

2006 MAY 11 PM 4:28 OAKLAND CITY COUNCIL

RESOLUTION No: 79942 C.M.S.

RESOLUTION AUTHORIZING THE CITY ADMINISTRATOR TO EXECUTE A CONSTRUCTION CONTRACT WITH THE LOWEST RESPONSIVE BIDDER, MCGUIRE AND HESTER CONSTRUCTION COMPANY, FOR THE OAKLAND MUSEUM ADA RAMP PROJECT (NO. C274220) IN AN AMOUNT NOT-TO-EXCEED THREE HUNDRED SEVENTEEN THOUSAND ONE HUNDRED AND NINETY-NINE DOLLARS (\$317,199.00) AND AUTHORIZING AN INFORMAL COMPETITIVE BIDDING PROCESS

WHEREAS, on April 10, 2006 bids were received by the Public Works Agency of the City of Oakland for the Oakland Museum ADA Ramp Project (No. C274220); and

WHEREAS, two bids were received through an informal competitive bid process; and

WHEREAS, there are sufficient funds in the project budget for the construction work and contingencies totaling \$338,919.00 within the Capital Reserve Fund (5510); Museum ADA Survey and Restaurant Terrace Ramp Project (C274220); and the Capital Project Management Organization (92270) , and under the Measure G Bond Fund (5310); GOB Series 2002 Museum Measure G Project (C239610) and the Debt Service Organization (90411); 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 services; now, therefore, be it

RESOLVED: That, pursuant to Oakland Municipal Code Title 2, Chapter 2.04, Section 2.04.050.I.5, the City Council hereby finds and determines that it is in the City's best interests to authorize the City Administrator to waive the formal competitive bidding process in light of the deadline for completion of the project and hereby authorizes her to call for bids by an expedited informal bid process; and, be it

FURTHER RESOLVED: That the City Administrator, or her designee, is hereby authorized to award a construction contract based on plans and specifications for the Oakland Museum ADA Ramp Project (No. C274220) to the lowest responsive bidder, McGuire and Hester Construction Company, in an amount not-to-exceed three hundred seventeen thousand

one hundred and ninety-nine dollars (\$317,199.00), and to execute any amendments or modifications of said contract within the limitations of the project scope; and, be it

FURTHER RESOLVED: That the contractor shall be required to meet all City of Oakland contracting policies and programs including, but not limited to, local and small local business enterprise, equal benefits and apprenticeship hiring; and, be it

FURTHER RESOLVED: That the contractor shall provide faithful performance and payment bonds for one hundred percent (100%) of the contract amount prior to execution of the contract; 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 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, MAY 30 2006, 2006


PASSED BY THE FOLLOWING VOTE:

AYES - BROOKS, BRUNNER, CHANG, KERNIGHAN, NADEL, REID, QUAN,
AND PRESIDENT OF THE COUNCIL 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