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OFFICE OF THE CITY CLERK
OAKLAND

APPROVED AS TO FORM AND LEGALITY


Celso Ortiz (Mar 29, 2023 14:07 PDT)
CITY ATTORNEY'S OFFICE

OAKLAND CITY COUNCIL
RESOLUTION NO. 89636 C.M.S.

RESOLUTION AUTHORIZING THE CITY ADMINISTRATOR TO AWARD A CONSTRUCTION CONTRACT TO BELIVEAU ENGINEERING, THE LOWEST RESPONSIVE AND RESPONSIBLE BIDDER, IN ACCORDANCE WITH PROJECT PLANS AND SPECIFICATIONS FOR FRUITVALE LAND CROSSING BAY TRAIL (PROJECT NO. 1001169) AND WITH CONTRACTOR'S BID, FOR AN AMOUNT OF EIGHT HUNDRED SEVENTY-FIVE THOUSAND DOLLARS (\$875,000.00) AND ADOPTING APPROPRIATE CALIFORNIA ENVIRONMENTAL QUALITY ACT FINDINGS.

WHEREAS, the Fruitvale Land Crossing Bay Trail project (Project) will construct an accessible, mixed-use trail, closing a gap in the San Francisco Bay Trail between Lancaster Street and Fruitvale Avenue; and

WHEREAS, the Project is part of the City of Oakland's vision for a waterfront trail along the Oakland Estuary, as articulated in the Oakland Estuary Policy Plan (1999), the Oakland Waterfront Master Plan (2003), and the Oakland Trust for Clean Water and Safe Parks Bond (Measure DD); and the Project trail segment was identified as one of the remaining gaps in the waterfront trail system; and

WHEREAS, the Project is part of the Oakland Waterfront Trail and Access Improvements contemplated in the City of Oakland Measure DD Implementation Project Environmental Impact Report (SCH# 2006122048) certified by City Resolution 79981 C.M.S.; and

WHEREAS, the City issued a Notice of Inviting Bids for the Project on October 14, 2022 with six bids received by the Office of the City Clerk on November 17, 2022; and

WHEREAS, Beliveau Engineering is deemed the lowest, responsive and responsible bidder for the Project with a bid of \$875,000.00; and

WHEREAS, this Project advances the Citywide priorities of holistic community safety, vibrant, sustainable infrastructure, and responsive, trustworthy government; and

WHEREAS, the City Council finds and determines based on the representations set forth in the City Administrator's report accompanying this Resolution that the construction contract approved hereunder is temporary in nature; and

WHEREAS, 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 now, therefore, be it

RESOLVED: That the City Administrator is authorized to award a construction contract to Beliveau Engineering, the lowest responsive and responsible bidder, in accordance with project plans, specifications and contractor's bid dated November 17, 2022 for the Fruitvale Land Crossing Bay Trail Project, Project No. 1001169, in the amount of eight hundred seventy-five thousand Dollars (\$875,000.00); and be it

FURTHER RESOLVED: Funding for the Project is available from the Oakland Trust for Clean Water and Safe Parks Bond program (Measure DD) Series C Bond in the following account: Measure DD Bond (5322); Capital Projects Organization (#92270); Construction Contract Account (57112); Project (1003447); Award (23253); Program (IN06); and be it

FURTHER RESOLVED: That all other bids are rejected; and be it

FURTHER RESOLVED: That the plans and specifications prepared for this Project, including any subsequent changes during construction, that will be reviewed and adopted by the Director of Oakland Public Works are hereby approved; and be it

FURTHER RESOLVED: That the CEQA review has been completed for this Project as part of the Oakland Waterfront Trail and Access Improvements contemplated in the Final EIR, certified by the City Resolution 81180 C.M.S. dated April 1, 2008; and be it

FURTHER RESOLVED: That the contracts shall be reviewed and approved by the City Attorney for form and legality prior to execution and placed on file in the Office of the City Clerk.

IN COUNCIL, OAKLAND, CALIFORNIA,

MAR 21 2023

PASSED BY THE FOLLOWING VOTE:

AYES - FIFE, GALLO, JENKINS, ~~KAPLAN~~, KAPLAN, RAMACHANDRAN, REID, AND
PRESIDENT FORTUNATO BAS - 7

NOES - 0

ABSENT - 0

ABSTENTION - 0

1 Excused - Halb

ATTEST:



ASHA REED

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