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OFFICE OF THE CITY CLERK
OAKLAND

2018 APR 12 PM 3:44

Approved as to Form and Legality

City Attorney

OAKLAND CITY COUNCIL

RESOLUTION NO. 87158 C.M.S.

Introduced by Councilmember _____

RESOLUTION AWARDING A CONSTRUCTION CONTRACT TO RAY'S ELECTRIC, INC. THE LOWEST RESPONSIVE AND RESPONSIBLE BIDDER FOR THE CONSTRUCTION OF CITYWIDE PREVENTATIVE MAINTENANCE RESURFACING PROJECT (PROJECT NO. 1004034) IN ACCORDANCE WITH PLANS AND SPECIFICATIONS FOR THE PROJECT AND WITH CONTRACTOR'S BID IN THE AMOUNT OF TWO MILLION NINE HUNDRED TWENTY-THREE THOUSAND EIGHTY DOLLARS (\$2,923,080.00)

WHEREAS, on February 22, 2018, four (4) bids were received by the Office of the City Clerk of the City of Oakland for the construction of Citywide Preventative Maintenance Resurfacing Project (Project No.1004034); and

WHEREAS, Ray's Electric, Inc., a certified SLBE bidding as a prime, is deemed the lowest responsive and responsible bidder for the project; and

WHEREAS, Ray's Electric, Inc., complies with all LBE/SBLE and trucking requirements; and

WHEREAS, the pavement rehabilitation program works to preserve the City's infrastructure; and

WHEREAS, the City Council finds and determines base on the representation 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

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 service now, therefore, be it

RESOLVED: That the City Administrator, or designee, is authorized to award a construction contract to Ray's Electric, Inc., Inc. the lowest responsive and responsible bidder for Citywide Preventative Maintenance Resurfacing Project (Project No.1004034) and with contractor's bid in the amount of Two Million Nine Hundred Twenty-Three Thousand Eighty dollars (\$2,923,080.00) and in accordance with plans and specifications for the project and contractor's bid dated February 22, 2018; and be it

FURTHER RESOLVED, although the contract will be executed in FY 2017-2018 and the work will begin in spring of FY 2017-2018, the first contract payment will be made on or after July 1st, in FY2018-19; and

FURTHER RESOLVED, funding for this construction contract is available in the FY 2018-2019 adopted budget in Measure KK Fund (5330), Engineer Design Streets and Structures Organization (92242), Street Construction Account (57411), Citywide Preventative Maintenance Resurfacing (Project No. 1001293), and Award (23248); and

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: The City Administrator, or designee, is hereby authorized to enter into a contract with Ray's Electric, Inc. on behalf of the City of Oakland and to execute any amendments or modifications of the contract within the limitation of the project specification; and be it

FURTHER RESOLVED: That the City Administrator, or designee, is hereby authorized to negotiate with the second lowest bidder and/or next lowest bidder for the same awarded amount, if Ray's Electric Inc fails to return the complete signed contract documents and supporting documents within the days specified in the Special Provision without going back to City Council; 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, or designee, are hereby approved; and be it

FURTHER RESOLVED: That the City Administrator, or designee, is hereby authorized to reject all other bids; 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.

IN COUNCIL, OAKLAND, CALIFORNIA, MAY 01 2018

PASSED BY THE FOLLOWING VOTE:

AYES - BROOKS, CAMPBELL WASHINGTON, GALLO, GIBSON MCELHANEY, GUILLEN, KALB, KAPLAN,
and ~~PRESTON~~ *7*

NOES - *0*

ABSENT - *0*

ABSTENTION - *0*

Excused - Reid

ATTEST

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

Exhibit 1
Road Maintenance and Rehabilitation Account (RMRA)
Planned Project List – FY 2018/19

Name	Brief Description	Location	Amount RMRA
Local Street Maintenance	Maintenance of City streets including pot-holing, patching, concrete repair, etc	city-wide	\$2,075,406
Street Resurfacing:	Resurfacing of Streets on the Five Year Paving Plan	Various (see below): 4 th Ave (E. 12 th St to E 18 th St.) 14 th St (Wood St. to Mandela Pkwy.) 29 th Ave (E. 17 th St. to International Blvd.) 82 nd Ave (Utah St. to MacArthur Blvd.) Brush St. (6 th St to 3 rd St.) Carson St. (Tompkins Ave to Fair Ave and Reinhardt Dr. to Mountain Blvd.) Claremont Ave. (Alvarado Rd. to Grizzly Peak Blvd.) Enterprise Way (85 th Ave to Edes Ave.) Hillmont Drive (Sunkist Dr. to Edgemoor Pl.) Kingsland Ave (Birdsall Ave. to Redding St.) Peterson St. (East End to Glascock St.) Tompkins Ave (Carson St. to High St.) Webster St. (Broadway to Grand Ave.) Yerba Buena Ave. (40 th St to City Limit)	\$5,000,000
Total			\$7,075,406