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OFFICE OF THE CITY CLERK
OAKLAND

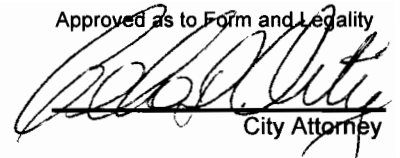
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OAKLAND CITY COUNCIL

RESOLUTION No. 84304 C.M.S.

Introduced by Councilmember _____

Approved as to Form and Legality



City Attorney

RESOLUTION AWARDING A CONSTRUCTION CONTRACT FOR THE LAKE MERRITT CHANNEL IMPROVEMENT AT 10TH STREET (PROJECT NO. C277110) TO GORDON N. BALL, INC., THE LOWEST RESPONSIVE AND RESPONSIBLE BIDDER, IN THE AMOUNT OF FOURTEEN MILLION EIGHT HUNDRED FOUR THOUSAND FOUR HUNDRED SEVENTY FIVE DOLLARS AND NINETY CENTS (\$14,804,475.90) IN ACCORD WITH THE PROJECT PLANS AND SPECIFICATIONS AND THE CONTRACTOR'S BID

WHEREAS, on January 31, 2013, four bids were received by the Office of the City Clerk of the City of Oakland for this project; and

WHEREAS, Gordon N. Ball, Inc., bidding as a prime, is deemed the lowest responsive and responsible bidder for the project; and

WHEREAS, Gordon N. Ball, Inc. complies with the Local Business Enterprise / Small Local Business Enterprise (LBE/SLBE) Program requirements; and

WHEREAS, there are sufficient funds in the project budget for the work that will be available in the following project accounts:

- Measure DD Fund (5321); Engineering Design: Streets & Structures Organization (92242); Street Construction Account (57411); Project C395610; \$9,000,000.00
- Measure DD Fund (5321); Engineering Design: Streets & Structures Organization (92242); Street Construction Account (57411); Project (C393410); \$1,354,475.90
- State Coastal Conservancy (Proposition 50) Grant Fund (2159); Engineering Design: Streets & Structures Organization (92242); Street Construction Account (57411); Project C393330; \$1,800,000.00
- State of CA – Natural Resources Agency Fund (2159); Engineering Design: Streets & Structures Organization (92242); Street Construction Account (57411); Project C395620; \$1,750,000.00
- EBMUD Water Main Relocation Agreement-Miscellaneous Grant Fund (2999); Engineering Design: Streets & Structures Organization (92242); Street Construction Account (57411); Project (TBD); \$900,000.00

WHEREAS, the City Council finds and determines based on the representations set forth in the City Administrator's report accompanying this Resolution that the construction contract approved hereunder is temporary in nature; and

WHEREAS, the City lacks the equipment and qualified personnel to perform the necessary work, that the performance of this contract is in the public interest because of economy or better performance and that this contract is of a professional, scientific or technical nature; 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 service; now, therefore, be it

RESOLVED: That the City Administrator is authorized to award a construction contract for the Lake Merritt Channel Improvement at 10th Street (Project No. C277110) to Gordon N. Ball, Inc., the lowest responsive and responsible bidder, in the amount of Fourteen Million Eight Hundred Four Thousand Four Hundred Seventy Five Dollars and Ninety Cents (\$14,804,475.90) in accord with the project plans and specifications and the contractor's bid dated January 31, 2013; and be it

FURTHER RESOLVED: That the City Council hereby approves the plans and specifications prepared at the direction of the Assistant Director of the Public Works Agency for this project; and be it

FURTHER RESOLVED: That the City Administrator is authorized to execute any amendments or modifications of the contract with Gordon N. Ball, Inc. within the limitations of the project specifications; and be it

FURTHER RESOLVED: That the City Administrator, or her designee, is hereby authorized to reject all other bids; and be it

FURTHER RESOLVED: That the faithful performance bond and a bond to guarantee payment of all claims for labor and materials furnished and for the amount of 100% of the contract price and due under the Unemployment Insurance Act submitted with respect to such work are hereby approved; 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.

APR 16 2013

IN COUNCIL, OAKLAND, CALIFORNIA, _____

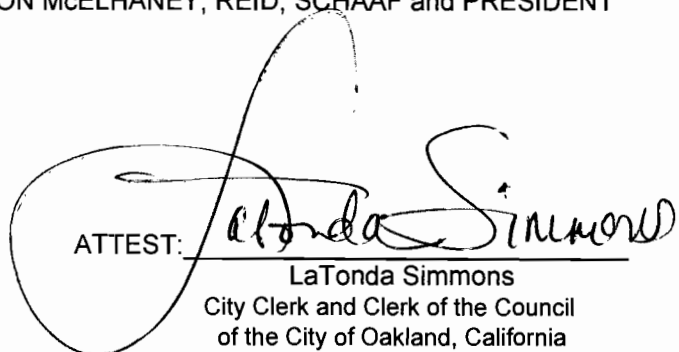
PASSED BY THE FOLLOWING VOTE:

AYES - BROOKS, GALLO, KALB, KAPLAN, GIBSON McELHANEY, REID, SCHAAF and PRESIDENT KERNIGHAN - 8

NOES - 0

ABSENT - 0

ABSTENTION - 0

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