

OAKLAND CITY COUNCIL

RESOLUTION No. _____

77935

C.M.S.

FILED
OFFICE OF THE CITY CLERK
OAKLAND
2003 JUN 23 TH 2:24

INTRODUCED BY COUNCILMEMBER _____

REQUIRES TWO-THIRDS VOTE OF THE COUNCIL

RESOLUTION AUTHORIZING AWARD OF A CONTRACT TO MOSTO CONSTRUCTION FOR THE CONSTRUCTION OF A RELIEF SEWER IN 14TH AVENUE BETWEEN E. 30TH STREET AND E. 26TH STREET AND 14TH AVENUE IN THE VICINITY OF E. 12TH STREET (PROJECT NO. C96310) FOR THE AMOUNT OF THREE HUNDRED FIFTY-FOUR THOUSAND FIVE HUNDRED THIRTY DOLLARS (\$354,530)

WHEREAS, on March 17, 2003, 6 bids were received by the Office of the City Clerk of the City of Oakland for the Construction of a Relief Sewer in 14th Avenue between E. 30th Street and E. 26th Street and 14th Avenue in the vicinity of E. 12th Street (Project No. C96310); and

WHEREAS, Mosto Construction, as a certified SLBE bidding as a prime, is the lowest responsible bidder for the project; and

WHEREAS, there are sufficient funds in Fund 3100, Project C96310, for the contract work; 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, Mosto Construction 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 Construction of a Relief sewer in 14th Avenue between E. 30th Street and E. 26th Street and 14th Avenue in the vicinity of E. 12th Street (Project No. C96310) is hereby awarded to Mosto Construction in accordance with the terms of its bid therefore, dated March 17, 2003, for the amount of three hundred fifty-four thousand five hundred thirty dollars (\$354,530); 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, \$177,265 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, \$354,530 with respect to such work are hereby approved; and be it

FURTHER RESOLVED: That the City Manager is hereby authorized to enter into a contract with Mosto Construction on behalf of the City of Oakland and to execute any amendments or modifications of said contract; 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 approval of this Resolution requires a two-thirds vote of the Council members.

JUL 15 2003

IN COUNCIL, OAKLAND, CALIFORNIA, _____, 20____

PASSED BY THE FOLLOWING VOTE:

AYES- BROOKS, BRUNNER, CHANG, NADEL, QUAN, REID, WAN AND
PRESIDENT DE LA FUENTE - 8

NOES- 0

ABSENT- 0

ABSTENTION- 0

ATTEST:



CEDA FLOYD

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