

REVISED

FILED
OFFICE OF THE CITY CLERK
OAKLAND

OAKLAND CITY COUNCIL

RESOLUTION No. = 77749 = C.M.S.

2003 APR 18 AM 10:19
INTRODUCED BY COUNCILMEMBER



Requires the two-thirds vote of the Council

RESOLUTION AUTHORIZING (1) THE CITY MANAGER, OR HIS DESIGNEE, TO AWARD A CONSTRUCTION CONTRACT FOR THE EASTLAKE STREETScape AND PEDESTRIAN ENHANCEMENT PROJECT IN AN AMOUNT NOT TO EXCEED ONE MILLION FOUR HUNDRED FORTY-SIX THOUSAND DOLLARS (\$1,446,000), WITHOUT RETURN TO COUNCIL, PROVIDED THAT IF THE BIDS RECEIVED ARE NOT RESPONSIVE, THE CITY MANAGER, OR HIS DESIGNEE, MAY (2) REJECT ALL BIDS AND INFORMALLY RE-BID OR NEGOTIATE THE CONTRACT IN AN AMOUNT NOT TO EXCEED \$1,446,000, WITHOUT RETURN TO COUNCIL

WHEREAS, construction documents for the Eastlake Streetscape and Pedestrian Enhancement Project (Project No. G174710) have been prepared and construction bids will be received on April 14, 2003; and

WHEREAS, it is necessary to expedite the award of a construction contract in order to minimize potential construction delays during the winter months, and to be substantially complete prior to the holiday season; and

WHEREAS, the Eastlake Streetscape and Pedestrian Enhancement Project is consistent with City Council Budget Priorities of "Renewed Infrastructure", "Clean and Livable Communities", and "Vital Neighborhood Commerce"; and

WHEREAS, the construction contract will be for an amount not to exceed \$1,446,000 including a construction contingency; and

WHEREAS, funds are available for the project; 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; 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

RESOLVED: That the City Manager, or his designee, is authorized to award and enter into a construction contract on behalf of the City of Oakland for the Eastlake Streetscape and Pedestrian Enhancement Project ("project") to the lowest, responsible, and responsive bidder, in accordance with the terms of its bid, for an amount not to exceed one million four hundred forty-six thousand dollars (\$1,446,000) without return to Council; and be it

FURTHER RESOLVED: That if the initial bids are non-responsive, the City Manager, or his designee, is authorized to reject all bids, re-bid and/or negotiate a contract, and award and enter into a construction contract on behalf of the City of Oakland for this project in an amount not to exceed one million four hundred forty-six thousand dollars (\$1,446,000) without return to Council; and be it

FURTHER RESOLVED: That the City Manager, or his designee, is hereby authorized to reject all other bids and to execute any amendments or modifications of said contract within the limitations of the project specifications; 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 approval of this Resolution requires a two-thirds vote of the Council members.

IN COUNCIL, OAKLAND, CALIFORNIA, APR 15 2003, 2003


PASSED BY THE FOLLOWING VOTE:

AYES- ~~BROOKS~~, BRUNNER, ~~CHANG~~, NADEL, QUAN, REID, WAN and PRESIDENT DE LA FUENTE - 6

NOES- ~~0~~
~~Excused~~ BROOKS, Chang - 2

ABSENT-

ABSTENTION- 0

ATTEST: 
CEDA FLOYD
City Clerk and Clerk of the Council
of the City of Oakland, California