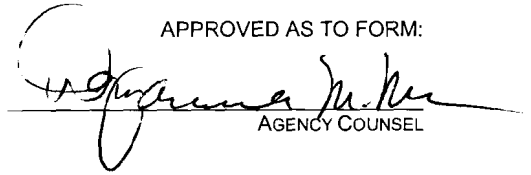


OFFICE OF THE CLERK
2008 APR 10 11:40

APPROVED AS TO FORM:


AGENCY COUNSEL

REDEVELOPMENT AGENCY OF THE CITY OF OAKLAND

2008 - 0038
RESOLUTION NO. _____ C.M.S.

AGENCY RESOLUTION WAIVING COMPETITIVE BIDDING AND AWARDING A CONTRACT TO ROCKRIDGE BUILDERS FOR THE 17TH STREET ENTRY PROJECT FOR THE OAKLAND ICE CENTER IN AN AMOUNT NOT-TO-EXCEED \$190,000.00

WHEREAS, on May 2, 1997, the Agency acquired ownership of the twin-rink ice skating facility located at 519 – 18th Street known as the Oakland Ice Center (OIC) following the default by the original owner of the OIC on an Agency loan to construct the OIC; and

WHEREAS, pursuant to Agency Resolution No. 97-12 C.M.S., the Redevelopment Agency is authorized to enter into contracts necessary to manage and operate the OIC; and

WHEREAS, Agency Resolution No. 07-0037 C.M.S. was approved on May 1, 2007 authorizing the Agency Administrator to reject all bids and award a construction contract for modification of the 17th Street entry to the OIC in accord with Specification No. G84040 (the "Project") to Rockridge Builders, the lowest, responsible, responsive bidder, in an amount not to exceed \$159,390; and

WHEREAS, a contract with Rockridge Builders was negotiated but not executed because major renovation and repairs to the OIC, built during the summer and fall of 2007, and minor technical revisions to certain components of the Project design had to be completed before the 17th Street Entry project could commence; and

WHEREAS, due to the time required to complete renovation and repairs before the 17th Street entry project could commence, the City could not require Rockridge Builders to hold bid prices and the cost of various Project materials and labor has increased since Rockridge Builders submitted its low bid in January 2007; and

WHEREAS, it is in the Agency's best interests to waive the competitive bidding process and award the contract to Rockridge Builders, and increase the total contract

amount by up to \$30,610.00, from \$159,390.00 to up to \$190,000.00 for the following reasons:

1. Further bidding is not likely to yield a significantly more competitive price as even with the increase in Rockridge Builders bid price to the maximum of \$190,000, it is still at least \$12,000 or 6 percent less than the next lowest responsive bid (\$202,000) submitted in January 2007,
2. It is highly likely that a new bidding process at this time will result in overall higher bid prices than those received last year, with the lowest bid potentially exceeding Rockridge Builders new price,
3. It is critical to avoid further delay in completing the Project to improve safety and security for customers of the OIC, many of whom enter and exit the facility after midnight,
4. Timely completion of the Project to provide safe and secure access to the Rotunda Garage and other available parking on the south side of the OIC is becoming more urgent as SJAM continues to increase patronage while the availability of parking near the main 18th Street entry to the OIC still remains drastically reduced because of three major development projects; and

WHEREAS, the contract awarded hereunder is of a technical and temporary nature and 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 pursuant to Oakland Municipal Code 2.04.050.1.5 and the reasons set forth in the Agency Administrator's report accompanying this item, the Agency Board hereby finds and determines that it is in the Agency's best interests to waive competitive bidding for the 17th Street Entry, Oakland Ice Center project (G84040) and so waives the requirement; and be it

FURTHER RESOLVED: That the Agency Administrator is hereby authorized to negotiate and award the contract to Rockridge Builders for Modification of the 17th Street Entry to the Oakland Ice Center in accord with Specification No. G84040 in an amount not-to-exceed one hundred ninety thousand dollars and no cents (\$190,000.00) to cover up to \$30,610.00 in increased materials and labor costs occurring since the contract was originally awarded; and be it

FURTHER RESOVLED, That funding for the Project will be paid from 1989 Bonds Fund (9516), Capital Improvement Projects – Economic Development Organization (94800), Buildings: Additions Account (57212), Oakland Ice Center Project (P131210); and Central District Tax Allocation Bond Fund (9533), Capital Improvement Projects – Economic Development Organization (94800), Buildings: Additions Account (57212), Oakland Ice Center Project (P131230); and be it

FURTHER RESOLVED: That the contractor shall be required to provide performance and payment bonds in an amount sufficient to cover 100% of the contract price; and be it

FURTHER RESOLVED: That the Agency Administrator is authorized to take whatever action is necessary with respect to this contract and the Project consistent with this Resolution and its basic purposes; and be it

FURTHER RESOLVED: That any agreements authorized hereunder, including amendments, modifications, or extensions, shall be approved as to form by the Office of the Agency Counsel and filed with the Agency Secretary.

IN AGENCY, OAKLAND, CALIFORNIA, MAY 6 2008, 2008

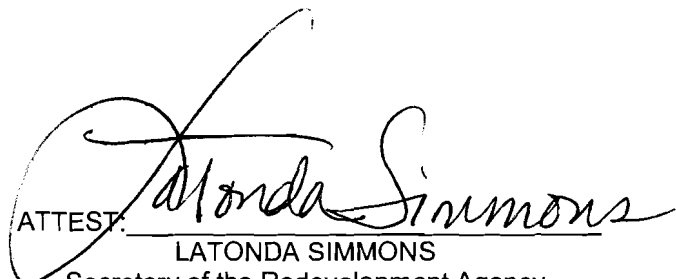
PASSED BY THE FOLLOWING VOTE:

AYES- BROOKS, BRUNNER, CHANG, KERNIGHAN, NADEL, QUAN, REID, AND
CHAIRPERSON DE LA FUENTE - 8

NOES- 0

ABSENT- 0

ABSTENTION- 0

ATTEST: 
LATONDA SIMMONS
Secretary of the Redevelopment Agency
of the City of Oakland