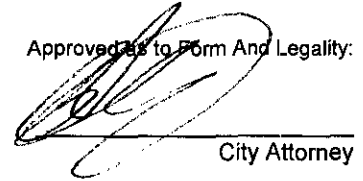


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City Attorney

## OAKLAND CITY COUNCIL

### RESOLUTION No. 80462 C.M.S.

Introduced by Councilmember \_\_\_\_\_

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**RESOLUTION AUTHORIZING AWARD OF A CONTRACT TO BAY CONSTRUCTION FOR THE REHABILITATION OF TRESTLE GLEN STAIRS (PROJECT NO. C214810) FOR AN AMOUNT NOT TO EXCEED THREE HUNDRED FIFTY-THREE THOUSAND NINE HUNDRED EIGHTY DOLLARS (\$353,980.00)**

**WHEREAS**, the project consisting of construction of timber and concrete stairs, handrails, new concrete pathway and sidewalk, fences, concrete and stone walls will improve the deteriorating pedestrian pathways and accessibility, and connect these restored stairs to a network of stairs and paths leading to mass transit; and

**WHEREAS**, the project will reduce blight, improve and upgrade the pedestrian amenities and pedestrian safety, and meet the Federal Americans with Disabilities Act requirements; and

**WHEREAS**, on September 29, 2006, advertisement of the projects to solicit bids was placed in the Oakland Tribune and San Francisco Chronicle newspapers, and Notices to Bidders were sent to all contractors holding an "A" License in the City's database and the Daily Pacific Builder; and

**WHEREAS**, on October 23, 2006, the City Clerk received and opened three bids for these projects. Bay Construction is the responsible low bidder with a bid price of \$353,980.00 and has met the 20% City contract requirements for Local Business Enterprise and Small Local Business Enterprise (LBE/SLBE); and

**WHEREAS**, there are sufficient funds available in the project budget to cover the project costs including the construction contract ten (10%) percent contingency, design support and construction management costs for the project; and

**WHEREAS**, the City lacks the equipment and qualified personnel to perform the necessary work; and

**WHEREAS**, the City has all the existing funding of \$450,000.00 in the Rehabilitation of the Trestle Glen Stairs (Project No. C214820) Fund 2211, needed to complete this project with Alameda County Transportation Improvement Authority (ACTIA) as the source of funding; 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 that services under this contract will be temporary; 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 City Administrator is authorized to award a contract to the responsible low bidder, Bay Construction, in accordance with the terms of its bid therefore, for an amount of Three Hundred Fifty-Three Thousand Nine Hundred Eighty Dollars (\$353,980.00); and be it

**FURTHER RESOLVED**: That the plans and specifications prepared by the Director of Public Works for this project are hereby approved; and be it

**FURTHER RESOLVED**: That the amount of the bond for faithful performance is one hundred percent (100%) of the bid amount, 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, equal to the bid amount, with respect to such work are hereby approved; 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, MAR 20 2007, 2007

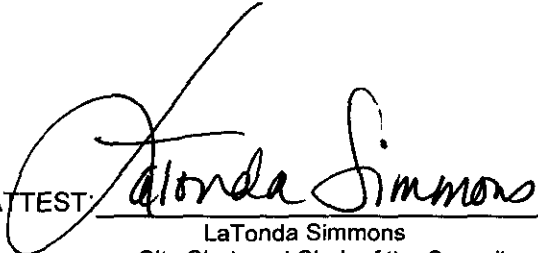
**PASSED BY THE FOLLOWING VOTE:**

AYES- BROOKS, BRUNNER, CHANG, KERNIGHAN, NADEL, QUAN, REID, and PRESIDENT DE LA FUENTE 8

NOES- 0

ABSENT- 0

ABSTENTION- 0

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