

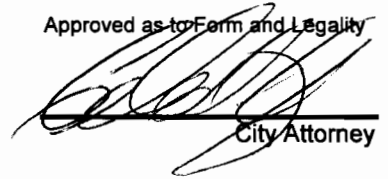
FILED
OFFICE OF THE CITY CLERK
OAKLAND

2012 FEB 16 PM 2:33

OAKLAND CITY COUNCIL

RESOLUTION No. 83740 C.M.S.

Approved as to Form and Legality



City Attorney

RESOLUTION AWARDING A CONSTRUCTION CONTRACT TO BELIVEAU ENGINEERING CONTRACTORS, INC., THE LOWEST RESPONSIVE AND RESPONSIBLE BIDDER, FOR THE INSTALLATION OF A STORMWATER TRASH CONTROL UNIT AT 73RD AVENUE AND INTERNATIONAL BOULEVARD (PROJECT NO. C390710) IN ACCORDANCE WITH PLANS AND SPECIFICATIONS FOR THE PROJECT AND CONTRACTOR'S BID IN THE AMOUNT OF NINE HUNDRED AND EIGHTY-THREE THOUSAND, FIVE HUNDRED DOLLARS (\$983,500.00)

WHEREAS, on October 6, 2011, two bids were received by the Office of the City Clerk of the City of Oakland for the installation of a stormwater trash control unit at 73rd Avenue and International Blvd; and

WHEREAS, Beliveau Engineering Contractors, Inc., a certified SLBE; is deemed the lowest responsive and responsible bidder for the project, and

WHEREAS, Beliveau Engineering Contractors, Inc., complies with all performance tracking requirements; and

WHEREAS, the installation of the stormwater trash control unit is funded by a grant from the State Water Resources Control Board (Resolution No. 82132 C.M.S.); and

WHEREAS, the installation of the stormwater trash control unit at 73rd Avenue and International Boulevard will help the City of Oakland meet Clean Water Act regulatory mandates to reduce trash in stormwater; and

WHEREAS, the installation of the stormwater trash control unit at 73rd Avenue and International Boulevard will help the City of Oakland improve water quality and to meet regulatory standards in response to the Regional Water Quality Control Boards listing of Damon Slough on the US EPA 303(d) list of trash impaired water bodies; and

WHEREAS, there is sufficient funding for the work under the following project account:

Project Name	Project #	Fund	Org	Account	Amount
73 rd and International Stormwater trash separator	C390720	State of California fund (2159)	Streets Organization (92242)	Street Construction (57411)	\$1,009,962.00

funds shown above were specifically allocated for this project; and

WHEREAS, the City Council find that the City lacks the equipment and qualified personnel to perform the necessary work, and 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; now, therefore, be it

RESOLVED: That the construction contract for the installation of a stormwater trash control unit at 73rd Avenue and International Boulevard (Project No. C390710) is hereby awarded to Beliveau Engineering Contractors, Inc. in accordance with the project plans and specifications and the contractor's bid dated October 6, 2011, for the amount of nine hundred and eighty-three thousand, five hundred dollars (\$983,500.00); and be it

FURTHER RESOLVED: That the plans and specifications prepared by the 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, \$983,500.00, and the amount for a bond to guarantee payment of all claims for labor and materials furnished and for the amount under the Unemployment Insurance Act, \$983,500.00, 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 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 in the event the contractor awarded by this resolution is determined to be unresponsive in the timely execution of the contract as specified by the project specifications, and there is no next responsive and responsible bidder, the City Administrator may proceed to hire or have the services performed in the open market pursuant to the City of Oakland Purchasing Ordinance Section 2.04.050; and be it

FURTHER RESOLVED: That the City Administrator is hereby authorized to negotiate and award the contract for the Installation of a Stormwater Trash Control Unit at 73rd Avenue and International Boulevard (Project No. C390710) for an amount up to (\$983,500.00) to the next responsible bidder; 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, and 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

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, MAR 6 2012, 2012

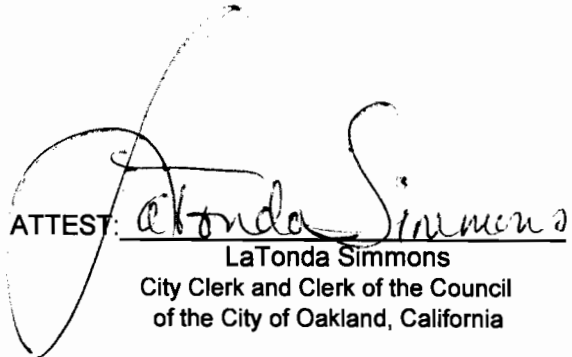
PASSED BY THE FOLLOWING VOTE:

AYES - BROOKS, ~~Brunner~~, DE LA FUENTE, ~~Kernighan~~, KERNIGHAN, NADEL, SCHAAF and PRESIDENT REID - 6

NOES - 0

ABSENT - Kaplan, Brunner - 2

ABSTENTION - 0

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