

# OAKLAND CITY COUNCIL

RESOLUTION No. 76078 C.M.S.

43 vote

INTRODUCED BY COUNCILMEMBER \_\_\_\_\_

---

---

**RESOLUTION APPROPRIATING \$100,000 OF MEASURE 'B' FUNDS,  
AND AUTHORIZING THE CITY MANAGER TO REJECT BIDS, REVISE  
SPECIFICATIONS AND REBID, AND NEGOTIATE IF NECESSARY AND  
AWARD A CONSTRUCTION CONTRACT IN AN AMOUNT NOT TO  
EXCEED \$510,000 FOR THE EMBARCADERO BAY BICYCLE TRAIL  
PROJECT**

WHEREAS, the Embarcadero Bay Bicycle Trail Project is a link in the San Francisco Bay Trail, a recreational bicycle and pedestrian trail that circles the San Francisco Bay; and

WHEREAS, the City has acquired grants to construct a segment of this trail from 2<sup>nd</sup> Street and Broadway, along the waterfront on Embarcadero, to the east end of the Park Street Bridge to the City of Alameda, approximately 3.2 miles in length; and

WHEREAS, construction documents to build this segment of the trail have been prepared and construction bids have been received; and

WHEREAS, the bids received were substantially higher than the Engineer's Estimate, and after review of the bids, it has been determined that additional funding will be needed; and

WHEREAS, it is necessary to expedite completion of this project to meet the project's grant funding target date of April 30, 2001; and

WHEREAS, City staff has determined that the project will have minimal impact on traffic operations and is exempt from CEQA pursuant to Section 15301(c) Class 1 categorical exemption (Existing Facilities) for minor alteration to an existing road or highway involving no expansion of use, and Section 15304(h), Class 4 categorical exemption (Minor Alteration to Land) to create bicycle lanes on existing rights-of-way; and

WHEREAS, the City Council finds and determines that the performance of the contract authorized hereunder is in the public interest because of economy; and

WHEREAS, the City Council finds and determines that the contracts authorized hereunder will 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 City Council hereby authorizes the City Manager to appropriate one hundred thousand dollars (\$100,000) in Measure 'B' funds (Fund Number 2210) to the Embarcadero Bay Bicycle Trail Project (Project H87720); and, be it

FURTHER RESOLVED: That the City Manager is hereby authorized to reject all bids, revise the specifications **and rebid**, and, if the bids are not within budget, to reject bids again and negotiate with the lowest responsible bidder and award a contract for the Embarcadero Bay Bicycle Trail Project in an amount not to exceed \$510,000; and be it

FURTHER RESOLVED: That copies of the contract shall be approved for form and legality by the City Attorney, and shall be kept on **file** in the Office the City Clerk.

255889

IN COUNCIL, OAKLAND, CALIFORNIA, OCT 17 2000, 2000

**PASSED BY THE FOLLOWING VOTE:**

AYES- BRUNNER, CHANG, MILEY, ~~NADAL~~, REID, SPEES, WAN, AND

~~PRESIDENT DE LA FUENTE~~ - 6

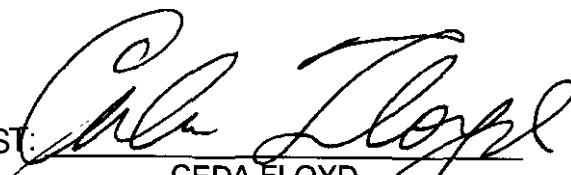
NOES- None

ABSENT- Nadal - 1

ABSTENTION- None

Excused - De La Fuente - 1

ATTEST:



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