

*Farah Hussein*

CITY ATTORNEY'S OFFICE

## OAKLAND CITY COUNCIL

RESOLUTION NO. \_\_\_\_\_ C.M.S.

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**RESOLUTION AUTHORIZING THE CITY ADMINSTRATOR TO: 1) AWARD THE COMMUNITY FACILITIES DISTRICT (CFD) 2015-1 GATEWAY INDUSTRIAL LANDSCAPE MAINTENANCE CONTRACT 2025 (PROJECT NO. 1004284), BASED ON ALL CONTRACT DOCUMENTS AND SPECIFICATION, TO LOS LOZA, INC. FOR A THREE-YEAR PERIOD IN AN AMOUNT NOT TO EXCEED FIVE HUNDRED SIXTY THOUSAND DOLLARS (\$560,000.00); AND 2) ADOPTING APPROPRIATE CALIFORNIA ENVIRONMENTAL QUALITY FINDINGS.**

**WHEREAS**, in 2015, Community Facilities District (CFD) 2015-1 (Gateway Industrial District) at the former Oakland Army Base was established by way of Ordinance No. 13324 C.M.S., and Resolution No. 85724 C.M.S., pursuant to the Mello-Roos Community Facilities Act of 1982; and

**WHEREAS**, the CFD has provided the City with an additional permanent funding mechanism to maintain the infrastructure and improvements at the Gateway Industrial District by way of property tax revenues paid by the tenants of the CFD 2015-1 and the Port of Oakland; and

**WHEREAS**, the proposed landscape maintenance construction contract will provide maintenance and trash pick-up of the landscaped/bio-retention areas and bike paths along Maritime Street, Burma Road, Wake Avenue, and Admiral Toney Way within the CFD 2015 boundary area for a three-year term; and

**WHEREAS**, Oakland Public Works (OPW) and Capital Contracts Division in accordance with OMC 2.04.50 issued a Notice of Inviting Bids for the CFD 2015-1 Gateway Industrial landscape Contract 2025 (Project No. 1004284) on January 24, 2025; and

**WHEREAS**, bids were received on February 27, 2025 by the City Clerk for the project from two (2) vendors: \$235,000.00 from Mark Lee & Yong Kay, Inc. dba Bay Construction Co. and \$560,000.00 from Los Loza, Inc.; and

**WHEREAS,** all bid proposals were evaluated and verified by Department of Workforce and Employment Standards (DWES) as shown in the Compliance Analysis on April 11, 2025, for compliance with the City's requirements of Local and Small Business Enterprise (L/SLBE); and

**WHEREAS,** the Compliance Analysis determined Mark Lee & Yong Kay, Inc. dba Bay Construction Co. is a certified SLBE and meets the City's 50% L/SLBE participation requirements but was deemed non-responsive as the bid was for a two-year term versus the required three-year term as stated in the specifications, causing the bid to be well below the Engineer's Estimate of \$525,000.00; and

**WHEREAS,** the Compliance Analysis determined Los Loza, Inc. also met the City's 50% L/SLBE participation requirements; and

**WHEREAS,** staff recommends that the Council finds and determines that it is in the best interest of the City to award CFD 2015-1 Gateway Industrial Landscape Maintenance Contract 2025 landscape maintenance construction contract to Los Loza, Inc as they are deemed the most responsive and responsible bidder; and

**WHEREAS,** this action is exempt from the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines sections 15061(b)(3) and 15301(h), for the maintenance of existing landscaping and infrastructure with no possibility of significant environmental impact.”; now, therefore, be it

**RESOLVED:** That the City Council adopt a resolution authorizing the City of Administrator or designee to award the CFD 2015-1 Gateway Industrial Landscape Maintenance Contract 2025 (Project No. 1004284), based on all contract documents and specification to Los Loza, Inc. for a three-year period in an amount not to exceed five hundred sixty thousand dollars (\$560,000.00), and to adopt appropriate California Environmental Quality Findings; and be it

**FURTHER RESOLVED:** That the City Council finds and determines that this action is exempt from the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines sections 15061(b)(3) and 15301(h), for the maintenance of existing landscaping and infrastructure with no possibility of significant environmental impact; and be it

**FURTHER RESOLVED:** That the City Administrator or designee is authorized to file a Notice of Exemption with the Alameda County Clerk's Office and appropriate agencies; and be it

**FURTHER RESOLVED:** That funding for this contract is available from annual appropriations in Fund 2332 (Gateway Industrial Park), Org 30652 (Landscape Maintenance), Project 1004284 (OAB CFD No. 2015-1 Gateway). Project 1004284 receives annual property tax revenue from CFD 2015-1 tenants and the Port of Oakland; and be it

**FURTHER RESOLVED:** That the City Administrator is hereby authorized to execute any amendments or modifications of the 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 for form 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 - BROWN, FIFE, GALLO, HOUSTON, RAMACHANDRAN, UNGER, WANG, AND  
PRESIDENT JENKINS

NOES –

ABSENT –

ABSTENTION –

ATTEST: \_\_\_\_\_  
ASHA REED  
City Clerk and Clerk of the Council of the  
City of Oakland, California

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