

**CITY OF OAKLAND  
AGENDA REPORT**

OFFICE OF THE CITY CLERK  
2006 MAR -1 AM 9:50

TO: Office of the City Administrator  
ATTN: Deborah Edgerly  
FROM: Public Works Agency  
DATE: March 14, 2006

RE: **RESOLUTION AUTHORIZING THE CITY ADMINISTRATOR TO AWARD A CONSTRUCTION CONTRACT TO RAY'S ELECTRIC, THE LOWEST RESPONSIBLE AND RESPONSIVE BIDDER, FOR TRAFFIC SIGNAL INSTALLATIONS ON 14TH AVENUE AT EAST 29TH STREET/19TH AVENUE (CITY PROJECT NO. C229210), AND BANCROFT AVENUE AT 57TH AVENUE/TRASK STREET (CITY PROJECT NO. C232510) IN THE AMOUNT OF THREE HUNDRED EIGHTY-SIX THOUSAND ONE HUNDRED SIXTY-FIVE DOLLARS (\$386,165.00), AND REJECTING ALL OTHER BIDS**

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**SUMMARY**

A resolution has been prepared authorizing the City Administrator to award a construction contract to Ray's Electric for Traffic Signal Installation on 14<sup>th</sup> Avenue at East 29<sup>th</sup> Street/19<sup>th</sup> Avenue (City Project No. C229210), and Bancroft Avenue at 57<sup>th</sup> Avenue /Trask Street (City Project No. C232510) in the amount of \$386,165.00.

The projects were approved by the City Council in the 2003-2008 Capital Improvement Program, and were approved for funding in the 2004-2005 budget. The project is in City Council Districts 2 and 6.

Funds in the amount of \$386,165.00 from Measure B Funds are available for this project.

Staff recommends approval of the resolution.

**FISCAL IMPACT**

The resolution will authorize a \$386,165.00 contract with Ray's Electric. Construction costs for the Traffic Signal Projects at the two intersections in the amount of \$386,165.00 are available from Measure B Fund in the following accounts:

14<sup>th</sup> Avenue at East 29<sup>th</sup> Street/ 19<sup>th</sup> Avenue

- Measure B Fund (2211); Capital Improvement Projects – Transportation Services Organization (92246); Project (C229210), in the amount of \$183, 405.00.

Bancroft Avenue at 57<sup>th</sup> Avenue/ Trask Street

- Measure B Fund (2211); Capital Improvement Projects – Transportation Services Organization (92246); Project (C232510), in the amount of \$202,760.00.

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Implementation of this project will increase annual operation and maintenance costs by an estimated \$7,000.00. These costs will be brought forward to the City Council for consideration during the FY 2007-09 budget development process. Funds have been set-aside for Contract Compliance. Measure B funds are ineligible for the 1.5 percent public art allocation. No public art is incorporated as part of this project, since it is exclusively a roadway safety project.

### **KEY ISSUES AND IMPACTS**

The project consists of the installation of new traffic signals on 14th Avenue at East 29th Street/19th Avenue, and Bancroft Avenue at 57th Avenue/Trask Street. On November 28, 2005 the City Clerk opened two bids for the project. Ray's Electric (Oakland) and Phoenix Electric Company (San Francisco) submitted bids of \$386,165.00 and \$388,136.25, respectively.

Ray's Electric is in full compliance with City requirements for Local/Small Local Business Enterprise (L/SLBE) Program participation and Equal Benefits Ordinance. The LBE/SLBE information has been verified by the Office of the City Administrator, Contract Compliance & Employment Services Division. Ray's Electric is the lowest responsible and responsive bidder, and is recommended for award of the construction contract.

On December 23, 2005 the Office of the City Administrator, Contract Compliance & Employment Services Division, determined that Ray's Electric met and/or exceeded the 20% L/SLBE Program participation requirement. Ray's Electric is the lowest responsible and responsive bidder, and is recommended for award of the construction contract (see Attachment A).

### **PROJECT DESCRIPTION**

Execution of a contract will take a minimum of one month, resulting in a projected construction starting date of May 2006. The contract allows 25 working days for completion of the work. However, the expected project completion date is August 2006, due to variable lead-time for material procurement, unforeseeable construction conditions, and inclement weather. The contract specifies that the contractor will be assessed \$1,000.00 in liquidated damages per working day if the construction schedule of 25 working days is exceeded, taking into account inclement weather. The Resident Engineer assigned to this construction project will monitor the contractor's progress to ensure the project is completed in a timely manner.

Staff has reviewed the submitted bids for this work and determined that the low bid is reasonable. The project schedule is shown in Attachment B, and the project locations are shown on Attachment C.

### **SUSTAINABLE OPPORTUNITIES**

Economic: The improvements will have a positive impact on the local economy by improving vehicular and pedestrian safety, and the associated costs of injuries and property damage. The work will be done by a local construction firm, resulting in commensurate local benefits.

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Environmental: The improvements to pedestrian and bicycle facilities will aid in making walking and bicycling more attractive modes of transportation, thereby encouraging reduction in automobile usage and reducing vehicle emissions.

Social Equity: The improvements will improve overall living conditions by providing greater accessibility and safety to pedestrians, and help reduce traffic speeds. Senior citizens, persons with disabilities and children will greatly benefit from these improvements.

#### **DISABILITY AND SENIOR CITIZEN ACCESS**

This project includes accessibility improvements such as tactile pedestrian pushbuttons with audible units and wheelchair ramps with detectable warning domes, which will assist senior citizens and persons with disabilities.

#### **RECOMMENDATION AND RATIONALE**

Staff recommends that City Council approve the resolution authorizing the City Administrator, or her designee, to award a construction contract to Ray's Electric for the CIP Traffic Signal Project in an amount of \$386,165.00.

#### **ACTION REQUESTED OF THE CITY COUNCIL**

Staff recommends that the City Council approve the resolution.

Respectfully submitted,

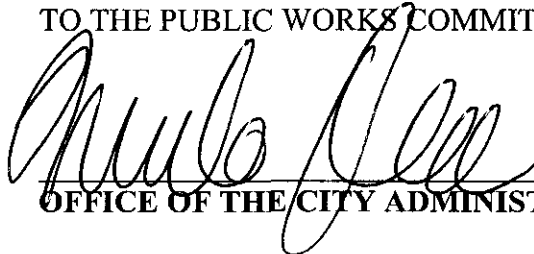


\_\_\_\_\_  
RAUL GODINEZ II, P.E.  
Director, Public Works Agency

Reviewed by:  
Michael J. Neary, P.E.  
Assistant Director, Public Works Agency  
Design & Construction Services Department

Prepared by:  
Ade Oluwasogo, P.E.  
Supervising Transportation Engineer

APPROVED AND FORWARDED  
TO THE PUBLIC WORKS COMMITTEE:

  
\_\_\_\_\_  
OFFICE OF THE CITY ADMINISTRATOR

Item #: \_\_\_\_\_  
Public Works Committee  
March 14, 2006



**OFFICE OF THE CITY ADMINISTRATOR**  
Contract Compliance & Employment Services Division

# Memo

**To:** Gwen McCormick  
**From:** Vivian Inman, Contract Compliance Officer  
**Through:** Deborah Barnes, CC&ES Manager *D. Dorenberg for D. Barnes*  
**Date:** December 28, 2005  
**Re:** CIP Traffic Signals - Project Nos. C232510 and C229210

Contract Compliance & Employment Services reviewed two (2) bids received in response to the above referenced projects. Below is the outcome of our compliance evaluation for the twenty percent (20%) minimum participation requirement and a preliminary review for compliance with the Equal Benefits Ordinance (EBO).

**Project No. C232510**

Company Name	Proposal Amount	Total L/SLBE	LBE	SLBE	*Trucking	Total Credited	Preferences		Banked Credits Eligibility	EBO Compliant ? Y/N
							Bid Discounts	Adjusted Bid Amount		
Ray's Electric	\$202,760.00	90.90%	0.00%	90.90%	100%	90.90%	5%	\$193,622.00	2	Y
Phoenix Electric	\$203,180.00	39.22%	0.00%	39.22%	0%	39.22%	2%	\$193,116.40	0	N

**Project No. C229210**

Company Name	Proposal Amount	Total L/SLBE	LBE	SLBE	*Trucking	Total Credited	Preferences		Banked Credits Eligibility	EBO Compliant ? Y/N
							Bid Discounts	Adjusted Bid Amount		
Ray's Electric	\$183,405.00	89.93%	0.00%	89.93%	100%	89.93%	5%	\$174,234.75	2	Y
Phoenix Electric	\$184,956.00	43.08%	0.00%	43.08%	0%	43.08%	3%	\$174,407.32	0	N

As noted above each bidder met or exceeded the 20% minimum requirement.

For project no. C232510 Ray's Electric a certified small local business, submitted a bid of \$202,760.00. Of that amount small local businesses will be awarded 90.90%. Phoenix Electric submitted a bid of \$203,180.00. Of that amount small local businesses will be awarded 39.22%.

For project no. C229210 Ray's Electric submitted a bid of \$183,405. Of that amount small local businesses will be awarded 89.93%. Phoenix Electric submitted a bid of \$184,956. Of that amount small local businesses will be awarded 43.08%.

CIP Traffic Signals

Project Nos. C232510 and C229210

December 28, 2005

Ray's Electric also listed \$3,200 in trucking dollars for both projects, which is less than 1/2% of the proposed contract amount. \*Per the project manager, generally on this type of project there isn't much demolition or hauling, therefore trucking will be minimal. Recent traffic signal projects displayed that trucking ranged from 0% to 0.6%.

Firms that are not EBO compliant will have to come into compliance.

*Should you have any questions you may contact Vivian Inman at 238-6261.*

cc: Contract Compliance File

**CONTRACT COMPLIANCE & EMPLOYMENT SERVICES**  
**PROJECT EVALUATION FORM**

PROJECT NO. C229210

PROJECT NAME CIP Traffic Signals, 14th Avenue @ E. 29th St. & 19th Avenue

**CONTRACTOR: Ray's Electric**

<b><u>Engineer's Estimate:</u></b>	<b><u>Contractors' Bid Amount</u></b>	<b><u>Over/Under Engineer's Estimate</u></b>
\$164,185.00	\$183,405.00	-\$19,220.00

<b><u>Bid discounted amount:</u></b>	<b><u>Discount Points:</u></b>
\$174,234.75	5%

1. Did the 20% requirements apply? **YES**

2. Did the contractor meet the 20% requirement **YES**

a) % of LBE participation **0.00%**

b) % of SLBE participation **89.93%**

3. Did the contractor meet the Trucking requirement? **YES**

a) Total trucking participation **100.00%**

4. Did the contractor receive bid discount points? **YES**

(If yes, list the points received) **5%**

5. Additional Comments.

**Ray's Electric listed \$3,200 in trucking however, the trucking dollars represent less than 1/2% of the proposed contract amount.**

6. Date evaluation completed and returned to Contract Admin./Initiating Dept.

12/28/2005

Date

**Reviewing Officer:**

*Nancy Kumar*

**Date:** 12/28/05

**Approved By**

*Shelley Darenburg*

**Date:** 12/28/05

## LBE/SLBE Participation Ray's Electric

Project Name: CIP Traffic Signals, 14th Avenue @ E. 29th St & 19th Avenue

Project No.: C229210		Engineers Est: 164,185.00				Under/Over Engineers Estimate: -19,220.00							
Discipline	Prime & Subs	Location	Cert. Status	LBE	SLBE	Total LBE/SLBE	S/LBE Trucking	Total Trucking	TOTAL Dollars	For Tracking Only			
										Ethn.	MBE	WBE	
PRIME	Ray's Electric	Oakland	CB		\$152,745.00	\$152,745.00			\$152,745.00	C			
Striping	Diaz Corp.	San Jose	UB						\$15,460.00	H			
Trucking *	Williams Trucking	Oakland	CB		\$3,200.00	\$3,200.00	\$3,200.00	\$3,200.00	\$3,200.00	AA	\$3,200.00		
Concrete	Central Concrete	Oakland	CB		\$9,000.00	\$9,000.00			\$9,000.00	C			
Traffic Signs	Jam Services	Livermore	UB						\$3,000.00	NL			
<b>Project Totals</b>					\$0.00	\$164,945.00	\$164,945.00	\$3,200.00	\$3,200.00	\$183,405.00		\$3,200.00	\$0.00
					0.00%	89.93%	89.93%	100.00%	100.00%	100.00%		1.74%	
<b>Requirements:</b> The 20% requirements is a combination of 10% LBE and 10% SLBE participation. An SLBE firm can be counted 100% towards achieving 20% requirements.				<b>LBE 10%</b>	<b>SLBE 10%</b>	<b>TRUCKING 20%</b>	<b>LBE/SLBE 20%</b>			<b>Ethnicity</b> AA = African American A = Asian C = Caucasian H = Hispanic NA = Native American O = Other NL = Not Listed			
<b>Legend</b>				LBE = Local Business Enterprise		UB = Uncertified Business							
				SLBE = Small Local Business Enterprise		CB = Certified Business							
				Total LBE/SLBE = All Certified Local and Small Local Businesses		MBE = Minority Business Enterprise							
				NPLBE = NonProfit Local Business Enterprise		WBE = Women Business Enterprise							
				NPSLBE = NonProfit Small Local Business Enterprise									

\*The dollar amount listed for Williams Trucking represented less than 1/2% of the proposed contract amount. Per the California Public Contract Code Sections 4100 et seq. contractors are required to only list the name and location of the place of business of each subcontractor who will perform more than 1/2% of the work or labor based on the estimated cost elements of the proposal.

**CONTRACT COMPLIANCE & EMPLOYMENT SERVICES**  
**PROJECT EVALUATION FORM**

PROJECT NO. C232510

PROJECT NAME CIP Traffic Signals @ Bancroft Ave, 57th Ave & Trask Street

**CONTRACTOR: Ray's Electric**

<b><u>Engineer's Estimate:</u></b>	<b><u>Contractors' Bid Amount</u></b>	<b><u>Over/Under Engineer's Estimate</u></b>
\$177,441.00	\$202,760.00	-\$25,319.00

<b><u>Bid discounted amount:</u></b>	<b><u>Discount Points:</u></b>
\$192,622.00	5%

1. Did the 20% requirements apply? **YES**

2. Did the contractor meet the 20% requirement **YES**

a) % of LBE participation **0.00%**

b) % of SLBE participation **90.90%**

3. Did the contractor meet the Trucking requirement? **YES**

a) Total trucking participation **100.00%**

4. Did the contractor receive bid discount points? **YES**

(If yes, list the points received) **5%**

5. Additional Comments.

Ray's Electric listed \$3,200 in trucking however, the trucking dollars represent less than 1/2% of the proposed contract amount.

6. Date evaluation completed and returned to Contract Admin./Initiating Dept.

12/28/2005

\_\_\_\_\_  
Date

**Reviewing Officer:**

Mica Guman

**Date:**

12/28/05

**Approved By**

Shelley Darendburg

**Date:**

12/28/05



## LBE/SLBE Participation Ray's Electric

**Project Name:** CIP Traffic Signals, Bancroft Avenue, 57th Avenue & Trask Street

Project No.: C232510		Engineers Est: 177,441.00				Under/Over Engineers Estimate: -25,319.00						
Discipline	Prime & Subs	Location	Cert. Status	LBE	SLBE	Total LBE/SLBE	S/LBE Trucking	Total Trucking	TOTAL Dollars	For Tracking Only		
										Ethn.	MBE	WBE
PRIME Striping Trucking * Concrete Traffic Signs	Ray's Electric	Oakland	CB		\$172,100.00	\$172,100.00			\$172,100.00	C		
	Diaz Corp.	San Jose	UB						\$15,460.00	H		
	Williams Trucking	Oakland	CB		\$3,200.00	\$3,200.00	\$3,200.00	\$3,200.00	\$3,200.00	AA	\$3,200.00	
	Central Concrete	Oakland	CB		\$9,000.00	\$9,000.00			\$9,000.00	C		
	Jam Services	Livermore	UB						\$3,000.00	NL		
<b>Project Totals</b>				\$0.00	\$184,300.00	\$184,300.00	\$3,200.00	\$3,200.00	\$202,760.00		\$3,200.00	\$0.00
				0.00%	90.90%	90.90%	100.00%	100.00%	100.00%		1.58%	
<b>Requirements:</b> The 20% requirements is a combination of 10% LBE and 10% SLBE participation. An SLBE firm can be counted 100% towards achieving 20% requirements.				<b>LBE 10%</b>	<b>SLBE 10%</b>	<b>TRUCKING 20%</b>	<b>LBE/SLBE 20%</b>			<b>Ethnicity</b> AA = African American A = Asian C = Caucasian H = Hispanic NA = Native American O = Other NL = Not Listed		
<b>Legend</b>				LBE = Local Business Enterprise				UB = Uncertified Business				
				SLBE = Small Local Business Enterprise				CB = Certified Business				
				Total LBE/SLBE = All Certified Local and Small Local Businesses				MBE = Minority Business Enterprise				
				NPLBE = NonProfit Local Business Enterprise				WBE = Women Business Enterprise				
				NPSLBE = NonProfit Small Local Business Enterprise								

\*The dollar amount listed for Williams Trucking represented less than 1/2% of the proposed contract amount. Per the California Public Contract Code Sections 4100 et seq. contractors are required to only list the name and location of the place of business of each subcontractor who will perform more than 1/2% of the work or labor based on the estimated cost elements of the proposal.

**CONTRACT COMPLIANCE & EMPLOYMENT SERVICES**  
**PROJECT EVALUATION FORM**

PROJECT NO. C229210

PROJECT NAME: CIP Traffic Signals, 14th Avenue @ E. 29th St. & 19th Avenue

CONTRACTOR: Phoenix Electric Company

<u>Engineer's Estimate:</u>	<u>Contractors' Bid Amount</u>	<u>Over/Under Engineer's Estimate</u>
\$164,185.00	\$184,956.00	-20,771.00

<u>Bid discounted amount:</u>	<u>Discount Points:</u>
179,407.32	3%

1. Did the 20% requirements apply? **YES**

2. Did the contractor meet the 20% requirement **YES**

a) % of LBE participation **0.00%**

b) % of SLBE participation **43.08%**

3. Did the contractor meet the Trucking requirement? **NA**

a) Total trucking participation **0.00%**

4. Did the contractor receive bid discount points? **YES**

(If yes, list the points received) **3%**

5. Additional Comments.

6. Date evaluation completed and returned to Contract Admin./Initiating Dept.

12/28/2005

\_\_\_\_\_  
Date

Reviewing  
Officer:

*Mina Maman*

Date: *12/28/05*

Approved By

*Shelley Darenburg*

Date: *12/28/05*

## LBE/SLBE Participation Phoenix Electric

Project Name: CIP Traffic Signals, 14th Avenue @ E. 29th St & 19th Avenue

Project No.: C229210		Engineers Est: 164,185.00				Under/Over Engineers Estimate: -20,771.25							
Discipline	Prime & Subs	Location	Cert. Status	LBE	SLBE	Total LBE/SLBE	S/LBE Trucking	Total Trucking	TOTAL Dollars	For Tracking Only			
										Ethn.	MBE	WBE	
PRIME	Phoenix Electric Company	San Francisco	UB						\$33,060.25	A	\$33,060.25		
Electrical/Signage/Striping/Concrete	Standard Electric	Oakland	CB		\$79,686.00	\$79,686.00			\$79,686.00	C			
Electrical	Bay Area Lightworks	San Francisco	UB						\$72,210.00	NL			
<b>Project Totals</b>				\$0.00	\$79,686.00	\$79,686.00	\$0.00	\$0.00	\$184,956.25		\$33,060.25	\$0.00	
				0.00%	43.08%	43.08%	0.00%	100.00%	100.00%		17.87%		
<b>Requirements:</b> The 20% requirements is a combination of 10% LBE and 10% SLBE participation. An SLBE firm can be counted 100% towards achieving 20% requirements.				<b>LBE 10%</b>	<b>SLBE 10%</b>	<b>TRUCKING 20%</b>	<b>LBE/SLBE 20%</b>				<b>Ethnicity</b> AA = African American A = Asian C = Caucasian H = Hispanic NA = Native American O = Other NL = Not Listed		
<b>Legend</b>				LBE = Local Business Enterprise				UB = Uncertified Business					
				SLBE = Small Local Business Enterprise				CB = Certified Business					
				Total LBE/SLBE = All Certified Local and Small Local Businesses				MBE = Minority Business Enterprise					
				NPLBE = NonProfit Local Business Enterprise				WBE = Women Business Enterprise					
				NPSLBE = NonProfit Small Local Business Enterprise									

**CONTRACT COMPLIANCE & EMPLOYMENT SERVICES**  
**PROJECT EVALUATION FORM**

PROJECT NO. C232510

PROJECT NAME: CIP Traffic Signals @ Bancroft Ave, 57th Ave & Trask Street

CONTRACTOR: Phoenix Electric Company

<u>Engineer's Estimate:</u>	<u>Contractors' Bid Amount</u>	<u>Over/Under Engineer's Estimate</u>
\$177,441.00	\$203,180.00	-25,739.00

<u>Bid discounted amount:</u>	<u>Discount Points:</u>
199,116.40	2%

1. Did the 20% requirements apply? YES

2. Did the contractor meet the 20% requirement YES

a) % of LBE participation 0.00%

b) % of SLBE participation 39.22%

3. Did the contractor meet the Trucking requirement? NA

a) Total trucking participation 0.00%

4. Did the contractor receive bid discount points? YES

(If yes, list the points received) 2%

5. Additional Comments.

6. Date evaluation completed and returned to Contract Admin./Initiating Dept.

12/28/2005

Date

Reviewing  
Officer:

Vijay Kumar

Date: 12/28/05

Approved By

Shelley Darenburg

Date: 12/28/05

## LBE/SLBE Participation Phoenix Electric

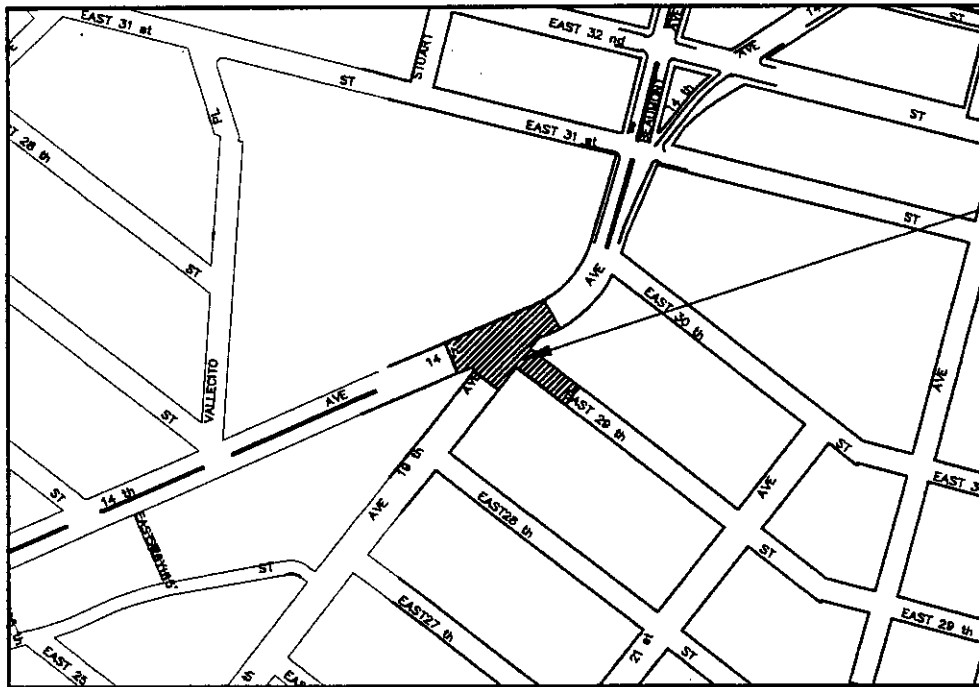
Project Name: CIP Traffic Signals, Bancroft Avenue, 57th Avenue & Trask Street

Project No.: C232510		Engineers Est: 177,441.00				Under/Over Engineers Estimate: -25,739.00								
Discipline	Prime & Subs	Location	Cert. Status	LBE	SLBE	Total LBE/SLBE	S/LBE Trucking	Total Trucking	TOTAL Dollars	For Tracking Only				
										Ethn.	MBE	WBE		
PRIME	Phoenix Electric Company	San Francisco	UB						\$51,284.00	A	\$51,284.00			
Electrical/Signage/Striping/Concrete	Standard Electric	Oakland	CB		\$79,686.00	\$79,686.00			\$79,686.00	C				
Electrical	Bay Area Lightworks	San Francisco	UB						\$72,210.00	NL				
<b>Project Totals</b>				\$0.00	\$79,686.00	\$79,686.00	\$0.00	\$0.00	\$203,180.00		\$51,284.00	\$0.00		
				0.00%	39.22%	39.22%	0.00%	100.00%	100.00%		25.24%			
<b>Requirements:</b> The 20% requirements is a combination of 10% LBE and 10% SLBE participation. An SLBE firm can be counted 100% towards achieving 20% requirements.				<b>LBE 10%</b>	<b>SLBE 10%</b>	<b>TRUCKING 20%</b>	<b>LBE/SLBE 20%</b>			<b>Ethnicity</b> AA = African American A = Asian C = Caucasian H = Hispanic NA = Native American O = Other NL = Not Listed				
<b>Legend</b>				LBE = Local Business Enterprise SLBE = Small Local Business Enterprise Total LBE/SLBE = All Certified Local and Small Local Businesses NPLBE = NonProfit Local Business Enterprise NPSLBE = NonProfit Small Local Business Enterprise				UB = Uncertified Business CB = Certified Business MBE = Minority Business Enterprise WBE = Women Business Enterprise						

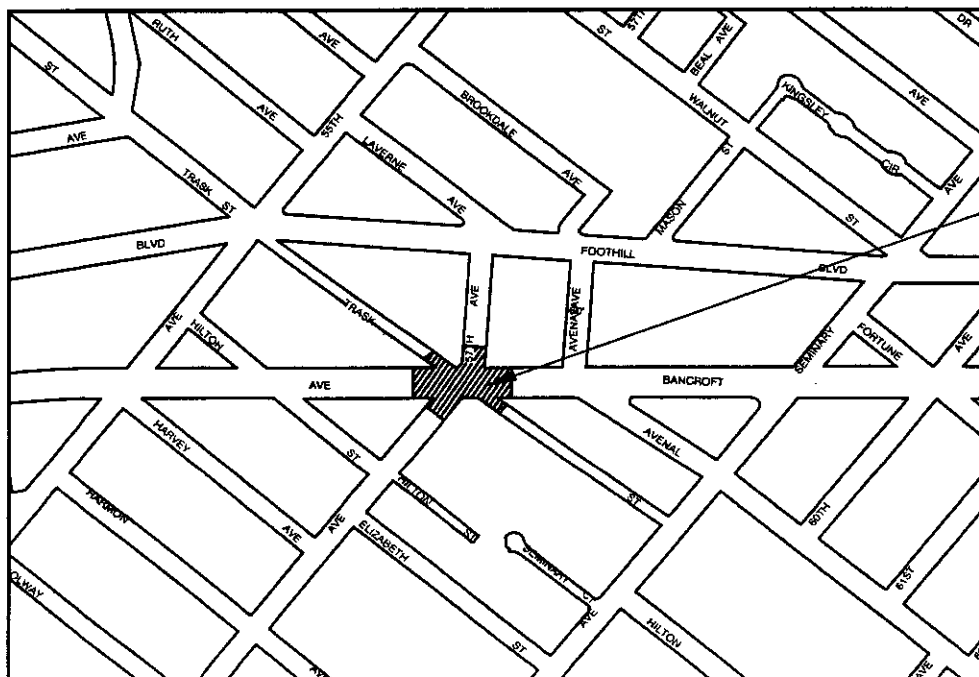
**CIP Traffic Signal Projects 04-05, C229210, C232510  
PROJECT SCHEDULE**

ID	Task Name	Start	Finish	Qtr 2, 2005			Qtr 3, 2005			Qtr 4, 2005			Qtr 1, 2006			Qtr 2, 2006			Qtr
				Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	Jan	Feb	Mar	Apr	May	Jun	Jul
1	BID OPENING	Fri 11/25/05	Fri 11/25/05																
2	CONTRACT AND AWARD PROCESS	Mon 11/28/05	Mon 4/3/06																
3	CONTRACT EXECUTION	Tue 4/4/06	Mon 5/22/06																
4	CONSTRUCTION PHASE	Tue 5/23/06	Mon 7/24/06																

CIP TRAFFIC SIGNAL PROJECTS 04-05  
14TH AVENUE @ EAST 29TH STREET, AND  
19TH AVENUE (C229210)  
BANCROFT AVENUE @ TRASK STREET, AND  
57TH AVENUE (C232510)



14TH AVENUE AT  
19TH AVENUE  
AND EAST 29TH STREET



BANCROFT AVENUE AT  
TRASK STREET  
AND 57TH AVENUE

OFFICE OF THE CITY CLERK  
AND

  
Oakland City Attorney's Office

OAKLAND CITY COUNCIL  
RESOLUTION NO. \_\_\_\_\_ C.M.S.

2006 MAR - 1 AM 9:50

INTRODUCED BY COUNCILMEMBER \_\_\_\_\_  
Requires two-thirds vote of the Council

**RESOLUTION AUTHORIZING THE CITY ADMINISTRATOR TO AWARD A CONSTRUCTION CONTRACT TO RAY'S ELECTRIC, THE LOWEST RESPONSIBLE AND RESPONSIVE BIDDER, FOR TRAFFIC SIGNAL INSTALLATIONS ON 14TH AVENUE AT EAST 29TH STREET/19TH AVENUE (CITY PROJECT NO. C229210), AND BANCROFT AVENUE AT 57TH AVENUE/TRASK STREET (CITY PROJECT NO. C232510) IN THE AMOUNT OF THREE HUNDRED EIGHTY-SIX THOUSAND ONE HUNDRED SIXTY-FIVE DOLLARS (\$386,165.00), AND REJECTING ALL OTHER BIDS**

**WHEREAS**, the installation of new traffic signals on 14<sup>th</sup> Avenue at 19<sup>th</sup> Avenue/East 29<sup>th</sup> Street, and Bancroft Avenue at 57<sup>th</sup> Avenue/Trask Street were approved by the City Council in the 2003-2008 Capital Improvement Program, and were approved for funding in the 2004-2005 budget; and

**WHEREAS**, on November 28, 2005, two bids were received by the Office of the City Clerk of the City of Oakland for the CIP Traffic Signal Project (City Project Nos. C229210 and C232510); and

**WHEREAS**, Ray's Electric submitted the lowest responsible and responsive bid; and

**WHEREAS**, there are sufficient funds for the construction contract in the Measure B Fund (2211); Capital Improvement Projects – Transportation Services Organization (92246); and

**WHEREAS**, the City lacks the equipment and 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 or better performance; and

**WHEREAS**, Ray's Electric complies with all Local/Small Local Business Enterprise Program requirements; and

**WHEREAS**, the City Council finds and determines that services under this contract will be temporary; 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 construction contract for the CIP Traffic Signal Project (City Project Nos. C229210 and C232510) is hereby awarded to Ray's Electric in accordance with terms of its bid, dated



November 28, 2005, for the amount of three hundred eighty-six thousand one hundred sixty-five dollars (\$386,165.00); and be it

**FURTHER RESOLVED:** That the plans and specifications prepared by the Director of the Public Works Agency for the CIP Traffic Signal Project (City Project Nos. C229210 and C232510) are hereby approved; and be it

**FURTHER RESOLVED:** That the amount of the bond for faithful performance, \$386,165.00 (100% of Contract), 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, \$386,165.00 (100% of Contract), with respect to such work are hereby approved; and be it

**FURTHER RESOLVED:** That the City Administrator, or her designee, is hereby authorized to enter into a contract with Ray's Electric Company on behalf of the City of Oakland and execute any amendments or modifications of said contract 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 for form and legality by the City Attorney, and a copy of the contract shall be kept 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, \_\_\_\_\_, 2006

**PASSED BY THE FOLLOWING VOTE:**

AYES – BROOKS, BRUNNER, CHANG, KERNIGHAN, NADEL, QUAN, REID, AND  
PRESIDENT DE LA FUENTE

NOES –

ABSENT –

ABSTENTION –

ATTEST: \_\_\_\_\_  
LATONDA SIMMONS  
City Clerk and Clerk of the Council  
Of the City of Oakland, California