESOLVED:** That the plans and specifications prepared including any subsequent changes during construction, that will be reviewed and adopted by the Director of Department of Transportation or designee for this project are hereby approved; and be it

**FURTHER RESOLVED:** That the contractor shall provide a faithful performance bond and payment bond to guarantee payment of all claims for labor and materials furnished and for the amount due under the Unemployment Insurance Act for one hundred percent (100%) of the contract amount prior to execution of the contract; and be it

**FURTHER RESOLVED:** That the City Administrator or designee is hereby authorized to enter into a contract with Ray's Electric, on behalf of the City of Oakland and execute any amendment 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 for form and legality and placed on file in the Office of the City Clerk.

IN COUNCIL, OAKLAND, CALIFORNIA \_\_\_\_\_, 2020

**PASSED BY THE FOLLOWING VOTE:**

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

NOES -

ABSENT -

ABSTENTION -

ATTEST: \_\_\_\_\_  
LATONDA SIMMONS  
City Clerk and Clerk of the Council of the City  
of Oakland, California