

2013 MAR 27 AM 10:37 RESOLUTION No. 84308 C.M.S.

Introduced by Councilmember _____

Resolution Authorizing The City Administrator or Her Designee To Execute A Construction Contract With Bay Construction, The Lowest Responsive And Responsible Bidder, For The Installation Of Six Stormwater Treatment Units (Tree Wells) In West Oakland (Project No. G444210) In Accordance With Plans And Specifications For The Project And Contractor's Bid In The Amount Of One Hundred Ninety-Nine Thousand Six Hundred Twelve Dollars And Seventy-Four Cents (\$199,612.74)

WHEREAS, on February 7, 2013, five bids were received by the Office of the City Clerk of the City of Oakland for the Construction of Stormwater Treatment Units (Tree Wells) Project No. G444210); and

WHEREAS, Bay Construction, a certified SLBE bidding 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:

- Fund (2999); Watershed Organization (92245); Streets & Sidewalk Construction Account (57411); Project No. G444210: \$199,612.74 and these funds were specifically allocated for this project; 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 best public interest because of economy or better performance and that this contract is of a professional, scientific or technical nature; and

WHEREAS, Bay Construction complies with all LBE/SLBE and applicable trucking requirements; and

WHEREAS, completion of this project will help the City meet the State of California Regional Water Quality Control Board's National Pollution Discharge Elimination System Permit requiring the capture and treatment of polluted runoff; 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 the Installation Of Stormwater Treatment Units (Tree Wells) in West Oakland (Project No. G444210) is hereby awarded to Bay Construction in accordance with the project plans and specifications and the contractor's bid therefore, dated February 7, 2013, for the amount of One Hundred and Ninety Nine Six Hundred Twelve Dollars and Sixty Four Cents (\$199,612.74); and be it

FURTHER RESOLVED: That the plans and specifications prepared by the Assistant Director of the Public Works Agency for this project are hereby approved; and be it

FURTHER RESOLVED: That the amount of the bond for faithful performance, and the amount for a bond to guarantee payment of all claims for labor and materials furnished and for the amount due under the Unemployment Insurance Act, shall be for 100% of the contract price 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 Bay Construction 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 City Council finds that the City lacks the equipment and qualified personnel to perform the necessary work, 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 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, APR 16 2013

PASSED BY THE FOLLOWING VOTE:

AYES - BROOKS, GALLO, GIBSON McELHANEY, KALB, KAPLAN, 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