

FILED
OFFICE OF THE CITY CLERK
OAKLAND

Approved as to Form and Legality

OAKLAND CITY COUNCIL

2015 MAY 28 AM 10:06

RESOLUTION No. 85657 C.M.S.

City Attorney

Introduced by Councilmember _____

RESOLUTION AUTHORIZING THE CITY ADMINISTRATOR TO EXECUTE A CONSTRUCTION CONTRACT WITH RAY'S ELECTRIC, THE LOWEST RESPONSIVE, RESPONSIBLE BIDDER FOR HIGHWAY SAFETY IMPROVEMENT PROGRAM CYCLE 4 (HSIP4): TRAFFIC SIGNAL ON BANCROFT AVENUE AT 94TH AVENUE, PROJECT NO. C444110, IN ACCORDANCE WITH PROJECT PLANS, SPECIFICATIONS, STATE REQUIREMENTS AND WITH CONTRACTOR'S BID IN THE AMOUNT OF THREE HUNDRED FIFTY THOUSAND SIX HUNDRED FIFTY DOLLARS (\$350,650.00)

WHEREAS, on April 16, 2015, five (5) re-bids were received on the project in the amount of \$458,498.59, \$408,483.00, \$350,650.00, \$374,248.00 and \$432,491.00 from AEKO Consulting, Beliveau Engineering Contractors, Inc., Ray's Electric, St. Francis Electric, Inc. and W. Bradley Electric, Inc. respectively, in response to the Notice To Bidders for the construction of HSIP4: Traffic Signal on Bancroft Avenue at 94th Avenue; and

WHEREAS, the City of Oakland was awarded with HSIP Cycle 4 Federal grant which is administered by State of California, Department of Transportation, and the funding for the grant was accepted and appropriated by City Council on July 5, 2011 per Resolution No. 83458 C.M.S.; and

WHEREAS, Ray's Electric submitted the lowest responsive, responsible bid, and the bid complies with the Federal Disadvantaged Business Enterprise (DBE) 1.47% participation requirements; and

WHEREAS, there is sufficient fund in the project budget for the work. Funding for the construction contract work will be available in the following project accounts; and

- Highway Safety Improvement Program Cycle 4 (HSIP4) Federal grant \$398,475.00. State of California, Department of Transportation, Fund (2140); Project (C444110);
- Oakland local match \$78,962.00. Measure B Fund (2211); Project (C444120).

WHEREAS, the engineer's estimate for the work is \$377,366.00; and

WHEREAS, the City Council finds that the City lacks the equipment and qualified personnel to perform the necessary work and that the performance of this contract is in the public interest because of economy or better performance; 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 contract for the construction of HSIP4: Traffic Signal on Bancroft Avenue at 94th Avenue, Project No. C444110, is hereby awarded to Ray's Electric, lowest responsive, responsible bidder, in accordance with the project plans, specifications, state requirements and with contractor's bid in the amount of Three Hundred Fifty Thousand Six Hundred Fifty Dollars (\$350,650.00); and be it

FURTHER RESOLVED, That the plans and specifications prepared including any subsequent changes during construction, that will be reviewed and adopted by the Director or designee for this project are hereby approved; and be it

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

FURTHER RESOLVED, That the City Administrator or designee, is hereby authorized to enter into a contract with Ray's Electric 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 place on file in the Office of the City Clerk.

JUN 17 2015

IN COUNCIL, OAKLAND, CALIFORNIA, _____, 2015

PASSED BY THE FOLLOWING VOTE:

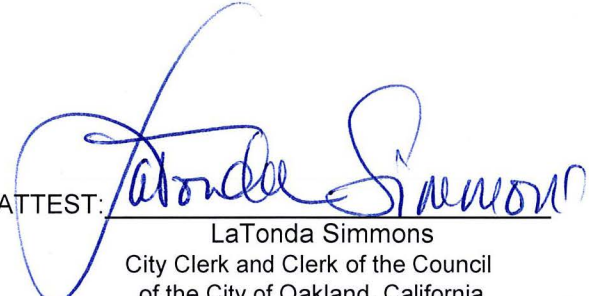
AYES - BROOKS, CAMPBELL WASHINGTON, GALLO, GUILLEN, KALB, ~~KAPLAN~~, REID and
PRESIDENT GIBSON MCELHANEY - 7

NOES - 0

ABSENT - 1 Kaplan

ABSTENTION - 0

ATTEST:


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