

OAKLAND CITY COUNCIL

Regina Pross
City Attorney

RESOLUTION No. 82231 C.M.S.

Introduced by Councilmember _____

OFFICE OF THE CITY CLERK
OAKLAND

09 JUL -2 PM 7:10

RESOLUTION AWARDED A CONSTRUCTION CONTRACT TO RAY'S ELECTRIC FOR THE FRUITVALE ALIVE STREETSCAPE IMPROVEMENT PROJECT (PROJECT NO. G375710) ON FRUITVALE AVENUE FROM EAST 12TH STREET TO COLOMA STREET, IN ACCORD WITH PLANS AND SPECIFICATIONS FOR THE PROJECT AND CONTRACTOR'S BID IN THE AMOUNT OF TWO MILLION FIVE HUNDRED NINETY-EIGHT THOUSAND ONE HUNDRED THIRTY-THREE DOLLARS AND SEVENTY-FIVE CENTS (\$2,598,133.75)

WHEREAS, the City of Oakland was awarded a Transportation for Livable Communities (TLC) grant from the Metropolitan Transportation Commission (MTC); and

WHEREAS, the federal source of funds for the TLC program is the Congestion Management and Air Quality (CMAQ) Improvement Program; and

WHEREAS, the City conducted an advertised bid and on June 4, 2009, four bids were received by the Office of the City Clerk of the City of Oakland for Fruitvale Alive Streetscape Improvement Project (Project No. G375710); and

WHEREAS, Ray's Electric is the lowest responsible bidder for the project and has met the federal Race Conscious Underutilized Disadvantaged Business Enterprise (UDBE) requirements; and

WHEREAS, there are sufficient funds in the project budget for the work, with funding for this project available in following project accounts:

- Metropolitan Transportation Committee Grant Fund (2163); Street and Structures Organization (92242); Street Construction Account (57411); Project No. G375710; \$2,320,000.00.
- Measure B - ACTIA Fund (2211); Street and Structures Organization (92242); Street Construction Account (57411); Project No. G375720; \$200,000.00.
- Oakland Redevelopment Agency Projects Fund (7780); Street and Structures Organization (92242); Street Construction Account (57411); Project No. P233282; \$78,133.75; and

WHEREAS, the engineer's estimate for the work is \$2,689,043.00; and

WHEREAS, the City lacks the equipment and qualified personnel to perform the necessary repairs and the City Council finds and determines that the performance of this contract is in the public interest because of economy; 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 Fruitvale Alive Streetscape Improvement Project (G375710) is hereby awarded to Ray's Electric, in accordance with the Project plans and specifications and contractor's bid therefore, dated June 4, 2009, in the amount of two million five hundred ninety-eight thousand one hundred thirty-three dollars and seventy-five cents (\$2,598,133.75); 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, \$2,598,133.75, and the amount for a bond to guarantee payment of all claims for labor and materials furnished and for amount due under the Unemployment Insurance Act, \$2,598,133.75, with respect to such work are hereby approved; 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, JUL 21 2009, 20

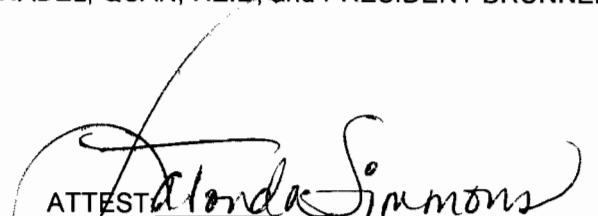
PASSED BY THE FOLLOWING VOTE:

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