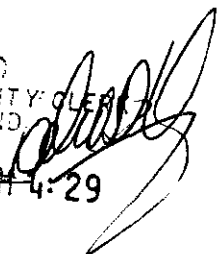


OAKLAND CITY COUNCIL

RESOLUTION No. 77848 - C. M. S.

FILED
OF THE CITY CLERK
OAKLAND



2003 MAY 15 PM 4:29

INTRODUCED BY COUNCILMEMBER _____

Requires two-thirds vote of the Council

RESOLUTION AUTHORIZING AWARD OF A CONTRACT TO K.J. WOODS CONSTRUCTION FOR THE REHABILITATION OF SANITARY SEWERS IN THE EASEMENT BETWEEN BRENTWOOD ROAD AND MELVIN ROAD (PROJECT NO. C199510) IN AN AMOUNT NOT TO EXCEED SEVENTY-FOUR THOUSAND NINETY-FIVE DOLLARS (\$74,095) PROVIDED THAT IF K.J. WOODS FAILS TO ENTER INTO CONTRACT WITH THE CITY, THE CITY MANAGER MAY NEGOTIATE A CONTRACT WITH THE NEXT LOWEST BIDDER IN AN AMOUNT NOT TO EXCEED \$81,510, WITHOUT RETURN TO COUNCIL

WHEREAS, on October 14, 2002 five bids were received by the Office of the City Clerk of the City of Oakland for the Rehabilitation of Sanitary Sewers in the Easement Between Brentwood Road and Melvin Road (Project No. C199510); and

WHEREAS, Emergency Rooter was awarded the contract on December 17, 2002 and Emergency Rooter could not provide sufficient bonding as required by the contract, and

WHEREAS, K.J. Woods Construction is the second lowest responsible bidder and complies with SLBE requirements; and

WHEREAS, there are sufficient funds in Fund 3100, Project C199510, 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, 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 Rehabilitation of Sanitary Sewers in the Easement Between Brentwood Road and Melvin Road is hereby awarded to K.J. Woods Construction in accordance with the terms of its bid therefore, dated October 14, 2002, for the amount of Seventy-Four Thousand Ninety-Five Dollars (\$74,095); 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, \$37,047.50 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, \$74,095, 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 K.J. Woods Construction 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, if K.J. Woods Construction fails to enter into a contract with the City, the City Manager is hereby authorized to negotiate with the next lowest bidder, D'arcy & Harty/AJW Inc. for a contract not to exceed \$81,510 (the engineer's estimated value), 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 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.

IN COUNCIL, OAKLAND, CALIFORNIA, JUN 03 2003, 2003


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