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OFFICE OF THE CITY CLERK  
OAKLAND

2003 OCT 16 PM 4:02

**CITY OF OAKLAND  
COUNCIL AGENDA REPORT**

TO: Office of the City Manager  
ATTN: Deborah Edgerly  
FROM: Public Works Agency  
DATE: October 28, 2003

RE: **RESOLUTION AUTHORIZING THE REJECTION OF ALL BIDS ON THE LAUREL STREETScape IMPROVEMENT ON MACARTHUR BLVD. (BETWEEN 35<sup>TH</sup> AVE. AND HIGH ST.) (PROJECT NO. C194710), AND FORMALLY RE-BID THE PROJECT WITH RETURN TO COUNCIL FOR AWARD**

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**SUMMARY**

A resolution has been prepared authorizing the City Manager to reject all bids for the Laurel Streetscape Improvement on MacArthur Blvd. (Between 35<sup>th</sup> Ave. and High St.) (Project No. C194710), to allow staff to formally re-bid the project, and return to Council for award.

**FISCAL IMPACT**

The City's construction budget for the project is \$1,780,626, and the engineer's estimate is \$1,375,082 including 10% contingencies for this contract. The remaining construction budget of \$405,544 covers additional construction work to be done by the City staff.

**BACKGROUND**

The project location, MacArthur Blvd. between 35<sup>th</sup> Avenue and High Street with small businesses along both sides of the street, has high volume of both foot and vehicle traffic. The project seeks to integrate and enhance pedestrian and transportation facilities and to promote pedestrian safety. The project includes elements to calm traffic, create safer pedestrian crossings, improve bus stop areas, and enhance the walking and shopping environment in the area.

The project elements consist of widened (Bulb-out) and colored concrete sidewalk at intersections and bus stop areas, colored concrete crosswalks, landscaping, pedestrian level lights, gateways at the intersections

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of MacArthur Blvd./35<sup>th</sup> Avenue and MacArthur Blvd./High Street, street furniture, and new traffic signal at MacArthur Blvd./Loma Vista intersection.

This project only constructs the necessary underground work for the traffic signal poles and other related above-ground work to be installed in the near future by another contract and /or City Forces.

The project meets the Mayor/City Council Goals and Citywide Objectives #3 to Improve Oakland Neighborhoods by reducing blight and nuisance and #6 to **Maintain** and Enhance Oakland’s Physical Assets.

**KEY ISSUES AND IMPACTS**

Bidders	Amount	Percent of Estimate	Amount Difference
J.W. Riley & Son Inc.	\$1,698,000	1.3583	\$447,925
W.E. Lyons Construction, Inc.	\$2,059,326.65	1.6474	\$809,252
Golden Bay Construction, Inc.	\$1,888,693	1.5109	\$638,618
McGuire & Hester	\$1,885,928	1.5087	\$635,853
Pagni Construction, Inc.	No total*	--	--

**SUSTAINABLE OPPORTUNITIES**

Economic: This contract will generate jobs in the local economy. The improvement from the revitalization will cause a better environment for shoppers and residents.

Environmental: There will be utilization of recyclable materials within the concrete and asphalt concrete construction materials to the extent possible. Improvements to the aesthetics and pedestrian facilities will aid in making walking a more attractive mode of transportation, thereby encouraging reduction in automobile usage and reducing vehicle emissions and improving air quality.

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Social Equity: The construction of curb and gutter, sidewalk, and wheelchair ramps will benefit the immediate neighborhood.

**DISABILITY AND SENIOR CITIZEN ACCESS**

Seniors or people with disabilities will benefit from the improved access this project provides.

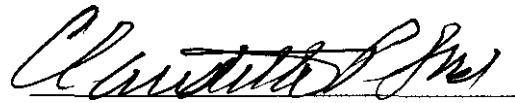
**RECOMMENDATION AND RATIONALE**

It is recommended that all the bids be rejected because the bids are too high and the available construction budget is insufficient to cover the apparent low bid, that the project be re-advertised and re-bid, and that staff return to the City Council for approval of the award.

**ACTION REQUESTED OF THE CITY COUNCIL**

Staff recommends that the City Council approve the resolution.

Respectfully submitted,

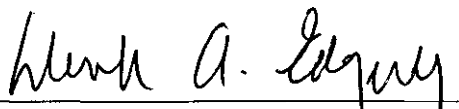


**CLAUDETTE R. FORD**  
Director, Public Works Agency

Reviewed by:  
Raul Godinez II, P.E.  
Assistant Director, Public Works Agency  
Design & Construction Services

Prepared by:  
Emad Mirsaeidi, P.E.  
Supervising Civil Engineer

APPROVED AND FORWARDED TO THE  
PUBLIC WORKS COMMITTEE:

  
**OFFICE OF THE CITY MANAGER**


# OAKLAND CITY COUNCIL

RESOLUTION No. \_\_\_\_\_ C. M. S.

OFFICE OF THE CITY CLERK

INTRODUCED-BY COUNCIL MEMBER \_\_\_\_\_

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**RESOLUTION AUTHORIZING THE REJECTION OF ALL BIDS ON THE LAUREL STREETSCAPE IMPROVEMENT ON MACARTHUR BLVD. (BETWEEN 35<sup>TH</sup> AVE. AND HIGH ST.) (PROJECT NO. C194710), AND FORMALLY RE-BID WITH RETURN TO COUNCIL FOR AWARD**

**WHEREAS**, on September 29, 2003, five bids were received and opened by the City Clerk for the Laurel Streetscape Improvement on MacArthur Blvd. (Between 35<sup>th</sup> Ave. and High St.), a community-requested project; and

**WHEREAS**, the apparent low bidder is J.W. Riley & Son, Inc., and his bid amount is \$1,698,000, which exceeds the engineer's estimate plus contingencies by over 35%; and

**WHEREAS**, Pagni Construction, Inc.'s bid was determined to be non-responsive due to clerical error—total bid amount was not provided; and

**WHEREAS**, all remaining bids exceed the engineer's estimate plus contingencies by over 35%; and

**WHEREAS**, the construction budget does not have sufficient funds to cover the apparent low bid, and all bids should be rejected and re-bid; now, therefore, be it

**RESOLVED:** That the City Manager is authorized to reject all bids and re-bid the project, and return to Council for award; and be it

**FURTHER RESOLVED:** That the plans and specifications prepared by the Director of Public Works for this project are hereby approved.

IN COUNCIL, OAKLAND, CALIFORNIA, \_\_\_\_\_, 2003

**PASSED BY THE FOLLOWING VOTE:**

AYES- BROOKS, BRUNNER, CHANG. NADEL, QUAN. REID, WAN and PRESIDENT DE LA FUENTE

NOES-

ABSENT-

ABSTENTION-

**9**  
**PUBLIC WORKS CMTE**  
**OCT 28 2003**

ATTEST: \_\_\_\_\_

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