

APPROVED AS TO FORM AND LEGALITY

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CITY ATTORNEY'S OFFICE

OAKLAND CITY COUNCIL

RESOLUTION NO. 9094 1 C.M.S.

RESOLUTION WAIVING FURTHER ADVERTISING AND COMPETITIVE BIDDING UNDER OAKLAND MUNICIPAL CODE (OMC) SECTION 2.04.050(I)(2), AUTHORIZING OPEN-MARKET AWARD UNDER OMC SECTION 2.04.050(J), AND AUTHORIZING THE CITY ADMINISTRATOR TO AWARD A PURCHASING CONTRACT TO REED & GRAHAM, INC. IN AN AMOUNT NOT TO EXCEED \$1,000,000 PER YEAR FOR TWO (2) YEARS, WITH ONE (1) ADDITIONAL TWO-YEAR OPTION IN AN AMOUNT NOT TO EXCEED \$1,000,000 PER YEAR, FOR A TOTAL NOT-TO-EXCEED \$4,000,000 OVER FOUR (4) YEARS, IN ACCORDANCE WITH SPECIFICATION NO. 25-745-00/RFQ 339527 AND THE CONTRACTOR'S PRICE QUOTATION DATED AUGUST 6, 2025, WITHOUT RETURN TO COUNCIL AND ADOPTING APPROPRIATE CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA) FINDINGS

WHEREAS, the Oakland Department of Transportation performs pavement construction on City streets, requiring the purchase of asphalt concrete and aggregate base materials; and

WHEREAS, procuring such materials is essential to meet the in-house mileage goals of the 5-Year Paving Plan (5YP) authorized by Resolution No. 88975 C.M.S.; and

WHEREAS, the City conducted a request for quotations (Specification No. 25-745-00/RFQ 339527) to select the lowest responsive and responsible bidder and the most qualified contractor to provide materials necessary for asphalt concrete pavement construction; and

WHEREAS, the City received no proposals from qualified vendors through the City's RFQ process; and

WHEREAS, under OMC Section 2.04.050(I)(2), the City Council may find that further competitive bidding is impracticable, unavailing, or impossible, and under OMC Section 2.04.050(J) the City Administrator may proceed to purchase supplies in the open market; and

WHEREAS, the City negotiated with a list of preferred vendors on the open market for a contract to purchase paving materials in accordance with Specification No. 25-745-00/RFQ 339527); and

WHEREAS, a multi-year purchasing contract streamlines the procurement of essential materials for paving; and

WHEREAS, the contract provides a not-to-exceed limit and does not guarantee any number of purchases or payments; and

WHEREAS, funds for the purchase of paving materials are available in the FY 2025-27 Budget in Funds 2215 (Measure F Vehicle Registration Fee), 2218 (Measure BB Local Streets and Roads), 2219 (Measure BB Bike and Pedestrian), 2230 (State Gas Tax), 2232 (Gas Tax Road Maintenance and Rehabilitation Account), and 5342 (Measure U 2022 Affordable Housing and Infrastructure Bond); Org 92242 (Engineer Design: Streets and Structures); Projects 1005420 and 1003469, and that funding for option years are subject to funding availability in the future budget cycles; now, therefore, be it

RESOLVED: That the Council hereby finds and determines pursuant to OMC Section 2.04.050.I that it is in the best interests of the City to award a purchasing contract on the open market to Reed & Graham, Inc. in accordance with Specification No. 25-745-00/RFQ 339527 and the Contractor's Bid; and be it

FURTHER RESOLVED: That the City Council finds and determines pursuant to OMC Section 2.04.050(I)(2) that further competitive bidding is impracticable, unavailing, or impossible, and waives further advertising and competitive bidding for this procurement; and be it

FURTHER RESOLVED: Pursuant to OMC Section 2.04.050(J) the City Administrator is authorized to solicit and award a contract on the open market system for an amount not to exceed One Million dollars (\$1,000,000) per year for a two-year term, in accordance with Specification No. 25-745-00/RFQ 339527 and the Contractor's Bid; and be it

FURTHER RESOLVED: That the City Administrator shall have the option to renew the purchasing contract for two (2) additional one-year terms in an amount not to exceed One Million dollars (\$1,000,000) per year without returning to Council, for a total four-year contract amount not to exceed Four Million dollars (\$4,000,000); and be it

FURTHER RESOLVED: That the City Administrator or designee is hereby authorized to extend the purchasing contract on a month-to-month basis after the initial extension options are exhausted until a new contract can be executed; and be it

FURTHER RESOLVED: The Council finds this action not a project under CEQA Guidelines §15378(b)(2); alternatively, the action is exempt under §15301; and be it

FURTHER RESOLVED: That the contract and amendments authorized hereunder shall be reviewed and approved as to form and legality by the City Attorney and a fully executed copy of the contract shall be placed on file in the office of the City Clerk.; and be it

FURTHER RESOLVED: That the contract and amendments authorized hereunder shall be reviewed and approved by the City Attorney for form and legality and shall be placed on file in the office of the City Clerk.

IN COUNCIL, OAKLAND, CALIFORNIA,

NOV 04 2025

PASSED BY THE FOLLOWING VOTE:

AYES - BROWN, ~~PIFE~~, GALLO, ~~HOUSTON~~, RAMACHANDRAN, UNGER, WANG AND
~~PRESIDENT JENKINS~~ - 5

2 NOES - Fife, Houston
ABSENT - 0
ABSTENTION - 0
1 Excused: Jenkins

ATTEST: _____


ASHA REED
City Clerk and Clerk of the Council of the
City of Oakland, California