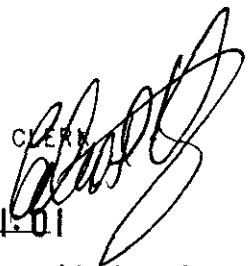


OAKLAND CITY COUNCIL
RESOLUTION NO. 78345 FILED
OFFICE OF THE CITY CLERK
C.M.S. OAKLAND



INTRODUCED BY COUNCILMEMBER _____

2004 JAN 29 PM 1:01

Requires two-thirds vote of the Council

RESOLUTION AUTHORIZING AWARD OF A CONSTRUCTION CONTRACT TO AJW CONSTRUCTION FOR ON-CALL SIDEWALK REPAIR AT VARIOUS LOCATIONS THROUGHOUT THE CITY OF OAKLAND FOR FISCAL YEAR 2003-2004 IN THE AMOUNT OF \$346,000.50 (PROJECT NO. C78060).

WHEREAS, on November 17, 2003, three bids were received by the Office of the City Clerk of the City of Oakland for On-Call Sidewalk Repair at Various Locations Throughout the City of Oakland for Fiscal Year 2003-2004 (Project No. C78060); and

WHEREAS, AJW CONSTRUCTION is the lowest responsible bidder for the project and has met the Local Business Enterprise/Small Local Business Enterprise requirements; and

WHEREAS, there are sufficient funds in the amount of \$346,000.50 for construction of the work in Fund 2211, Organization 92452, Account 57411, Project C78060, Program IN04, and the engineer's estimate for the work is \$411,273.00; 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 safety and 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 services; now, therefore be it

RESOLVED: That the contract for On-Call Sidewalk Repair at Various Locations Throughout the City of Oakland for Fiscal Year 2003-2004 is hereby awarded to AJW Construction in accordance with the terms of its bid therefore, dated November 17, 2003 in the amount of three hundred forty six thousand dollars and fifty cents (\$346,000.50); and be it

FURTHER RESOLVED: That the amount of the bond for faithful performance, \$90,000 and the amount for a bond to guarantee payment of all claims for labor and materials furnished and for amount due under the Unemployment Insurance Act, \$180,000, with respect to such work are hereby approved; and be it

FURTHER RESOLVED: That the City Manager is hereby authorized to enter into a contract with **AJW Construction**, on behalf of the City of Oakland and to execute any amendments, extensions or modifications of said agreement, within the limitations of the project specifications; and be it

FURTHER RESOLVED: That all other bids are hereby rejected; 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 City Clerk is hereby directed to post conspicuously forthwith notice of the above award on the official bulletin board 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, FEB 17 2004, 2004

PASSED BY THE FOLLOWING VOTE:

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

NOES- 0

ABSENT- 0

ABSTENTION- 0

ATTEST:



CEDA FLOYD

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