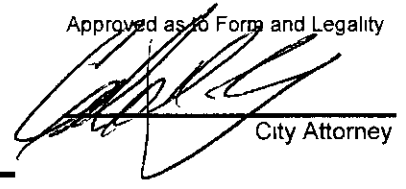


FILED
OFFICE OF THE CITY CLERK
OAKLAND


City Attorney

OAKLAND CITY COUNCIL

2014 DEC 30 AM 10:14

RESOLUTION No. 85361 C.M.S.

Introduced by Councilmember _____

RESOLUTION AWARDING A CONSTRUCTION CONTRACT TO FLATIRON WEST, INC., THE LOWEST RESPONSIVE, RESPONSIBLE BIDDER, IN ACCORDANCE WITH PLANS AND SPECIFICATIONS FOR THE REPLACEMENT OF EMBARCADERO BRIDGE OVER LAKE MERRITT CHANNEL (PROJECT NO. G121810) AND WITH CONTRACTOR'S BID IN THE AMOUNT OF SIXTEEN MILLION THREE HUNDRED NINETY-NINE THOUSAND FIVE HUNDRED TWENTY-SEVEN DOLLARS AND TEN CENTS (\$16,399,527.10)

WHEREAS, the City of Oakland was awarded federal and State Proposition 1B funds for Replacement of Embarcadero Bridge over Lake Merritt Channel (Project No. G121810); and

WHEREAS, on April 2, 2014, the California Department of Transportation (Caltrans) approved the construction phase of the project and obligated a grant of federal and state Proposition 1B funds in the amount of \$19,393,519.00; and

WHEREAS, on May 22, 2014, the City conducted bidding for this project and received four bids that were substantially higher than the engineer's estimate; and

WHEREAS, it was determined that it was in the City's best interest to reject all bids and rebid the project; and

WHEREAS, on November 6, 2014, the City conducted bidding for this project and received five bids; and

WHEREAS, Flatiron West, Inc., bidding as a prime, is deemed the lowest responsive and responsible bidder for the project; and

WHEREAS, Flatiron West, Inc. complies with the federal Disadvantaged Business Enterprise (DBE) Program requirements; and

WHEREAS, Staff is working with Caltrans to obtain additional grant funding in the amount of \$489,948.00 for the project and expecting timely approval of the request for a total grant amount of \$19,883,467.00; and

WHEREAS, the grant for the construction contract requires a local match of \$493,675.00 and will be available in FY 15-16 using Measure B funds; and

WHEREAS, the Replacement of Embarcadero Bridge project is adjacent to the Brooklyn Basin Development project and timely award of the construction contract will help facilitate full coordination of these two projects; and

WHEREAS, funds for the work will be available in the following project accounts:

- Department of Transportation Fund (2116); Engineering Design: Streets & Structures Organization (92242); Street Construction Account (57411); Project G121810; \$15,905,852.00
- Measure B-ACTIA Fund (2211); Engineering Design: Streets & Structures Organization (92242); Street Construction Account (57411); Project G121810; \$493,675.10; and

WHEREAS, the City lacks the equipment and qualified personnel to perform the necessary work and 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 has determined that this contract is of a professional, scientific or technical and temporary in nature and 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, or designee, is authorized to execute a construction contract with Flatiron West, Inc., the lowest responsive, responsible bidder, in accordance with plans and specifications for the Replacement of Embarcadero Bridge over Lake Merritt Channel (Project No. G121810) and with contractor's bid in the amount of Sixteen Million Three Hundred Ninety-Nine Thousand Five Hundred Twenty-Seven Dollars and Ten Cents (\$16,399,527.10); and be it

FURTHER RESOLVED: That the amount of the bond for faithful performance and the amount for a bond to guarantee payment of all claims for labor and materials furnished and for amount due under the Unemployment Insurance Act, shall be 100% of the contract price; and be it

FURTHER RESOLVED: That the plans and specifications prepared for this project, including any subsequent changes during construction, will be reviewed and adopted by the Director, or his/her designee; 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.

JAN 20 2015

IN COUNCIL, OAKLAND, CALIFORNIA, _____

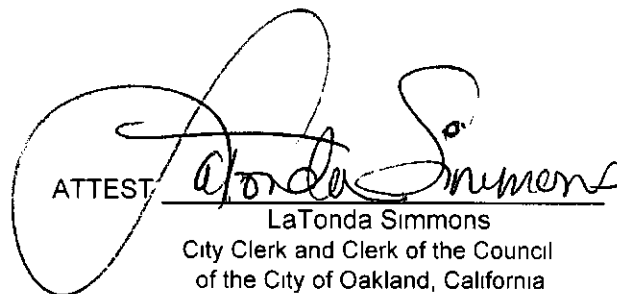
PASSED BY THE FOLLOWING VOTE:

AYES - BROOKS, GALLO, GIBSON McELHANEY, KALB, KAPLAN, GUILLEN, CAMPBELL WASHINGTON, AND REID - 8

NOES - 0

ABSENT - 0

ABSTENTION - 0

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