

FILED  
OFFICE OF THE CITY CLERK  
OAKLAND

# OAKLAND CITY COUNCIL

RESOLUTION No. \_\_\_\_\_ C.M.S.

2004 APR 28 PM 5:16  
INTRODUCED BY COUNCIL MEMBER \_\_\_\_\_



Requires the two-thirds vote of the Council

**RESOLUTION AUTHORIZING THE CITY MANAGER TO AWARD A CONSTRUCTION CONTRACT TO AMERICAN CIVIL CONSTRUCTORS, INC., FOR THE GARFIELD PARK FIELD REPAIR (PROJECT NO. C196610) IN THE AMOUNT OF ONE HUNDRED SIXTY TWO THOUSAND FOUR HUNDRED AND TWENTY-SEVEN DOLLARS (\$162, 427)**

**WHEREAS**, on March 29, 2004, three bids were received by the Office of the City Clerk for the Garfield Park Field Repair project; and

**WHEREAS**, American Civil Constructors is the lowest responsible bidder and has met the City's S/LBE and local trucking program requirements; and

**WHEREAS**, there are sufficient funds of \$180,000, including \$17,573 for contingency, in the project budget for the work; and

**WHEREAS**, funding for the contract and contingency are available from the Capital Improvement Fund in the amount of \$130,000 (Fund No. 5500, Project No. C196610, Organization No. 92270, Account No. 57212) and from the Raider Funds in the amount of \$50,000 (Fund No. 1010, Project No. P43300, Organization No. 509290, Account No. 52511); 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 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 service; now, therefore, be it

**RESOLVED:** That the City Manager, or her designee, is hereby authorized to award a construction contract on behalf of the City of Oakland for the Garfield Park Field Repair project to American Civil Constructors, Inc., in the amount of One Hundred Sixty Two Thousand Four Hundred and Twenty-Seven Dollars (\$162,427) and to execute any amendments or modifications of said contract within the limitations of the project specifications; and be it

**FURTHER RESOLVED:** That the City Manager is hereby authorized to reject all other bids; and be it

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~~PUBLIC WORKS CMTE.~~  
MAY 11 2004

**FURTHER RESOLVED:** The amount of the bond for faithful performance, \$162,427, and the amount for a bond to guarantee payment of all claims for labor and material furnished and for the amount due under the Unemployment Insurance Act, \$162,427, 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 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, \_\_\_\_\_, 2004

**PASSED BY THE FOLLOWING VOTE:**

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

NOES-

ABSENT-

ABSTENTION-

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

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MAY 11 2004

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