

# OAKLAND CITY COUNCIL

RESOLUTION No. 77817

FILED  
OFFICE OF THE CITY CLERK  
C.M.S. OAKLAND

2003 MAY -1 PM 4:16

INTRODUCED BY COUNCILMEMBER \_\_\_\_\_

Requires the two-thirds vote of the Council

**RESOLUTION AUTHORIZING THE CITY MANAGER, OR HIS DESIGNEE, TO AWARD A CONSTRUCTION CONTRACT IN AN AMOUNT NOT TO EXCEED ONE MILLION FOUR HUNDRED NINETY-FIVE THOUSAND FIVE HUNDRED SEVENTY-ONE DOLLARS (\$1,495,571) TO RAY'S ELECTRIC; TO AMEND THE CONTRACT AUTHORIZATION OF \$1,446,000 TO \$1,495,571; AND TO APPROPRIATE ONE HUNDRED EIGHTY THOUSAND DOLLARS (\$180,000) OF FISCAL YEAR 2002-2003 MEASURE B FUNDS FOR THE EASTLAKE STREETScape AND PEDESTRIAN ENHANCEMENT PROJECT**

**WHEREAS**, bids were received for the Eastlake Streetscape and Pedestrian Enhancement Project (Project No. G174710) on April 14, 2003 and the bid from Ray's Electric of \$1,495,571 is the lowest responsible, responsive bid; and

**WHEREAS**, additional funding is necessary to cover the higher than anticipated bid amount and to provide for a sufficient construction contingency, and \$180,000 from the Fiscal Year 2002-2003 allocation of Measure B funds is available for the project; and

**WHEREAS**, the Measure B funds are earmarked specifically for pedestrian safety elements of streetscape projects; and

**WHEREAS**, the Eastlake Streetscape and Pedestrian Enhancement Project includes several important pedestrian safety elements, and is the only streetscape project that has been, or will be, bid in FY 02-03 that has a funding shortfall; and

**WHEREAS**, the Eastlake Streetscape and Pedestrian Enhancement Project is consistent with City Council Budget Priorities of "Renewed Infrastructure", "Clean and Livable Communities", and "Vital Neighborhood Commerce"; and

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

**WHEREAS**, the City Council finds and determines that the performance of this contract is in the public interest because of economy; and

**WHEREAS**, the City Council finds 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 Manager, or his designee, is authorized to award and enter into a construction contract on behalf of the City of Oakland for the Eastlake Streetscape and Pedestrian Enhancement Project ("project") with Ray's Electric, in accordance with the terms of its bid, for an amount not to exceed One Million Four Hundred Ninety-Five Thousand Five Hundred Seventy-One dollars (\$1,495,571); and be it

**FURTHER RESOLVED:** That the contract authorization of \$1,446,000 from Resolution 77749 C.M.S. is increased by this resolution to \$1,495,571; and be it

**FURTHER RESOLVED:** That the FY 02-03 allocation of Measure B funding in the amount of \$180,000 is appropriated to the project; and be it

**FURTHER RESOLVED:** That the City Manager, or his designee, is hereby authorized to reject all other bids and to execute any amendments or modifications of said contract within the limitations of the project specifications; and be it

**FURTHER RESOLVED:** That the contract shall be reviewed and approved by the City Attorney and placed on file in the Office of the City Clerk; and be it

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

**MAY 20 2003**

IN COUNCIL, OAKLAND, CALIFORNIA, \_\_\_\_\_, 2003

**PASSED BY THE FOLLOWING VOTE:**

AYES- BROOKS, BRUNNER, CHANG, NADEL, ~~QUAN~~, REID, WAN and PRESIDENT DE LA FUENTE -7

NOES-

*Excused*

ABSENT-

*quan - 1*

ABSTENTION-

ATTEST



CEDA FLOYD

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