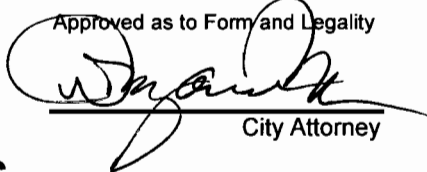


FILED  
OFFICE OF THE CITY CLERK  
OAKLAND

# OAKLAND CITY COUNCIL

Approved as to Form and Legality  
  
City Attorney

2010 JUN 30 AM 10:52

RESOLUTION No. 82902 C.M.S.

Introduced by Councilmember \_\_\_\_\_

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**RESOLUTION AWARDING A CONSTRUCTION CONTRACT TO BELIVEAU ENGINEERING CONTRACTORS, INC. FOR THE RESTORATION OF SLOPE AND FIRE ACCESS ROAD ABOVE NORTH OAKLAND SPORTS FIELD (PROJECT NUMBER C400810) IN ACCORD WITH PROJECT PLANS AND SPECIFICATIONS AND CONTRACTORS BID THEREFORE, IN THE AMOUNT OF TWO HUNDRED FORTY-SIX THOUSAND SIX HUNDRED FIFTY-FIVE DOLLARS (\$246,655.00)**

**WHEREAS**, on May 13, 2010, the City Clerk received four bids for the restoration of slope and fire access road above the North Oakland Sports Field (Project Number C400810); and

**WHEREAS**, Beliveau Engineering Contractors, Inc., 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 and funding for this project is available in the following project accounts:

- Fund 5200 JPFA (Joint Powers Financing Authority) Capital Projects Series 2005, Streets and Structures Design Organization (92242), Construction Account (57411), Project C400810 (\$146,655.00),
- Fund 5510 Capital Reserve Fund, Streets and Structures Design Organization (92242), Construction Account (57411), Project C400820 (\$100,000.00); and

**WHEREAS**, the City lacks the equipment and qualified personnel to perform the necessary work; and

**WHEREAS**, the City Administrator has determined that the performance of this contract is in the public interest because of economy or better performance; and

**WHEREAS**, Beliveau Engineering Contractors, Inc. complies with all LBE/SLBE and trucking requirements; 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 restoration of slope and fire-access road above the North Oakland Sports Field (Project Number C400810) is awarded to Beliveau Engineering Contractors, Inc. in accordance with the plans and specifications for the project which includes change order authorization of 25% to decrease or increase the contract price to account for changes in estimated materials and labor, and the terms of contractors bid dated April 2010, in the amount of two hundred forty-six thousand six hundred fifty-five (\$246,655.00); and be it

**FURTHER RESOLVED:** That the plans and specifications prepared by the Assistant Director, PWA, Department of Engineering and Construction for this project are hereby approved; and be it

**FURTHER RESOLVED:** That the amount of the bond for faithful performance, \$246,655.00, 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, \$246,655.00, with respect to such work are hereby approved; and be it

**FURTHER RESOLVED:** That the City Administrator, or his designee, is hereby authorized to enter into a contract with Beliveau Engineering Contractors, 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, JUL 20 2010, 20    

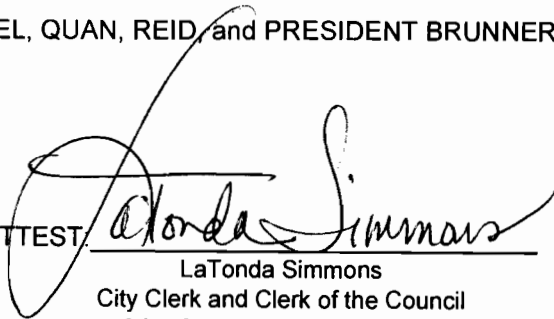
**PASSED BY THE FOLLOWING VOTE:**

AYES - BROOKS, DE LA FUENTE, KAPLAN, KERNIGHAN, NADEL, QUAN, REID, and PRESIDENT BRUNNER - 8

NOES - 0

ABSENT - 0

ABSTENTION - 0

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