

OFFICE OF THE CITY CLERK
OAKLAND CITY COUNCIL

RESOLUTION NO. 78510 2004 APR 15 PM 1:29

INTRODUCED BY COUNCILMEMBER _____

Requires two-thirds vote of the Council

RESOLUTION AUTHORIZING AWARD OF A CONSTRUCTION CONTRACT TO THE RESPONSIBLE LOW BIDDER, RAY'S ELECTRIC, IN AN AMOUNT OF ONE MILLION FIVE HUNDRED TWO THOUSAND EIGHT HUNDRED EIGHTY-FOUR DOLLARS AND TWENTY FIVE CENTS (\$1,502,884.25) FOR LAUREL STREETSCAPE IMPROVEMENT ON MACARTHUR BLVD. (BETWEEN 35TH AVE. AND HIGH ST.)

WHEREAS, the Laurel Streetscape Improvement on MacArthur Blvd. (Between 35th Ave. and High St.) is a community-requested project which is consistent with the City Council Budget Priorities to **Maintain and Enhance Oakland's Physical Assets** by improving the physical appearance, livability and integrity of this neighborhood, and supports the City Council Budget Priority to **Improve Oakland's Neighborhood** by improving pedestrian and public access areas, and the general aesthetics of the neighborhood commercial district; and

WHEREAS, the Laurel Streetscape Improvement on MacArthur Blvd. (Between 35th Ave. and High St.) consists of widened (bulb-out) and colored concrete sidewalk at intersections and bus stop areas, colored concrete crosswalks, landscaping, pedestrian level lights, gateways at the intersections of MacArthur Blvd./35th Avenue and MacArthur Blvd./High Street, street furniture, and new traffic signal at MacArthur Blvd./Loma Vista intersection. These elements provide sustainable opportunities to the local economy, environment and social equity for the Laurel District neighborhood. The project also meets the federal Americans with Disabilities Act requirements; and

WHEREAS, on February 6, 2004, Notices to Bidders were sent to 385 contractors, which consist of the License "A" contractors, and Outreach and Builder Exchange in the City's database. On February 9 and 16, 2004, the project was advertised in the Oakland Tribune to solicit bids; and

WHEREAS, on March 15, 2004, the City Clerk received three bids and determined that Ray's Electric's Disadvantage Enterprise Business participation exceeds the zero percent requirement for the project. A zero DBE goal was set for this project because the City has reached its required annual DBE goal for the City-wide DBE program. Ray's is the responsible low bidder with the amount of \$1,502,884.25; and

WHEREAS, there are sufficient funds available to cover the construction contract including 10% contingency and construction management costs for the project; and

WHEREAS, the City lacks the equipment and qualified personnel to perform the necessary work; and

WHEREAS, 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 that services under this contract will be temporary; 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 City Manager is authorized to award a contract for the Laurel Streetscape Improvement on MacArthur Blvd. (Between 35th Ave. and High St.) to the responsible low bidder, in accordance with the terms of its bid therefore, for an amount of One Million Five Hundred Two Thousand Eight Hundred Eighty-Four Dollars and Twenty Five Cents (\$1,502,884.25); and be it

FURTHER RESOLVED: That the plans and specifications prepared by the Director of Public Works for this project are hereby approved; and be it

FURTHER RESOLVED: That the amount of the bond for faithful performance is one hundred percent (100%) of the bid amount, and the amount for a bond to guarantee payment of all claims for labor and materials furnished and for the amount due under the Unemployment Insurance Act, equal to the bid amount, with respect to such work are hereby approved; and be it

FURTHER RESOLVED: That the Contract shall be reviewed and approved by the City Attorney and placed on file in 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.

IN COUNCIL, OAKLAND, CALIFORNIA, MAY 4 2004 , 20


PASSED BY THE FOLLOWING VOTE:

AYES- BROOKS, BRUNNER, CHANG, NADEL, QUAN, REID, WAN and PRESIDENT DE LA FUENTE - 8

NOES- 0

ABSENT- 0

ABSTENTION- 0

ATTEST: 
for CEDRA FLOYD
City Clerk and Clerk of the Council
of the City of Oakland, California