

CITY OF OAKLAND / REDEVELOPMENT AGENCY
JOINT AGENDA REPORT

TO: Office of the City and Agency Administrator
ATTN: Deborah Edgerly
FROM: Public Works Agency and Community and Economic Development Agency
DATE: November 14, 2006

- RE: **(1) Resolution Authorizing Award Of A Contract To Ray's Electric For The Construction Of Hegenberger Road East Gateway And Airport Gateway-Airport Access Road Streetscape Improvement Projects For An Amount Not To Exceed Two Million Three Hundred Fifty Nine Thousand Six Hundred Eleven Dollars And Fifty Cents (\$2,359,611.50)**
- (2) Resolution Authorizing The City To Accept And Appropriate A Contribution Of Redevelopment Agency Funds Under The Cooperation Agreement In An Amount Not To Exceed \$2,830,000.00 For The Design, Administration, And Construction Of The Hegenberger Road East Gateway And Airport Gateway-Airport Access Road Streetscape Improvement Projects**
- (3) Redevelopment Agency Resolution Authorizing A Contribution Of An Amount Not To Exceed \$2,830,000.00 In Agency Funds To The City Of Oakland Under The Cooperation Agreement For The Design, Administration, And Construction Of The Hegenberger Road East Gateway And Airport Gateway-Airport Access Road Streetscape Improvement Projects**
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SUMMARY

Staff has prepared three resolutions to award a street construction contract and to fund the construction with Redevelopment Agency bond funds.

- The first resolution authorizes the City Administrator to award a construction contract in an amount not to exceed Two Million Three Hundred Fifty Nine Thousand Six Hundred Eleven Dollars and Fifty Cents (\$2,359,611.50) to Ray’s Electric for the construction of Hegenberger Road East Gateway and Airport Gateway-Airport Access Road Improvement Streetscape Projects.
- The second resolution authorizes the City to accept and appropriate up to \$2,830,000.00 from the Redevelopment Agency for these construction projects.
- The third resolution authorizes the Redevelopment Agency to contribute up to \$2,830,000.00 under the Cooperation Agreement with the City to fund these construction projects.

Ray’s Electric is the responsible low bidder and has met all the contract requirements.

These construction projects are intended to reduce blight and improve street infrastructures along Hegenberger East Road and Airport Access Road as well as retain and attract predominately commercial and retail businesses in the Coliseum Redevelopment Area. These projects are located within Council District 7.

Funds are available for the contract work. These projects are consistent with FY 2005/07 Goals and Objectives of City Council and Mayor, Develop a Sustainable City, and Build Community and Foster Livable Neighborhoods.

Staff recommends approval of the resolutions.

FISCAL IMPACTS

There are sufficient funds for the work in the Agency’s Coliseum Tax Allocation Bond Series 2003 Fund (9453), Capital Improvement Projects – Economic Development Organization (94800), Airport Gateway-Airport Access Road Project (T248610), Hegenberger Road East Gateway Project (T248910), and Coliseum ORA TAB Series 2003 Project (P233410).

These Redevelopment Agency funds will be transferred to the City as follows:

- An amount not to exceed \$972,399.00 to the Oakland Redevelopment Agency Projects Fund (7780), Capital Improvement Projects – Street and Structures Organization (92242), Structures and Improvements Account (57311), Airport Gateway-Airport Access Road Project (C82660)

- An amount not to exceed \$139,890.00 to the Oakland Redevelopment Agency Projects Fund (7780), Capital Improvement Projects – Economic Development Organization (94800), Airport Gateway-Airport Access Road Project (C82660)
- An amount not to exceed \$1,461,628.00 to the Oakland Redevelopment Agency Projects Fund (7780), Capital Improvement Projects – Street and Structures Organization (92242), Structures and Improvements Account (57311), in a City Project to be established for Hegenberger Road East Gateway
- An amount not to exceed \$256,083.00 to the Oakland Redevelopment Agency Projects Fund (7780), Capital Improvement Projects – Economic Development Organization (94800), in a City Project to be established for Hegenberger Road East Gateway

The Cooperation Agreement between the City and the Redevelopment Agency entered into on July 1, 2004 generally governs the provision of assistance and the payment of funds between the two agencies, including Redevelopment Agency financial contributions and other assistance to support City public improvements.

The Engineer's Estimate is \$2,097,618.00 (\$2,031,983.00 base bid plus \$65,635.00 additive alternate 3). The low base bid is \$2,359,611.50 (\$2,324,205.50 base bid plus \$35,406.00 additive alternate 3) provided by Ray's Electric. The second and third resolutions authorize the transfer of \$2,830,000.00 Redevelopment Agency funds to the City to pay for the construction contract, contingency, design support, and construction management costs of the projects.

The construction contract is in the amount of \$2,359,611.50, and the construction contingency is \$235,961.00 (10% of the contract amount). The project budget has sufficient funds to cover the construction contract, contingency, design support, and construction management costs of the project.

The construction contract has incorporated the costs to maintain plants up to two years to ensure successful plant establishment after project completion. Project elements such as plants and streetlights will require long-term maintenance resulting in additional operations and maintenance costs. Funding for these additional costs have not been identified. Absorbing the additional landscaping maintenance would result in lower service levels Citywide. Electrical utilities and light bulb replacement carry a fixed cost estimated at \$27,000.00 annually for which funding would need to be found.

BACKGROUND

On July 12, 2006, advertisement of the projects to solicit bids was placed in the Oakland Tribune and San Francisco Chronicle newspapers, and Notices to Bidders were sent to all contractors holding an “A” License in the City’s database and the Daily Pacific Builder.

On August 21, 2006, the City Clerk opened two bids for these projects as shown in the table below. Bid discounts ranging from 3% to 5% for LBE/SLBE participation were applied to these bids. Bid details are presented in the Contract Compliance memo of *Attachment A*. Ray’s Electric had both the lowest project bid as well as the lowest bid that incorporated bid discounts. Thus Ray’s Electric, the lowest responsible bidder, is recommended for contract award with a bid price of \$2,359,611.50.

Bidders	Total LBE/SLBE Participation	Location	Base Bid Plus Additive Alternate 3 Amounts
Gallagher & Burk, Inc	26.51%	Oakland, CA	\$3,470,311.00
Ray’s Electric	84%	Oakland, CA	\$2,359,611.50

Compliance with City Programs: Ray’s Electric is in full compliance with City goals for Local and Small Local Business Enterprises. Under the proposed contract, Ray’s Electric exceeds the City’s 20% LBE/SLBE requirement. The bid documents show that the trucking sub-contractor amount meets the requirement for Local Trucking participation. The contractor is required to have 50% of the work hours performed by Oakland residents, and 50% of all new hires are to be Oakland residents. The LBE/SLBE information has been verified by the Contract Compliance Division of the City Administrator’s Office and is shown in their memo, *Attachment A*.

KEY ISSUES AND IMPACTS

The City’s Capital Improvement Program has not had sufficient funds during the period from 2005 to 2007 for these improvement projects. In 2005 the Redevelopment Agency authorized the use of Redevelopment bond funds to improve the blighted conditions of Hegenberger Road East Gateway and Airport Gateway-Airport Access Road Streetscape Improvement Projects.

Construction is scheduled to begin in early January of 2007 and should be completed in September of 2007. The project schedule is attached as *Attachment B*. The contract specifies \$1,000.00 in liquidated damages per calendar day if the contractor exceeds the contract completion time of 150 working days.

Staff has reviewed the submitted bids for this work and determined that the lowest bid is reasonable.

PROJECT DESCRIPTION

The Hegenberger Road East Gateway and Airport Gateway-Airport Access Road Streetscape Improvement Projects are a component of the larger Coliseum Area Redevelopment Project Capital Improvement Program. The program seeks to revitalize and enhance the City deteriorating infrastructures in both residential and commercial areas. Both Hegenberger Road between San Leandro Street and Interstate 880 and Airport Access Road are in need of infrastructure and general aesthetic improvement. The projects reduce blight within the project areas as well as retain and attract predominately commercial and retail businesses in the Coliseum Redevelopment Area.

In general, the proposed work consists of construction of new sidewalk, decorative medians, curb and gutter, curb ramp detectable warning tiles, landscaping (street trees, shrubs, groundcover and palm trees), installation of irrigation systems and traffic signal interconnect conduit, and new ornamental pedestrian lighting.

SUSTAINABLE OPPORTUNITIES

Economic: The contractor is required to have 50% of the work hours performed by Oakland residents, and 50% of all new hires are to be Oakland residents. These projects will enhance the visual appearance of Hegenberger Road East and Airport Access Road with decorative medians, extensive landscaping, ornamental pedestrian lighting, and new sidewalks. The projects will also improve vehicular and pedestrian safety and thus make this predominately commercial and retail area more attractive to businesses that provide employment within Oakland and also more attractive to the consumers in the Coliseum Redevelopment Area.

Environmental: Air quality will be improved to the extent that the new sidewalks and curb ramps encourage pedestrian traffic. The streetscape elements will have a traffic calming effect and improve the environmental quality for pedestrians. The contractor will be required to make every effort to reuse clean fill materials and use recyclable concrete and asphalt products.

Social Equity: These two streets have suffered from deterioration and blight. The new streetscape amenities will provide safer, more livable and cleaner streets and upon completion be comparable to other Coliseum Streetscapes along Hegenberger Road, Railroad Avenue, and San Leandro Street.

DISABILITY AND SENIOR CITIZEN ACCESS

These projects will construct new sidewalk and provide detectable warning tiles on curb ramps that meet the federal Americans with Disabilities Act, which make the streets accessible and safe for senior citizens and persons with disabilities.

RECOMMENDATION AND RATIONALE

It is recommended that the construction contract be awarded to Ray's Electric, the lowest responsible bidder, in an amount not to exceed \$2,359,611.50 for the construction of the Hegenberger Road East Gateway and Airport Gateway-Airport Access Road Streetscape Improvement Projects. The contractor, Ray's Electric, has met the LBE/SLBE requirements and there are sufficient funds in Redevelopment Agency project account.

It is further recommended that the Redevelopment Agency contribute up to \$2,830,000.00 to fund these construction projects and that the City accepts and appropriates up to \$2,830,000.00 in Redevelopment Agency funds for these construction projects.

ACTION REQUESTED OF THE CITY COUNCIL

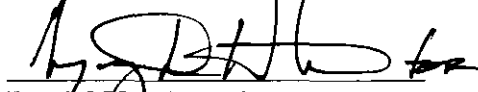
Staff recommends that the City Council and the Redevelopment Agency approve these three resolutions.

Respectfully submitted,



Raul Godinez, II, P.E.
Director, Public Works Agency

Respectfully submitted,



Daniel Vanderprie
Director of Redevelopment, Economic
Development, Community Development and
Housing

Reviewed by:

Michael Neary, P.E.
Assistant Director, Public Works Agency

Reviewed by:

Gregory Hunter
East Oakland Redevelopment Manager

Prepared by:

Yader Bermudez, P.E.
Engineering Design & Right-of-Way Manager

Prepared by:

Jay Musante
UEA IV
Redevelopment Division

Emad Mirsacidi, P.E.
Supervising Civil Engineer
Engineering Design & Right-of-Way Management

APPROVED AND FORWARDED TO THE
PUBLIC WORKS COMMITTEE



OFFICE OF THE CITY ADMINISTRATOR

Attachment A

Contract Compliance Review
Hegenberger Road East Gateway and
Airport Gateway-Airport Access Road
Streetscape Improvement Projects

(Project Nos. C82440 & C82660)



Memo

Office of the City Administrator

Contract Compliance & Employment Services Division

To: Gwen McCormick, PWA
 From: Shelley Darensburg, Contract Compliance Officer, CC&ES Division
 Through: Deborah Barnes, CC&ES Manager *Deborah Barnes*
 CC: Emad Mirsaeidi
 Date: October 31, 2006
 Re: **Compliance Analysis:
 Hegenberger Road East And Airport Access Road Streetscape
 Improvement Project, Including Bid Alternate No. 3
 Project No. C82660**

Contract Compliance & Employment Services reviewed the two (2) bids received in response to the above referenced project. Below is the outcome of our compliance evaluation for the twenty percent (20%) minimum Local and Small Local Business Enterprise (L/SLBE) Program participation requirement and a preliminary review for compliance with the Equal Benefits Ordinance (EBO).

The L/SLBE findings are as follows:

Company Name	Bid Amount	Discounted Bid Amount	Proposed Participation					Banked Credits	EBO Compliant Y/N
			Total L/SLBE	LBE	SLBE	Local Trucking	Total Credited		
Ray's Electric	\$2,359,612	\$2,241,631	84%	0%	84%	100%	84%	2	Y
Gallagher & Burk	\$3,470,311	\$3,400,905	26.51%	13.49%	13.02%	100%	26.51%	0	Y

As noted above, both bidders exceeded the minimum 20% L/SLBE participation requirement and the 20% minimum local trucking participation requirement. Both firms are EBO compliant.

If you have questions or need additional information, please contact Shelley Darensburg, Contract Compliance Officer, at 238-7325.

2006 OCT 30 AM 11:15
 RECEIVED
 CONTRACT COMPLIANCE

Contract Compliance and Employment Services Evaluation Form

Project No.: C82660

Project Name: Hegenberger Road East and Airport Access Road Streetscape Improvement Project, including Bid Alternate No. 3

Contractor: Ray's Electric

Contractor's Bid Amount: \$2,359,612

Bid Discounts 5%

Amount of Bid Adjustment \$117,981

Contractor's Adjusted Bid Amount \$2,241,631

1. Did the 20% requirements apply? **Yes**

2. Did the contractor meet the 20% requirement? **Yes**

a) % of LBE **0%**

b) % of SLBE **84%**

3. Did the contractor receive bid discounts? **Yes**
(If yes, list the points received) **5%**

4. Additional Comments.

5. Date evaluation completed and returned to Contact Admin./Initiating Dept. 10/31/2006

Reviewing

Officer: Shelley Darenburg

Date: 10/31/2006

Approved By: Quint Barnes

Date: 10/31/06

LBE/SLBE Participation

Bidder 1

Project Name: **Hegenberger Road East and Airport Access Road Streetscape Improvement Project, Including Bid Alternate No. 3**

Project No.: C82660		Engineers Est: \$2,031,938				Under/Over Engineers Estimate: \$327,674						
Discipline	Prime & Subs	Location	Cert. Status	LBE	SLBE	Total L/SLBE	L/SLBE Trucking	Total Trucking	Total Dollars	For Tracking Only (Self-Reported)		
										Ethn.	MBE	WBE
PRIME Landscape Supplier Supplier Striping Signage Painting Trucking Sawcut	Ray's Electric	Oakland	CB		1,225,850	1,225,850			1,225,850	C		
	TPT Gardener	Oakland	CB		735,656	735,656			735,656	AP	735,656	
	Independent Electric	SF	UB						300,000	NL		
	Central Concrete	Oakland	UB						30,000	C		
	Chrisp Co.	Fremont	UB						12,656	NL		
	Diaz Corporation	San Jose	UB						17,450	H	17,450	
	Williams Trucking	Oakland	CB		30,000	30,000	30,000	30,000	30,000	AA	30,000	
	Bay Line Concrete	Oakland	UB						8,000	H	8,000	
Project Totals				\$0	\$1,991,506	\$1,991,506	\$30,000	\$30,000	\$2,359,612		\$791,106	\$0
				0%	84%	84%	100%	100%	100%		34%	0%
Requirements: The 20% requirements is a combination of 10% LBE and 10% SLBE participation. An SLBE firm can be counted 100% towards achieving 20% requirements.				LBE 10%	SLBE 10%	Total L/SLBE				Ethnicity AA = African American AP = Asian Pacific Islander C = Caucasian H = Hispanic NA = Native American NL = Not Listed		
Legend				LBE = Local Business Enterprise SLBE = Small Local Business Enterprise Total LBE/SLBE = All Certified Local and Small Local Businesses NPLBE = NonProfit Local Business Enterprise NPSLBE = NonProfit Small Local Business Enterprise				UB = Uncertified Business CB = Certified Business MBE = Minority Business Enterprise WBE = Women Business Enterprise				

Contract Compliance and Employment Services Evaluation Form

Project No.: C82660

Project Name: Hegenberger Road East and Airport Access Road Streetscape Improvement Project, Including Bid Alternate No. 3

Contractor: Gallagher & Burk, Inc.

Contractor's Bid Amount: \$3,470,311

Bid Discounts 2%

Amount of Bid Adjustment \$69,406

Contractor's Adjusted Bid Amount \$3,400,905

1. Did the 20% requirements apply? **Yes**

2. Did the contractor meet the 20% requirement? **Yes**

a) % of LBE **13.49%**

b) % of SLBE **13.02%**

3. Did the contractor receive bid discounts? **Yes**
(If yes, list the points received) **2%**

4. Additional Comments.

5. Date evaluation completed and returned to Contact Admin./Initiating Dept. 10/31/2006

Reviewing

Officer: Shelley Darenburg

Date: 10/31/2006

Approved By: Dimit Barna

Date: 10/31/06

LBE/SLBE Participation

Bidder 2

Project Name: **Hegenberger Road East and Airport Access Road Streetscape Improvement Project, Including Bid Alternate No. 3**

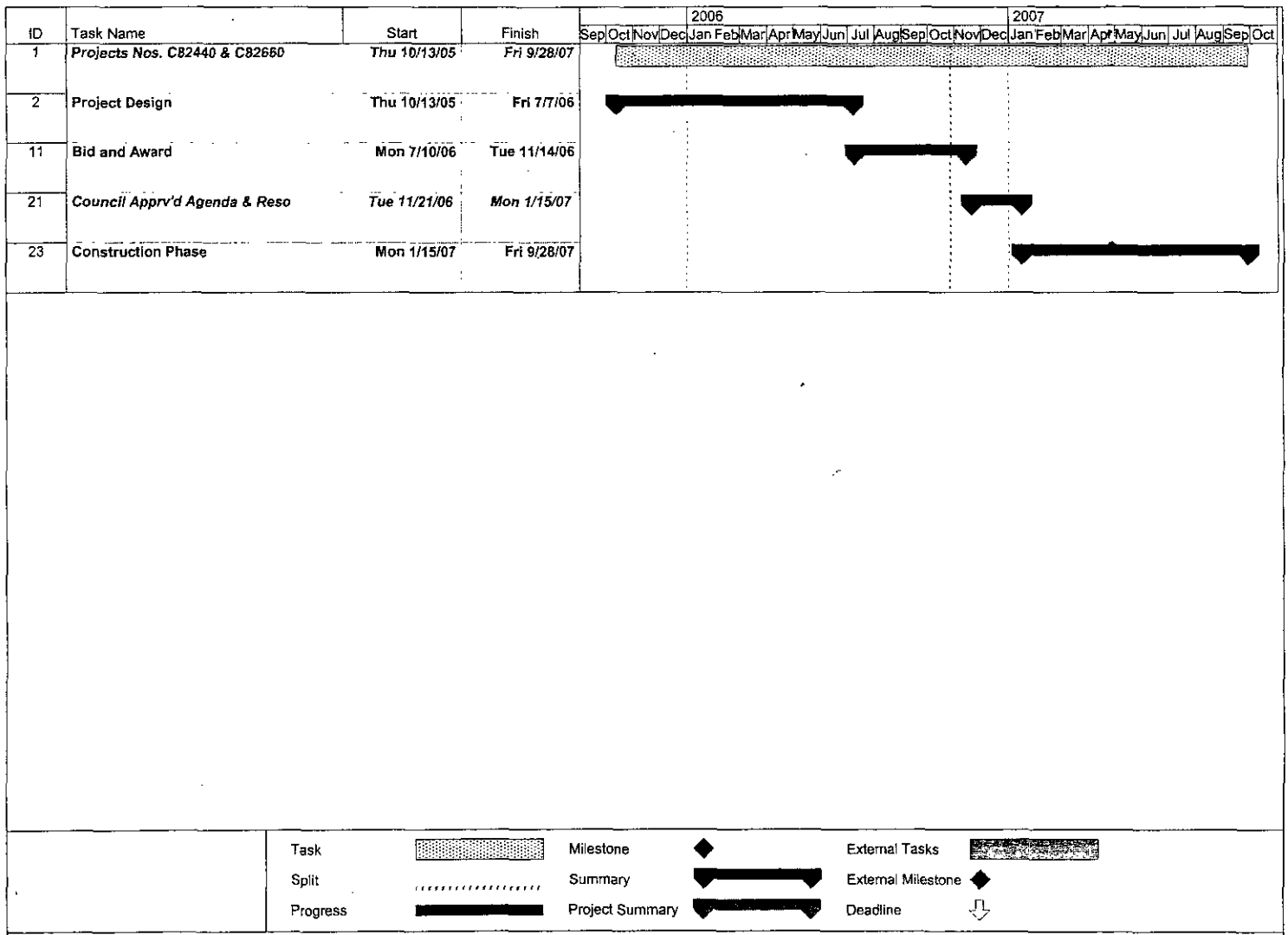
Project No.: C82660		Engineers Est: \$2,031,938				Under/Over Engineers Estimate: \$1,438,373													
Discipline	Prime & Subs	Location	Cert. Status	LBE	SLBE	Total L/SLBE	L/SLBE Trucking	Total Trucking	Total Dollars	For Tracking Only (Self-Reported)									
										Ethn.	MBE	WBE							
PRIME Trucking Concrete Electrical Landscaping	Gallagher & Burk, Inc.	Oakland	CB	468,311		468,311			468,311	C									
	Williams Trucking	Oakland	CB		25,000	25,000	25,000	25,000	25,000	AA	25,000								
	AJW Construction	Oakland	CB		427,000	427,000			427,000	H	427,000								
	Columbia Electric	San Leandro	UB						900,000	C									
	RMT Landscape	San Leandro	UB						1,650,000	H	1,650,000								
Project Totals				\$468,311	\$452,000	\$920,311	\$25,000	\$25,000	\$3,470,311		\$2,102,000	\$0							
				13.49%	13.02%	26.52%	100%	100%	100%		61%	0%							
Requirements: The 20% requirements is a combination of 10% LBE and 10% SLBE participation. An SLBE firm can be counted 100% towards achieving 20% requirements.				LBE 10%	SLBE 10%	Total L/SLBE				Ethnicity AA = African American AP = Asian Pacific Islander C = Caucasian H = Hispanic NA = Native American NL = Not Listed									
Legend				LBE = Local Business Enterprise		SLBE = Small Local Business Enterprise		Total LBE/SLBE = All Certified Local and Small Local Businesses		NPLBE = NonProfit Local Business Enterprise		UB = Uncertified Business		CB = Certified Business		MBE = Minority Business Enterprise		WBE = Women Business Enterprise	

Attachment B

Hegenberger Road East Gateway and Airport Gateway-Airport Access Road Streetscape Improvement Projects

(Project Nos. C82440 & C82660)

Project Schedule



2006 NOV -2 AM 11:34

Approved as to Form And Legality:


Deputy City Attorney

OAKLAND CITY COUNCIL

RESOLUTION No. _____ C.M.S.

RESOLUTION AUTHORIZING AWARD OF A CONTRACT TO RAY'S ELECTRIC FOR THE CONSTRUCTION OF HEGENBERGER ROAD EAST GATEWAY AND AIRPORT GATEWAY-AIRPORT ACCESS ROAD STREETScape IMPROVEMENT PROJECTS FOR AN AMOUNT NOT TO EXCEED TWO MILLION THREE HUNDRED FIFTY NINE THOUSAND SIX HUNDRED ELEVEN DOLLARS AND FIFTY CENTS (\$2,359,611.50)

WHEREAS, the Hegenberger Road East Gateway (between San Leandro Street and Interstate 880) and Airport Gateway-Airport Access Road Streetscape Improvement projects will alleviate the general blight caused by the deteriorating infrastructures; and

WHEREAS, the proposed work consists of the construction of new sidewalk, decorative medians, curb and gutter, curb ramp detectable warning tiles, landscaping (street trees, shrubs, groundcover and palm trees), installation of irrigation systems and traffic signal interconnect conduit, and new ornamental pedestrian lights; and

WHEREAS, the projects provide sustainable opportunities to the local economy, environment and social equity for the Coliseum Redevelopment Area which meet FY 2005/07 Goals and Objectives of City Council and Mayor, Develop a Sustainable City 1B, and Build Community and Foster Livable Neighborhoods 2C and 2D in that they reduce blight, improve and upgrade the streetscape amenities and pedestrian safety, and meet the federal Americans with Disabilities Act requirements; and

WHEREAS, on July 12, 2006, advertisement of the projects to solicit bids was placed in the Oakland Tribune and San Francisco Chronicle newspapers, and Notices to Bidders were sent to all contractors holding an "A" License in the City's database and the Daily Pacific Builder; and

WHEREAS, on August 21, 2006, the City Clerk received and opened two bids for these projects. Ray's Electric is the responsible low bidder with a bid price of \$2,359,611.50 including additive alternate 3 and has met the 20% City contract requirements for Local Business Enterprise and Small Local Business Enterprise (LBE/SLBE); and

WHEREAS, there are sufficient funds available in the project budget to cover the project costs and the Redevelopment Agency of the City of Oakland has authorized a contribution of \$2,830,000.00 to the Hegenberger Road East Gateway and Airport Gateway-Airport Access Road Streetscape Improvement Projects, (together the Gateway Streetscape Improvement

Projects), to cover the construction contract including ten (10%) percent contingency, design support and construction management costs for the project; and

WHEREAS, the Redevelopment Agency funds are available for the contract work in following sources:

- An amount not to exceed \$972,399.00 to the Oakland Redevelopment Agency Projects Fund (7780), Capital Improvement Projects – Street and Structures Organization (92242), Structures and Improvements Account (57311), Airport Gateway-Airport Access Road Project (C82660)
- An amount not to exceed \$139,890.00 to the Oakland Redevelopment Agency Projects Fund (7780), Capital Improvement Projects – Economic Development Organization (94800), Airport Gateway-Airport Access Road Project (C82660)
- An amount not to exceed \$1,461,628.00 to the Oakland Redevelopment Agency Projects Fund (7780), Capital Improvement Projects – Street and Structures Organization (92242), Structures and Improvements Account (57311), in a City Project to be established for Hegenberger Road East Gateway
- An amount not to exceed \$256,083.00 to the Oakland Redevelopment Agency Projects Fund (7780), Capital Improvement Projects – Economic Development Organization (94800), in a City Project to be established for Hegenberger Road East Gateway

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 Administrator is authorized to award a contract for the Hegenberger Road East Gateway and Airport Gateway-Airport Access Road Streetscape Improvement Projects to the responsible low bidder, Ray’s Electric in accordance with the terms of its bid therefore, for an amount of Two Million Three Hundred Fifty Nine Thousand Six Hundred Eleven Dollars and Fifty Cents (\$2,359,611.50); 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 for form and legality and placed on file in the Office of the City Clerk.

IN COUNCIL, OAKLAND, CALIFORNIA, _____, 2006

PASSED BY THE FOLLOWING VOTE:

AYES- BROOKS, BRUNNER, CHANG, 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

2006 NOV -2 AM 11:34

Approved as to Form And Legality:


Deputy City Attorney

OAKLAND CITY COUNCIL

RESOLUTION No. _____ C.M.S.

RESOLUTION AUTHORIZING THE CITY TO ACCEPT AND APPROPRIATE A CONTRIBUTION OF REDEVELOPMENT AGENCY FUNDS UNDER THE COOPERATION AGREEMENT IN AN AMOUNT NOT TO EXCEED \$2,830,000 FOR THE DESIGN, ADMINISTRATION, AND CONSTRUCTION OF THE HEGENBERGER ROAD EAST GATEWAY AND AIRPORT GATEWAY-AIRPORT ACCESS ROAD STREETScape IMPROVEMENT PROJECTS

WHEREAS, the City will be performing work to alleviate general blight caused by the deteriorating infrastructure on Hegenberger Road between San Leandro Street and Interstate 880 and on Airport Access Road (together, the "Gateway Streetscape Improvement Projects") in the Coliseum Redevelopment Project Area; and

WHEREAS, the Redevelopment Agency of the City of Oakland has authorized a contribution of \$2,830,000 to the Gateway Streetscape Improvement Projects; and

WHEREAS, the City and the Redevelopment Agency entered into a Cooperation Agreement on July 1, 2004, which generally governs the provision of assistance and the payment of funds between the two agencies, including Redevelopment Agency financial contributions and other assistance to support City public improvements; and

WHEREAS, there are sufficient funds for the work in the Agency's Coliseum Tax Allocation Bond Series 2003 Fund (9453), Capital Improvement Projects – Economic Development Organization (94800), Airport Gateway-Airport Access Road Project (T248610), Hegenberger Road East Gateway Project (T248910), and Coliseum ORA TAB Series 2003 Project (P233410); and

WHEREAS, Section 33445 of the California Health and Safety Code authorizes a redevelopment agency to pay for the installation and construction costs of publicly-owned facilities, if the legislative body has consented to such funding and has made certain findings; now, therefore, be it

RESOLVED: That the City Council hereby consents to the use of up to \$2,830,000 in Redevelopment Agency funds for the Gateway Streetscape Improvement Projects, and appropriates such funds to the Gateway Streetscape Improvement Projects; and be it further

RESOLVED: That such funds shall be appropriated as follows:

- An amount not to exceed \$972,399 to the Oakland Redevelopment Agency Projects Fund (7780), Capital Improvement Projects – Street and Structures Organization (92242), Structures and Improvements Account (57311), Airport Gateway-Airport Access Road Project (C82660)
- An amount not to exceed \$139,890 to the Oakland Redevelopment Agency Projects Fund (7780), Capital Improvement Projects – Economic Development Organization (94800), Work Order Expenditures Account (56611), Airport Gateway-Airport Access Road Project (C82660)
- An amount not to exceed \$1,461,628 to the Oakland Redevelopment Agency Projects Fund (7780), Capital Improvement Projects – Street and Structures Organization (92242), Structures and Improvements Account (57311), in a City Project to be established for Hegenberger Road East Gateway
- An amount not to exceed \$256,083 to the Oakland Redevelopment Agency Projects Fund (7780), Capital Improvement Projects – Economic Development Organization (94800), Work Order Expenditures (56611), in a City Project to be established for Hegenberger Road East Gateway

and be it further

RESOLVED: That the City Council hereby finds and determines as follows:

1. That the funding of the Gateway Streetscape Improvement Projects will benefit the Coliseum Redevelopment Project Area by improving the appearance and function of Airport Access Road and Hegenberger Road between San Leandro Street and Interstate 880 in the Coliseum Project Area;
2. That City Capital Improvement Program (“CIP”) funds have been unable to provide financing for the Gateway Streetscape Improvement Projects in the CIP 2005-2010 Adopted Budget, and therefore no other reasonable means of financing the Gateway Streetscape Improvement Projects are available to the City other than Redevelopment Agency funding;
3. That the use of tax increment funds from the Coliseum Project Area for the Gateway Streetscape Improvement Projects will assist in attracting new retail and hotel businesses and jobs to the Coliseum Project Area and eliminating economic blight; and
4. That the use of tax increment funds from the Coliseum Project Area for the Gateway Streetscape Improvement Projects is consistent with the implementation plan adopted for the Coliseum Project Area;

and be it further

RESOLVED: That the City Administrator or her designee is hereby authorized to take whatever actions necessary with respect to these Projects consistent with this Resolution and its basic purpose.

IN COUNCIL, OAKLAND, CALIFORNIA, _____, 2006

PASSED BY THE FOLLOWING VOTE:

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

NOES-

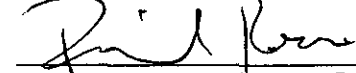
ABSENT-

ABSTENTION-

ATTEST: _____
LATONDA SIMMONS
City Clerk and Clerk of the Council
of the City of Oakland, California

2006 NOV -2 AM 11:34

Approved as to Form And Legality:


Agency Counsel

REDEVELOPMENT AGENCY OF THE CITY OF OAKLAND

Resolution No. _____ C.M.S.

RESOLUTION AUTHORIZING A CONTRIBUTION OF AN AMOUNT NOT TO EXCEED \$2,830,000 IN AGENCY FUNDS TO THE CITY OF OAKLAND UNDER THE COOPERATION AGREEMENT FOR THE DESIGN, ADMINISTRATION, AND CONSTRUCTION OF THE HEGENBERGER ROAD EAST GATEWAY AND AIRPORT GATEWAY-AIRPORT ACCESS ROAD STREETScape IMPROVEMENT PROJECTS

WHEREAS, the Redevelopment Agency wishes to fund construction costs to alleviate the blighting influence of deteriorating infrastructure on Hegenberger Road between San Leandro Street and Interstate 880 and on Airport Access Road (together, the "Gateway Streetscape Improvement Projects") in the Coliseum Redevelopment Project Area; and

WHEREAS, the City and the Agency agree that economic development and redevelopment are goals of the Coliseum Redevelopment Project and that the Gateway Streetscape Improvement Projects would stimulate additional private investment in the Coliseum Project Area; and

WHEREAS, the City of Oakland and the Redevelopment Agency are implementing the 2005-2007 Agency Budget for the Coliseum Redevelopment Project, including the Gateway Streetscape Improvement Projects, to enhance economic development opportunities in the Coliseum Project Area; and

WHEREAS, the Airport Access Road Project is a component of the Airport Gateway Urban Design Concept, a revitalization strategy adopted in 1999, and the Airport Gateway Streetscape Project which was approved in 2001; and

WHEREAS, the Agency is implementing the Airport Gateway Streetscape Project and complementary projects such as the Hegenberger Road East Project to support the redevelopment of the Coliseum Project Area; and

WHEREAS, the City and the Agency entered into a Cooperation Agreement on July 1, 2004, which generally governs the provision of assistance and the payment of funds between the two agencies, including Redevelopment Agency financial contributions and other assistance to support City public improvements; and

WHEREAS, Section 33445 of the California Health and Safety Code authorizes a redevelopment agency to pay for the installation and construction costs of publicly-owned facilities, if the legislative body has consented to such funding and has made certain findings; and

WHEREAS, the Agency authorized an appropriation of Agency funding in an amount not to exceed \$2,830,000 to the Gateway Streetscape Improvement Projects in the adoption of its Fiscal Year 05-07 Budget in Coliseum Tax Allocation Bond Series 2003 Fund (9453), Capital Improvement Projects – Economic Development Organization (94800), Airport Gateway-Airport Access Road Project (T248610), Hegenberger Road East Gateway Project (T248910), and Coliseum ORA TAB Series 2003 Project (P233410); and

WHEREAS, the City Council consents to the use of Agency funding for the Gateway Streetscape Improvement Projects pursuant to Section 33445 of the California Health and Safety Code; now, therefore, be it

RESOLVED: That the Agency Administrator is authorized to contribute an amount not to exceed \$2,830,000 under the Cooperation Agreement to the City of Oakland for the design, administration, and construction of the Gateway Streetscape Improvement Projects which will be deposited in the Oakland Redevelopment Agency Projects Fund (7780); and be it

FURTHER RESOLVED: That a total of \$2,830,000 will be allocated from Coliseum Tax Allocation Bond Series 2003 Fund (9453), Capital Improvement Projects – Economic Development Organization (94800), Airport Gateway-Airport Access Road Project (T248610), Hegenberger Road East Gateway Project (T248910), and Coliseum ORA TAB Series 2003 Project (P233410); and be it

FURTHER RESOLVED: That the Agency hereby finds and determines as follows:

1. That the funding of the Gateway Streetscape Improvement Projects will benefit the Coliseum Project Area by improving the appearance and function of Airport Access Road and Hegenberger Road between San Leandro Street and Interstate 880;
2. That the City Capital Improvement Program (“CIP”) funds have been unable to provide financing for the Gateway Streetscape Improvement Projects in the CIP 2005-2010 Adopted Budget, and therefore no other reasonable means of financing the Gateway Improvement Projects are available to the City other than Redevelopment Agency funding;
3. That the use of tax increment funds from the Coliseum Project Area for the Gateway Streetscape Improvement Projects will assist in attracting new retail and hotel businesses and jobs to the Coliseum Project Area and eliminating economic blight; and

4. That the use of tax increment funds from the Coliseum Project Area for the Gateway Streetscape Improvement Projects is consistent with the implementation plan adopted for the Coliseum Project Area;

and be it

FURTHER RESOLVED: That the Agency Administrator or her designee is hereby authorized to take whatever action is necessary with respect to the Gateway Streetscape Improvement Projects consistent with this Resolution and its basic purpose.

IN AGENCY, OAKLAND, CALIFORNIA, _____, 2006

PASSED BY THE FOLLOWING VOTES:

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

NOES-

ABSENT-

ABSTENTION-

ATTEST: _____
Latonda Simmons
Secretary of the Redevelopment Agency
of the City of Oakland, California