

2020 AUG -7 AM 9:27

OAKLAND CITY COUNCIL**RESOLUTION NO. 88085 C.M.S.**

RESOLUTION AWARDING A CONSTRUCTION CONTRACT TO RAY'S ELECTRIC INC., FOR SAFE ROUTES TO TRANSIT IMPROVEMENTS ON COLLEGE AVENUE FROM BROADWAY TO ALCATRAZ AVENUE, PROJECT NO. 1000653, THE LOWEST, RESPONSIBLE, RESPONSIVE BIDDER IN ACCORDANCE WITH PROJECT PLANS, SPECIFICATIONS, STATE REQUIREMENTS, AND WITH CONTRACTOR'S BID IN THE AMOUNT OF TWO MILLION TWO HUNDRED NINETY-TWO THOUSAND FIVE HUNDRED NINETY-NINE DOLLARS AND FIFTY CENTS (\$2,292, 599.50)

WHEREAS, in September 2013, the City of Oakland submitted an application to the Safe Routes to Transit Program requesting grant funds for the Rockridge BART Access Improvement Project; and

WHEREAS, in February 2014, the Metropolitan Transportation Commission (MTC) approved the programming of \$472,000.00 of Regional Measure 2 grant funds for the Rockridge BART Access Improvement Project; and

WHEREAS, BART has pledged \$18,000.00 to cover a portion of the costs to acquire and manage the installation of bicycle lockers and racks; and

WHEREAS, BART will administer the acquisition and installation of bicycle lockers and racks at the BART station; and

WHEREAS, the Fourth Bore Coalition is contributing \$50,000.00 as match for this grant to help ensure these projects are constructed; and

WHEREAS, in October 2014, staff recommends that the City Council adopts a resolution authorizing the City Administrator, or his designee, to accept and appropriate: 1) Four Hundred Seventy-Two Thousand Dollars (\$472,000.00) in Regional Measure 2 (RM-2) Safe Routes to Transit (SR2T) Funds; 2) Eighteen Thousand Dollars (\$18,000.00) matching funds from BART; and 3) Fifty Thousand Dollars (\$50,000.00) matching funds from Fourth Bore Coalition and to execute agreements with BART and Fourth Bore Coalition for the Rockridge BART Access Improvement Project, and authorizing the submittal of the allocation request to the Metropolitan Transportation Commission (MTC) for the SR2T funds awarded under this grant; and

WHEREAS, in November 2014, the City Council passed Resolution No. 85303 C.M.S., which authorized the City Administrator, the Director of Public Works, or the Assistant Director, Bureau of Engineering and Construction, to execute agreements with BART, Fourth Bore Coalition, and Metropolitan Transportation Commission (MTC) for the SR2T grant funds and to accept and appropriate: 1) four hundred seventy-two thousand dollars (\$472,000.00)

in Regional Measure 2 (RM-2) Safe Routes to Transit (SR2T) funds; 2) eighteen thousand dollars (\$18,000.00) matching funds from BART; and 3) fifty thousand dollars (\$50,000.00) matching funds from Fourth Bore Coalition; to fund pedestrian and bicycle access and safety improvement around Rockridge Bart Station, and at the intersections of College Avenue/Keith; and

WHEREAS, on August 9, 2019, the City placed an advertisement on six newspapers, inviting construction bids; and

WHEREAS, on September 19, 2019, one bid was received by the Office of the City Clerk for the construction of the Safe Routes to Transit Improvements College Avenue from Broadway to Alcatraz Ave (Project No. 1000653 Rebid); and

WHEREAS, Ray's Electric is deemed the lowest, responsible, responsive bidder for the Safe Routes to Transit Improvements College Avenue from Broadway to Alcatraz Ave (Project No. 1000653 Rebid); and the bid is compliant with the City's Local and Small Local Business (L/SLBE) Enterprises and Equal Benefits Ordinance (EBO); and

WHEREAS, there is sufficient fund in the project budget for construction work; and sources of funding are the followings:

- Metropolitan Transportation Commission Grant \$311,360.00, Safe Route to Transit, Project 1000653, Organization 92246, Expense 57412, Task 8.0, Award 22017, Fund 2163, Program NB33.
- State Grant, Pedestrian Facilities Caldecott Tunnel \$799,501.00, Project 1001383, Organization 92270, Expense 57411, Task 8.0, Award 21756, Fund 2140, Program NB33.
- Measure KK 2nd Tranche, Street Resurfacing \$1,181,738.50, Project 1001293, Organization 92246, Expense 54011, Task 1.0, Award 23686, Fund 5332, Program IN05 which will be allocated into Pedestrian Facilities Caldecott Tunnel, Project 1001383, Organization 92270, Expense 57411, Task 8.0, Award 23686, Fund 5332, Program NB33.

WHEREAS, the engineer's estimate for the work is \$2,884,718; and

WHEREAS, the City Council finds that the City lacks the equipment and qualified personnel to perform the necessary work and that the performance of this contract is in the public interest because of economy or better performance; and

WHEREAS, the City Administrator has determined 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 contract for the construction of the Safe Routes to Transit Improvements College Avenue from Broadway to Alcatraz Ave Project is hereby awarded to Ray's Electric, the lowest, responsible, responsive bidder, in accordance with project plans and specifications in the amount of two million two hundred ninety-two thousand five hundred ninety-nine dollars and 50 cents (\$2,292,599.50); and be it

FURTHER RESOLVED: That the plans and specifications prepared including any subsequent changes during construction, that will be reviewed and adopted by the Director of Department of Transportation or designee for this project are hereby approved; and be it

FURTHER RESOLVED: That the contractor shall provide a faithful performance bond and payment bond to guarantee payment of all claims for labor and materials furnished and for the amount due under the Unemployment Insurance Act for one hundred percent (100%) of the contract amount prior to execution of the contract; and be it

FURTHER RESOLVED: That the City Administrator or designee is hereby authorized to enter into a contract with Ray's Electric, on behalf of the City of Oakland and execute any amendment or modifications to said agreement within the limitations of the project specifications; 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.

IN COUNCIL, OAKLAND, CALIFORNIA APR 07, 2020

PASSED BY THE FOLLOWING VOTE:

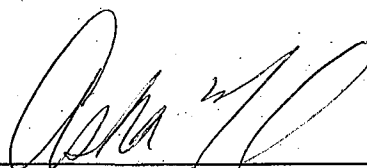
AYES - FORTUNATO BAS, GALLO, GIBSON MCELHANEY, KALB, REID, TAYLOR, THAO AND
PRESIDENT KAPLAN — 8

NOES - 0

ABSENT - 0

ABSTENTION - 0

ATTEST:



LATONDA SIMMONS
City Clerk and Clerk of the Council of the City
of Oakland, California