

**OAKLAND CITY COUNCIL**  
RESOLUTION No. 79266 C.M.S.

OFFICE OF THE CITY CLERK  
MAY 12 2005

2005 MAY 12 PM 2:05

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

Requires two-thirds vote of the Council

**RESOLUTION AUTHORIZING THE CITY ADMINISTRATOR TO INCREASE THE CONSTRUCTION CONTRACT WITH MCGUIRE & HESTER FOR THE RESURFACING OF CERTAIN STREETS IN THE CITY OF OAKLAND FOR FISCAL YEAR 2003-2004 (PROJECT NUMBER C234930) BY \$581,882.99, FOR A TOTAL CONTRACT AMOUNT OF \$5,100,000.00.**

**WHEREAS**, on June 1, 2004, City Council approved Resolution No. 78594 CMS awarding the construction contract for the Resurfacing of Certain Streets in the City of Oakland for Fiscal Year 2003-2004 to McGuire and Hester in the amount of \$3,928,797.40; and

**WHEREAS**, to date to construction contract change orders total \$468,332.47 bringing the total amount of the contract to \$4,397,129.87; and

**WHEREAS**, the City of Oakland desires to issue a change order to the contract for said project in excess of the authorized contract amount, which may be approved by the City Administrator or her designee pursuant to the Standard Specification for Public Works Construction and the City of Oakland's Project Specifications, Section 3-2; and

**WHEREAS**, an increase to the change order limit in the amount of \$581,882.99 will allow the City to complete the resurfacing of the original list of streets and resurface additional streets as part of this project on schedule and to meet grant funding deadlines; and

**WHEREAS**, funds are appropriated and available for this project in ACTIA Reimbursable Grants, Heavy Paving, Street Rehab 03-04 Project, Streets and Sidewalks Program (Fund 2214, Organization 32480, Project C234930, Program IN04); and

**WHEREAS**, the City lacks the equipment and qualified personnel to perform the necessary repairs; and

**WHEREAS**, the City Council finds and determines that the performance of this contract is in the public interest because of safety and economy; and

**WHEREAS**, the performance of the services by contract is in the public interest because of economy or performance, and 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 Council hereby designates the City Administrator or her designee the authority to increase the construction contract with McGuire & Hester for the

Resurfacing of Certain Streets in the City of Oakland for Fiscal Year 2003-3004 (Project Number C234930) by \$581,882.99, for a total contract amount of \$5,100,000.00.

IN COUNCIL, OAKLAND, CALIFORNIA, JUN 07 2005, 20      

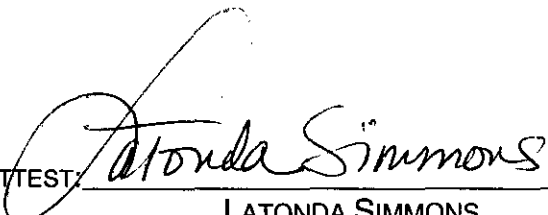
**PASSED BY THE FOLLOWING VOTE:**

AYES- BROOKS, BRUNNER, CHANG, NADEL, QUAN, REID, ~~AND~~ PRESIDENT DE LA FUENTE  
*AND KERNIGHAN - 8*

NOES- *0*

ABSENT- *0*

ABSTENTION- *0*

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