

OAKLAND CITY COUNCIL
RESOLUTION NO. 79218 FILED
OFFICE OF THE CITY CLERK
REQUIRES THE TWO-THIRDS VOTE OF THE CITY COUNCIL



2005 APR 28 PM 3:33

RESOLUTION AUTHORIZING THE CITY ADMINISTRATOR TO AWARD A CONTRACT TO KONESKY CONSTRUCTION COMPANY IN AN AMOUNT NOT TO EXCEED EIGHTY THOUSAND DOLLARS (\$80,000) FOR THE SIDING REPLACEMENT AT THE WEST OAKLAND MULTI-PURPOSE CENTER (PROJECT NO. B04910)

WHEREAS, on July 30, 2002 per Council resolution 77360, the Council authorized the City Administrator to negotiate and award a contract for removing and replacing deteriorated wood siding with a stucco finish for both the Manzanita Recreation Center and the West Oakland Multi-Purpose Center in a total project budget not to exceed \$117,000; and

WHEREAS, these two projects were formally bid out on May 20, 2002, and no bids were received on either project; and

WHEREAS, on September 25, 2002, staff solicited informal bids on these two projects and received price quotes from four contractors, and all quotes exceeded the engineer's estimate by over thirty-three percent, and

WHEREAS, Konesky Construction Company, the low bidder of the above informal bids had submitted a bid quote of \$52,825 for Manzanita Recreation Center Siding Replacement and \$80,000 for West Oakland Multi-Purpose Center Siding Replacement; and

WHEREAS, on December 2, 2002, Council authorized the City Manager to award a contract for the Manzanita Center only, since the West Oakland Multi-Purpose Center needed to be reviewed by the Zoning Division of the Community and Economic Development Agency ("CEDA/Zoning") in order to determine whether the change from the existing wood to new stucco siding would be acceptable to the community; and

WHEREAS, CEDA/Zoning approved the use of stucco siding material for the West Oakland Center on April 2, 2004; and

WHEREAS, Konesky Construction has agreed to honor its original negotiated price of \$80,000 without a cost increase; and

WHEREAS, the total cost of the project is \$99,000, and includes \$80,000 for the construction contract, and \$19,000 for construction administration, and contingency; and

WHEREAS, the siding replacement of the Manzanita Center cost \$52,825, there is only a balance left of \$64,175 from the original amount of \$117,000 which was authorized for both projects, leaving a deficit of \$15,825 which represents the difference between the amount previously authorized for both the Manzanita Recreation Center and West Oakland Multi-Purpose Center Siding Replacement project, and the total amount needed to replace the siding of the West Oakland Multi-Purpose Center (\$80,000); and

WHEREAS, the Council needs to authorize the City Administrator to increase the overall not to exceed amount of \$117,000 by \$15,825 to cover the contract costs of replacing the siding of the West Oakland Multi-Purpose Center, which will increase the grand total amount of the two projects from \$117,000 to a total of \$132,825; and

WHEREAS, this siding replacement project was approved in the fiscal year 2001-02 budget and funding for this project is available in the Municipal Capital Improvement Fund (5500), and the WOMPC Siding Replacement Project (B04910);

WHEREAS, the additional \$15,825 will be funded from the available contingency funds in the project; and

WHEREAS, replacing the siding will reduce the potential for fungal growth and therefore potential health issues; and

WHEREAS, the staff recommends award of a contract for a not-to-exceed amount of \$80,000, plus a construction contingency for possible framing repair and/or fungal abatement; and

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

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

WHEREAS, the City Council finds that services under this contract will be temporary; and

WHEREAS, the City Council finds and determines that the performance of the services to this contract will not result in the loss of employment or salary by any person having permanent status in the competitive services; and

WHEREAS, the new cost of the project is still within the project's budget; now, therefore, be it

RESOLVED: That the City Council authorizes the City Administrator to increase the amount of the previously authorized bid negotiations for the Manzanita Recreation Center and West Oakland Multi-Purpose Center Siding Replacement from \$117,000 to \$132,825; and be it

FURTHER RESOLVED: That the City Council authorizes the City Administrator to award a contract to Konesky Construction Company for the West Oakland Multi-Purpose Center Siding Replacement project for an amount not-to-exceed \$80,000; 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 City Administrator is hereby authorized to execute any amendments or modifications of said contract within the limitations of the project specifications; and be it

FURTHER RESOLVED: That the amount of the bond for faithful performance, \$80,000, and the amount for a bond to guarantee payment of all claims for labor and material furnished with respect to such work, \$80,000, and for the amount due under Unemployment Insurance Act, are hereby approved; and be it

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

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

IN COUNCIL, OAKLAND, CALIFORNIA, MAY 17 2005, 2005

PASSED BY THE FOLLOWING VOTE:

AYES- BROOKS, BRUNNER, CHANG, NADEL, QUAN, REID, AND
PRESIDENT DE LA FUENTE - 7

NOES- 0

ABSENT- 0

ABSTENTION- 0

ATTEST:



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