

City Attorney

2012 SEP 13 PM 2:33  
**RESOLUTION NO. 84048 C.M.S.**

Introduced by Councilmember \_\_\_\_\_

**RESOLUTION AUTHORIZING THE CITY ADMINISTRATOR TO AWARD A CONSTRUCTION CONTRACT TO RAY'S ELECTRIC, THE LOWEST RESPONSIBLE AND RESPONSIVE BIDDER, FOR LEFT TURN PHASING (PROJECT NO. C316220) UNDER 2007-2009 HIGHWAY SAFETY IMPROVEMENT PROGRAM (HSIP) CYCLE 2 IN ACCORDANCE WITH PROJECT PLANS, SPECIFICATIONS, FEDERAL REQUIREMENTS, AND CONTRACTOR'S BID IN THE AMOUNT OF TWO HUNDRED THIRTY NINE THOUSAND AND TWENTY SEVEN DOLLARS (\$239,027.00).**

**WHEREAS**, on May 31, 2012, four (4) bids were received by the City of Oakland Office of the City Clerk from Steiny & Company, Inc., Ray's Electric, Phoenix Electric Co., and W. Bradley Inc. in the amounts of \$278,620.00, \$239,027.00, \$325,434.50 and \$303,810.00 respectively, in response to the Notice To Bidders for the construction of the Left Turn Phasing Project; and

**WHEREAS**, the City of Oakland was awarded with 2007-2009 Highway Safety Improvement Program (HSIP) Cycle 2 federal grant which is administered by State of California, Department of Transportation, and the funding for the grant was accepted and appropriated by City Council on July 7, 2009 per Resolution No. 82121 C.M.S.; and

**WHEREAS**, Ray's Electric submitted the lowest responsible and responsive bid, and the bid complies with the 2.06% Race Conscious Underutilized Disadvantaged Business Enterprise (UDBE) participation per Federal requirements; and

**WHEREAS**, there is sufficient fund in the project budget for the work. Funding for the construction contract work will be available in the following project accounts; and

- Federal HSIP Cycle 2 grant \$222,930.00. State of California, Department of Transportation, Project (C316220).
- City of Oakland local match \$134,789. Measure B Fund (2211), Traffic Signal Management (C427910), Capital Improvement Projects, Transportation Services Division, Organization (92246), Signal and Safety Account (57412);

**WHEREAS**, the engineer's estimate for the work is \$241,370.00; and

**WHEREAS**, the City Council finds that the City lacks the equipment and qualified personnel to perform the necessary work and that the performance of this contract is in the public interest because of economy or better performance; and

**WHEREAS**, the City Administrator has determined that the performance of this contact 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 Left Turn Phasing (Project No. 316220) under 2007-2009 HSIP Cycle 2 is hereby awarded to Ray's Electric in accordance with the project plans, specifications, Federal requirements and Contractor's Bid in the amount of Two Hundred Thirty Nine Thousand and Twenty Seven Dollars (\$239,027.00); and be it

**FURTHER RESOLVED**, That the plans and specifications prepared by the Assistant Director of the Public Works Agency for this project are hereby approved, as authorized by City Ordinance no.13039, are hereby approved ; and be it

**FURTHER RESOLVED**, That the contractor shall provide a faithful performance bond and payment bond to guarantee payment of all claims for labor and materials furnished and for the amount due under the Unemployment Insurance Act, for one hundred percent (100%) of the contract amount prior to execution of the contract; and be it

**FURTHER RESOLVED**, That the City Administrator, or her designee, is hereby authorized to enter into a contract with Ray's Electric 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 and place on file in the Office of the City Clerk.

OCT 02 2012

IN COUNCIL, OAKLAND, CALIFORNIA, \_\_\_\_\_, 2012

PASSED BY THE FOLLOWING VOTE:

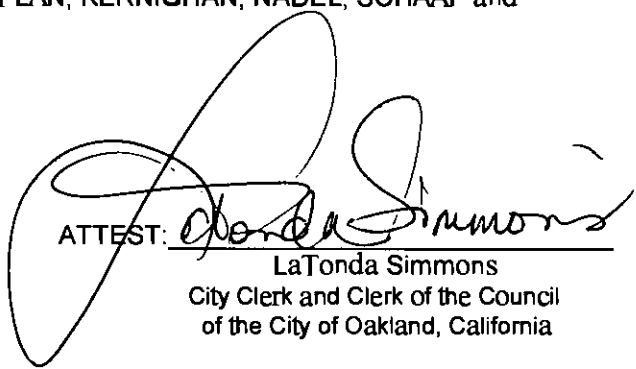
AYES - BROOKS, BRUNNER, DE LA FUENTE, KAPLAN, KERNIGHAN, NADEL, SCHAAF and  
PRESIDENT REID - 8

NOES - 0

ABSENT - 0

ABSTENTION - 0

ATTEST:

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