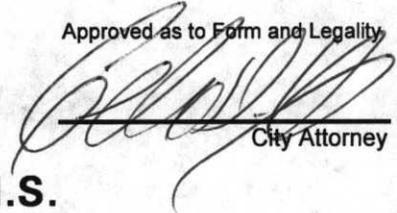


FILED
OFFICE OF THE CITY CLERK
OAKLAND

OAKLAND CITY COUNCIL



City Attorney

2014 JUL 10 PM 12:36

RESOLUTION NO. 85133 C.M.S.

Introduced by Councilmember _____

RESOLUTION TO REJECT ALL BIDS, WAIVE FURTHER ADVERTISING AND COMPETITIVE BIDDING AND AUTHORIZE THE CITY ADMINISTRATOR, OR HIS DESIGNEE, TO NEGOTIATE AND EXECUTE A CONSTRUCTION CONTRACT UP TO THE AMOUNT OF ONE HUNDRED AND SIXTY THREE THOUSAND DOLLARS (\$163,000.00) WITH ROCKRIDGE BUILDERS, SOLE BIDDER, OR IN THE OPEN MARKET FOR THE GOLDEN GATE BRANCH LIBRARY EXTERIOR WINDOW RESTORATION PROJECT (NO. B00570) IN ACCORDANCE WITH THE PLANS AND SPECIFICATIONS

WHEREAS, The Carnegie-endowed Golden Gate Branch of the Oakland Public Library, 5606 San Pablo Avenue in Oakland, retains most of its original windows, but they have dry rot and have begun to leak, and plans have been developed to restore the windows; and

WHEREAS, there are two fund sources available for the project: Municipal Capital Improvement fund 5500, org. 92270, account 57212, Project No. B00570, \$104,700.00 and Community Development Block Grant FY13-15 (due to expire on July 1, 2015), fund 2108, org. 92270, account 57212, Project No. C467210, \$75,000.00; and

WHEREAS, the project was advertised on May 1, 2014, and on May 29, 2014, the City Clerk received one (1) bid; and

WHEREAS, the one and only bid price exceeds engineer's estimate; and

WHEREAS, the construction budget is insufficient for bid price and construction contingency; and

WHEREAS, it is in the best interest of the City to reject all bids, waive further competitive bidding, negotiate with Rockridge Builders, or in open market, and award a construction contract up to the amount of One Hundred and Sixty Three Thousand (\$163,000.00) in order to complete the construction in a timely manner to meet funding timeline; 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

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 all bids are hereby rejected and the City hereby finds and determines that it is in the best interest of the City to waive further advertising and competitive bidding due to pending expiration of grant funds pursuant to Chapter 2.04, Article 1, Section 2.04.050.I (5) of the Oakland Municipal Code that; and be it

FURTHER RESOLVED, That the City Administrator is authorized to negotiate, award and execute a construction contract for the Golden Gate Branch Library Exterior Windows Restoration Project (B00570) with Rockridge Builders, or in open market, for an amount up to One Hundred Sixty Three Thousand Dollars (\$163,000.00) in accordance with the project plans and specifications; and be it

FURTHER RESOLVED, That the City Council hereby approves the plans and specifications prepared at the direction of the Assistant Director of the Oakland Public Works Department for this project; and be it

FURTHER RESOLVED, That the City Administrator is authorized to execute any amendments or modifications of the contract within the limitations of the project specifications; and be it

FURTHER RESOLVED, That the successful contractor shall provide faithful performance bond and a bond to guarantee payment of all claims for labor and materials furnished and for the amount of 100% of the contract price and due under the Unemployment Insurance Act prior to execution of the contract; and be it

FURTHER RESOLVED, That the contract 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.

JUL 29 2014

IN COUNCIL, OAKLAND, CALIFORNIA, _____

PASSED BY THE FOLLOWING VOTE:

Reid

AYES - BROOKS, GALLO, GIBSON MCELHANEY, KALB, KAPLAN, ~~REID~~, SCHAAF and PRESIDENT 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