


City Attorney

OFFICE OF THE CITY CLERK
2007 NOV - 1 PM 3:24

OAKLAND CITY COUNCIL

RESOLUTION No. 80968 C.M.S.

INTRODUCED BY COUNCILMEMBER _____

RESOLUTION 1) APPROPRIATING \$650,000.00 FROM MEASURE B-ACTIA FUND (2211) FUND BALANCE 2) REALLOCATING \$300,000.00 ALREADY BUDGETED WITHIN THE MEASURE B-ACTIA FUND (2211) AND 3) WAIVING ADVERTISING AND AUTHORIZING THE CITY ADMINISTRATOR TO AWARD A CONSTRUCTION CONTRACT THROUGH A MODIFIED COMPETITIVE BID PROCESS FOR THE EMERGENCY CONSTRUCTION OF PERMANENT IMPROVEMENTS TO RESTORE A WASHOUT ON TUNNEL ROAD (PROJECT NO. C99581) IN A NOT-TO-EXCEED AMOUNT OF \$700,000.00 WITHOUT RETURN TO COUNCIL

WHEREAS, in the first week of September 2007, a washout due to saturation of the soil from a water leak caused a significant slide on Tunnel Road resulting in a collapse of the section of the road; and

WHEREAS, it is imperative that Tunnel Road be restored as soon as possible as the damage has reduced the roadway width to only one lane of traffic and with the upcoming rains, the damage may extend further into the roadway blocking and delaying the flow of local and emergency traffic on Tunnel Road; and

WHEREAS, it is in the best interests of the City to expedite repair work on and about the Tunnel Road washout by approximately two months by waiving advertising and authorizing a modified bid process; and

WHEREAS, three local, qualified firms will be asked to prepare bids and proposals to construct emergency improvements necessary to restore the Tunnel Road washout, Project No. C99581; and

WHEREAS, it is estimated that the cost of roadway restoration work by a contractor would not exceed \$700,000.00; and

WHEREAS, the total projected project cost is \$950,000.00 to cover the estimated expenditures for site winterization, traffic control, geotechnical investigation, preparation of plans and specifications, roadway restoration through a construction contractor, and services by the City's engineering and maintenance staff; and

WHEREAS, the restoration work will be completed through a design/build method utilizing Oakland consultants and contractors to the extent possible and as required for roadway restoration work; and

WHEREAS, there are sufficient funds in the Measure B–ACTIA Fund (2211) for the construction contract, procurement, contingency and project management:

Funding Source	Project No.	Amount
Measure B –ACTIA Fund (2211), Streets & Structures Organization (30242), Work Order Account (56611), Emergency Roadway Repair Project (C316510)	C316510	\$300,000
Measure B –ACTIA Fund (2211): Fund Balance	Fund Balance	\$650,000

Total Budget \$950,000

now, therefore, be it

RESOLVED: That the plans and specifications prepared for the Emergency Construction Of Permanent Improvements To Restore A Washout On Tunnel Road, Project No. C99581 are hereby approved; and be it

FURTHER RESOLVED: That pursuant to Oakland Municipal Code Section 2.04.050.I.5, and based on the information set forth in the City Administrator’s report accompanying this item, the City Council finds and determines that it is in the City’s best interests to waive the City’s advertising and standard competitive bid process for Emergency Construction Of Permanent Improvements To Restore A Washout On Tunnel Road, Project No. C99581 and so waives the requirement; and be it

FURTHER RESOLVED: That the City Administrator, or her designee, is authorized to appropriate \$650,000.00 to the Emergency Construction Of Permanent Improvements To Restore A Washout On Tunnel Road, Project No. C99581 from the fund balance within the Measure B- ACTIA Fund (2211); and be it

FURTHER RESOLVED: That the City Administrator, or her designee, is authorized to reallocate \$300,000.00 already budgeted within the Measure B –ACTIA Fund (2211), Streets & Structures Organization (30242), Work Order Account (56611) from the Emergency Roadway Repair Project (C316510) to the Tunnel Road Slide Project (C99581); and be it

FURTHER RESOLVED: That the City Administrator is authorized to employ a modified competitive bidding process, involving the solicitation of bids from three qualified contractors with award to the lowest, responsible, responsive bidder, to select a contractor and award a construction contract in a not-to-exceed amount of \$700,000.00, for Emergency Construction Of Permanent Improvements To Restore A Washout On Tunnel Road, Project No. C99581, without return to Council; and be it

FURTHER RESOLVED: That the City Administrator is authorized to execute any amendments or modifications of said contract within the limitations of the project specifications; 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, DEC 4 2007, 20

PASSED BY THE FOLLOWING VOTE:

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

NOES - 0

ABSENT - 0

ABSTENTION - 0

Excused - Brunner - 1

ATTEST:



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