

# CITY OF OAKLAND

## AGENDA REPORT

OFFICE OF THE CITY CLERK

2007 FEB 13 10:03

TO: Office of the City Administrator  
ATTN: Deborah Edgerly  
FROM: Public Works Agency  
DATE: February 13, 2007

RE: **Resolution Authorizing Award Of A Contract To Mocon Corporation For The Construction Of Sanitary Relief Sewers Along Wilson Avenue, School Street, Coolidge Avenue, Brookdale Avenue, Maple Avenue And MacArthur Boulevard (Project No. C80010) For The Amount Of Two Million Three Hundred Fifty-Two Thousand Seven Hundred Forty-Five Dollars (\$2,352,745.00)**

---

### SUMMARY

A resolution has been prepared authorizing the City Administrator to award a construction contract in the amount of \$2,352,745.00 to Mocon Corporation for the Construction of Sanitary Relief Sewers along Wilson Avenue, School Street, Coolidge Avenue, Brookdale Avenue, Maple Avenue and MacArthur Boulevard (Project No. C80010). The work to be completed under this project is part of the City's annual Sanitary Sewer Infiltration/Inflow (I/I) Correction Program and 49% will be performed by a Small Local Business Enterprise. The work is located in Council Districts 4 and 5 and as shown on the location map in *Attachment A*.

It is recommended that the resolution be approved.

### FISCAL IMPACT

There are sufficient funds in the project budget for the work. These funds are available in the Sewer Service Fund (3100); Capital Project-Sanitary Sewer Design Organization (92244); Sewers Account (57417); Project No. C80010.

### BACKGROUND

On October 23, 2006, the City Clerk received four bids for this project in the amounts of \$2,352,745.00, \$2,518,000.00, \$2,540,133.00 and \$2,625,250.00 as shown in *Attachment B*. The lowest bidder, Mocon Corporation, is deemed responsive and responsible, and therefore is recommended for the award.

This project will rehabilitate and upsize the sanitary sewer pipes within the project area, add additional flow capacity, and limit overflows and backups during wet weather. This project meets the Mayor/Council Goals and Citywide Objective to **Build Community and Foster Livable Neighborhoods** by providing for clean, well-maintained sanitary sewer systems.

Item: \_\_\_\_\_  
Public Works Committee  
February 13, 2007

In general, the proposed work consists of constructing approximately 1,411 linear feet of 18-inch sanitary sewer pipes; replacing approximately 3,322 linear feet of existing sanitary sewers with 12-inch, 18-inch, and 21-inch diameter sewer pipes; installing new manholes and cleanouts; rehabilitating sewer structures; reconnecting house connection sewers; rehabilitating or replacing house connection sewers; and other related works as indicated on the plans and specifications.

Under the proposed contract with Mocon Corporation, LBE/SLBE participation of \$1,142,845.00 (49%) exceeds the City's 20% LBE/SLBE requirement. The contractor shows \$30,000.00 (100%) for trucking exceeding the 20% Local Trucking requirement. The contractor received 4% credit for LBE/SLBE preference, or \$94,110, that made the adjusted bid amount \$2,258,635.00. The contractor is required to have 50% of the work hours performed by Oakland residents, and 50% of all new hires are to be Oakland residents. The LBE/SLBE information has been verified by the Contract Compliance Division of the City Administrator's Office and is shown in *Attachment B*.

### **KEY ISSUES AND IMPACTS**

Construction is scheduled to begin in March 2007 and should be completed by October 2007. The contract specifies \$1,800.00 in liquidated damages per calendar day if the contract is not completed within 120 working days. The project schedule is shown in *Attachment C*.

### **SUSTAINABLE OPPORTUNITIES**

Economic: The contractor is required to have 50% of the work hours performed by Oakland residents, and 50% of all new hires are to be Oakland residents.

Environmental: The City's I/I Correction Program reduces the incidence of sewer overflows and thus prevents potential harm to water resources and the bay. The contractor will be required to make every effort to reuse clean fill materials and use recyclable concrete and asphalt products. Best Management Practices for the protection of storm water runoff during construction will be required.

Social Equity: This project is part of the citywide program to eliminate wastewater overflows thereby benefiting all Oakland residents.

### **DISABILITY AND SENIOR CITIZEN ACCESS**

There is no direct impact or benefit to seniors or people with disabilities.

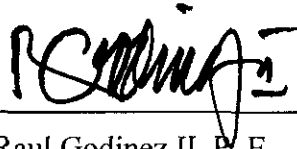
**RECOMMENDATION AND RATIONALE**

It is recommended that the construction contract be awarded to Mocon Corporation, the lowest responsible bidder, in the amount of \$2,352,745.00 for the Construction of Sanitary Relief Sewers along Wilson Avenue, School Street, Coolidge Avenue, Brookdale Avenue, Maple Avenue and MacArthur Boulevard (Project No. C80010). Mocon Corporation has met the LBE/SLBE requirements, and there are sufficient funds in the project account.

**ACTION REQUESTED OF THE CITY COUNCIL**

Staff recommends that the City Council approve the resolution.

Respectfully submitted,

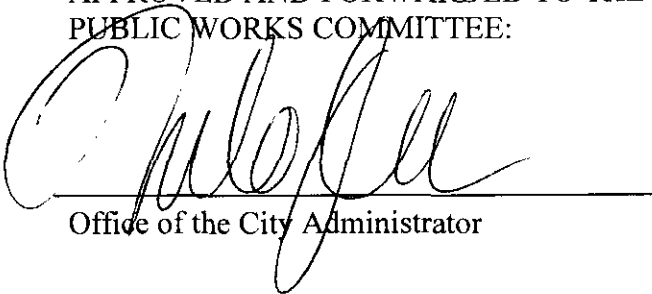


Raul Godinez II, P. E.  
Director, Public Works Agency

Reviewed by:  
Michael Neary, P.E.  
Assistant Director, Public Works Agency  
Design & Construction Services Department

Prepared by:  
Yader Bermudez, P.E.  
Principal Civil Engineer  
Engineering Design Division

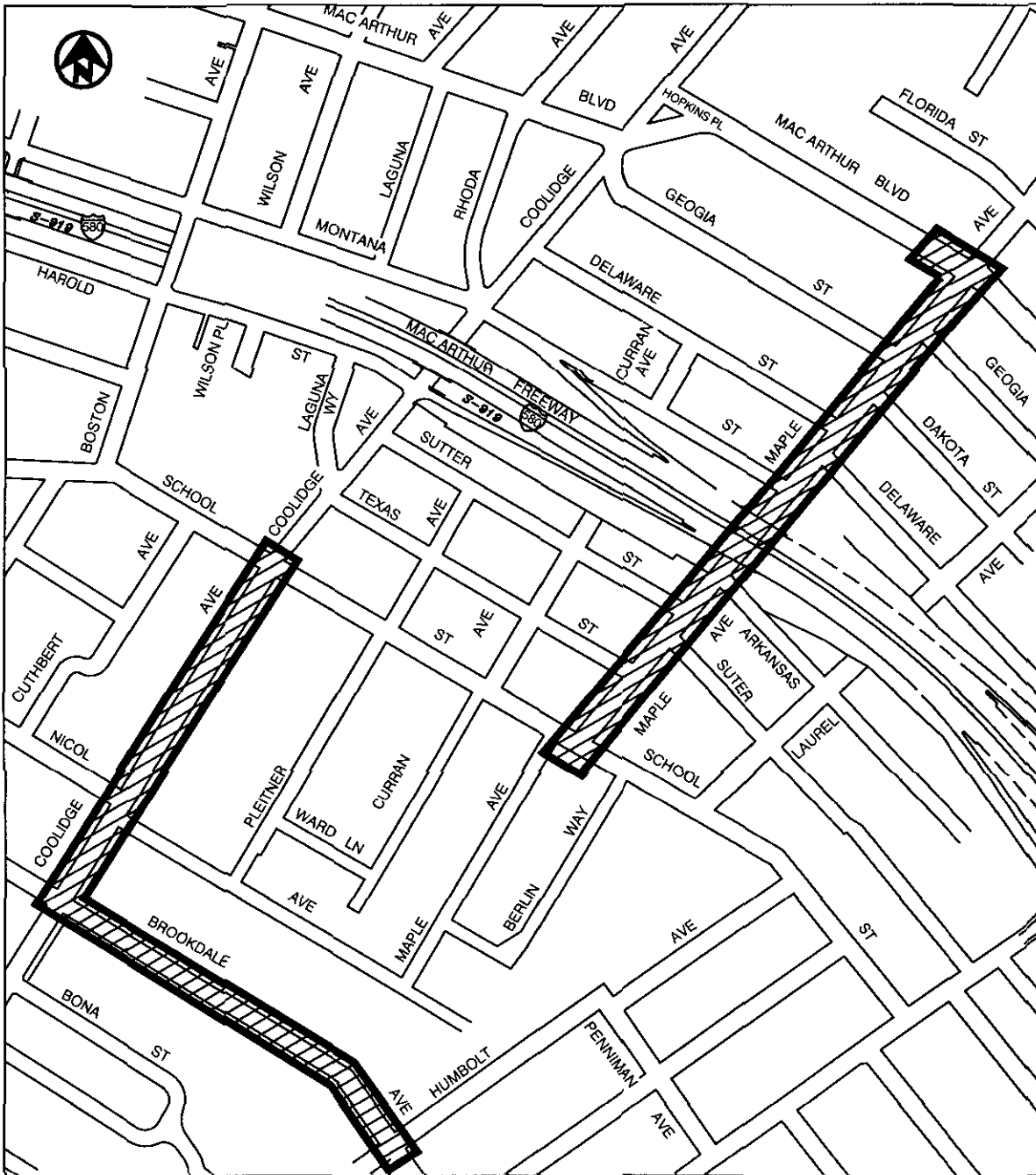
APPROVED AND FORWARDED TO THE  
PUBLIC WORKS COMMITTEE:

  
Office of the City Administrator

*Attachment A*


# THE CONSTRUCTION OF SANITARY RELIEF SEWERS ALONG SCHOOL STREET, COOLIDGE AVENUE, BROOKDALE AVENUE, MAPLE AVENUE, AND MAC ARTHUR BOULEVARD

CITY PROJECT NO. C80010



LOCATION MAP

NOT TO SCALE

LIMIT OF WORK 

*Attachment B*

# Memo

## Office of the City Administrator

Contract Compliance & Employment Services Division

To: Gwen McCormick, PWA  
From: Shelley Darensburg, Contract Compliance Officer, CC&ES Division  
Through: Deborah Barnes, CC&ES Manager *Deborah Barnes*  
CC: Kathy Tran  
Date: December 1, 2006  
Re: **Compliance Analysis:**  
**The Construction of Sanitary Sewers Along Wilson Ave., School St., Coolidge Ave., Brookdale Ave., & Maple Ave., & MacArthur Blvd. Project No. C80010**

Contract Compliance & Employment Services reviewed the two (4) bids received in response to the above referenced project. Below is the outcome of our compliance evaluation for the twenty percent (20%) minimum Local and Small Local Business Enterprise (L/SLBE) Program participation requirement and a preliminary review for compliance with the Equal Benefits Ordinance (EBO).

The L/SLBE findings are as follows:

Company Name	Bid Amount	Discounted Bid Amount	Proposed Participation					Banked Credits	EBO Compliant Y/N
			Total L/SLBE	LBE	SLBE	Local Trucking	Total Credited		
Mocon Corporation	\$2,352,745	\$2,258,635	49%	0%	49%	100%	49%	0	Y
K. J. Woods	\$2,518,000	\$2,518,000	7%	2%	5%	100%	0%	0	Y
Mountain Cascade	\$2,540,133	\$2,540,133	9%	0%	9%	100%	0%	0	N
Darcy & Harty	\$2,625,250	\$2,572,745	20%	3%	17%	100%	20%	0	Y

As noted above, Mocon Corporation, lowest bidder and Darcy & Harty, fourth lowest bidder met or exceeded the L/SLBE participation requirement. K.J. Woods, second lowest bidder and Mountain Cascade, third lowest bidder did not achieve the minimum 20% L/SLBE Harding Construction participation and therefore both firms are non-responsive as it relates to the L/SLBE Program. All of the firms are EBO compliant except Mountain Cascade.

If you have questions or need additional information, please contact Shelley Darensburg, Contract Compliance Officer, at 238-7325.

**CONTRACT COMPLIANCE & EMPLOYMENT SERVICES**  
**PROJECT EVALUATION FORM**

PROJECT NO. C80010

PROJECT NAME: The Construction of Sanitary Relief Sewers Along Wilson Ave., School St., Coolidge Ave., Brookdale Ave., Maple Ave., & MacArthur Blvd.

**CONTRACTOR:** **Mocon Corporation**

<b><u>Engineer's Estimate:</u></b>	<b><u>Contractors' Bid Amount</u></b>	<b><u>Over/Under Engineer's Estimate</u></b>
\$1,972,985	\$2,352,745	(\$379,760.00)

<b><u>Discounted Bid Amount:</u></b>	<b><u>Amt. of Bid Discount</u></b>	<b><u>Discount Points:</u></b>
\$2,258,635	\$94,110	4%

1. Did the 20% requirements apply? **YES**

2. Did the contractor meet the 20% requirement **YES**

a) % of LBE participation **0%**

b) % of SLBE participation **49%**

3. Did the contractor meet the Trucking requirement? **Yes**

a) Total trucking participation **100%**

4. Did the contractor receive bid discounts? **YES**

(If yes, list the percentage received) **4%**

5. Additional Comments.

6. Date evaluation completed and returned to Contract Admin./Initiating Dept.

12/1/2006

\_\_\_\_\_  
Date

**Reviewing Officer:**

Shelley Dawicki

**Date:** 12/1/06

**Approved By**

Deborah Berner

**Date:** 12/1/06



## LBE/SLBE Participation Bidder 1

**Project Name:** The Construction of Sanitary Relief Sewers Along Wilson Avenue, School Street, Coolidge Avenue, Brookdale Avenue, Maple Avenue and Mac Arthur Blvd.

Project No.: C80010		Engineers Est: \$1,972,985				Under/Over Engineers Estimate: -379,760.00						
Discipline	Prime & Subs	Location	Cert. Status	LBE	SLBE	Total LBE/SLBE	L/SLBE Trucking	Total Trucking	TOTAL Dollars	For Tracking Only		
										Ethn.	MBE	WBE
PRIME	Macon Corporation	Indio, CA	UB						1,199,900	C		
Trucking	Foston Trucking	Oakland	CB		30,000	30,000	30,000	30,000	30,000	AA	30,000	
Sawcutting	Bayline Construction	Oakland	UB						10,000	H	10,000	
Excavation	Andes Construction	Concord	CB		1,112,845	1,112,845			1,112,845	H	1,112,845	
<b>Project Totals</b>				\$0	\$1,142,845	\$1,142,845	\$30,000	\$30,000	\$2,352,745		\$1,152,845	\$0.00
				0%	49%	49%	100%	100%	100%		49%	
<b>Requirements:</b> The 20% requirements is a combination of 10% LBE and 10% SLBE participation. An SLBE firm can be counted 100% towards achieving 20% requirements.				LBE 10%	SLBE 10%	TRUCKING 20%	LBE/SLBE 20%			<b>Ethnicity</b> AA = African American A = Asian C = Caucasian H = Hispanic NA = Native American O = Other NL = Not Listed		
<b>Legend</b>				LBE = Local Business Enterprise      UB = Uncertified Business SLBE = Small Local Business Enterprise      CB = Certified Business Total LBE/SLBE = All Certified Local and Small Local Businesses      MBE = Minority Business Enterprise NPLBE = NonProfit Local Business Enterprise      WBE = Women Business Enterprise NPSLBE = NonProfit Small Local Business Enterprise								

**CONTRACT COMPLIANCE & EMPLOYMENT SERVICES**  
**PROJECT EVALUATION FORM**

PROJECT NO. C80010

PROJECT NAME: The Construction of Sanitary Relief Sewers Along Wilson Ave., School St., Coolidge Ave., Brookdale Ave., Maple Ave., & MacArthur Blvd.

**CONTRACTOR:** K. J. Woods

<b><u>Engineer's Estimate:</u></b>	<b><u>Contractors' Bid Amount</u></b>	<b><u>Over/Under Engineer's Estimate</u></b>
\$1,972,985	\$2,518,000	(\$545,015.00)

<b><u>Discounted Bid Amount:</u></b>	<b><u>Amt. of Bid Discount</u></b>	<b><u>Discount Points:</u></b>
\$2,518,000	\$0	0%

1. Did the 20% requirements apply? **YES**

2. Did the contractor meet the 20% requirement **No**

a) % of LBE participation **2%**

b) % of SLBE participation **5%**

3. Did the contractor meet the Trucking requirement? **Yes**

a) Total trucking participation **100%**

4. Did the contractor receive bid discounts? **No**

(If yes, list the percentage received) **0%**

5. Additional Comments.

**Contractor did not achieve the minimum 20% L/SLBE Participation requirement. Therefore they are non-responsive as it relates to the L/SLBE Program.**

6. Date evaluation completed and returned to Contract Admin./Initiating Dept.

12/1/2006

\_\_\_\_\_  
Date

**Reviewing Officer:**

Shelley Karsenburg

**Date:** 12/1/06

**Approved By**

Deborah Barnes

**Date:** 12/1/06

## LBE/SLBE Participation Bidder 2

Project Name: The Construction of Sanitary Relief Sewers Along Wilson Avenue, School Street, Coolidge Avenue, Brookdale Avenue, Maple Avenue and Mac Arthur Blvd.

Project No.: C80010		Engineers Est: \$1,972,985				Under/Over Engineers Estimate: -545,015.00						
Discipline	Prime & Subs	Location	Cert. Status	LBE	SLBE	Total LBE/SLBE	L/SLBE Trucking	Total Trucking	TOTAL Dollars	For Tracking Only		
										Ethn.	MBE	WBE
Prime	K. J. Woods	SF	UB						1,718,000	C		
Micro tunnel	Nada Pacific	Carruthers, CA	UB						619,000	C		
Pipe	Mission Clay	Oakland	CB	56,000		56,000			56,000	C		
Trucking	Williams Trucking	Oakland	CB		120,000	120,000	120,000	120,000	120,000	AA	120,000	
Sawing	Owens Concrete Sawing	Oakland	CB		5,000	5,000			5,000	C		5,000
<b>Project Totals</b>				\$56,000	\$125,000	\$181,000	\$120,000	\$120,000	\$2,518,000		\$120,000	\$5,000
				2%	5%	7%	100%	100%	100%		5%	0%
<b>Requirements:</b> The 20% requirements is a combination of 10% LBE and 10% SLBE participation. An SLBE firm can be counted 100% towards achieving 20% requirements.				<b>LBE 10%</b>	<b>SLBE 10%</b>	<b>TRUCKING 20%</b>	<b>LBE/SLBE 20%</b>			<b>Ethnicity</b> AA = African American A = Asian C = Caucasian H = Hispanic NA = Native American O = Other NL = Not Listed		
<b>Legend</b>				LBE = Local Business Enterprise			UB = Uncertified Business					
				SLBE = Small Local Business Enterprise			CB = Certified Business					
				Total LBE/SLBE = All Certified Local and Small Local Businesses			MBE = Minority Business Enterprise					
				NPLBE = NonProfit Local Business Enterprise			WBE = Women Business Enterprise					
				NPSLBE = NonProfit Small Local Business Enterprise								

**CONTRACT COMPLIANCE & EMPLOYMENT SERVICES**  
**PROJECT EVALUATION FORM**

PROJECT NO. C80010

PROJECT NAME: The Construction of Sanitary Relief Sewers Along Wilson Ave., School St., Coolidge Ave., Brookdale Ave., Maple Ave., & MacArthur Blvd.

**CONTRACTOR:** Mountain Cascade

<u>Engineer's Estimate:</u>	<u>Contractors' Bid Amount</u>	<u>Over/Under Engineer's Estimate</u>
\$1,972,985	\$2,540,133	(\$567,148.00)

<u>Discounted Bid Amount:</u>	<u>Amt. of Bid Discount</u>	<u>Discount Points:</u>
\$2,540,133	\$0	0%

1. Did the 20% requirements apply? YES

2. Did the contractor meet the 20% requirement No

a) % of LBE participation 0%

b) % of SLBE participation 9%

3. Did the contractor meet the Trucking requirement? Yes

a) Total trucking participation 100%

4. Did the contractor receive bid discounts? No

(If yes, list the percentage received) 0%

5. Additional Comments.

**Contractor did not achieve the minimum 20% L/SLBE Participation requirement. Therefore they are non-responsive as it relates to the L/SLBE Program.**

6. Date evaluation completed and returned to Contract Admin./Initiating Dept.

12/1/2006

\_\_\_\_\_  
Date

Reviewing Officer:

Shelley Sorenson

Date: 12/1/06

Approved By

Deborah Barnes

Date: 12/1/06

## LBE/SLBE Participation Bidder 3

**Project Name:** The Construction of Sanitary Relief Sewers Along Wilson Avenue, School Street, Coolidge Avenue, Brookdale Avenue, Maple Avenue and Mac Arthur Blvd.

Project No.: C80010		Engineers Est: \$1,972,985			Under/Over Engineers Estimate: -567,148.00								
Discipline	Prime & Subs	Location	Cert. Status	LBE	SLBE	Total LBE/SLBE	L/SLBE Trucking	Total Trucking	TOTAL Dollars	For Tracking Only			
										Ethn.	MBE	WBE	
Prime	Mountain Cascade Inc.	Livermore	UB						2,006,450	C			
Saw cutting	Bay Line	Oakland	UB						21,275	H	21,275		
Trucking	CJC Trucking	Oakland	CB		232,408	232,408	232,408	232,408	232,408	AA	232,408		
Pipe	All Bay Plumbing	Oakland	UB						280,000	C			
Trucking	Arroyo Trucking	Livermore	UB							C		5,000	
<b>Project Totals</b>				\$0	\$232,408	\$232,408	\$232,408	\$232,408	\$2,540,133		\$253,683	\$5,000	
				0%	9%	9%	100%	100%	100%		10%	0%	
<b>Requirements:</b> The 20% requirements is a combination of 10% LBE and 10% SLBE participation. An SLBE firm can be counted 100% towards achieving 20% requirements.				LBE 10%	SLBE 10%	TRUCKING 20%	LBE/SLBE 20%		<b>Ethnicity</b> AA = African American A = Asian C = Caucasian H = Hispanic NA = Native American O = Other NL = Not Listed				
<b>Legend</b>				LBE = Local Business Enterprise		SLBE = Small Local Business Enterprise		Total LBE/SLBE = All Certified Local and Small Local Businesses		NPLBE = NonProfit Local Business Enterprise		NPSLBE = NonProfit Small Local Business Enterprise	
				UB = Uncertified Business		CB = Certified Business		MBE = Minority Business Enterprise		WBE = Women Business Enterprise			

**CONTRACT COMPLIANCE & EMPLOYMENT SERVICES**  
**PROJECT EVALUATION FORM**

PROJECT NO. C80010

PROJECT NAME: The Construction of Sanitary Relief Sewers Along Wilson Ave., School St., Coolidge Ave., Brookdale Ave., Maple Ave., & MacArthur Blvd.

**CONTRACTOR:** Darcy & Harty

<u>Engineer's Estimate:</u> \$1,972,985	<u>Contractors' Bid Amount</u> \$2,625,250	<u>Over/Under Engineer's Estimate</u> (\$652,265.00)
<u>Discounted Bid Amount:</u> \$2,572,745	<u>Amt. of Bid Discount</u> \$52,505	<u>Discount Points:</u> 2%

1. Did the 20% requirements apply? YES

2. Did the contractor meet the 20% requirement No

a) % of LBE participation 3%

b) % of SLBE participation 17%

3. Did the contractor meet the Trucking requirement? Yes

a) Total trucking participation 100%

4. Did the contractor receive bid discounts? Yes

(If yes, list the percentage received) 2%

5. Additional Comments.

**Contractor did not achieve the minimum 20% L/SLBE Participation requirement. Therefore they are non-responsive as it relates to the L/SLBE Program.**

6. Date evaluation completed and returned to Contract Admin./Initiating Dept.

12/1/2006

\_\_\_\_\_  
Date

Reviewing  
Officer:

Shelley Darenaburg

Date: 12/1/06

Approved By

Detrol Barnes

Date: 12/1/06

## LBE/SLBE Participation Bidder 4

**Project Name:** The Construction of Sanitary Relief Sewers Along Wilson Avenue, School Street, Coolidge Avenue, Brookdale Avenue, Maple Avenue and Mac Arthur Blvd.

Project No.: C80010		Engineers Est: \$1,972,985				Under/Over Engineers Estimate: -652,285.00						
Discipline	Prime & Subs	Location	Cert. Status	LBE	SLBE	Total LBE/SLBE	L/SLBE Trucking	Total Trucking	TOTAL Dollars	For Tracking Only		
										Ethn.	MBE	WBE
Prime	D'arcy & Harty	SF	UB						1,457,250	C		
Saw cutting	Owens Concrete Saw	Oakland	CB		17,000	17,000			17,000	C		17,000
Trucking	Williams Trucking	Oakland	CB		25,000	25,000	25,000	25,000	25,000	AA	25,000	
Pipe	Mission Caly	Oakland	CB	60,000		60,000			60,000	C		
Restoration	AJW Construction	Oakland	CB		190,000	190,000			190,000	H	190,000	
Pipe Supplies	General Supply	Oakland	CB		195,000	195,000			195,000	AA	195,000	
Concrete Supplies	Right-Away Redi Mix	Oakland	CB	11,000		11,000			11,000	C		
Micro Tunnel	Nada pacific	Caruthers, CA	UB						640,000	NL		
Trucking	CJC Trucking	Oakland	CB		30,000	30,000	30,000	30,000	30,000	AA	30,000	
<b>Project Totals</b>				\$71,000	\$457,000	\$528,000	\$55,000	\$55,000	\$2,625,250		\$440,000	\$17,000
				3%	17%	20%	100%	100%	100%		17%	1%
<b>Requirements:</b> The 20% requirements is a combination of 10% LBE and 10% SLBE participation. An SLBE firm can be counted 100% towards achieving 20% requirements.				LBE 10%	SLBE 10%	TRUCKING 20%	LBE/SLBE 20%			<b>Ethnicity</b> AA = African American A = Asian C = Caucasian H = Hispanic NA = Native American O = Other NL = Not Listed		
<b>Legend</b>				LBE = Local Business Enterprise			UB = Uncertified Business					
				SLBE = Small Local Business Enterprise			CB = Certified Business					
				Total LBE/SLBE = All Certified Local and Small Local Businesses			MBE = Minority Business Enterprise					
				NPLBE = NonProfit Local Business Enterprise			WBE = Women Business Enterprise					
				NPSLBE = NonProfit Small Local Business Enterprise								

*Attachment C*

**Construction of Sanitary Relief Sewer along Wilson Avenue, School Street,  
Coolidge Avenue, Brookdale Avenue, Maple Avenue and MacArthur Boulevard  
(Relief Designation 80-5A, 5B)  
(Project No. C80010)**

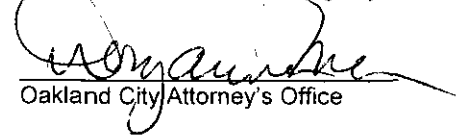
**List of Bidders**

<b>Company</b>	<b>Proposed Participation</b>	<b>Location</b>	<b>Bid Amount</b>
Mocon Corporation	SLBE	Indio	\$ 2,352,745.00
K. J. Woods Construction, Inc		San Francisco	\$ 2,518,000.00
Mountain Cascade, Inc.		Livermore	\$ 2,540,133.00
D’Arcy & Harty	SLBE	San Francisco	\$ 2,625,250.00

**Project Schedule**

ID	Task Name	Start	2005		2006				2007					
			Qtr 3	Qtr 4	Qtr 1	Qtr 2	Qtr 3	Qtr 4	Qtr 1	Qtr 2	Qtr 3	Qtr 4		
1	Project No. C80010	Mon 10/4/04	[Gantt bar spanning from Qtr 3 2005 to Qtr 4 2007]											
2	Pre-Design	Mon 10/4/04	[Gantt bar from Qtr 3 2005 to Qtr 4 2005]											
3	Design	Tue 1/4/05	[Gantt bar from Qtr 1 2005 to Qtr 4 2006]											
4	Bid/Award	Mon 10/23/06	[Gantt bar from Qtr 4 2006 to Qtr 1 2007]											
5	Construction	Tue 3/6/07	[Gantt bar from Qtr 2 2007 to Qtr 4 2007]											



  
Oakland City Attorney's Office

OFFICE OF THE CITY CLERK  
CITY OF OAKLAND

2007 FEB -1 AM 10:08

## OAKLAND CITY COUNCIL

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

---

**RESOLUTION AUTHORIZING AWARD OF A CONTRACT TO MOCON CORPORATION FOR THE CONSTRUCTION OF SANITARY RELIEF SEWERS ALONG WILSON AVENUE, SCHOOL STREET, COOLIDGE AVENUE, BROOKDALE AVENUE, MAPLE AVENUE AND MACARTHUR BOULEVARD (PROJECT NO. C80010) FOR THE AMOUNT OF TWO MILLION THREE HUNDRED FIFTY-TWO THOUSAND SEVEN HUNDRED FORTY-FIVE DOLLARS (\$2,352,745.00)**

**WHEREAS**, on October 23, 2006, four bids were received by the Office of the City Clerk of the City of Oakland for the Construction of Sanitary Relief Sewers along Wilson Avenue, School Street, Coolidge Avenue, Brookdale Avenue, Maple Avenue and MacArthur Boulevard (Project No. C80010); and

**WHEREAS**, Mocon Corporation, a certified SLBE bidding as a prime, is the lowest 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 Sewer Service Fund (3100); Capital Projects-Sanitary Sewer Design Organization (92244); Sewers Account (57417); The Construction of Sanitary Relief Sewers along Wilson Avenue, School Street, Coolidge Avenue, Brookdale Avenue, Maple Avenue and MacArthur Boulevard (Project No. C80010), and these funds were specifically allocated for this project; and

**WHEREAS**, the City lacks the equipment and qualified personnel to perform the necessary work; and

**WHEREAS**, Mocon Corporation complies with all LBE/SLBE requirements; and

**WHEREAS**, the City Council finds and determines that this construction contract is technical and temporary in nature and 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 Construction of Sanitary Relief Sewers along Wilson Avenue, School Street, Coolidge Avenue, Brookdale Avenue, Maple Avenue and MacArthur Boulevard (Project No. C80010) is hereby awarded to Mocon Construction in accordance with the terms of its bid therefore, dated October 23, 2006, for the amount of Two Million Three Hundred Fifty-Two Thousand Seven Hundred Forty-Five Dollars (\$2,352,745.00); 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, \$2,352,745.00, 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, \$2,352,745.00, with respect to such work are hereby approved; and, be it

**FURTHER RESOLVED:** That the City Administrator is hereby authorized to enter into a contract with Mocon Corporation 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 for form and legality prior to execution and placed on file in the Office of the City Clerk; and be it

**FURTHER RESOLVED:** That the City Clerk is hereby directed to post conspicuously forthwith notice of the above award on the official bulletin board in the Office of the City Clerk.

IN COUNCIL, OAKLAND, CALIFORNIA, \_\_\_\_\_, 2007

PASSED BY THE FOLLOWING VOTE:

AYES- BROOKS, BRUNNER, CHANG, KERNIGHAN, NADEL, QUAN, REID AND PRESIDENT DE LA FUENTE

NOES-

ABSENT-

ABSTENTION-

**ATTEST:**

\_\_\_\_\_  
LATONDA SIMMONS  
City Clerk and Clerk of the Council  
of the City of Oakland, California