

OAKLAND CITY COUNCIL

RESOLUTION NO. _____ C.M.S.



OFFICE OF THE CITY CLERK
2003 NOV 25 AM 9:07

INTRODUCED BY COUNCILMEMBER _____

Requires the two-thirds vote of the Council

RESOLUTION AUTHORIZING AWARD OF A CONSTRUCTION CONTRACT TO BAY CONSTRUCTION COMPANY FOR THE SAN ANTONIO PARK RENOVATION (PROJECT NO. C196510) IN THE AMOUNT OF SIX HUNDRED FORTY-TWO THOUSAND DOLLARS (\$642,000)

WHEREAS, on October 6, 2003, four bids were received by the Office of the City Clerk for the San Antonio Park Renovation project; and

WHEREAS, the lowest bid from Kin Wo Construction Company should be rejected because it failed to achieve City's LBE/SLBE goals or demonstrate a good effort to attain the goals; and

WHEREAS, the second low bidder, Bay Construction Company, is the lowest responsible bidder and has met the City's LBE/SLBE and local trucking program requirements; and

WHEREAS, there are sufficient funds of \$689,000, including \$47,000 for contingency, in the project budget for the work; 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 economy; and

WHEREAS, the City Council finds 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 service; now, therefore, be it

RESOLVED: That the City Manager, or her designee, is hereby authorized to award a construction contract on behalf of the City of Oakland for the San Antonio Renovation project to Bay Construction Company in the amount of Six Hundred Forty-Two Thousand Dollars (\$642,000) and to execute any amendments or modifications of said contract within the limitations of the project specifications; and be it

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FURTHER RESOLVED: That the City Manager is hereby authorized to reject all other bids and be it

FURTHER RESOLVED: The amount of the bond for faithful performance, \$642,000, and the amount for a bond to guarantee payment of all claims for labor and material furnished and for the amount due under the Unemployment Insurance Act, \$642,000, with respect to such work are hereby approved; 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, _____, 2003

PASSED BY THE FOLLOWING VOTE:

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

NOES-

ABSENT-

ABSTENTION-

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ORACOUNCIL
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ATTEST: _____

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

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~~**DEC 9 2003**~~