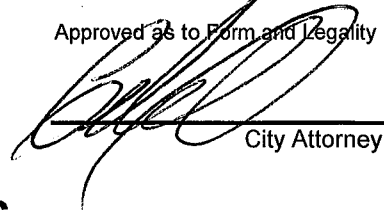


FILED  
OFFICE OF THE CITY CLERK  
OAKLAND

# OAKLAND CITY COUNCIL

  
City Attorney

2019 JAN 24 PM 2:56 RESOLUTION No. \_\_\_\_\_ C.M.S.

Introduced by Councilmember \_\_\_\_\_

**RESOLUTION AWARDING A CONSTRUCTION CONTRACT TO (GRUENDL DBA) RAY'S ELECTRIC, THE LOWEST RESPONSIVE, RESPONSIBLE BIDDER, FOR CONCRETE CONSTRUCTION FOR PAVEMENT REHABILITATION PROJECT (PROJECT NO. 1004261) IN ACCORDANCE WITH SPECIFICATIONS FOR THE PROJECT AND WITH CONTRACTOR'S BID IN THE AMOUNT OF ONE MILLION, FIVE HUNDRED FORTY-TWO THOUSAND, FOUR HUNDRED DOLLARS (\$1,542,400.00).**

**WHEREAS**, On December 27, 2018, the City Clerk received three bids for Concrete Construction For The Pavement Rehabilitation Project (Project No. 1004261; and

**WHEREAS**, (Gruendl DBA) Ray's Electric, a certified SLBE bidding as a prime, is deemed the lowest responsive and responsible bidder for the project; and

**WHEREAS**, funding for this project will be available in the following project account as part of FY 2018-19 CIP budget: Fund 5330 Measure KK, Org. 92246, Account 57411, and Project 1001293; 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

**WHEREAS**, (Gruendl DBA) Ray's Electric, complies with all LBE/SLBE and trucking requirements; 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 is authorized to award a construction contract to (Gruendl DBA) Ray's Electric, the lowest responsive and responsible bidder in accordance with project plans and specifications for Concrete Construction For The Pavement Rehabilitation

Project (Project No. 1004261) and with contractor's bid in the amount of One Million, Five Hundred Forty-Two Thousand, Four Hundred Dollars (\$1,542,400.00) and in accordance with specifications for the Project and contractor's bid dated December 27, 2018; and be it

**FURTHER RESOLVED:** That the amount of the bond for faithful performance bond, \$1,542,400.00, and the bond to guarantee payment of all claims for labor and materials furnished and for the amount under the Unemployment Insurance Act, \$1,542,400.00 with respect to such work are hereby approved; and be it

**FURTHER RESOLVED:** That the City Administrator, or designee, is hereby authorized to enter into a contract with (Gruendl DBA) Ray's Electric, on behalf of the City of Oakland and to execute any amendments or modifications of the contract within the limitations of the project specifications; 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 (Gruendl DBA) Ray's Electric 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 specifications prepared for this project, including any subsequent changes during construction, that will be reviewed and adopted by the Director of Transportation, 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, \_\_\_\_\_, 20\_\_\_\_\_

**PASSED BY THE FOLLOWING VOTE:**

AYES: FORTUNATO BAS, GALLO, GIBSON MCELHANEY, KALB, REID, TAYLOR, THAO and PRESIDENT KAPLAN

NOES -

ABSENT -

ABSTENTION -

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