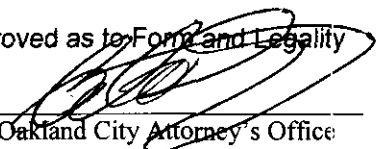


OFFICE OF THE CITY CLERK  
OAKLAND

Approved as to Form and Legality  
  
Oakland City Attorney's Office

2005 SEP 29 PM 2: 25

**OAKLAND CITY COUNCIL**  
RESOLUTION No. 79528 C. M. S.

INTRODUCED BY COUNCILMEMBER \_\_\_\_\_

Requires two-thirds vote of the Council

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RESOLUTION AUTHORIZING AWARD OF A CONTRACT TO MOCON CORPORATION FOR THE REHABILITATION OF SANITARY SEWERS IN THE AREA BOUNDED BY MACARTHUR BLVD., SENECA ST., DOWLING ST. AND STEARNS AVE. – SUB-BASIN 85-212 (PROJECT NO. C72910) FOR THE AMOUNT OF TWO MILLION THREE HUNDRED SEVENTY-FIVE THOUSAND TWO HUNDRED EIGHTY-EIGHT DOLLARS (\$2,375,288.00)

**WHEREAS**, on August 1, 2005, two bids were received by the Office of the City Clerk of the City of Oakland for the Rehabilitation of Sanitary Sewers in the Area Bounded by Mac Arthur Blvd., Seneca St., Dowling St. and Stearns Ave. – Subbasin 85-212 (Project No. C72910); and

**WHEREAS**, Mocon Corporation, bidding as a prime with 5% bid discount, is the lowest responsible bidder for the project; and

**WHEREAS**, there are sufficient funds in the project budget for the work. Funding for this project is available in the Sewer Service Fund (3100); Capital Project-Sanitary Sewer Design Organization (92244); Sewers Account (57417); Rehabilitation of Sanitary Sewers in the Area Bounded by MacArthur Blvd., Seneca St., Dowling St. and Stearns Ave. – Subbasin 85-212 (Project No. C72910) and these funds were specifically allocated for this project; 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 or better performance; and

**WHEREAS**, Mocon Corporation complies with all LBE/SLBE requirements; 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 contract for the Rehabilitation of Sanitary Sewers in the Area Bounded by MacArthur Blvd., Seneca St., Dowling St. and Stearns Ave. – Subbasin 85-212 (Project No. C72910) is hereby awarded to Mocon Corporation in accordance with the terms of its bid therefore, dated August 1, 2005, for the amount of Two Million Three Hundred Seventy-Five Thousand Two Hundred Eighty-Eight Dollars (\$2,375,288.00); 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, \$2,375,288.00, 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, \$2,375,288.00, with respect to such work are hereby approved; and be it

**FURTHER RESOLVED:** That the City Administrator is hereby authorized to enter into a contract with Mocon Corporation on behalf of the City of Oakland and to execute any amendments 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 and placed on file in the Office of the City Clerk; and be it

**FURTHER RESOLVED:** That the City Clerk is hereby directed to post conspicuously forthwith notice of the above award on the official bulletin board 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.

**OCT 18 2005**

IN COUNCIL, OAKLAND, CALIFORNIA, \_\_\_\_\_, 2005

PASSED BY THE FOLLOWING VOTE:


AYES- BROOKS, BRUNNER, [REDACTED], NADEL, QUAN, REID, KERNIGHAN AND PRESIDENT DE LA FUENTE 

NOES-

ABSENT-

ABSTENTION-

*Excused - Chang - 1*

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