

FILED
OFFICE OF THE CITY CLERK
OAKLAND

OAKLAND CITY COUNCIL

84986

2014 MAY -1 PM RESOLUTION No. _____ C.M.S.

City Attorney

Introduced by Councilmember _____

RESOLUTION AUTHORIZING THE CITY ADMINISTRATOR, OR HIS DESIGNEE TO AWARD A CONSTRUCTION CONTRACT TO DUKE'S ROOT CONTROL, INC., THE ONLY RESPONSIVE AND RESPONSIBLE BIDDER, FOR ON-CALL SANITARY SEWER ROOT FOAMING SERVICES FY 2013-14 (PROJECT NO. C457111) IN ACCORDANCE WITH PLANS AND SPECIFICATIONS FOR THE PROJECT AND WITH CONTRACTOR'S BID IN THE AMOUNT OF FIVE HUNDRED FORTY-FOUR THOUSAND THREE HUNDRED SEVENTY DOLLARS (\$544,370.00)

WHEREAS, on February 13, 2014, only one bid was received by the Office of the City Clerk of the City of Oakland for Sanitary Sewer Root Foaming FY 2013-14 (Project No. C457111); and

WHEREAS, a previous bid received for this project on November 14, 2013 was deemed non-responsive; and

WHEREAS, Duke's Root Control, Inc., a Contract Compliance certified contractor as a prime, is deemed the lowest responsive and responsible bidder for the project; and

WHEREAS, there are sufficient funds in the project budget for the work in the following project account:

- Sewer Service Fund (3100); Capital Projects - Sanitary Sewer Design Organization (92244); Sewers Account (57417); Project No. C457111; \$544,370.00; and these funds were specifically allocated for this project; this project will help reduce the amount of sanitary sewer maintenance requirement; and

WHEREAS, City Council finds and determines based on the representations set forth in the City Administrator's report accompanying this Resolution that the construction contract approved hereunder is temporary in nature; and

WHEREAS, the City Council finds that the City lacks the equipment and qualified personnel to perform the necessary work, and that the performance of this contract is in the public interest because of economy or better performance and that this contract is of a professional, scientific or technical nature; and

WHEREAS, based on an availability study, all Contract Compliance requirements have been waived for this project; and

WHEREAS, the City Administrator has determined 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 On-Call Sanitary Sewer Root Foaming Services FY 2013-14 (Project No. C457111) is hereby awarded to Duke's Root Control, Inc. in accordance with the project specifications and the contractor's bid therefore, dated February 13, 2014, for the amount of Five Hundred Forty-Four Thousand Three Hundred Seventy Dollars; and be it

FURTHER RESOLVED: That the plans and specifications prepared for this project, including any subsequent changes during construction, that will be reviewed and adopted by the Director, or his/her designee, are hereby approved; and be it

FURTHER RESOLVED: That the amount of the revolving Payment and Performance Bonds in the amount of \$100,000 will be required; and be it

FURTHER RESOLVED: That the City Administrator, or his designee, is hereby authorized to enter into a contract with Duke's Root Control, Inc. on behalf of the City of Oakland and to execute any amendments or modifications to 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 for form and legality and placed on file in the Office of the City Clerk.

IN COUNCIL, OAKLAND, CALIFORNIA, MAY 20 2014, 20

PASSED BY THE FOLLOWING VOTE:

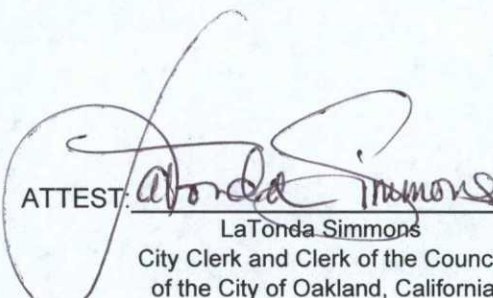
AYES – BROOKS, GALLO, KALB, KAPLAN, GIBSON MCELHANEY, REID, SCHAAF, and
PRESIDENT KERNIGHAN — 8

NOES - 0

ABSENT - 0

ABSTENTION - 0

ATTEST:



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