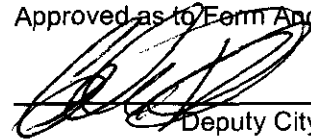


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Deputy City Attorney

## OAKLAND CITY COUNCIL

RESOLUTION No. 80259 C.M.S.

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**RESOLUTION AUTHORIZING AWARD OF A CONTRACT TO RAY'S ELECTRIC FOR THE CONSTRUCTION OF HEGENBERGER ROAD EAST GATEWAY AND AIRPORT GATEWAY-AIRPORT ACCESS ROAD STREETSCAPE IMPROVEMENT PROJECTS FOR AN AMOUNT NOT TO EXCEED TWO MILLION THREE HUNDRED FIFTY NINE THOUSAND SIX HUNDRED ELEVEN DOLLARS AND FIFTY CENTS (\$2,359,611.50)**

**WHEREAS**, the Hegenberger Road East Gateway (between San Leandro Street and Interstate 880) and Airport Gateway-Airport Access Road Streetscape Improvement projects will alleviate the general blight caused by the deteriorating infrastructures; and

**WHEREAS**, the proposed work consists of the construction of new sidewalk, decorative medians, curb and gutter, curb ramp detectable warning tiles, landscaping (street trees, shrubs, groundcover and palm trees), installation of irrigation systems and traffic signal interconnect conduit, and new ornamental pedestrian lights; and

**WHEREAS**, the projects provide sustainable opportunities to the local economy, environment and social equity for the Coliseum Redevelopment Area which meet FY 2005/07 Goals and Objectives of City Council and Mayor, Develop a Sustainable City 1B, and Build Community and Foster Livable Neighborhoods 2C and 2D in that they reduce blight, improve and upgrade the streetscape amenities and pedestrian safety, and meet the federal Americans with Disabilities Act requirements; and

**WHEREAS**, on July 12, 2006, advertisement of the projects to solicit bids was placed in the Oakland Tribune and San Francisco Chronicle newspapers, and Notices to Bidders were sent to all contractors holding an "A" License in the City's database and the Daily Pacific Builder; and

**WHEREAS**, on August 21, 2006, the City Clerk received and opened two bids for these projects. Ray's Electric is the responsible low bidder with a bid price of \$2,359,611.50 including additive alternate 3 and has met the 20% City contract requirements for Local Business Enterprise and Small Local Business Enterprise (LBE/SLBE); and

**WHEREAS**, there are sufficient funds available in the project budget to cover the project costs and the Redevelopment Agency of the City of Oakland has authorized a contribution of \$2,830,000.00 to the Hegenberger Road East Gateway and Airport Gateway-Airport Access Road Streetscape Improvement Projects, (together the Gateway Streetscape Improvement

Projects), to cover the construction contract including ten (10%) percent contingency, design support and construction management costs for the project; and

**WHEREAS**, the Redevelopment Agency funds are available for the contract work in following sources:

- An amount not to exceed \$972,399.00 to the Oakland Redevelopment Agency Projects Fund (7780), Capital Improvement Projects – Street and Structures Organization (92242), Structures and Improvements Account (57311), Airport Gateway-Airport Access Road Project (C82660)
- An amount not to exceed \$139,890.00 to the Oakland Redevelopment Agency Projects Fund (7780), Capital Improvement Projects – Economic Development Organization (94800), Airport Gateway-Airport Access Road Project (C82660)
- An amount not to exceed \$1,461,628.00 to the Oakland Redevelopment Agency Projects Fund (7780), Capital Improvement Projects – Street and Structures Organization (92242), Structures and Improvements Account (57311), in a City Project to be established for Hegenberger Road East Gateway
- An amount not to exceed \$256,083.00 to the Oakland Redevelopment Agency Projects Fund (7780), Capital Improvement Projects – Economic Development Organization (94800), in a City Project to be established for Hegenberger Road East Gateway

**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 services; now, therefore, be it

**RESOLVED**: That the City Administrator is authorized to award a contract for the Hegenberger Road East Gateway and Airport Gateway-Airport Access Road Streetscape Improvement Projects to the responsible low bidder, Ray's Electric in accordance with the terms of its bid therefore, for an amount of Two Million Three Hundred Fifty Nine Thousand Six Hundred Eleven Dollars and Fifty Cents (\$2,359,611.50); and be it

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

**FURTHER RESOLVED:** That the amount of the bond for faithful performance is one hundred percent (100%) of the bid amount, 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, equal to the bid amount, 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 for form and legality and placed on file in the Office of the City Clerk.

IN COUNCIL, OAKLAND, CALIFORNIA, DEC 5 2006, 2006

**PASSED BY THE FOLLOWING VOTE:**

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

*Kernighan - 8*

NOES- *0*

ABSENT- *0*

ABSTENTION- *0*

ATTEST.

*Latonda Simmons*  
\_\_\_\_\_  
LATONDA SIMMONS

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