

OAKLAND CITY COUNCIL

RESOLUTION No. 78344 = C.M.S.

FILED
OFFICE OF THE CITY CLERK
OAKLAND

INTRODUCED BY COUNCILMEMBER _____

2004 JAN 29 PM 1:01

Requires the two-thirds vote of the Council

RESOLUTION AUTHORIZING THE CITY MANAGER TO AWARD A CONSTRUCTION CONTRACT FOR THE MOSSWOOD, F.M. SMITH AND DIMOND RECREATION CENTER KITCHEN RENOVATIONS TO WAH MEI CONSTRUCTION COMPANY IN THE AMOUNT OF TWO HUNDRED NINETY-FIVE THOUSAND DOLLARS (\$295,000)

WHEREAS, on December 15, 2003, five bids were received by the Office of the City Clerk for the Mosswood, F.M. Smith, and Dimond Recreation Center Kitchen Renovations project; and

WHEREAS, the lowest bid from R&S Overhead Garage, Inc., should be rejected because the bidder was deemed non-responsive by their failure to submit a bid bond; and

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

WHEREAS, there are sufficient funds of \$295,000 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 Mosswood, F.M. Smith, and Dimond Recreation Center Kitchen Renovations project to Wah Mei Construction Company in the amount of Two Hundred Ninety-Five Thousand Dollars (\$295,000) and to execute any amendments or modifications of said contract within the limitations of the project specifications; and be it

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, \$295,000, 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, \$295,000, 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 approval of this Resolution requires a two-thirds vote of the Council members.

IN COUNCIL, OAKLAND, CALIFORNIA, FEB 17 2004, 2004


PASSED BY THE FOLLOWING VOTE:

AYES- BROOKS, BRUNNER, CHANG, NADEL, QUAN, REID, WAN and PRESIDENT DE LA FUENTE — 8

NOES- 0

ABSENT- 0

ABSTENTION- 0

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