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OAKLAND

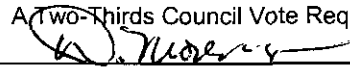
2005 JUN -2 PM 4:11

OAKLAND CITY COUNCIL

RESOLUTION No. 79299 C. M. S.

INTRODUCED BY COUNCILMEMBER _____

A Two-Thirds Council Vote Required



RESOLUTION REJECTING ALL BIDS, AUTHORIZING THE CITY ADMINISTRATOR TO NEGOTIATE OR RE-BID, AWARD AND EXECUTE A CONSTRUCTION CONTRACT, WITHOUT RETURN TO COUNCIL, FOR THE CONSTRUCTION OF PERALTA HACIENDA HISTORICAL PARK – PHASE IIIA LANDSCAPE IMPROVEMENT (PROJECT NO. C196710) NOT-TO -EXCEED THE AMOUNT OF NINE HUNDRED THOUSAND DOLLARS (\$900,000.00).

WHEREAS, on May 2, 2005, one bid was received by the Office of the City Clerk for the Peralta Hacienda Historical Park – Phase IIIA Landscape Improvement; and

WHEREAS, the sole bid received exceeded engineer's estimated cost and project budget; and

WHEREAS, there are sufficient funds of \$900,000.00 available in the project budget for the construction work; and

WHEREAS, funding for the contract and contingency are available in the Measure K-Series C (Project No. C196720, fund code 1.5006.92110.57112.C196720.IN06) and Measure K-Series D bond program (Project No. C196710, fund code 1.5014.92110.57112.C196710.IN06), Measure I (Project No. C85910, fund code 1.5010.92110.57112.C85910), and State of California Department of Recreation and Parks Proposition 12 – Roberti-Z'berg-Harris Urban Open Space and Recreation Program (Project No. G230710, fund code 1.2134.92110.57112.G230710.IN06); and

WHEREAS, the City lacks the equipment and personnel to perform the necessary work and services, and the City Council finds and determines that the performance of work and services is in the public interest because of economy; and

WHEREAS, the City Council finds that the services 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 Council rejects all bids submitted on May 2, 2005 for the Peralta Hacienda Historical Park – Phase IIIA Landscape Improvement as over the engineer's estimated cost and budget; and, be it

FURTHER RESOLVED: That the City Administrator, or her designee, is hereby authorized to negotiate or re-bid and award and execute a construction contract based on plans and

specifications for the Peralta Hacienda Historical Park – Phase IIIA Landscape Improvement in an amount not-to-exceed nine hundred thousand dollars (\$900,000.00), and to execute any amendments or modifications of said contract within the limitations of the project scope; and, be it

FURTHER RESOLVED: That the contractor shall be required to meet all City of Oakland contracting programs; and, be it

FURTHER RESOLVED: That the contractor shall provide faithful performance and payment bonds for one hundred percent (100%) of the contract amount prior to execution of the contract; and, be it

FURTHER RESOLVED: That the contract shall be reviewed and approved by the Office of the City Attorney and place on file with the Office of the City Clerk; and, be it

FURTHER RESOLVED: That the approval of this Resolution requires a two-thirds vote of the Council members.

JUN 21 2005

IN COUNCIL, OAKLAND, CALIFORNIA, _____, 2005

PASSED BY THE FOLLOWING VOTE:

AYES- BROOKS, BRUNNER, CHANG, KERNIGHAN, NADEL, QUAN, REID AND
PRESIDENT DE LA FUENTE - 8

NOES- 0

ABSENT- 0

ABSTENTION- 0

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