

**CITY OF OAKLAND**  
**AGENDA REPORT**

FILED  
OFFICE OF THE CITY CLERK  
OAKLAND

2010 FEB 10 AM 9:59

TO: Office of the City Administrator  
ATTN: Dan Lindheim  
FROM: Community and Economic Development Agency  
DATE: February 23, 2010

RE: **Resolutions Authorizing The City Administrator, Or Designee, To Award Nine Construction Contracts For On-Call Construction Services With Bay Construction, Beliveau Engineering, Dan Peters Construction, DC Construction, JUV Inc., Malachi Construction, Rockridge Builders, Turner Group Construction, and Van Every Construction, For An Amount Not-To-Exceed Two Hundred And Fifty Thousand Dollars (\$250,000.00) Each, And Waiving The Open-Market Advertising And Bidding Requirements Of Oakland Municipal Code Chapter 2.04 For Any On-Call Construction Work To Be Let To Said Contractors**

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**SUMMARY**

Resolutions have been prepared authorizing the City Administrator, or designee, to award a construction contract for on-call construction work to each of the following nine certified Small Local Business Enterprise firms:

- Bay Construction
- Beliveau Engineering
- Dan Peters Construction
- DC Construction
- JUV Inc.
- Malachi Construction
- Rockridge Builders
- Turner Group Construction
- Van Every Construction

Consistent in part with the "Implement a Small Contracts Rotation Program" recommendation of the Fairness in Purchasing and Contracting Disparity Study report of September 29, 2009, these contractors were solicited through a Request for Qualifications process that targeted Small Local Business Enterprise (SLBE) firms only. Most of these firms have not worked with the City as a general, prime contractor.

Each contract is for an amount not-to-exceed \$250,000.00 over a three-year period and will be managed by the Community and Economic Development Agency, Department of Engineering and Construction. On-call construction work contracts not only facilitate the delivery of small projects promptly and efficiently, but also help to spread the work to some small local contractors that do not usually bid on City projects.

Item: \_\_\_\_\_  
Public Works Committee  
February 23, 2010

On-call construction services may be utilized for various capital improvement projects within the City's right-of-way and for its municipal facilities. These include streets and sidewalks, bike routes, creeks and waterways, bridges, parks, athletic fields, recreation centers, public safety buildings, libraries, and other municipal facilities. The resolutions will also waive Oakland Municipal Code Chapter 2.04 open-market advertising and bidding requirements for on-call construction work, so that the work can be let to prequalified contractors on a rotating, solicitation basis.

### **FISCAL IMPACT**

Each contract is for an amount not-to-exceed \$250,000.00 or a total of \$2,250,000.00 for all nine contracts. The approval of these contracts will not result in the additional appropriation of funds. The construction services will be funded through appropriations within the various individual projects. Funds will be identified prior to issuing any work orders under these contracts.

### **BACKGROUND**

The City's Fairness in Purchasing and Contracting Disparity Study report of September 29, 2009, provides recommendations on how to increase and support the hiring of small local businesses. One of the recommendations, to implement a small contracts rotation program, would involve establishing a program or process for small, local construction-licensed contractors to undertake some of the City's routine maintenance and repair work that is more streamlined, expeditious and less costly.

To support this concept, the City issued a Request for Qualifications (RFQ) for on-call construction services with the expressed goal of enhancing contracting opportunities for qualified Oakland contractors meeting the definition of a Small Local Business Enterprise (SLBE) in October 2009. The on-call work will involve various small capital improvement projects within the City's right-of-way and for its municipal facilities, including streets and sidewalks, bike routes, creeks and waterways, bridges, parks, athletic fields, recreation centers, public safety buildings, libraries, and other municipal facilities.

The RFQ targeted general contractors possessing either a current "A" or "B" type contractor license. Ten firms responded to the RFQ. All but one firm, Infiniti Engineering, are certified as Small Local Business Enterprises. In addition, Infiniti Engineering provided an incomplete RFQ submittal package. As part of the City's effort to nurture and encourage new small local general contractors to bid on City projects, staff has attempted to contact Infiniti Engineering by telephone and fax to offer assistance with completing the submittal package but the contractor did not respond.

Upon execution of the on-call contracts and as work arises, staff will let on-call work through a rotating solicitation process with the prequalified contractors.

## KEY ISSUES AND IMPACTS

It is anticipated that small, local contractors and the City will benefit from prequalifying the licensed contractors and utilizing the on-call contracts to let the work to the prequalified contractor pool instead of open-market advertising and bidding. Projects with limited scope and budget, or urgent unscheduled projects will occur throughout the three-year period and will most likely require use of the on-call construction contracts. In addition to making it far easier and expeditious for the prequalified contractors to bid on City work, the on-call construction contracts enable the City to promptly respond to and provide the construction work in an efficient and timely manner. The contracts will eliminate the five to six month process and costs associated with formally bidding and awarding projects on an individual project-by-project basis.

For the various on-call construction work, the City Council may waive the open-market advertising and bidding requirements of the Oakland Municipal Code (OMC) under section 2.04.050.I.5 upon a finding that it is in its best interests to do so. The implementation of actual on-call construction work orders will include efforts to provide opportunities for all the pre-qualified contractors. Staff will first consider factors such as type of construction work, contractor's experience and expertise, contractor's availability, and contractor's bonding capacity at the time of work solicitation, and then solicit bids from groups of firms on a rotating basis. Work orders will be awarded to the lowest responsive bidder of that group.

A compliance evaluation of the qualifications submitted by the ten contractors is provided in *Attachment A*.

## SUSTAINABLE OPPORTUNITIES

**Economic:** The project will generate business tax, sales tax, and other revenues for the City by those firms who work on the project. These contracts specifically target small local businesses in an effort to spend local dollars locally.

**Environmental:** Environmental factors and opportunities will be considered and incorporated to the extent feasible in terms of specifying recycled materials and integrating other environmental opportunities for waste reduction and energy conservation. Contractors will be required to comply with the City's waste reduction and recycling policies for construction debris.

**Social Equity:** The proposed on-call construction services will facilitate implementation of capital improvements that have the potential to reduce blight to neighborhoods and enhance various parks and community facilities to support increased recreational and social usage.

## DISABILITY AND SENIOR CITIZEN ACCESS

The capital improvements performed by the on-call contractors will be designed to comply with applicable accessibility codes and the Americans with Disabilities Act.

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Public Works Committee  
February 23, 2010

## RECOMMENDATION AND RATIONALE

On-call construction services contracts will expedite the implementation of capital improvement projects. The administrative burden and cost currently expended to formally bid and award projects to contractors on a project-by-project basis will be reduced. These contracts enhance the contracting opportunities for certified SLBE firms.

It is recommended that the City Administrator, or designee, award nine construction contracts for on-call construction services with Bay Construction, Beliveau Engineering, Dan Peters Construction, DC Construction, JUV Inc., Malachi Construction, Rockridge Builders, Turner Group Construction, and Van Every Construction. Each contract is for an amount not-to-exceed \$250,000.00. It is also recommended that the City Council waive OMC Chapter 2.04 open-market advertising and bidding requirements for construction work to be let under the on-call contracts.

## ACTION REQUESTED OF THE CITY COUNCIL

Staff recommends that the City Council approve the resolutions.

Respectfully submitted,



Walter S. Cohen, Director  
Community and Economic Development Agency

Reviewed by:  
Michael J. Neary, P.E., Deputy Director  
Department of Engineering and Construction

Prepared by:  
Calvin Hao, CIP Coordinator  
Project Delivery Division

APPROVED AND FORWARDED  
TO THE PUBLIC WORKS COMMITTEE:

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Office of the City Administrator

Attachment A: Dept. of Contracting and Purchasing Memo dated December 10, 2009

Item: \_\_\_\_\_  
Public Works Committee  
February 23, 2010

*Memo*
**Department of Contracting and Purchasing**  
**Social Equity Division**

To: Calvin Hao, Project Manager  
 From: Sophany Hang, Acting Contract Compliance Officer  
 Through: Deborah Barnes, Director, DCP  
 Shelley Darenburg, Sr. Contract Compliance Officer *S. Darenburg*  
 CC: Gwen McCormick, Contract Administration Supervisor  
 Date: December 10, 2009  
 Re: Request For Qualifications (RFQ)--On-Call Construction Services

Department of Contracting and Purchasing (DCP), Division of Social Equity, reviewed ten (10) proposals in response to the above RFQ. This RFQ was limited to certified Small Local Business Enterprises (SLBE). Below is the outcome of the compliance evaluation for the minimum 20% Local and Small Local Business Enterprise (L/SLBE) participation requirement, and a preliminary review for compliance with the Equal Benefits Ordinance (EBO).

Responsive		Proposed Participation					Earned Credits and Discounts		Banked Credits Eligibility	EBO Compliant? Y/N
Company Name	Original Bid Amount	Total LBE/SLBE	LBE	SLBE	Trucking	Total Credited participation	Earned Credits	Adjusted Bid Amount		
Bay Construction	NA	100%	0%	100%	NA	100%	5 points	NA	2 points	Y
Beliveau Engineering Contractors, Inc.	NA	100%	0%	100%	NA	100%	5 points	NA	2 points	Y
Donny Chu Construction, Inc.	NA	100%	0%	100%	NA	100%	5 points	NA	2 points	Y
Malachi Construction	NA	100%	0%	100%	NA	100%	5 points	NA	2 points	Y
Rockridge Builders	NA	100%	0%	100%	NA	100%	5 points	NA	2 points	Y
Turner Group Construction	NA	100%	0%	100%	NA	100%	5 points	NA	2 points	Y
Van Every Construction, Inc.	NA	100%	0%	100%	NA	100%	5 points	NA	2 points	N
JUV, Inc.	NA	100%	0%	100%	NA	100%	5 points	NA	2 points	Y
Peters Construction	NA	100%	0%	100%	NA	100%	5 points	NA	2 points	N

**Comments:** As noted above, all firms met and/or exceeded the minimum 20% L/SLBE requirement. Firms that are not EBO compliant will have to come into compliance prior to contract award.

Non-Responsive		Proposed Participation				Earned Credits and Discounts			Banked Credits Eligibility	EEO Compliant? Y/N
Company Name	Original Bid Amount	Total LBE/SLBE	LBE	SLBE	Trucking	Total Credited participation	Earned Bid Discounts	Adjusted Bid Amount		
Infiniti Engineering Builders	NA	0%	0%	0%	NA	0%	0%	NA	NA	N

**Comments:** As noted above, this RFQ was limited to certified SLBE firms. Infiniti Engineering Builders is not certified as SLBE. Therefore, they are deemed non-responsive.

Should you have any questions you may contact Sophany Hang at (510) 238-3970.



DEPARTMENT OF CONTRACTING AND PURCHASING

Social Equity Division

PROJECT COMPLIANCE EVALUATION FOR :

Project No. NA

RE: RFQ--On-Call Construction Services

CONSULTANT/CONTRACTOR: Bay Construction

<u>Engineer's Estimate:</u>	<u>Contractors' Bid Amount</u>	<u>Over/Under Engineer's Estimate</u>
NA	NA	NA

<u>Bid discounted amount:</u>	<u>Discount/Preference Points:</u>
N/A	5

- 1. Did the 20% local/small local requirement apply: YES
- 2. Did the contractor meet the 20% requirement YES
  - a) % of LBE participation 0%
  - b) % of SLBE participation 100%

- 3. Did the contractor receive bid discount/preference points? YES
  - (If yes, list the points received) 5 points

5. Additional Comments.

RFQ was limited to SLBE firms.

6. Date evaluation completed and returned to Contract Admin./Initiating Dept.

12/10/2009  
Date

Reviewing Officer:

Stephan Harg

Date: 12/10/09

Approved By:

Shelley Darenburg

Date: 12/10/09

## LBE/SLBE Participation Bay Construction

Project Name: RFQ—On-Call Construction Services

Project No.: NA		Engineer's Estimate				Under/Over Engineers Estimate:						
Discipline	Prime & Subs	Location	Cert. Status	LBE	SLBE	Total LBE/SLBE %	Total Percentages	For Tracking Only				
								Ethn	MBE	WBE		
PRIME	Bay Construction	Oakland	CB		100%	100%	100%	AP	100%			
<b>Project Totals</b>				0%	100%	100%	100%		100%	0%		
<b>Requirements:</b> 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 LBE/SLBE	TOTAL	<b>Ethnicity</b> AA = African American AP = Asian Pacific AI = Asian Indian C = Caucasian H = Hispanic NA = Native American O = Other NL = Not Listed				
<b>Legend</b> 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								



DEPARTMENT OF CONTRACTING AND PURCHASING



Social Equity Division

PROJECT COMPLIANCE EVALUATION FOR :

Project No. NA

RE:

RFQ--On-Call Construction Services

CONSULTANT/CONTRACTOR: Beliveau Engineering Contractors, Inc.

<u>Engineer's Estimate:</u>	<u>Contractors' Bid Amount</u>	<u>Over/Under Engineer's</u>
NA	NA	NA
<u>Bid discounted amount:</u>	<u>Discount/Preference Points:</u>	
N/A	5	

- 1. Did the 20% local/small local requirement apply: YES
- 2. Did the contractor meet the 20% requirement
  - a) % of LBE participation 0%
  - b) % of SLBE participation 100%

- 3. Did the contractor receive bid discount/preference points? YES  
(If yes, list the points received) 5 points

5. Additional Comments.

RFQ was limited to SLBE firms.

- 6. Date evaluation completed and returned to Contract Admin./Initiating Dept.

12/10/2009

Date

Reviewing Officer:

Shirley Hays

Date: 12/10/09

Approved By:

Shelley Qarenburg

Date: 12/10/09

## LBE/SLBE Participation Beliveau Engineering Contractors, Inc.

Project Name: RFQ-On-Call Construction Services

Project No.: NA		Engineer's Estimate				Under/Over Engineers Estimate:						
Discipline	Prime & Subs	Location	Cert. Status	LBE	SLBE	Total	Total	For Tracking Only				
						LBE/SLBE %	Percentages	Ethnicity	MBE	WBE		
PRIME	Beliveau Engineering Contractors, Inc.	Oakland	CB		100%	100	100%	C	100%			
<b>Project Totals</b>				0%	100%	100%	100%		100%	0%		
<b>Requirements:</b> 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 LBE/SLBE	TOTAL %	<b>Ethnicity</b> AA = African American AP = Asian Pacific AI = Asian Indian C = Caucasian H = Hispanic NA = Native American O = Other NL = Not Listed				
<b>Legend</b> 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								

DEPARTMENT OF CONTRACTING AND PURCHASING



Social Equity Division

PROJECT COMPLIANCE EVALUATION FOR :

Project No. NA

RE: RFQ-On-Call Construction Services

CONSULTANT/CONTRACTOR: Donny Chu Construction, Inc.

<u>Engineer's Estimate:</u>	<u>Contractors' Bid Amount</u>	<u>Over/Under Engineer's Estimate</u>
NA	NA	NA
<u>Bid discounted amount:</u>	<u>Discount/Preference Points:</u>	
N/A	5	

1. Did the 20% local/small local requirement apply: YES

2. Did the contractor meet the 20% requirement YES

a) % of LBE participation 0%

b) % of SLBE participation 100%

3. Did the contractor receive bid discount/preference points? YES

(If yes, list the points received) 5 points

5. Additional Comments.

RFQ was limited to SLBE firms.

6. Date evaluation completed and returned to Contract Admin./Initiating Dept.

12/10/2009

Date

Reviewing Officer:

Shelley Hertz

Date: 12/10/09

Approved By:

Shelley Sarensburg

Date: 12/10/09

## Donny Chu Construction, Inc.

Project Name: RFQ--On-Call Construction Services

Project No.: NA		Engineer's Estimate				Under/Over Engineers Estimate:				
Discipline	Prime & Subs	Location	Cert. Status	LBE	SLBE	Total	Total	For Tracking Only		
						LBE/SLBE %	Percentages	Ethn	MBE	WBE
PRIME	Donny Chu Construction, Inc.	Oakland	CB		100%	100%	100%	AP	100%	
<b>Project Totals</b>				0%	100%	100%	100%		100%	0%
<b>Requirements:</b> 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 LBE/SLBE	TOTAL %	<b>Ethnicity</b> AA = African American AP = Asian Pacific AI = Asian Indian C = Caucasian H = Hispanic NA = Native American O = Other NL = Not Listed		
<b>Legend</b>		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				

DEPARTMENT OF CONTRACTING AND PURCHASING



Social Equity Division

PROJECT COMPLIANCE EVALUATION FOR :

Project No. NA

RE: RFQ-On-Call Construction Services

CONSULTANT/CONTRACTOR: Malachi Construction

<u>Engineer's Estimate</u>	<u>Contractors' Bid Amount</u>	<u>Over/Under Engineer's Estimate</u>
NA	NA	NA
<u>Bid discounted amount:</u>	<u>Discount/Preference Points:</u>	
N/A	5	

- 1. Did the 20% local/small local requirement apply: YES
- 2. Did the contractor meet the 20% requirement YES
  - a) % of LBE participation 0%
  - b) % of SLBE participation 100%

3. Did the contractor receive bid discount/preference points? YES

(If yes, list the points received) 5 points

5. Additional Comments.

RFQ was limited to SLBE firms.

6. Date evaluation completed and returned to Contract Admin./Initiating Dept.

12/10/2009

Date

Reviewing Officer:

*Joshua King*

Date: 12/10/09

Approved By:

*Shelley Darenburg*

Date: 12/10/09

# Malachi Construction

Project Name: RFQ--On-Call Construction Services

Project No.: NA		Engineer's Estimate				Under/Over Engineers Estimate:						
Discipline	Prime & Subs	Location	Cert. Status	LBE	SLBE	Total LBE/SLBE %	Total Percentages	For Tracking Only				
								Ethn	MBE	WBE		
PRIME	Malachi Construction	Oakland	CB		100%	100%	100%	AA	100%			
<b>Project Totals</b>					0%	100%	100%	100%	100%	0%		
<b>Requirements:</b> 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 LBE/SLBE	TOTAL %	<b>Ethnicity</b> AA = African American AP = Asian Pacific AI = Asian Indian C = Caucasian H = Hispanic NA = Native American O = Other NL = Not Listed				
<b>Legend</b> 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								

DEPARTMENT OF CONTRACTING AND PURCHASING



Social Equity Division

PROJECT COMPLIANCE EVALUATION FOR :

Project No. NA

RE: RFQ-On-Call Construction Services

CONSULTANT/CONTRACTOR: Rockridge Builders

<u>Engineer's Estimate:</u> NA	<u>Contractors' Bid Amount</u> NA	<u>Over/Under Engineer's Estimate</u> NA
<u>Bid discounted amount:</u> N/A	<u>Discount/Preference Points:</u> 5	

1. Did the 20% local/small local requirement apply: YES

2. Did the contractor meet the 20% requirement YES  
a) % of LBE participation 0%  
b) % of SLBE participation 100%

3. Did the contractor receive bid discount/preference points? YES

(If yes, list the points received) 5 points

5. Additional Comments.

RFQ was limited to SLBE firms.

6. Date evaluation completed and returned to Contract Admin./Initiating Dept.

12/10/2009  
Date

Reviewing Officer: *Steph Heng*

Date: 12/10/09

Approved By: *Shelley Darenburg*

Date: 12/10/09

# Rockridge Builders

Project Name: RFQ--On-Call Construction Services

Project No.: NA		Engineer's Estimate				Under/Over Engineers Estimate:					
Discipline	Prime & Subs	Location	Cert. Status	LBE	SLBE	Total	Total	For Tracking Only			
						LBE/SLBE %	Percentages	Ethn.	MBE	WBE	
PRIME	Rockridge Builders	Oakland	CB		100%	100%	100%	C			
<b>Project Totals</b>				0%	100%	100%	100%		0%	0%	
<b>Requirements:</b> 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 LBE/SLBE	TOTAL %	<b>Ethnicity</b> AA = African American AP = Asian Pacific AI = Asian Indian C = Caucasian H = Hispanic NA = Native American O = Other NL = Not Listed			
<b>Legend</b> 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							



DEPARTMENT OF CONTRACTING AND PURCHASING



Social Equity Division

PROJECT COMPLIANCE EVALUATION FOR :

Project No: NA

RE:

**RFQ--On-Call Construction Services**

CONSULTANT/CONTRACTOR: Turner Group Construction

Engineer's Estimate: NA      Contractors' Bid Amount NA      Over/Under Engineer's NA

Bid discounted amount: N/A      Discount/Preference Points: 0%

1. Did the 20% local/small local requirement apply: YES
2. Did the contractor meet the 20% requirement YES
- a) % of LBE participation 0%
- b) % of SLBE 100%

3. Did the contractor receive bid discount/preference points? YES

(If yes, list the points received) 5 points

5. Additional Comments.

RFQ was limited to SLBE firms.

6. Date evaluation completed and returned to Contract Admin./Initiating Dept.

12/10/2009

Date

Reviewing  
Officer:

*Stephanie Hays*

Date:

12/10/09

Approved By:

*Shelley Qarendy*

Date:

12/10/09

# Turner Group Construction

Project Name: RFQ--On-Call Construction Services

Project No.:		NA		Engineer's Estimate			Under/Over Engineers Estimate:					
Discipline	Prime & Subs	Location	Cert. Status	LBE	SLBE	Total	Total	For Tracking Only				
						LBE/SLBE %	Percentages	Ethn.	MBE	WBE		
PRIME	Turner Group Construction	Oakland	CB		100%	100%	100%	AA	100%			
<b>Project Totals</b>				0%	100%	100%	100%		100%	0%		
<b>Requirements:</b> 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 LBE/SLBE	TOTAL %	<b>Ethnicity</b> AA = African American AP = Asian Pacific AI = Asian Indian C = Caucasian H = Hispanic NA = Native American O = Other NL = Not Listed				
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DEPARTMENT OF CONTRACTING AND PURCHASING



Social Equity Division

PROJECT COMPLIANCE EVALUATION FOR :

Project No. NA

RE: RFQ--On-Call Construction Services

CONSULTANT/CONTRACTOR: Van Every Construction

<u>Engineer's Estimate:</u> NA	<u>Contractors' Bid Amount</u> NA	<u>Over/Under Engineer's Estimate</u> NA
<u>Bid discounted amount:</u> N/A	<u>Discount/Preference Points:</u> 5	

- 1. Did the 20% local/small local requirement apply: YES
- 2. Did the contractor meet the 20% requirement YES
  - a) % of LBE participation 0%
  - b) % of SLBE participation 100%

3. Did the contractor receive bid discount/preference points? YES  
(If yes, list the points received) 5 points

5. Additional Comments.

RFQ was limited to SLBE firms.

6. Date evaluation completed and returned to Contract Admin./Initiating Dept.

12/9/2009

Date

Reviewing Officer:

Shelley Hays

Date:

12/10/09

Approved By:

Shelley Darenburg

Date:

12/10/09

# Van Every Construction

Project Name: RFQ--On-Call Construction Services

Project No.: NA		Engineer's Estimate				Under/Over Engineers Estimate:						
Discipline	Prime & Subs	Location	Cert. Status	LBE	SLBE	Total		For Tracking Only				
						LBE/SLBE %	Total Percentages	Ethn.	MBE	WBE		
PRIME	Van Every Construction	Oakland	CB		100%	100%	100%	C				
<b>Project Totals</b>				0%	100%	100%	100%		0%	0%		
<b>Requirements:</b> 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 LBE/SLBE	TOTAL %	<b>Ethnicity</b> AA = African American AP = Asian Pacific AI = Asian Indian C = Caucasian H = Hispanic NA = Native American O = Other NL = Not Listed				
<b>Legend</b> 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								



# Peters Construction

Project Name: RFQ--On-Call Construction Services

Project No.: NA		Engineer's Estimate				Under/Over Engineers Estimate:		For Tracking Only				
Discipline	Prime & Subs	Location	Cert. Status	LBE	SLBE	Total LBE/SLBE %	Total Percentages	Ethnic	MBE	WBE		
PRIME	Peters Construction	Oakland	CB		100%	100%	100%	C				
<b>Project Totals</b>				0%	100%	100%	100%		0%	0%		
<b>Requirements:</b> 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 LBE/SLBE	TOTAL %	<b>Ethnicity</b> AA = African American AP = Asian Pacific AI = Asian Indian C = Caucasian H = Hispanic NA = Native American O = Other NL = Not Listed				
<b>Legend</b> 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								



**DEPARTMENT OF CONTRACTING AND PURCHASING**

**Social Equity Division**

**PROJECT COMPLIANCE EVALUATION FOR :**

Project No. NA

RE: **RFQ--On-Call Construction Services**

**CONSULTANT/CONTRACTOR: JUV, Inc.**

<u>Engineer's Estimate:</u>	<u>Contractors' Bid Amount</u>	<u>Over/Under Engineer's Estimate</u>
NA	NA	NA
<u>Bid discounted amount:</u>	<u>Discount/Preference Points:</u>	
N/A	5	

- 1. Did the 20% local/small local requirement apply: **YES**
- 2. Did the contractor meet the 20'
  - a) % of LBE **0%**
  - b) % of SLBE **100%**
- 3. Did the contractor receive bid discount/preference points? **YES**  
(If yes, list the points received) **5 points**

5. Additional Comments.

RFQ was limited to SLBE firms.

6. Date evaluation completed and returned to Contract Admin./Initiating Dept.

12/9/2009

Date

Reviewing Officer:

*Sophya Hays*

Date:

12/10/09

Approved By:

*Shelley Darnovsky*

Date:

12/10/09

# JUV, Inc.

Project Name: RFQ-On-Call Construction Services

Project No.: NA		Engineer's Estimate				Under/Over Engineers Estimate:					
Discipline	Prime & Subs	Location	Cert. Status	LBE	SLBE	Total	Total	For Tracking Only			
						LBE/SLBE %	Percentages	Ethn	MBE	WBE	
PRIME	JUV, Inc.	Oakland	CB		100%	100%	100%	C			
<b>Project Totals</b>				0%	100%	100%	100%		0%	0%	
<b>Requirements:</b> The 20% requirements is a combination of 10% LBE and 10% SLBE participation. An SLBE firm can be counted 100% towards achieving 20% requirements.				10%	10%	TOTAL LBE/SLBE	TOTAL %	<b>Ethnicity</b> AA = African American AP = Asian Pacific AI = Asian Indian C = Caucasian H = Hispanic NA = Native American O = Other NL = Not Listed			
<b>Legend</b> 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							



DEPARTMENT OF CONTRACTING AND PURCHASING



Social Equity Division

PROJECT COMPLIANCE EVALUATION FOR :

Project No. NA

**RFQ--On-Call Construction Services**

CONSULTANT/CONTRACTOR: Infiniti Engineering Builders

<u>Engineer's Estimate:</u>	<u>Contractors' Bid Amount</u>	<u>Over/Under Engineer's Estimate</u>
NA	NA	NA
<u>Bid discounted amount:</u>	<u>Discount/Preference Points:</u>	
N/A	0	

- 1. Did the 20% local/small local requirement apply: YES
- 2. Did the contractor meet the 20% requirement NO
  - a) % of LBE participation 0%
  - b) % of SLBE participation 0%

3. Did the contractor receive bid discount/preference points? NO  
(If yes, list the points received) 0 points

5. Additional Comments.

RFQ was limited to SLBE firms. Infiniti Engineering Builders is not certified as SLBE. Therefore, they are deemed non-responsive.

6. Date evaluation completed and returned to Contract Admin./Initiating Dept.

12/10/2009

Date

Reviewing  
Officer:

Shelley Daneshmandy Date: 12/10/09

Approved By:

Shelley Daneshmandy Date: 12/10/09

## LBE/SLBE Participation Infiniti Engineering Builders

Project Name: RFQ—On-Call Construction Services

Project No.: NA		Engineer's Estimate				Under/Over Engineers Estimate:					
Discipline	Prime & Subs	Location	Cert. Status	LBE	SLBE	Total LBE/SLBE %	Total Percentages	For Tracking Only			
								Ethn.	MBE	WBE	
PRIME	Infiniti Engineering Builders	Oakland	UB				100%	C			
<b>Project Totals</b>				0%	0%	50%	100%		0%	0%	
<b>Requirements:</b> 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 LBE/SLBE	TOTAL %	<b>Ethnicity</b> AA = African American AP = Asian Pacific AI = Asian Indian C = Caucasian H = Hispanic NA = Native American O = Other NL = Not Listed			
<b>Legend</b> 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							

FILED  
OFFICE OF THE CITY CLERK  
OAKLAND

2010 FEB 10 AM 9:59

# OAKLAND CITY COUNCIL

Approved as to Form and Legality

  
City Attorney

RESOLUTION No. \_\_\_\_\_ C.M.S.

**RESOLUTION AWARDING A CONSTRUCTION CONTRACT FOR ON-CALL LICENSED CONSTRUCTION WORK TO THE PREQUALIFIED FIRM OF BAY CONSTRUCTION FOR AN AMOUNT NOT-TO-EXCEED TWO HUNDRED AND FIFTY THOUSAND DOLLARS (\$250,000.00), AND WAIVING THE OPEN-MARKET ADVERTISING AND BIDDING REQUIREMENTS OF OAKLAND MUNICIPAL CODE CHAPTER 2.04 FOR ANY ON-CALL CONSTRUCTION WORK TO BE LET TO SAID CONTRACTOR**

**WHEREAS**, The City's Fairness in Purchasing and Contracting Disparity Study report of September 29, 2009, included a recommendation to implement a small contracts rotation program or process for small, local construction-licensed contractors to undertake some of the City's routine maintenance and repair work, that is more streamlined, expeditious and cost efficient; and

**WHEREAS**, the City would benefit from maintaining a list of prequalified contractors to perform construction work on an on-call basis to undertake projects with limited scope, budget, or of an urgent nature so that it can promptly respond to and provide construction services in an efficient and timely manner; and

**WHEREAS**, the construction services will be funded through the various individual projects and funds will be identified prior to the performance of the construction services; and

**WHEREAS**, the City issued a Request for Qualifications (RFQ) that was limited to certified Small Local Business Enterprise contractors with "A" or "B" licenses and ten firms responded; and

**WHEREAS**, Bay Construction, a small local business that responded to the RFQ, meets the requirements of the RFQ; and

**WHEREAS**, once on-call contracts are executed with the list of prequalified licensed contractors and a project arises, the City will solicit bids for work from groups of prequalified contractors on a rotating basis in light of factors such as type of work, contractor's experience and expertise, contractor's availability and contractor's bonding capacity at the time of solicitation, and will award work orders to the lowest responsive bidder; and

**WHEREAS**, it is in the City's best interests not to advertise or solicit competitive bids on the open market for on-call construction work that can be handled by the list of prequalified contractors in the interest of supporting the recommendation for a small contracts rotation program and because such advertising and bidding delays work, would result in unnecessary administrative cost and burden, does not facilitate the participation of small local licensed contractors in bidding for the work and would be unlikely to render significantly better prices for the work; and

**WHEREAS**, the City Council may waive the advertising and bidding requirements of the Oakland Municipal Code (OMC) under section 2.04.050.I.5 upon a finding that it is in the best interest to do so; and

**WHEREAS**, the City Administrator has determined that the construction contract approved hereunder is temporary in nature and that 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 shall not result in the loss of employment or salary by any person having permanent status in the competitive service; now, therefore, be it

**RESOLVED:** That the City Council awards a construction contract to Bay Construction, prequalified for construction work to be let/assigned thereunder, in an amount not-to-exceed two hundred and fifty thousand dollars (\$250,000.00) for on-call construction work; and be it

**FURTHER RESOLVED:** That the City Council approves the on-call construction specifications as prepared by the Deputy Director of the Department of Engineering and Construction, and authorizes the execution of any amendments or modifications of said contract within the limitations of the specifications for the on-call construction work; and be it

**FURTHER RESOLVED:** That the contract term will be for three (3) years from the date of contract execution; and be it

**FURTHER RESOLVED:** That the City Council hereby finds, pursuant to OMC Section 2.04.050.I.5 and the reasons stated above and in the City Administrator's report accompanying this resolution, that it is in the best interests of the City to waive the open-market advertising and competitive bid requirements of OMC Chapter 2.04 for any on-call construction work to be awarded to said prequalified contractor, and so waives the requirements; and be it

**FURTHER RESOLVED:** That the contractor shall provide performance and payment bonds for 100% of the value of the work assignment prior to the commencement of any work under its on-call construction services contract; and be it

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

IN COUNCIL, OAKLAND, CALIFORNIA, \_\_\_\_\_,

**PASSED BY THE FOLLOWING VOTE:**

AYES - BROOKS, DE LA FUENTE, KAPLAN, KERNIGHAN, NADEL, QUAN, REID, and PRESIDENT BRUNNER

NOES -

ABSENT -


ABSTENTION -

ATTEST: \_\_\_\_\_

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

FILED  
OFFICE OF THE CITY CLERK  
OAKLAND

Approved as to Form and Legality

  
City Attorney

2010 FEB 10 AM 10:00 **OAKLAND CITY COUNCIL**

**RESOLUTION No. \_\_\_\_\_ C.M.S.**

**RESOLUTION AWARDING A CONSTRUCTION CONTRACT FOR ON-CALL LICENSED CONSTRUCTION WORK TO THE PREQUALIFIED FIRM OF VAN EVERY CONSTRUCTION FOR AN AMOUNT NOT-TO-EXCEED TWO HUNDRED AND FIFTY THOUSAND DOLLARS (\$250,000.00), AND WAIVING THE OPEN-MARKET ADVERTISING AND BIDDING REQUIREMENTS OF OAKLAND MUNICIPAL CODE CHAPTER 2.04 FOR ANY ON-CALL CONSTRUCTION WORK TO BE LET TO SAID CONTRACTOR**

**WHEREAS**, The City's Fairness in Purchasing and Contracting Disparity Study report of September 29, 2009, included a recommendation to implement a small contracts rotation program or process for small, local construction-licensed contractors to undertake some of the City's routine maintenance and repair work, that is more streamlined, expeditious and cost efficient; and

**WHEREAS**, the City would benefit from maintaining a list of prequalified contractors to perform construction work on an on-call basis to undertake projects with limited scope, budget, or of an urgent nature so that it can promptly respond to and provide construction services in an efficient and timely manner; and

**WHEREAS**, the construction services will be funded through the various individual projects and funds will be identified prior to the performance of the construction services; and

**WHEREAS**, the City issued a Request for Qualifications (RFQ) that was limited to certified Small Local Business Enterprise contractors with "A" or "B" licenses and ten firms responded; and

**WHEREAS**, Van Every Construction, a small local business that responded to the RFQ, meets the requirements of the RFQ; and

**WHEREAS**, once on-call contracts are executed with the list of prequalified licensed contractors and a project arises, the City will solicit bids for work from groups of prequalified contractors on a rotating basis in light of factors such as type of work, contractor's experience and expertise, contractor's availability and contractor's bonding capacity at the time of solicitation, and will award work orders to the lowest responsive bidder; and

**WHEREAS**, it is in the City's best interests not to advertise or solicit competitive bids on the open market for on-call construction work that can be handled by the list of prequalified contractors in the interest of supporting the recommendation for a small contracts rotation program and because such advertising and bidding delays work, would result in unnecessary administrative cost and burden, does not facilitate the participation of small local licensed contractors in bidding for the work and would be unlikely to render significantly better prices for the work; and

**WHEREAS**, the City Council may waive the advertising and bidding requirements of the Oakland Municipal Code (OMC) under section 2.04.050.I.5 upon a finding that it is in the best interest to do so; and

**WHEREAS**, the City Administrator has determined that the construction contract approved hereunder is temporary in nature and that 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 shall not result in the loss of employment or salary by any person having permanent status in the competitive service; now, therefore, be it

**RESOLVED:** That the City Council awards a construction contract to Van Every Construction, prequalified for construction work to be let/assigned thereunder, in an amount not-to-exceed two hundred and fifty thousand dollars (\$250,000.00) for on-call construction work; and be it

**FURTHER RESOLVED:** That the City Council approves the on-call construction specifications as prepared by the Deputy Director of the Department of Engineering and Construction, and authorizes the execution of any amendments or modifications of said contract within the limitations of the specifications for the on-call construction work; and be it

**FURTHER RESOLVED:** That the contract term will be for three (3) years from the date of contract execution; and be it

**FURTHER RESOLVED:** That the City Council hereby finds, pursuant to OMC Section 2.04.050.I.5 and the reasons stated above and in the City Administrator's report accompanying this resolution, that it is in the best interests of the City to waive the open-market advertising and competitive bid requirements of OMC Chapter 2.04 for any on-call construction work to be awarded to said prequalified contractor, and so waives the requirements; and be it

**FURTHER RESOLVED:** That the contractor shall provide performance and payment bonds for 100% of the value of the work assignment prior to the commencement of any work under its on-call construction services contract; and be it

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

IN COUNCIL, OAKLAND, CALIFORNIA, \_\_\_\_\_,

**PASSED BY THE FOLLOWING VOTE:**

AYES - BROOKS, DE LA FUENTE, KAPLAN, KERNIGHAN, NADEL, QUAN, REID, and PRESIDENT BRUNNER

NOES -

ABSENT -

ABSTENTION -

ATTEST: \_\_\_\_\_

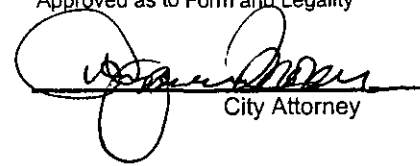
LaTonda Simmons  
City Clerk and Clerk of the Council  
of the City of Oakland, California



FILED  
OFFICE OF THE CITY CLERK  
OAKLAND

# OAKLAND CITY COUNCIL

Approved as to Form and Legality

  
City Attorney

2010 FEB 10 AM 10:00

RESOLUTION No. \_\_\_\_\_ C.M.S.

**RESOLUTION AWARDING A CONSTRUCTION CONTRACT FOR ON-CALL LICENSED CONSTRUCTION WORK TO THE PREQUALIFIED FIRM OF TURNER GROUP CONSTRUCTION FOR AN AMOUNT NOT-TO-EXCEED TWO HUNDRED AND FIFTY THOUSAND DOLLARS (\$250,000.00), AND WAIVING THE OPEN-MARKET ADVERTISING AND BIDDING REQUIREMENTS OF OAKLAND MUNICIPAL CODE CHAPTER 2.04 FOR ANY ON-CALL CONSTRUCTION WORK TO BE LET TO SAID CONTRACTOR**

**WHEREAS**, The City's Fairness in Purchasing and Contracting Disparity Study report of September 29, 2009, included a recommendation to implement a small contracts rotation program or process for small, local construction-licensed contractors to undertake some of the City's routine maintenance and repair work, that is more streamlined, expeditious and cost efficient; and

**WHEREAS**, the City would benefit from maintaining a list of prequalified contractors to perform construction work on an on-call basis to undertake projects with limited scope, budget, or of an urgent nature so that it can promptly respond to and provide construction services in an efficient and timely manner; and

**WHEREAS**, the construction services will be funded through the various individual projects and funds will be identified prior to the performance of the construction services; and

**WHEREAS**, the City issued a Request for Qualifications (RFQ) that was limited to certified Small Local Business Enterprise contractors with "A" or "B" licenses and ten firms responded; and

**WHEREAS**, Turner Group Construction, a small local business that responded to the RFQ, meets the requirements of the RFQ; and

**WHEREAS**, once on-call contracts are executed with the list of prequalified licensed contractors and a project arises, the City will solicit bids for work from groups of prequalified contractors on a rotating basis in light of factors such as type of work, contractor's experience and expertise, contractor's availability and contractor's bonding capacity at the time of solicitation, and will award work orders to the lowest responsive bidder; and

**WHEREAS**, it is in the City's best interests not to advertise or solicit competitive bids on the open market for on-call construction work that can be handled by the list of prequalified contractors in the interest of supporting the recommendation for a small contracts rotation program and because such advertising and bidding delays work, would result in unnecessary administrative cost and burden, does not facilitate the participation of small local licensed contractors in bidding for the work and would be unlikely to render significantly better prices for the work; and

**WHEREAS**, the City Council may waive the advertising and bidding requirements of the Oakland Municipal Code (OMC) under section 2.04.050.I.5 upon a finding that it is in the best interest to do so; and

**WHEREAS**, the City Administrator has determined that the construction contract approved hereunder is temporary in nature and that 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 shall not result in the loss of employment or salary by any person having permanent status in the competitive service; now, therefore, be it

**RESOLVED:** That the City Council awards a construction contract to Turner Group Construction, prequalified for construction work to be let/assigned thereunder, in an amount not-to-exceed two hundred and fifty thousand dollars (\$250,000.00) for on-call construction work; and be it

**FURTHER RESOLVED:** That the City Council approves the on-call construction specifications as prepared by the Deputy Director of the Department of Engineering and Construction, and authorizes the execution of any amendments or modifications of said contract within the limitations of the specifications for the on-call construction work; and be it

**FURTHER RESOLVED:** That the contract term will be for three (3) years from the date of contract execution; and be it

**FURTHER RESOLVED:** That the City Council hereby finds, pursuant to OMC Section 2.04.050.I.5 and the reasons stated above and in the City Administrator's report accompanying this resolution, that it is in the best interests of the City to waive the open-market advertising and competitive bid requirements of OMC Chapter 2.04 for any on-call construction work to be awarded to said prequalified contractor, and so waives the requirements; and be it

**FURTHER RESOLVED:** That the contractor shall provide performance and payment bonds for 100% of the value of the work assignment prior to the commencement of any work under its on-call construction services contract; and be it

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

IN COUNCIL, OAKLAND, CALIFORNIA, \_\_\_\_\_,

**PASSED BY THE FOLLOWING VOTE:**

AYES - BROOKS, DE LA FUENTE, KAPLAN, KERNIGHAN, NADEL, QUAN, REID, and PRESIDENT BRUNNER

NOES -

ABSENT -

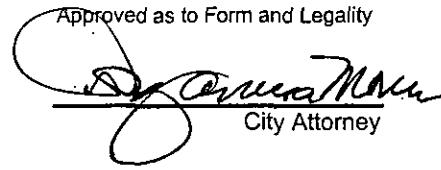
ABSTENTION -

ATTEST: \_\_\_\_\_

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

FILED  
OFFICE OF THE CITY CLERK  
OAKLAND

Approved as to Form and Legality

  
City Attorney

2010 FEB 10 AM 10:00 **OAKLAND CITY COUNCIL**

**RESOLUTION No. \_\_\_\_\_ C.M.S.**

**RESOLUTION AWARDING A CONSTRUCTION CONTRACT FOR ON-CALL LICENSED CONSTRUCTION WORK TO THE PREQUALIFIED FIRM OF ROCKRIDGE BUILDERS FOR AN AMOUNT NOT-TO-EXCEED TWO HUNDRED AND FIFTY THOUSAND DOLLARS (\$250,000.00), AND WAIVING THE OPEN-MARKET ADVERTISING AND BIDDING REQUIREMENTS OF OAKLAND MUNICIPAL CODE CHAPTER 2.04 FOR ANY ON-CALL CONSTRUCTION WORK TO BE LET TO SAID CONTRACTOR**

**WHEREAS**, The City's Fairness in Purchasing and Contracting Disparity Study report of September 29, 2009, included a recommendation to implement a small contracts rotation program or process for small, local construction-licensed contractors to undertake some of the City's routine maintenance and repair work, that is more streamlined, expeditious and cost efficient; and

**WHEREAS**, the City would benefit from maintaining a list of prequalified contractors to perform construction work on an on-call basis to undertake projects with limited scope, budget, or of an urgent nature so that it can promptly respond to and provide construction services in an efficient and timely manner; and

**WHEREAS**, the construction services will be funded through the various individual projects and funds will be identified prior to the performance of the construction services; and

**WHEREAS**, the City issued a Request for Qualifications (RFQ) that was limited to certified Small Local Business Enterprise contractors with "A" or "B" licenses and ten firms responded; and

**WHEREAS**, Rockridge Builders, a small local business that responded to the RFQ, meets the requirements of the RFQ; and

**WHEREAS**, once on-call contracts are executed with the list of prequalified licensed contractors and a project arises, the City will solicit bids for work from groups of prequalified contractors on a rotating basis in light of factors such as type of work, contractor's experience and expertise, contractor's availability and contractor's bonding capacity at the time of solicitation, and will award work orders to the lowest responsive bidder; and

**WHEREAS**, it is in the City's best interests not to advertise or solicit competitive bids on the open market for on-call construction work that can be handled by the list of prequalified contractors in the interest of supporting the recommendation for a small contracts rotation program and because such advertising and bidding delays work, would result in unnecessary administrative cost and burden, does not facilitate the participation of small local licensed contractors in bidding for the work and would be unlikely to render significantly better prices for the work; and

**WHEREAS**, the City Council may waive the advertising and bidding requirements of the Oakland Municipal Code (OMC) under section 2.04.050.I.5 upon a finding that it is in the best interest to do so; and

**WHEREAS**, the City Administrator has determined that the construction contract approved hereunder is temporary in nature and that 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 shall not result in the loss of employment or salary by any person having permanent status in the competitive service; now, therefore, be it

**RESOLVED:** That the City Council awards a construction contract to Rockridge Builders, prequalified for construction work to be let/assigned thereunder, in an amount not-to-exceed two hundred and fifty thousand dollars (\$250,000.00) for on-call construction work; and be it

**FURTHER RESOLVED:** That the City Council approves the on-call construction specifications as prepared by the Deputy Director of the Department of Engineering and Construction, and authorizes the execution of any amendments or modifications of said contract within the limitations of the specifications for the on-call construction work; and be it

**FURTHER RESOLVED:** That the contract term will be for three (3) years from the date of contract execution; and be it

**FURTHER RESOLVED:** That the City Council hereby finds, pursuant to OMC Section 2.04.050.I.5 and the reasons stated above and in the City Administrator's report accompanying this resolution, that it is in the best interests of the City to waive the open-market advertising and competitive bid requirements of OMC Chapter 2.04 for any on-call construction work to be awarded to said prequalified contractor, and so waives the requirements; and be it

**FURTHER RESOLVED:** That the contractor shall provide performance and payment bonds for 100% of the value of the work assignment prior to the commencement of any work under its on-call construction services contract; and be it

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

IN COUNCIL, OAKLAND, CALIFORNIA, \_\_\_\_\_,

**PASSED BY THE FOLLOWING VOTE:**

AYES - BROOKS, DE LA FUENTE, KAPLAN, KERNIGHAN, NADEL, QUAN, REID, and PRESIDENT BRUNNER

NOES -

ABSENT -

ABSTENTION -

ATTEST: \_\_\_\_\_

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

  
City Attorney

2010 FEB 10 AM 10:00 OAKLAND CITY COUNCIL

RESOLUTION No. \_\_\_\_\_ C.M.S.

**RESOLUTION AWARDING A CONSTRUCTION CONTRACT FOR ON-CALL LICENSED CONSTRUCTION WORK TO THE PREQUALIFIED FIRM OF MALACHI CONSTRUCTION FOR AN AMOUNT NOT-TO-EXCEED TWO HUNDRED AND FIFTY THOUSAND DOLLARS (\$250,000.00), AND WAIVING THE OPEN-MARKET ADVERTISING AND BIDDING REQUIREMENTS OF OAKLAND MUNICIPAL CODE CHAPTER 2.04 FOR ANY ON-CALL CONSTRUCTION WORK TO BE LET TO SAID CONTRACTOR**

**WHEREAS**, The City's Fairness in Purchasing and Contracting Disparity Study report of September 29, 2009, included a recommendation to implement a small contracts rotation program or process for small, local construction-licensed contractors to undertake some of the City's routine maintenance and repair work, that is more streamlined, expeditious and cost efficient; and

**WHEREAS**, the City would benefit from maintaining a list of prequalified contractors to perform construction work on an on-call basis to undertake projects with limited scope, budget, or of an urgent nature so that it can promptly respond to and provide construction services in an efficient and timely manner; and

**WHEREAS**, the construction services will be funded through the various individual projects and funds will be identified prior to the performance of the construction services; and

**WHEREAS**, the City issued a Request for Qualifications (RFQ) that was limited to certified Small Local Business Enterprise contractors with "A" or "B" licenses and ten firms responded; and

**WHEREAS**, Malachi Construction, a small local business that responded to the RFQ, meets the requirements of the RFQ; and

**WHEREAS**, once on-call contracts are executed with the list of prequalified licensed contractors and a project arises, the City will solicit bids for work from groups of prequalified contractors on a rotating basis in light of factors such as type of work, contractor's experience and expertise, contractor's availability and contractor's bonding capacity at the time of solicitation, and will award work orders to the lowest responsive bidder; and

**WHEREAS**, it is in the City's best interests not to advertise or solicit competitive bids on the open market for on-call construction work that can be handled by the list of prequalified contractors in the interest of supporting the recommendation for a small contracts rotation program and because such advertising and bidding delays work, would result in unnecessary administrative cost and burden, does not facilitate the participation of small local licensed contractors in bidding for the work and would be unlikely to render significantly better prices for the work; and

**WHEREAS**, the City Council may waive the advertising and bidding requirements of the Oakland Municipal Code (OMC) under section 2.04.050.I.5 upon a finding that it is in the best interest to do so; and

**WHEREAS**, the City Administrator has determined that the construction contract approved hereunder is temporary in nature and that 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 shall not result in the loss of employment or salary by any person having permanent status in the competitive service; now, therefore, be it

**RESOLVED:** That the City Council awards a construction contract to Malachi Construction, prequalified for construction work to be let/assigned thereunder, in an amount not-to-exceed two hundred and fifty thousand dollars (\$250,000.00) for on-call construction work; and be it

**FURTHER RESOLVED:** That the City Council approves the on-call construction specifications as prepared by the Deputy Director of the Department of Engineering and Construction, and authorizes the execution of any amendments or modifications of said contract within the limitations of the specifications for the on-call construction work; and be it

**FURTHER RESOLVED:** That the contract term will be for three (3) years from the date of contract execution; and be it

**FURTHER RESOLVED:** That the City Council hereby finds, pursuant to OMC Section 2.04.050.I.5 and the reasons stated above and in the City Administrator's report accompanying this resolution, that it is in the best interests of the City to waive the open-market advertising and competitive bid requirements of OMC Chapter 2.04 for any on-call construction work to be awarded to said prequalified contractor, and so waives the requirements; and be it

**FURTHER RESOLVED:** That the contractor shall provide performance and payment bonds for 100% of the value of the work assignment prior to the commencement of any work under its on-call construction services contract; and be it



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

IN COUNCIL, OAKLAND, CALIFORNIA, \_\_\_\_\_,

**PASSED BY THE FOLLOWING VOTE:**

AYES - BROOKS, DE LA FUENTE, KAPLAN, KERNIGHAN, NADEL, QUAN, REID, and PRESIDENT BRUNNER

NOES -

ABSENT -


ABSTENTION -

ATTEST: \_\_\_\_\_

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

FILED  
OFFICE OF THE CITY CLERK  
OAKLAND

Approved as to Form and Legality

  
City Attorney

2010 FEB 10 AM 10:00

# OAKLAND CITY COUNCIL

RESOLUTION No. \_\_\_\_\_ C.M.S.

**RESOLUTION AWARDING A CONSTRUCTION CONTRACT FOR ON-CALL LICENSED CONSTRUCTION WORK TO THE PREQUALIFIED FIRM OF JUV, INC., FOR AN AMOUNT NOT-TO-EXCEED TWO HUNDRED AND FIFTY THOUSAND DOLLARS (\$250,000.00), AND WAIVING THE OPEN-MARKET ADVERTISING AND BIDDING REQUIREMENTS OF OAKLAND MUNICIPAL CODE CHAPTER 2.04 FOR ANY ON-CALL CONSTRUCTION WORK TO BE LET TO SAID CONTRACTOR**

**WHEREAS**, The City's Fairness in Purchasing and Contracting Disparity Study report of September 29, 2009, included a recommendation to implement a small contracts rotation program or process for small, local construction-licensed contractors to undertake some of the City's routine maintenance and repair work, that is more streamlined, expeditious and cost efficient; and

**WHEREAS**, the City would benefit from maintaining a list of prequalified contractors to perform construction work on an on-call basis to undertake projects with limited scope, budget, or of an urgent nature so that it can promptly respond to and provide construction services in an efficient and timely manner; and

**WHEREAS**, the construction services will be funded through the various individual projects and funds will be identified prior to the performance of the construction services; and

**WHEREAS**, the City issued a Request for Qualifications (RFQ) that was limited to certified Small Local Business Enterprise contractors with "A" or "B" licenses and ten firms responded; and

**WHEREAS**, JUV, Inc., a small local business that responded to the RFQ, meets the requirements of the RFQ; and

**WHEREAS**, once on-call contracts are executed with the list of prequalified licensed contractors and a project arises, the City will solicit bids for work from groups of prequalified contractors on a rotating basis in light of factors such as type of work, contractor's experience and expertise, contractor's availability and contractor's bonding capacity at the time of solicitation, and will award work orders to the lowest responsive bidder; and

**WHEREAS**, it is in the City's best interests not to advertise or solicit competitive bids on the open market for on-call construction work that can be handled by the list of prequalified contractors in the interest of supporting the recommendation for a small contracts rotation program and because such advertising and bidding delays work, would result in unnecessary administrative cost and burden, does not facilitate the participation of small local licensed contractors in bidding for the work and would be unlikely to render significantly better prices for the work; and

**WHEREAS**, the City Council may waive the advertising and bidding requirements of the Oakland Municipal Code (OMC) under section 2.04.050.1.5 upon a finding that it is in the best interest to do so; and

**WHEREAS**, the City Administrator has determined that the construction contract approved hereunder is temporary in nature and that 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 shall not result in the loss of employment or salary by any person having permanent status in the competitive service; now, therefore, be it

**RESOLVED:** That the City Council awards a construction contract to JUV, Inc., prequalified for construction work to be let/assigned thereunder, in an amount not-to-exceed two hundred and fifty thousand dollars (\$250,000.00) for on-call construction work; and be it

**FURTHER RESOLVED:** That the City Council approves the on-call construction specifications as prepared by the Deputy Director of the Department of Engineering and Construction, and authorizes the execution of any amendments or modifications of said contract within the limitations of the specifications for the on-call construction work; and be it

**FURTHER RESOLVED:** That the contract term will be for three (3) years from the date of contract execution; and be it

**FURTHER RESOLVED:** That the City Council hereby finds, pursuant to OMC Section 2.04.050.1.5 and the reasons stated above and in the City Administrator's report accompanying this resolution, that it is in the best interests of the City to waive the open-market advertising and competitive bid requirements of OMC Chapter 2.04 for any on-call construction work to be awarded to said prequalified contractor, and so waives the requirements; and be it

**FURTHER RESOLVED:** That the contractor shall provide performance and payment bonds for 100% of the value of the work assignment prior to the commencement of any work under its on-call construction services contract; and be it

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

IN COUNCIL, OAKLAND, CALIFORNIA, \_\_\_\_\_,

**PASSED BY THE FOLLOWING VOTE:**

AYES - BROOKS, DE LA FUENTE, KAPLAN, KERNIGHAN, NADEL, QUAN, REID, and PRESIDENT BRUNNER

NOES -

ABSENT -

ABSTENTION -

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

  
City Attorney

2010 FEB 10 AM 10:00 **OAKLAND CITY COUNCIL**

**RESOLUTION No. \_\_\_\_\_ C.M.S.**

**RESOLUTION AWARDING A CONSTRUCTION CONTRACT FOR ON-CALL LICENSED CONSTRUCTION WORK TO THE PREQUALIFIED FIRM OF DC CONSTRUCTION FOR AN AMOUNT NOT-TO-EXCEED TWO HUNDRED AND FIFTY THOUSAND DOLLARS (\$250,000.00), AND WAIVING THE OPEN-MARKET ADVERTISING AND BIDDING REQUIREMENTS OF OAKLAND MUNICIPAL CODE CHAPTER 2.04 FOR ANY ON-CALL CONSTRUCTION WORK TO BE LET TO SAID CONTRACTOR**

**WHEREAS**, The City's Fairness in Purchasing and Contracting Disparity Study report of September 29, 2009, included a recommendation to implement a small contracts rotation program or process for *small, local construction-licensed contractors to undertake some of the City's routine maintenance and repair work*, that is more streamlined, expeditious and cost efficient; and

**WHEREAS**, the City would benefit from maintaining a list of prequalified contractors to perform construction work on an on-call basis to undertake projects with limited scope, budget, or of an urgent nature so that it can promptly respond to and provide construction services in an efficient and timely manner; and

**WHEREAS**, the construction services will be funded through the various individual projects and funds will be identified prior to the performance of the construction services; and

**WHEREAS**, the City issued a Request for Qualifications (RFQ) that was limited to certified Small Local Business Enterprise contractors with "A" or "B" licenses and ten firms responded; and

**WHEREAS**, DC Construction, a small local business that responded to the RFQ, meets the requirements of the RFQ; and

**WHEREAS**, once on-call contracts are executed with the list of prequalified licensed contractors and a project arises, the City will solicit bids for work from groups of prequalified contractors on a rotating basis in light of factors such as type of work, contractor's experience and expertise, contractor's availability and contractor's bonding capacity at the time of solicitation, and will award work orders to the lowest responsive bidder; and

**WHEREAS**, it is in the City's best interests not to advertise or solicit competitive bids on the open market for on-call construction work that can be handled by the list of prequalified contractors in the interest of supporting the recommendation for a small contracts rotation program and because such advertising and bidding delays work, would result in unnecessary administrative cost and burden, does not facilitate the participation of small local licensed contractors in bidding for the work and would be unlikely to render significantly better prices for the work; and

**WHEREAS**, the City Council may waive the advertising and bidding requirements of the Oakland Municipal Code (OMC) under section 2.04.050.I.5 upon a finding that it is in the best interest to do so; and

**WHEREAS**, the City Administrator has determined that the construction contract approved hereunder is temporary in nature and that 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 shall not result in the loss of employment or salary by any person having permanent status in the competitive service; now, therefore, be it

**RESOLVED:** That the City Council awards a construction contract to DC Construction, prequalified for construction work to be let/assigned thereunder, in an amount not-to-exceed two hundred and fifty thousand dollars (\$250,000.00) for on-call construction work; and be it

**FURTHER RESOLVED:** That the City Council approves the on-call construction specifications as prepared by the Deputy Director of the Department of Engineering and Construction, and authorizes the execution of any amendments or modifications of said contract within the limitations of the specifications for the on-call construction work; and be it

**FURTHER RESOLVED:** That the contract term will be for three (3) years from the date of contract execution; and be it

**FURTHER RESOLVED:** That the City Council hereby finds, pursuant to OMC Section 2.04.050.I.5 and the reasons stated above and in the City Administrator's report accompanying this resolution, that it is in the best interests of the City to waive the open-market advertising and competitive bid requirements of OMC Chapter 2.04 for any on-call construction work to be awarded to said prequalified contractor, and so waives the requirements; and be it

**FURTHER RESOLVED:** That the contractor shall provide performance and payment bonds for 100% of the value of the work assignment prior to the commencement of any work under its on-call construction services contract; and be it

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

IN COUNCIL, OAKLAND, CALIFORNIA, \_\_\_\_\_,

**PASSED BY THE FOLLOWING VOTE:**

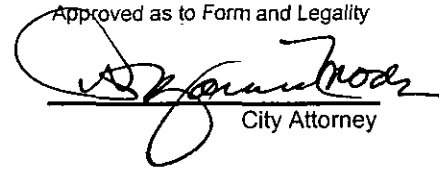
AYES - BROOKS, DE LA FUENTE, KAPLAN, KERNIGHAN, NADEL, QUAN, REID, and PRESIDENT BRUNNER

NOES -

ABSENT -

ABSTENTION -

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

  
City Attorney

2010 FEB 10 AM 10:00 OAKLAND CITY COUNCIL

RESOLUTION No. \_\_\_\_\_ C.M.S.

**RESOLUTION AWARDING A CONSTRUCTION CONTRACT FOR ON-CALL LICENSED CONSTRUCTION WORK TO THE PREQUALIFIED FIRM OF DAN PETERS CONSTRUCTION FOR AN AMOUNT NOT-TO-EXCEED TWO HUNDRED AND FIFTY THOUSAND DOLLARS (\$250,000.00), AND WAIVING THE OPEN-MARKET ADVERTISING AND BIDDING REQUIREMENTS OF OAKLAND MUNICIPAL CODE CHAPTER 2.04 FOR ANY ON-CALL CONSTRUCTION WORK TO BE LET TO SAID CONTRACTOR**

**WHEREAS**, The City's Fairness in Purchasing and Contracting Disparity Study report of September 29, 2009, included a recommendation to implement a small contracts rotation program or process for small, local construction-licensed contractors to undertake some of the City's routine maintenance and repair work, that is more streamlined, expeditious and cost efficient; and

**WHEREAS**, the City would benefit from maintaining a list of prequalified contractors to perform construction work on an on-call basis to undertake projects with limited scope, budget, or of an urgent nature so that it can promptly respond to and provide construction services in an efficient and timely manner; and

**WHEREAS**, the construction services will be funded through the various individual projects and funds will be identified prior to the performance of the construction services; and

**WHEREAS**, the City issued a Request for Qualifications (RFQ) that was limited to certified Small Local Business Enterprise contractors with "A" or "B" licenses and ten firms responded; and

**WHEREAS**, Dan Peters Construction, a small local business that responded to the RFQ, meets the requirements of the RFQ; and

**WHEREAS**, once on-call contracts are executed with the list of prequalified licensed contractors and a project arises, the City will solicit bids for work from groups of prequalified contractors on a rotating basis in light of factors such as type of work, contractor's experience and expertise, contractor's availability and contractor's bonding capacity at the time of solicitation, and will award work orders to the lowest responsive bidder; and

**WHEREAS**, it is in the City's best interests not to advertise or solicit competitive bids on the open market for on-call construction work that can be handled by the list of prequalified contractors in the interest of supporting the recommendation for a small contracts rotation program and because such advertising and bidding delays work, would result in unnecessary administrative cost and burden, does not facilitate the participation of small local licensed contractors in bidding for the work and would be unlikely to render significantly better prices for the work; and



**WHEREAS**, the City Council may waive the advertising and bidding requirements of the Oakland Municipal Code (OMC) under section 2.04.050.I.5 upon a finding that it is in the best interest to do so; and

**WHEREAS**, the City Administrator has determined that the construction contract approved hereunder is temporary in nature and that 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 shall not result in the loss of employment or salary by any person having permanent status in the competitive service; now, therefore, be it

**RESOLVED:** That the City Council awards a construction contract to Dan Peters Construction, prequalified for construction work to be let/assigned thereunder, in an amount not-to-exceed two hundred and fifty thousand dollars (\$250,000.00) for on-call construction work; and be it

**FURTHER RESOLVED:** That the City Council approves the on-call construction specifications as prepared by the Deputy Director of the Department of Engineering and Construction, and authorizes the execution of any amendments or modifications of said contract within the limitations of the specifications for the on-call construction work; and be it

**FURTHER RESOLVED:** That the contract term will be for three (3) years from the date of contract execution; and be it

**FURTHER RESOLVED:** That the City Council hereby finds, pursuant to OMC Section 2.04.050.I.5, and the reasons stated above and in the City Administrator's report accompanying this resolution, that it is in the best interests of the City to waive the open-market advertising and competitive bid requirements of OMC Chapter 2.04 for any on-call construction work to be awarded to said prequalified contractor, and so waives the requirements; and be it

**FURTHER RESOLVED:** That the contractor shall provide performance and payment bonds for 100% of the value of the work assignment prior to the commencement of any work under its on-call construction services contract; and be it

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

IN COUNCIL, OAKLAND, CALIFORNIA, \_\_\_\_\_,

**PASSED BY THE FOLLOWING VOTE:**

AYES - BROOKS, DE LA FUENTE, KAPLAN, KERNIGHAN, NADEL, QUAN, REID, and PRESIDENT BRUNNER

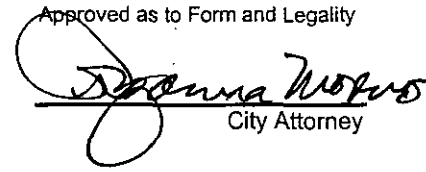
NOES -

ABSENT -

ABSTENTION -

ATTEST: \_\_\_\_\_

*LaTonda Simmons*  
City Clerk and Clerk of the Council  
of the City of Oakland, California

  
City Attorney

2010 FEB 10 AM 10:01 **OAKLAND CITY COUNCIL**

**RESOLUTION No. \_\_\_\_\_ C.M.S.**

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**RESOLUTION AWARDING A CONSTRUCTION CONTRACT FOR ON-CALL LICENSED CONSTRUCTION WORK TO THE PREQUALIFIED FIRM OF BELIVEAU ENGINEERING FOR AN AMOUNT NOT-TO-EXCEED TWO HUNDRED AND FIFTY THOUSAND DOLLARS (\$250,000.00), AND WAIVING THE OPEN-MARKET ADVERTISING AND BIDDING REQUIREMENTS OF OAKLAND MUNICIPAL CODE CHAPTER 2.04 FOR ANY ON-CALL CONSTRUCTION WORK TO BE LET TO SAID CONTRACTOR**

**WHEREAS**, The City's Fairness in Purchasing and Contracting Disparity Study report of September 29, 2009, included a recommendation to implement a small contracts rotation program or process for small, local construction-licensed contractors to undertake some of the City's routine maintenance and repair work, that is more streamlined, expeditious and cost efficient; and

**WHEREAS**, the City would benefit from maintaining a list of prequalified contractors to perform construction work on an on-call basis to undertake projects with limited scope, budget, or of an urgent nature so that it can promptly respond to and provide construction services in an efficient and timely manner; and

**WHEREAS**, the construction services will be funded through the various individual projects and funds will be identified prior to the performance of the construction services; and

**WHEREAS**, the City issued a Request for Qualifications (RFQ) that was limited to certified Small Local Business Enterprise contractors with "A" or "B" licenses and ten firms responded; and

**WHEREAS**, Beliveau Engineering, a small local business that responded to the RFQ, meets the requirements of the RFQ; and

**WHEREAS**, once on-call contracts are executed with the list of prequalified licensed contractors and a project arises, the City will solicit bids for work from groups of prequalified contractors on a rotating basis in light of factors such as type of work, contractor's experience and expertise, contractor's availability and contractor's bonding capacity at the time of solicitation, and will award work orders to the lowest responsive bidder; and

**WHEREAS**, it is in the City's best interests not to advertise or solicit competitive bids on the open market for on-call construction work that can be handled by the list of prequalified contractors in the interest of supporting the recommendation for a small contracts rotation program and because such advertising and bidding delays work, would result in unnecessary administrative cost and burden, does not facilitate the participation of small local licensed contractors in bidding for the work and would be unlikely to render significantly better prices for the work; and

**WHEREAS**, the City Council may waive the advertising and bidding requirements of the Oakland Municipal Code (OMC) under section 2.04.050.I.5 upon a finding that it is in the best interest to do so; and

**WHEREAS**, the City Administrator has determined that the construction contract approved hereunder is temporary in nature and that 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 shall not result in the loss of employment or salary by any person having permanent status in the competitive service; now, therefore, be it

**RESOLVED:** That the City Council awards a construction contract to Beliveau Engineering, prequalified for construction work to be let/assigned thereunder, in an amount not-to-exceed two hundred and fifty thousand dollars (\$250,000.00) for on-call construction work; and be it

**FURTHER RESOLVED:** That the City Council approves the on-call construction specifications as prepared by the Deputy Director of the Department of Engineering and Construction, and authorizes the execution of any amendments or modifications of said contract within the limitations of the specifications for the on-call construction work; and be it

**FURTHER RESOLVED:** That the contract term will be for three (3) years from the date of contract execution; and be it

**FURTHER RESOLVED:** That the City Council hereby finds, pursuant to OMC Section 2.04.050.I.5 and the reasons stated above and in the City Administrator's report accompanying this resolution, that it is in the best interests of the City to waive the open-market advertising and competitive bid requirements of OMC Chapter 2.04 for any on-call construction work to be awarded to said prequalified contractor, and so waives the requirements; and be it

**FURTHER RESOLVED:** That the contractor shall provide performance and payment bonds for 100% of the value of the work assignment prior to the commencement of any work under its on-call construction services contract; and be it

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

IN COUNCIL, OAKLAND, CALIFORNIA, \_\_\_\_\_,

**PASSED BY THE FOLLOWING VOTE:**

AYES - BROOKS, DE LA FUENTE, KAPLAN, KERNIGHAN, NADEL, QUAN, REID, and PRESIDENT BRUNNER

NOES -

ABSENT -

ABSTENTION -

ATTEST: \_\_\_\_\_

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