

2007 SEP 28 PM 7:20

Approved as to Form and Legality

OAKLAND CITY COUNCIL


City Attorney

RESOLUTION No. 81018 C.M.S.

Introduced by Councilmember _____

RESOLUTION AUTHORIZING AWARD OF A CONSTRUCTION CONTRACT TO ROSAS BROTHERS CONSTRUCTION FOR ON-CALL CITYWIDE SIDEWALK REPAIR FY 06-07 (PROJECT NO. C269130) IN THE AMOUNT OF NINE HUNDRED THIRTY TWO THOUSAND FORTY DOLLARS (\$932,040.00)

WHEREAS, on September 24, 2007, two bids were received by the Office of the City Clerk of the City of Oakland for On-Call Citywide Sidewalk Repair FY 06-07 (Project No. C269130); and

WHEREAS, Rosas Brothers Construction is the lowest responsible bidder for the project and met the City's LBE/SLBE and local trucking program requirements; and

WHEREAS, there are sufficient funds in the project budget for the work. Project funding is available in the Traffic Safety Funds (2416), Measure B – Bicycle/Pedestrian Pass-Thru Fund (2212) and Measure B – ACTIA Fund (2211); Sidewalk Repair Program Organization (92452); Street Construction Account (57411); and Citywide Sidewalk Repairs Projects (C269130) and (C269120), Sidewalk Repairs Project (C78052), and On Call Curb Ramps Project (C209140); and

WHEREAS, the funding for this project was budgeted for sidewalk repair and curb ramp installation; and

WHEREAS, the Engineer's Estimate for the work is \$836,460.00; 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 safety and economy; 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 On-Call Citywide Sidewalk Repair FY 06-07 (Project No. C269130) is hereby awarded to Rosas Brothers Construction in accordance with the terms of the contractor's bid therefore, dated September 24, 2007, for the amount of nine hundred thirty two

thousand forty dollars (\$932,040.00); and be it

FURTHER RESOLVED: That the amount of the bond for faithful performance, \$932,040.00, 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, \$932,040.00, with respect to such work are hereby approved; and be it

FURTHER RESOLVED: That the plans and specifications prepared by the Development Director of the Community and Economic Development Agency for this project are hereby approved; and be it

FURTHER RESOLVED: That the City Administrator is hereby authorized to enter into a contract with Rosas Brothers Construction on behalf of the City of Oakland and to execute any change orders, amendments, extensions or modifications of 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 prior to execution 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.

IN COUNCIL, OAKLAND, CALIFORNIA, DEC 18 2007, 2007

PASSED BY THE FOLLOWING VOTE:

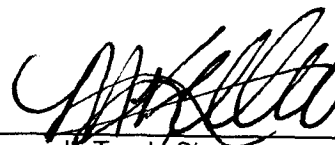
AYES - ~~7~~ BRUNNER, CHANG, KERNIGHAN, NADEL, QUAN, REID, and PRESIDENT DE LA FUENTE - 7

NOES - 0

ABSENT - 0

ABSTENTION - Brooks - 1

ATTEST:



LaTonda Simmons
City Clerk and Clerk of the Council
of the City of Oakland, California