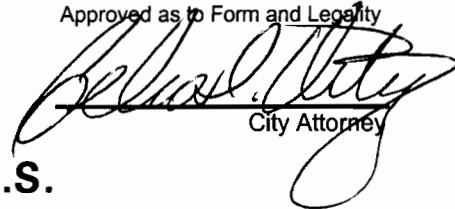


FILED
OFFICE OF THE CITY CLERK
OAKLAND

OAKLAND CITY COUNCIL

Approved as to Form and Legality



City Attorney

2010 JUN 30 AM 10:58 RESOLUTION No. 82901 C.M.S.

Introduced by Councilmember _____

RESOLUTION AWARDING A CONSTRUCTION CONTRACT TO J & M, INC. FOR REHABILITATION OF STORM DRAIN LINE ALONG SHEPHERD CANYON ROAD BETWEEN GUNN DRIVE AND PASO ROBLES DRIVE (PROJECT NUMBER C336020) IN THE AMOUNT OF FIVE HUNDRED TWENTY-FOUR THOUSAND EIGHT HUNDRED FIFTY-THREE DOLLARS (\$524,853.00)

WHEREAS, the storm drainage pipes and structures along Shepherd Canyon Road are aged and deteriorated causing sink holes and hazards for roadway users particularly near the intersections of Saroni Drive, Tiffany Lane, Banning Drive, Shelterwood Drive, and Escher Drive; and

WHEREAS, on April 1, 2010, the City Clerk received six bids for Rehabilitation of Storm Drain Line along Shepherd Canyon Road between Gunn Drive and Paso Robles Drive (Project Number C336020); and

WHEREAS, J&M, Inc. is deemed the lowest responsive and responsible bidder for the project; and

WHEREAS, there are sufficient funds in the project budget for the work. Funding for this project is available in the Capital Improvement Fund (5510), under Design Organization (92242); Street Construction Account (57411); Project C336020; 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, J&M, Inc. complies with all LBE/SLBE and trucking 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 construction contract for the Rehabilitation of Storm Drain Line along Shepherd Canyon Road between Gunn Drive and Paso Robles Drive (Project Number C336020) is hereby awarded to J&M, Inc. in accordance with plans and specifications for the project and the terms of its bid therefore, dated February 2010, for the amount of five hundred twenty-four thousand eight hundred fifty-three dollars (\$524,853.00); and be it

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

FURTHER RESOLVED: That the amount of the bond for faithful performance, \$524,853.00, 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, \$524,853.00, with respect to such work are hereby approved; and be it

FURTHER RESOLVED: That the City Administrator, or his designee, is hereby authorized to enter into a contract with J&M, Inc. on behalf of the City of Oakland and to execute any amendments or modifications to 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 and placed on file in the Office of the City Clerk.

IN COUNCIL, OAKLAND, CALIFORNIA, JUL 20 2010, 20_____

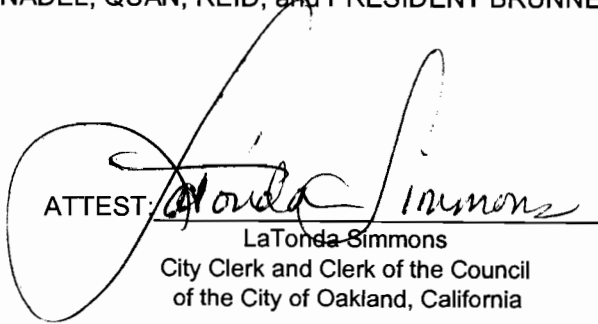
PASSED BY THE FOLLOWING VOTE:

AYES - BROOKS, DE LA FUENTE, KAPLAN, KERNIGHAN, NADEL, QUAN, REID, and PRESIDENT BRUNNER - 8

NOES - 0

ABSENT - 0

ABSTENTION - 0

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