

CITY OF OAKLAND
AGENDA REPORT

FILED
OFFICE OF THE CITY CLERK
OAKLAND

2008 SEP -4 PM 2:05

TO: Office of the City Administrator
ATTN: Dan Lindheim
FROM: Community and Economic Development Agency
DATE: September 16, 2008

RE: Resolution Authorizing The City Administrator Or His Designee To (1) Waive Advertising And Authorize Direct Solicitation Of Competitive Bids For The Shepherd Canyon Park Parking Lot Project (B246741); And (2) Award A Construction Contract To The Lowest Responsive, Responsible Bidder For The Shepherd Canyon Park Parking Lot Project (B246741) In An Amount Not-To-Exceed \$110,000.00 Without Returning To Council

SUMMARY

A resolution has been prepared authorizing the City Administrator or his designee to (1) waive advertising and authorize direct solicitation of competitive bids for the Shepherd Canyon Park Parking Lot Project (B246741); and (2) award a construction contract to the lowest responsive, responsible bidder for the Shepherd Canyon Park Parking Lot Project (B246741) in an amount not-to-exceed \$110,000.00 without returning to Council.

This is a time sensitive project due to the upcoming rainy season. In order to complete the necessary grading before the rainy season, staff recommends waiving the advertising requirement and directly soliciting competitive bids to award this project. The project is anticipated to take 20 days to complete.

Funding for this project was recently complemented by community donations in the amount of \$41,732.00. This additional funding allows staff to proceed and requires an expedited schedule to complete the project before the rainy season deadline of October 15th for grading permits. Acceptance of the donations will be presented in a separate resolution submitted by Council Member Quan.

FISCAL IMPACTS

The Engineer's Estimate for construction work is \$110,000.00 and the estimated project cost is \$146,000.00.

Funding for this project includes a combination of Pay-Go funds and community donations as follows:

- \$104,268.00 in Pay-go from Council Members Jean Quan and Henry Chang
- \$ 30,000.00 donated by the Montclair Soccer Club
- \$ 6,732.00 donated by the Friends of Oakland Parks & Recreation

Item: _____
City Council
September 16, 2008

- \$ 5,000.00 donated by the Montclair Safety & Improvement Council

Funding for award of a construction contract has been allocated using District 4 and At-Large District Pay-Go funds from Measure B - ACTIA. There are sufficient funds for construction work in the following project account:

- Measure B - ACTIA (2211); Engineer Design: Streets & Structures Organization (92242); Street Construction Account (57411); Project B246741; Engineering Planning & Design (IN05); \$110,000.00.

BACKGROUND

Shepherd Canyon Park is located in District 4 along Shepherd Canyon Road and is actively used for soccer and lacrosse throughout the year. Currently, there is a small gravel parking lot that can accommodate approximately 10 vehicles. The organized soccer practices and games generate a need for increased parking due to their intensive use during the year, especially during the fall soccer season where up to 70 or more cars converge on Shepherd Canyon Road to bring children and families to soccer practice and games. With only the small parking lot, drivers tend to park along the side of the narrow, winding road. Parents and neighbors wish to significantly improve parking at this park.

In May 2003, a Shepherd Canyon Open Space Tasks Force was convened, in cooperation with the Shepherd Canyon Homeowners Association, and two community workshops were held in September and October of 2003, in which expansion of existing parking was identified as a critical and a necessary park improvement. Following this determination, City Engineering staff worked with the Shepherd Canyon Open Space Task Force to design additional off-street parking. The goal was to provide as much safe, off-street parking as possible, without compromising the nearby creek. Several trees in the area were removed by the Wildfire Prevention District in anticipation of this project. However, the project was put on hold because of insufficient funds. Recent donations from the community, as noted above, allows staff to proceed with construction of the project.

KEY ISSUES AND IMPACTS

Minimal Impact on Shepherd Creek:

In order to avoid contamination of the creek and to comply with the rustic nature of the park, crushed aggregate stabilized with geo-web (a plastic honeycomb stabilizing system) will be used for the parking lot surface, except for the two handicapped parking spaces, which will be on asphalt.

Item: _____
City Council
September 16, 2008

Waiving Advertising Requirement:

In order to complete construction before the October 15, 2008 rainy season moratorium of grading permits, City staff is recommending that the advertising requirement be waived and that direct solicitations for the contract be sent to properly licensed, qualified contractors.

In order to expedite the project schedule, notices inviting bids were mailed to contractors (including truckers) on August 18, 2008 and a Pre-Bid meeting was held on August 21, 2008. Bids submission date was Monday, August 25, 2008. Bid results and identity of the successful contractor should be available by the time this item is presented to Council.

The construction contract will be awarded following Council's approval of this resolution. The staff anticipates that construction will take 20 days.

PROJECT DESCRIPTION

The final design of the parking lot creates 29 parking spaces, including 2 handicapped parking spaces, in an area extending east from the current parking lot (Attachment A). A wooden fence and five (5) redwood trees will be installed to provide a visual barrier between the parking lot and Shepherd Canyon Road. Traffic would circulate around the parking lot, with only one access point for entry/exit.

Alternative parking arrangements during construction have been recommended and it is expected that drivers will continue to use the alternative site on Escher Road at the Escher entrance to the park.

SUSTAINABLE OPPORTUNITIES

Economic:

All public works contracts require prevailing rate of wages. Prevailing wages offer a livable wage rate for workers and contribute to an increased quality of life. For this contract, the successful bidder must comply with the City's Local Business Enterprise/Small Local Business Enterprise (LBE/SLBE) and local trucking requirements.

Environmental:

The crushed aggregate surface will enhance drainage and help filter runoff into the creek.

Social Equity:

The parking lot will be accessible to all users of the park.

DISABILITY AND SENIOR CITIZEN ACCESS

Two (2) handicapped parking spaces will be installed as required in new parking lot.

Item: _____
City Council
September 16, 2008

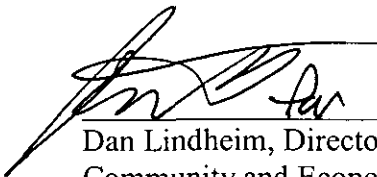
RECOMMENDATION AND RATIONALE

Staff recommends that the City Council approve the resolution authorizing the City Administrator or his designee to (1) waive advertising and authorize direct solicitation of competitive bids for the Shepherd Canyon Park Parking Lot Project (B246741); and (2) award a construction contract to the lowest responsive, responsible bidder for the Shepherd Canyon Park Parking Lot Project (B246741) in an amount not-to-exceed \$110,000.00 without returning to Council.

ACTION REQUESTED OF THE CITY COUNCIL

Staff recommends that the City Council approve the resolution.

Respectfully submitted,



Dan Lindheim, Director
Community and Economic Development Agency

Reviewed by:
Michael Neary, P.E., Deputy Director
Community and Economic Development Agency
Department of Engineering & Construction

Prepared by:
Gus Amirzehni, P.E.,
Principal Civil Engineer
Engineering Design and Right-of-Way Division

APPROVED AND FORWARDED TO
THE CITY COUNCIL:

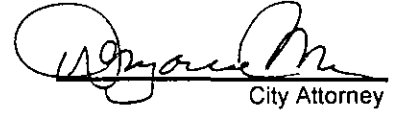

Office of the City Administrator

Item: _____
City Council
September 16, 2008

FILED
OFFICE OF THE CITY CLERK
OAKLAND
2008 SEP -4 PM 2:04

Approved as to Form and Legality

OAKLAND CITY COUNCIL


City Attorney

RESOLUTION NO. _____ C.M.S.

RESOLUTION AUTHORIZING THE CITY ADMINISTRATOR OR HIS DESIGNEE TO (1) WAIVE ADVERTISING AND AUTHORIZE DIRECT SOLICITATION OF COMPETITIVE BIDS FOR THE SHEPHERD CANYON PARK PARKING LOT PROJECT (B246741); AND (2) AWARD A CONSTRUCTION CONTRACT TO THE LOWEST RESPONSIVE, RESPONSIBLE BIDDER FOR THE SHEPHERD CANYON PARK PARKING LOT PROJECT (B246741) IN AN AMOUNT NOT-TO-EXCEED \$110,000.00 WITHOUT RETURNING TO COUNCIL

WHEREAS, the City of Oakland is committed to the health and public safety of its residents; and

WHEREAS, use of Shepherd Canyon Park as a soccer and lacrosse field encourages Oakland's children and teens to develop life-long habits of exercise and sportsmanship; and

WHEREAS, during the fall soccer season, between August and November, the Shepherd Canyon Park field is used for practice daily between 4 and 6 pm, and for games on Saturday and Sunday from 8 am until 3 pm; and

WHEREAS, the organized soccer practices and games generate a need for increased parking due to their intensive use during the year, especially during the fall soccer season where up to 70 or more cars at a time converge on narrow Shepherd Canyon Road to bring children and families to practices and games; and

WHEREAS, the expansion of parking was a top priority established by a community planning process for Shepherd Canyon Park in 2003 and the City wishes to construct improvements to the Shepherd Canyon Parking Lot ("Project"); and

WHEREAS, approval to forego the advertising requirement will shorten the contracting process by 15 to 30 days, thereby maximizing the City's ability to complete all Project grading prior to the "wet (rainy) season" moratorium (O.M.C. 15.04.66), which restricts grading work between October 15 to April 15; and

WHEREAS, the City lacks the equipment and qualified personnel to perform the necessary repairs and the contract to be authorized hereunder is in the public interest because of economy or better performance, and the services to be provided under the contract are of a technical nature and shall not result in the loss of employment or salary by any person having permanent status in the competitive service; and

WHEREAS, the engineer's estimate for the work is \$110,000.00 and the full cost of the Project, including construction, administration of the contract and contingencies, is \$146,000.00; and

WHEREAS, Councilmembers Jean Quan and Henry Chang have contributed Pay-Go funds to the project totaling \$104,268.00; and

WHEREAS, donations have been pledged to the Project from Monclair Soccer Club - \$30,000.00, Friends of Oakland Park & Recreation - \$6,732.00, and from Montclair Safety & Improvement

Council - \$5,000.00, totaling \$41,732.00 and a separate resolution accepting and appropriating these donations to the project will be presented to the Council; and

WHEREAS, funding for award of a construction contract has been allocated using District 4 Pay-Go funds from Measure B - ACTIA; with sufficient funds available for construction work in the following project account:

- Measure B - ACTIA (2211); Engineer Design: Streets & Structures Organization (92242); Street Construction Account (57411); Project B246741; Engineering Planning & Design (IN05); \$110,000.00; now, therefore, be it

RESOLVED: That pursuant to the Oakland Municipal Code Section 2.04.050.I.5, the City Council finds that it is in the best interests of the City to waive advertising to complete all project grading work prior to October 15, the onset of the rainy season, and so waives the requirement; and be it

FURTHER RESOLVED: That the City Administrator or designee is authorized to directly solicit competitive bids from contractors and award a construction contract for the Shepherd Canyon Park Parking Lot Project (B246741) to the lowest responsive, responsible bidder in accord with said plans and specifications and contractor's bid for the work in an amount not-to-exceed one hundred ten thousand dollars (\$110,000.00) without returning to Council; and be it

FURTHER RESOLVED: That the successful bidder shall be required to meet all City purchasing requirements including but not limited to Local Business Enterprise/Small Local Business Enterprise (LBE/SLBE) and local trucking requirements; and be it

FURTHER RESOLVED: That the plans and specifications prepared by the City for this project are hereby approved and the contractor shall provide proper performance and payment bonds for one hundred percent of the contract price; and be it

FURTHER RESOLVED: That the City Administrator is hereby authorized to execute any change orders, amendments, extensions or modifications of said agreement, within the limitations of the project specifications; and be it

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

IN COUNCIL, OAKLAND, CALIFORNIA, _____, 20_____

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