

FILED  
OF THE CITY CLERK  
OAKLAND

CITY OF OAKLAND

2019 MAY 16 PM 5:47

# AGENDA REPORT

**TO:** Sabrina B. Landreth  
City Administrator

**FROM:** Ryan Russo  
Director, OakDOT

**SUBJECT:** The Pedestrian Lighting & Sidewalk  
Project on International Blvd.  
(1004422) Construction Contract  
Award

**DATE:** April 17, 2019

City Administrator Approval

Date:

5/16/19

## RECOMMENDATION

**Staff Recommends That The City Council Adopt A Resolution Authorizing The City Administrator To Award A Construction Contract To Ray's Electric, The Lowest Responsive And Responsible Bidder, In Accordance With Project Plans and Specifications And Contractor's Bid, For The Pedestrian Lighting, Sidewalk Repair And Crosswalk Striping On International Boulevard From 1<sup>st</sup> Avenue To 5<sup>th</sup> Avenue, And 22<sup>nd</sup> Avenue To Fruitvale Avenue Project (Project No. 1004422) Including Base Bid and Bid Alternate For A Total Contract Amount Not-To-Exceed One Million, Two Hundred Thirty-Seven Thousand, Five Hundred Dollars (\$1,237,500.00) As Additional Funds Become Available.**

## EXECUTIVE SUMMARY

Approval of this resolution will authorize the City Administrator to execute a construction contract with Ray's Electric, in the amount of eight hundred ninety thousand two hundred dollars (\$890,200.00) for the construction of the Pedestrian Lighting, Sidewalk Repair and Crosswalk Striping on International Boulevard from 1<sup>st</sup> avenue to 5<sup>th</sup> avenue, and 22<sup>nd</sup> avenue to Fruitvale avenue Project (Project No. 1004422) and authorize the City Administrator to increase the same construction contract by the amount of three hundred forty-seven thousand three hundred dollars (\$347,300.00) for a total of one million, two hundred thirty-seven thousand, five hundred dollars (\$1,237,500.00) as additional funds become available. The work is in Council Districts 2 and 5 as shown in Attachment A.

The project includes installation of pedestrian light poles and fixtures, pull boxes, electrical conduit, electrical conductor, replacement of damaged sidewalks and driveways, crosswalk striping and other minor incidental items including tree root pruning and curb and gutter replacement.

Item: \_\_\_\_\_  
Public Works Committee  
May 28, 2019

## **BACKGROUND/LEGISLATIVE HISTORY**

The Pedestrian Lighting, Sidewalk Repair and Crosswalk Striping on International Boulevard from 1<sup>st</sup> avenue to 5<sup>th</sup> avenue, and 22<sup>nd</sup> avenue to Fruitvale avenue Project includes installation of pedestrian light poles and fixtures, pull boxes, electrical conduit, electrical conductor, replacement of damaged sidewalks and driveways, crosswalk striping and other minor incidental items including tree root pruning and curb and gutter replacement. The project will provide a safer walking experience for pedestrians along International Boulevard in conjunction with AC Transit's East Bay Bus Rapid Transit (BRT) project, as it will draw many pedestrians to the corridor.

On February 17, 2015, City Council approved Resolution No. 85414 C.M.S. (**Attachment B**) authorizing the City Administrator to apply for, accept and appropriate grant funds under 2014-15 Affordable Housing and Sustainable Communities (AHSC) Program.

The AHSC Program is administered by the State of California Strategic Growth Council (SGC) and the Department of Housing and Community Development Department (CAHCD). The purpose of the AHSC is to reduce greenhouse gas (GHG) emissions through projects that implement land-use, housing, transportation and agricultural land preservation practices to support infill and compact development. The AHSC seek to reduce air pollution, improve conditions in disadvantaged communities, increase connectivity and accessibility to jobs, housing and services and preserve and develop affordable housing.

On April 10, 2018, City Council approved Resolution No. 87133 C.M.S. (**Attachment C**) to allocate \$726,050.00 of AHSC grant funds for pedestrian lighting and sidewalk improvements on International Boulevard near the Camino 23 project which will build affordable housing units at 1245 23<sup>rd</sup> Avenue.

On July 24, 2018, Council approved Resolution No. 87303 C.M.S. (**Attachment D**) to allocate \$460,000.00 accept of AHSC grant funds for pedestrian lighting along the AC Transit's East Bay Bus Rapid Transit (BRT) corridor near the Lakehouse Commons Project at East 12th and Lake Merritt Boulevard.

## **ANALYSIS / POLICY ALTERNATIVES**

The Pedestrian Lighting and Sidewalk Project will construct pedestrian lighting on International Boulevard for residents in the Eastlake Neighborhood. International Boulevard is a major corridor and with the Bus Rapid Transit project currently in construction lighting along this part of the corridor is essential for pedestrians walking the area. Also, included in the scope are replacement of damaged sidewalks and driveways, crosswalk striping and other minor incidental items including tree root pruning and curb and gutter replacement to make it easier and safer for pedestrians.

The Project was advertised for bid on November 27, 2018. Notifications were distributed by several means as listed below:

- The City of Oakland iSupplier system which includes City certified firms, registered General Contractors, plan rooms and builder's exchange, totaling over 300 notices.
- Printed legal notice in the East Bay Times, Oakland Post, El Mundo, The Korea Times and World Journal publications.
- Posting on CIPlist.com, which distributes to registered plan rooms and builders' exchanges.

On December 20, 2018, the City Clerk received three (3) bids for the project as shown below:

**BIDS RECEIVED**

<b>Company</b>	<b>Base Bid</b>	<b>Bid Alternate</b>	<b>Base + Bid Alternate</b>
Ray's Electric, Inc.	\$890,200.00	\$347,300.00	\$1,237,500.00
Bay Construction	\$1,128,000.00	\$363,500.00	\$1,491,500.00
D-Line Constructors	\$1,182,550.00	\$446,150.00	\$1,628,700.00

The Engineer's Estimate for the base bid was \$969,850.00 and the limits of construction are from 22<sup>nd</sup> avenue to Fruitvale avenue for lighting improvements and various locations for sidewalk improvements. The items listed below are the improvements covered by the base bid amount. The base bid is funded by the AHSC Camino 23 project at 1245 23<sup>rd</sup> Avenue.

- Pedestrian Light Pole, foundation and Luminaire
- Conduit and conductor connecting to existing infrastructure
- New Pull Boxes for Access
- High Visibility Crosswalks
- Sidewalk Repair at Various Locations

The Engineer's Estimate for the Bid Alternate was \$353,000.00 and the limits of construction are from 1<sup>st</sup> Street to 5<sup>th</sup> Street. The items listed below are the improvements covered by the bid alternate amount. To fund the bid alternate, the City will use funds awarded from the AHSC Lakehouse Commons Project. Funding for this portion will be available once the City's Housing Authority and the state finalize the agreement to allocate funds. As of today, staff is not certain when exactly this will occur, but it is anticipated said agreement will be finalized during construction. Staff is trying to be proactive and include this portion of the construction contract as a bid alternate. Staff identified this opportunity to deliver additional street lighting from 1<sup>st</sup> Street to 5<sup>th</sup> Street on International Blvd.

- Pedestrian Light Pole, foundation and Luminaire
- Conduit and conductor connecting to existing infrastructure
- New Pull Boxes for Access

All three (3) bids were analyzed by the Contracts and Compliance Unit and were deemed in compliance with the City's local contracting programs including Local Business Enterprise/Small Local Business Enterprise (LBE/SLBE) participation as shown on **Attachment E**, dated January 18, 2019. Ray's Electric's bid has 64.70% LBE/SLBE participation and has been deemed the lowest responsive and responsible bidder, and therefore is recommended for the award.

The contract specifies \$1,500.00 in liquidated damages per calendar day if the contractor exceeds the contract completion time of 60 working days. Construction work is anticipated to begin June 2019 and should be completed by September 2019 contingent on weather conditions.

### **FISCAL IMPACT**

Approval of this resolution will allow the City Administrator to execute a construction contract with Ray's Electric in the amount of \$1,237,500.00.

## 1. AMOUNT OF RECOMMENDATION/COST OF PROJECT:

<b>PROJECT</b>	<b>AMOUNT</b>
The Pedestrian Lighting, Sidewalk Repair And Crosswalk Striping On International Boulevard From 1st Avenue To 5th Avenue, And 22nd Avenue To Fruitvale Avenue Project (Project No. 1004422) – <b>Base Bid</b>	\$890,200.00
The Pedestrian Lighting, Sidewalk Repair And Crosswalk Striping On International Boulevard From 1 <sup>st</sup> Street To 5 <sup>th</sup> Street, And 22nd Avenue To Fruitvale Avenue Project (Project No. 1004422) - <b>Bid Alternate</b>	\$347,300.00
<b>TOTAL</b>	<b>\$1,237,500.00</b>

## 2. SOURCE OF FUNDING:

A breakdown of the appropriated project funding that covers the construction contract is as follows:

<b>FUNDING SOURCES</b>	<b>AMOUNT</b>
Affordable Housing and Sustainable Communities Program (AHSC) Grant associated with Camino 23 Project, State of California Fund (2159); Project Delivery Department Organization (92270); Street Construction Account (57411); AHSC International Blvd. (Project 1004422) – <b>Base Bid</b>	\$700,000.00
Measure KK Fund (5330); Project Delivery Department Organization (92270); Street Construction Account (57411); AHSC International Blvd. (Project 1004422) – <b>Base Bid</b>	\$190,200.00
Affordable Housing and Sustainable Communities Program (AHSC) Grant associated with Lakehouse Commons Project, State of California Fund (2159); Project Delivery Department Organization (92270); Street Construction Account (57411); AHSC International Blvd. (Project 1004422) – <b>Bid Alternate</b>	\$347,300.00
<b>TOTAL FUNDS</b>	<b>\$1,237,500.00</b>

AHSC Grant for bid alternate work will be allocated upon City executing standard agreement and disbursement agreement with the State for the AHSC funds.

**PUBLIC OUTREACH/INTEREST***Locally Preferred Alternative*

In April, 2010 the City of Oakland selected a "Locally Preferred Alternative" (LPA) for analysis in the Final Environmental Impact Statement/Report (FEIS/R) (Resolution No. 82690 C.M.S.); this

Locally Preferred Alternative (LPA) incorporated bicycle, pedestrian and vehicular improvements in addition to the proposed Bus Rapid Transit Project.

On July 17, 2012, the City approved the Locally Preferred Alternative Design for the BRT Project. The City coordinated six public meetings prior to the Final Environmental Impact Statement Report (FEIS/R), to confirm LPA to study the FEIS/R including Fruitvale, Eastlake/San Antonio, East Oakland (2) Downtown and Telegraph.

#### *Construction*

AC Transit's BRT Community Outreach Team proactively provides information about the project to help minimize disruptions and impacts during construction, while building and effective relationships with the community. It achieves this by sharing information about the BRT project with community stakeholders and helping to resolve any issues.

The Team operates out of a community information center located in the Fruitvale. The office is open Monday through Friday between the hours of 9:00 AM to 5:00 PM. For the past three years, AC Transit has assigned a dedicated External Affairs Representative from AC Transit's Department of Legislative Affairs & Community Relations who spends 100% of his time working with the outreach team and serves as the outreach team manager.

Per standard City procedures, a notification letter will be sent to residents prior to start of construction.

#### **COORDINATION**

During the engineering design phase, staff met with the BRT project team and coordinated the proposed improvements with the BRT improvements.

The Office of the City Attorney and the Controller's Bureau were consulted in preparation of this report and resolution.

The work to be done under these contracts was reviewed and coordinated with:

- Alameda County Transit (AC Transit)
- Safe Streets Division of the Oakland Department of Transportation (OakDOT)
- Electrical Services of OakDOT
- City of Oakland ADA Programs of OakDOT
- Bureau of Infrastructure and Operation Division of Oakland Public Works (OPW)
- Bureau of Facilities and Environment Division of OPW

### **PAST PERFORMANCE, EVALUATION AND FOLLOW-UP**

Contractor Performance Evaluation for Ray's Electric from a previously completed project was satisfactory and is included as ***Attachment F***.

### **SUSTAINABLE OPPORTUNITIES**

***Economic:*** This project will improve transportation conditions and make the International Boulevard corridor safer, well lit, and more attractive. The project improvements will enhance the efficiency and affordability of the transportation network and increase the potential for economic and housing development in the neighborhood.

***Environmental:*** The project will provide a safer route for pedestrians to BRT project stations on the International Boulevard corridor thus encourage increase in walking and therefore reduce the use of automotive mode of transportation which will result in less air pollution cause by vehicles. The project will implement the Best Management Practices for the protection of storm water runoff during construction to prevent pollutants from entering the storm drain systems.

***Social Equity:*** This project is intended to provide maximum mobility for those without access to vehicles by improving the pedestrian infrastructure. Project is within or abutted against an area of high disadvantage as designated by California's Metropolitan Transportation Commission (MTC) Disadvantage Index.

**ACTION REQUESTED OF THE CITY COUNCIL**

Staff Recommends That The City Council Adopt A Resolution Authorizing The City Administrator To Award A Construction Contract To Ray's Electric, The Lowest Responsive And Responsible Bidder, In Accordance With Project Plans and Specifications And Contractor's Bid, For The Pedestrian Lighting, Sidewalk Repair And Crosswalk Striping On International Boulevard From 1st Avenue to 5th Avenue, and 22nd Avenue To Fruitvale Avenue Project (Project No. 1004422) Including Base Bid and Bid Alternate For A Total Contract Amount Not-To-Exceed One Million, Two Hundred Thirty-Seven Thousand, Five Hundred Dollars (\$1,237,500.00) As Additional Funds Become Available.

For questions regarding this report, please contact Mohamed Alaoui, P.E., Principal Civil Engineer at DOT, Great Streets Delivery at (510) 238-3469.

Respectfully submitted,



Ryan Russo  
Director, Department of Transportation  
Director, Department of Transportation

Reviewed by:  
Wladimir Wlassowsky, P.E., Assistant Director,  
Department of Transportation

Reviewed by:  
Mohamed Alaoui, P.E., T.E. Principal Civil  
Engineer, Great Streets Delivery, Department  
of Transportation

Reviewed by:  
Si Lau, P.E., T.E. Supervising Civil Engineer,  
Great Streets Delivery, Department of  
Transportation

Prepared by:  
Chris Diano, P.E., Civil Engineer  
Great Streets Delivery, Department of  
Transportation

- A: *Project Location Map*
- B: *Resolution No. 85414 C.M.S.*
- C: *Resolution No. 87133 C.M.S.*
- D: *Resolution No. 87303 C.M.S.*
- E: *Contract Compliance Analysis Report*

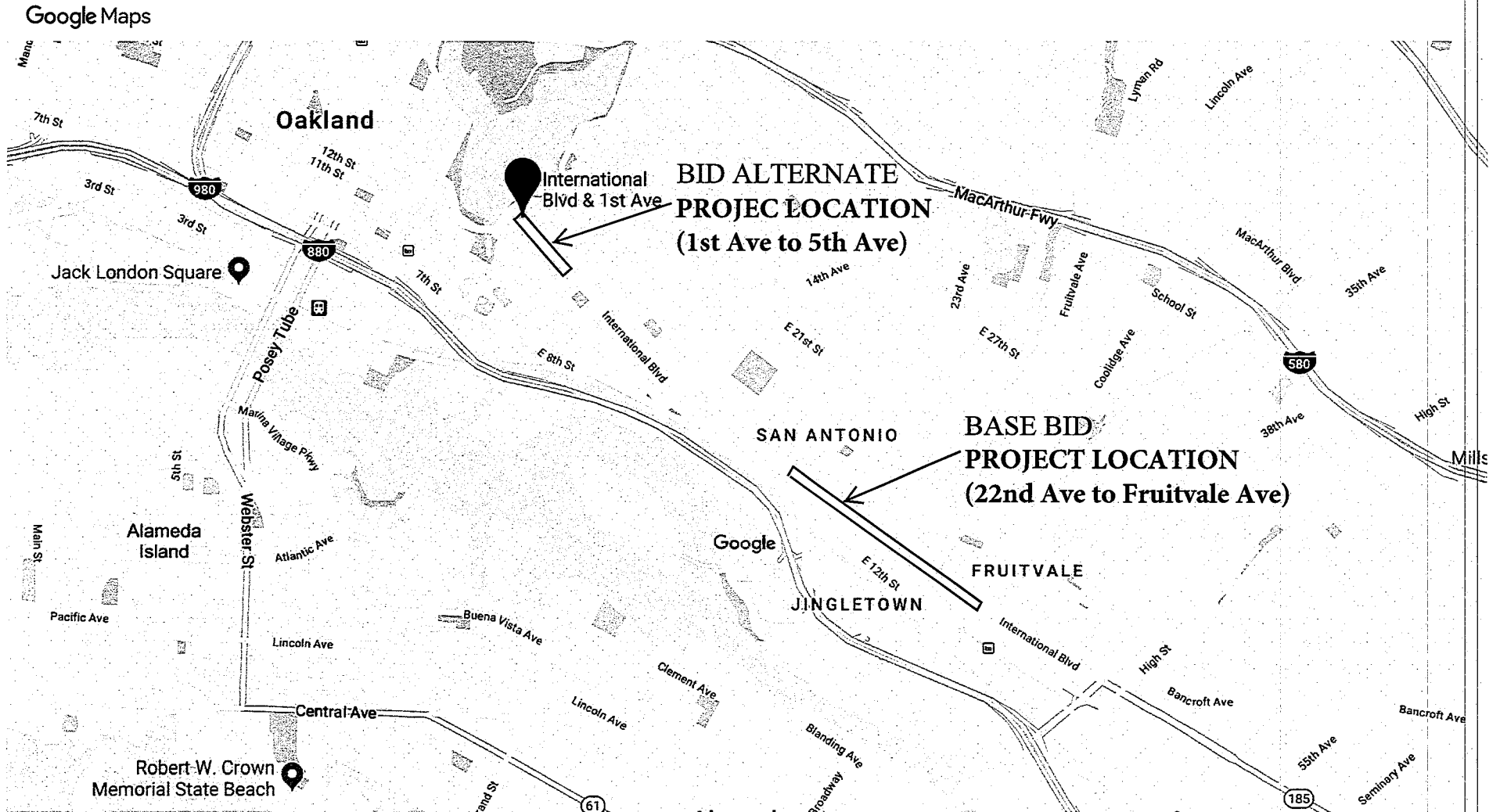


# Attachment A

Pedestrian Lighting, Sidewalk Repair and Crosswalks Striping on International Boulevard from 1st Avenue to 5th Avenue and 22nd Avenue to Fruitvale Avenue  
(Project No.: 1004422)

## Project Location Map

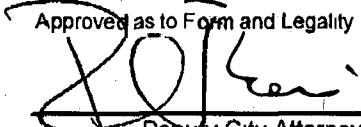
Not to scale



## Attachment B

FILED  
OFFICE OF THE CITY CLERK  
OAKLAND

2015 JAN 29 PM 1:19

Approved as to Form and Legality  
  
Deputy City Attorney

## OAKLAND CITY COUNCIL

RESOLUTION No. 85414 C.M.S.

**A RESOLUTION AUTHORIZING THE CITY ADMINISTRATOR TO APPLY FOR, ACCEPT, AND APPROPRIATE GRANT FUNDS FROM THE CALIFORNIA STRATEGIC GROWTH COUNCIL IN AN AMOUNT NOT TO EXCEED \$15 MILLION UNDER THE 2014-15 AFFORDABLE HOUSING AND SUSTAINABLE COMMUNITIES PROGRAMS, AND ALLOCATE SUCH FUNDS TO ELIGIBLE PROJECTS WITHOUT RETURNING TO COUNCIL**

**WHEREAS**, the California Strategic Growth Council ("SGC") announced a notice of funding availability ("NOFA") for the Affordable Housing and Sustainable Communities Program established under Division 44, Part 1 of the Public Resources Code (PRC) (commencing with Section 75200) (the "statute"); and

**WHEREAS**, pursuant to the statute and pursuant to direction of the SGC, the California Department of Housing and Community Development ("HCD") is authorized to approve funding allocations utilizing monies made available by the State Legislature to the Affordable Housing and Sustainable Communities Program, subject to the terms and conditions of the statute and the Affordable Housing and Sustainable Communities Guidelines to be adopted by SGC in January 2015; and

**WHEREAS**, the City of Oakland wishes to submit an application to obtain an allocation of Affordable Housing and Sustainable Communities grant funds from HCD for the amount not to exceed \$15 million for the development of affordable housing; and

**WHEREAS**, there is substantial need for additional funds for the development of affordable housing; and

**WHEREAS**, on September 3, 2014, the City issued a Notice of Funding Availability soliciting applications for funding for affordable housing developments; and

**WHEREAS**, seven developers submitted proposals in response to the Notice of Funding Availability but only four were funded; and

**WHEREAS**, no matching funds are required for the Affordable Housing and Sustainable Communities program; and

**WHEREAS**, the City Council wishes to delegate authority to the City Administrator or his or her designee to allocate funds to projects that meet the criteria for the

Affordable Housing and Sustainable Communities Program and to negotiate and enter into an agreement or agreements with the selected developers without returning to Council; now, therefore, be it

**RESOLVED:** That the City Administrator, or his or her designee, is authorized to submit an application to the 2014-15 California Strategic Growth Council Affordable Housing and Sustainable Communities Program for up to \$15 million in grant funds; and be it

**FURTHER RESOLVED:** That the City Administrator or his or her designee is authorized to accept the California Strategic Growth Council Affordable Housing and Sustainable Communities Program funds, if awarded, deposit said funds in the Affordable Housing Trust fund (Fund 1870), Housing Development Organization (89929), Project (TBD), appropriate said funds in an amount not to exceed \$15 million, and allocate funds to projects that meet the program criteria without returning to Council; and be it

**FURTHER RESOLVED:** That the City Administrator is authorized to negotiate and execute the Standard Agreements and any amendments thereto between the City and the California Department Housing and Community Development for this program; and be it

**FURTHER RESOLVED:** That said agreements shall be reviewed and approved by the City Attorney's Office for form and legality prior to execution, and copies will be placed on file with the City Clerk; and be it

**FURTHER RESOLVED:** That if the application for funding is approved, the City hereby agrees to use the Affordable Housing and Sustainable Community Program funds for eligible activities in the manner presented in the application as approved by California Strategic Growth Council and in accordance with the regulations of the program; and be it

**FURTHER RESOLVED:** That the City Council hereby appoints the City Administrator and his or her designee as agent of the City to conduct negotiations, execute documents required by HCD, and take any other action, including negotiating amount, terms, and conditions of the loans to the developers, with respect to the California Strategic Growth Council Affordable Housing and Sustainable Community Program consistent with this Resolution and its basic purpose.

FEB 17 2015

IN COUNCIL, OAKLAND, CALIFORNIA, \_\_\_\_\_

**PASSED BY THE FOLLOWING VOTE:**

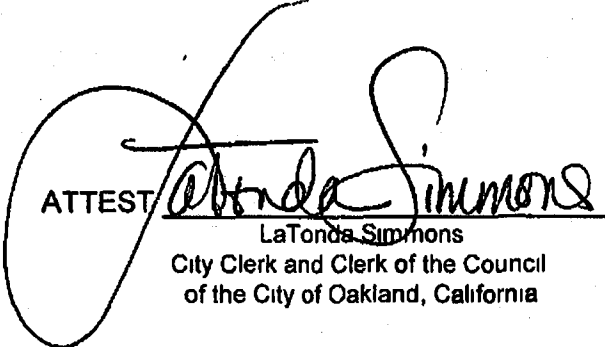
AYES - BROOKS, CAMPBELL WASHINGTON, GALLO, GUILLEN, KALB, KAPLAN, REID, and PRESIDENT GIBSON MCELHANEY - 8

NOES - 0

ABSENT - 0

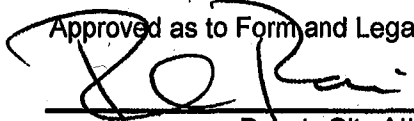
ABSTENTION - 0

ATTEST

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

FILED  
OFFICE OF THE CITY CLERK  
OAKLAND

2018 MAR 29 PM 5:07

Approved as to Form and Legality  
  
Deputy City Attorney

## OAKLAND CITY COUNCIL

RESOLUTION NO. 87133 C.M.S.

**RESOLUTION AMENDING RESOLUTION NO. 85414 C.M.S., WHICH AUTHORIZED THE CITY TO APPLY FOR, ACCEPT AND APPROPRIATE LOAN AND GRANT FUNDS UNDER THE STATE OF CALIFORNIA'S AFFORDABLE HOUSING AND SUSTAINABLE COMMUNITIES PROGRAM IN CONNECTION WITH THE CAMINO 23 PROJECT AT 1233-1253 23<sup>rd</sup> AVENUE AND 2285 INTERNATIONAL BOULEVARD, TO REVISE FISCAL PROVISIONS, INCLUDE PROVISIONS REQUIRED BY THE STATE, AND AUTHORIZE AGREEMENTS WITH BART AND AC TRANSIT FOR TRANSPORTATION-RELATED IMPROVEMENTS**

**WHEREAS**, the State of California, Strategic Growth Council, and the Department of Housing and Community Development (the "Department") issued a Notice of Funding Availability ("NOFA") dated January 30, 2015, as amended, under the Affordable Housing Sustainable Communities Program (the "AHSC Program"); and

**WHEREAS**, as authorized by City Council Resolution 85414 C.M.S. on February 17, 2015, Satellite Affordable Housing Associates ("SAHA") and the City applied for AHSC Program Funds, and were awarded an AHSC Program loan in an amount not to exceed \$2,239,705 (the "AHSC Loan") and an AHSC Program grant in an amount not to exceed \$823,025 (the "AHSC Grant"), for an aggregate amount not to exceed \$3,062,730 under the above described NOFA for use in connection with the Camino 23 affordable housing project at 1233-1253 23<sup>rd</sup> Avenue and portions of 2285 International Boulevard (the "Project"); and

**WHEREAS**, the City Council wishes to delegate authority to the City Administrator or his or her designee to apply for, receive and accept such AHSC Program Funds on behalf of the City, and to negotiate, execute, enter into and deliver such agreements and instruments with the Department related to or in connection with such AHSC Program Funds without returning to the City Council, including agreements with San Francisco Bay Area Rapid Transit District ("BART") and AC Transit for transportation-related improvements; now, therefore, be it

**RESOLVED:** That the City is hereby authorized and directed to incur an obligation for the AHSC Loan, and that in connection with the AHSC Loan, the City is authorized and directed to enter into, execute, and deliver a State of California Standard Agreement in an amount not to exceed \$2,239,705 and any and all other documents required or deemed necessary or appropriate to carry into effect the full intent and purpose of this Resolution or as may be required by the Department in connection with the AHSC Loan, and all amendments thereto (collectively, the "AHSC Loan Documents"); and be it

**FURTHER RESOLVED:** That the City is hereby authorized and directed to incur an obligation for the AHSC Grant, and that in connection with the AHSC Grant, the City is authorized and directed to enter into, execute, and deliver a State of California Standard Agreement in an amount not to exceed \$823,025 and any and all other documents required or deemed necessary or appropriate to carry into effect the full intent and purpose of this Resolution, in order to evidence the AHSC Grant, the City's obligations related thereto, and the Department's security therefore, including, but not limited to, a disbursement agreement, a covenant and certain other documents required by the Department as security for, evidence of, or pertaining to the AHSC Grant, and all amendments thereto (collectively, the "AHSC Grant Documents", and, together with the AHSC Loan Documents, collectively, the "AHSC Documents"); and be it

**FURTHER RESOLVED:** That said agreements shall be reviewed and approved by the City Attorney's Office for form and legality prior to their execution by the City, and copies will be placed on file with the City Clerk; and be it

**FURTHER RESOLVED:** That the City Administrator or his or her designee on behalf of the City of Oakland is authorized to accept the California Strategic Growth Council Affordable Housing and Sustainable Communities Program funds, and appropriate said funds in an amount not to exceed \$3,062,730 to this Project; and be it

**FURTHER RESOLVED:** That Resolution No. 85414 C.M.S. is hereby amended to provide that housing portions of said AHSC Loan and AHSC Grant funds up to \$2,286,680 shall be deposited in the State of California Fund (2159), Housing Development Organization (89929), Project (TBD), and transportation portions of up to \$776,050 said AHSC Loan and AHSC Grant funds shall be deposited in the State of California Fund (2159), Complete Streets Design Organization (35212), Project (TBD); and be it

**FURTHER RESOLVED:** That the City shall be subject to the terms and conditions as specified in the Standard Agreements; that funds are to be used for allowable capital asset Project expenditures to be identified in Exhibit A or other relevant portions of the Standard Agreements; that the application in full is incorporated as part of the Standard Agreements; that any and all activities funded, information provided, and timelines represented in the application are enforceable through the Standard Agreements; and that the City hereby agrees to use the funds for eligible capital assets in the manner presented in the application as approved by the Department and in accordance with the NOFA and applicable AHSC Program Guidelines; and be it

**FURTHER RESOLVED:** That the City Council hereby appoints the City Administrator or his or her designee, as agent of the City, to conduct negotiations, execute and deliver all documents (including without limitation all AHSC Documents), accept AHSC Program Funds, and take any and all other action with respect to the AHSC Program and the AHSC Loan and AHSC Grant as required by the Department for participation in the AHSC Program; and be it

**FURTHER RESOLVED:** That the City Administrator or her designee is hereby authorized to negotiate and execute agreements with BART and AC Transit pertaining to transportation-related improvements funded by the AHSC Loan or AHSC Grant; and be it

**FURTHER RESOLVED:** That the City Administrator or her designee is hereby authorized to take any other action with respect to the AHSC Loan, the AHSC Grant, or the Project consistent with this Resolution and its basic purposes.

IN COUNCIL, OAKLAND, CALIFORNIA, APR 17 2010

**PASSED BY THE FOLLOWING VOTE:**

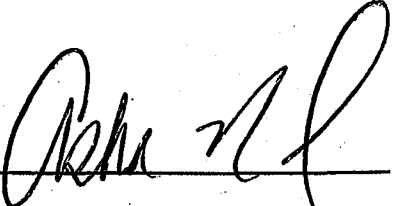
AYES - ~~BROOKS~~, CAMPBELL WASHINGTON, GALLO, GIBSON MCELHANEY, GUILLEN, KALB, KAPLAN, REID, and PRESIDENT ~~REID~~ - *6*

NOES - *0*

ABSENT - *0*

ABSTENTION - *0*

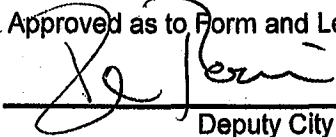
*Excused - Brooks, Reid*

ATTEST: 

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

FILED  
OFFICE OF THE CITY CLERK  
OAKLAND

2016 MAY 31 PM 4: 58

Approved as to Form and Legality  
  
Deputy City Attorney

**OAKLAND CITY COUNCIL**

**RESOLUTION NO. 87303 C.M.S.**

**RESOLUTION AMENDING RESOLUTION NO. 86217 C.M.S., WHICH AUTHORIZED THE CITY TO APPLY FOR, ACCEPT AND APPROPRIATE LOAN AND GRANT FUNDS UNDER THE STATE OF CALIFORNIA'S AFFORDABLE HOUSING AND SUSTAINABLE COMMUNITIES PROGRAM IN CONNECTION WITH THE LAKEHOUSE COMMONS PROJECT AT E 12<sup>TH</sup> AND LAKE MERRIT BOULEVARD, TO REVISE FISCAL PROVISIONS, INCLUDE PROVISIONS REQUIRED BY THE STATE, AND AUTHORIZE AGREEMENTS WITH BART AND AC TRANSIT FOR TRANSPORTATION-RELATED IMPROVEMENTS**

**WHEREAS**, the State of California, Strategic Growth Council, and the Department of Housing and Community Development (the "Department") issued a Notice of Funding Availability ("NOFA") dated January 29, 2016, as amended, under the Affordable Housing Sustainable Communities Program (the "AHSC Program"); and

**WHEREAS**, as authorized by City Council Resolution 86217 C.M.S. on June 7, 2016, the City applied for AHSC Program Funds, and were awarded an AHSC Program loan in an amount not to exceed \$10,946,306 (the "AHSC Loan") and an AHSC Program grant in an amount not to exceed \$7,180,897 (the "AHSC Grant"), for an aggregate amount not to exceed \$18,127,203 under the above described NOFA for use in connection with the Lakehouse Commons affordable housing project at E 12<sup>th</sup> Street and Lake Merritt Boulevard (the "Project"); and

**WHEREAS**, the City Council wishes to delegate authority to the City Administrator or his or her designee to apply for, receive and accept such AHSC Program Funds on behalf of the City, and to negotiate, execute, enter into and deliver such agreements and instruments with the Department related to or in connection with such AHSC Program Funds without returning to the City Council, including agreements with San Francisco Bay Area Rapid Transit District ("BART") and the Alameda-Contra Costa Transit District ("AC Transit") LLC for transportation-related improvements; now, therefore, be it

**RESOLVED:** That the City is hereby authorized and directed to incur an obligation for the AHSC Loan, and that in connection with the AHSC Loan, the City is authorized and

directed to enter into, execute, and deliver a State of California Standard Agreement in an amount not to exceed \$10,946,306 and any and all other documents required or deemed necessary or appropriate to carry into effect the full intent and purpose of this Resolution or as may be required by the Department in connection with the AHSC Loan, and all amendments thereto (collectively, the "AHSC Loan Documents"); and be it

**FURTHER RESOLVED:** That the City is hereby authorized and directed to incur an obligation for the AHSC Grant, and that in connection with the AHSC Grant, the City is authorized and directed to enter into, execute, and deliver a State of California Standard Agreement in an amount not to exceed \$7,180,897 and any and all other documents required or deemed necessary or appropriate to carry into effect the full intent and purpose of this Resolution, in order to evidence the AHSC Grant, the City's obligations related thereto, and the Department's security therefore, including, but not limited to, a disbursement agreement, a covenant and certain other documents required by the Department as security for, evidence of, or pertaining to the AHSC Grant, and all amendments thereto (collectively, the "AHSC Grant Documents", and, together with the AHSC Loan Documents, collectively, the "AHSC Documents"); and be it

**FURTHER RESOLVED:** That said agreements shall be reviewed and approved by the City Attorney's Office for form and legality prior to their execution by the City, and copies will be placed on file with the City Clerk; and be it

**FURTHER RESOLVED:** That the City Administrator or his or her designee on behalf of the City of Oakland is authorized to accept the California Strategic Growth Council Affordable Housing and Sustainable Communities Program funds, and appropriate said funds in an amount not to exceed \$18,127,203 to this Project; and be it

**FURTHER RESOLVED:** That Resolution No. 86217 C.M.S. is hereby amended to provide that housing portions of said AHSC Loan and AHSC Grant funds of up to \$15,584,150 shall be deposited in the State of California Fund (2159), Housing Development Organization (89929), Project (TBD), and transportation portions of said AHSC Loan and AHSC Grant funds of up to \$2,543,053 shall be deposited in the State of California Fund (2159), Complete Streets Design Organization (35212), Project (TBD); and be it

**FURTHER RESOLVED:** That the City shall be subject to the terms and conditions as specified in the Standard Agreements; that funds are to be used for allowable capital asset Project expenditures to be identified in Exhibit A or other relevant portions of the Standard Agreements; that the application in full is incorporated as part of the Standard Agreements; that any and all activities funded, information provided, and timelines represented in the application are enforceable through the Standard Agreements; and that the City hereby agrees to use the funds for eligible capital assets in the manner presented in the application as approved by the Department and in accordance with the NOFA and applicable AHSC Program Guidelines; and be it

**FURTHER RESOLVED:** That the City Council hereby appoints the City Administrator or his or her designee, as agent of the City, to conduct negotiations, execute and deliver all



documents (including without limitation all AHSC Documents), accept AHSC Program Funds, and take any and all other action with respect to the AHSC Program and the AHSC Loan and AHSC Grant as required by the Department for participation in the AHSC Program; and be it

**FURTHER RESOLVED:** That the City Administrator or her designee is hereby authorized to negotiate and execute agreements with BART and AC Transit pertaining to transportation-related improvements funded by the AHSC Loan or AHSC Grant; and be it

**FURTHER RESOLVED:** That the City Administrator or her designee is hereby authorized to take any other action with respect to the AHSC Loan, the AHSC Grant, or the Project consistent with this Resolution and its basic purposes.

**JUL 24 2018**

IN COUNCIL, OAKLAND, CALIFORNIA, \_\_\_\_\_

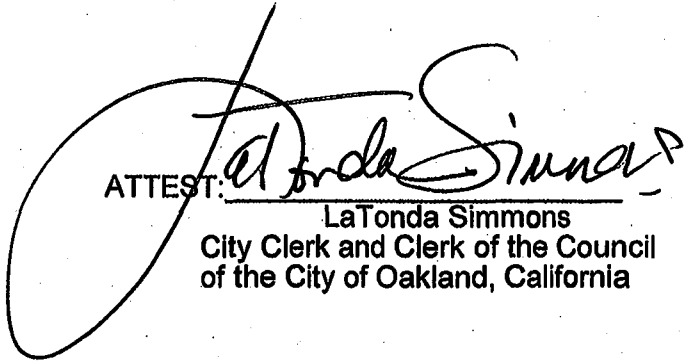
**PASSED BY THE FOLLOWING VOTE:**

AYES - BROOKS, CAMPBELL WASHINGTON, GALLO, GIBSON MCELHANEY, GUILLEN, KALB, KAPLAN, REID, and PRESIDENT REID — 8

NOES - 2

ABSENT - 0

ABSTENTION - 0

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



## INTER OFFICE MEMORANDUM

**TO:** Pablo Miras  
Assistant Engineer II

**FROM:** Deborah Barnes, Director,  
Contracts & Compliance

*Deborah Barnes*

**THROUGH:** Shelley Darensburg, Senior  
Contract Compliance Officer

**PREPARED BY:** Vivian Inman  
Contract Compliance Officer

**SUBJECT:** Compliance Analysis  
Pedestrian Lighting, Sidewalk Repair and  
Crosswalks Striping on International Blvd  
from 1<sup>st</sup> Ave to 6<sup>th</sup> Ave and 22<sup>nd</sup> Ave to Fruitvale  
Project No. 1004422

**DATE:** January 28, 2019

At the request of the Public Works Department, the designated Compliance Officer conducted a compliance analysis of three (3) bids submitted to the City in response to the above referenced project. Below are the results of the compliance evaluation for the minimum 50% Local and Small Local Business Enterprise (L/SLBE) participation requirement and the Equal Benefits Ordinance (EBO)

Compliant with L/SLBE and/or EBO Policies		Proposed Participation					Earned Credits and Discounts			EBO Compliant? Y/N
Company Name	Original Bid Amount	Total LBE/SLBE	LBE	SLBE	LPG/SLBE	L/SLBE Trucking	Total Credited participation	Earned Bid Discounts	Adjusted Bid Amount	
Ray's Electric	\$890,200	81.47%	0%	81.47%	0%	100%	81.47%	5%	\$845,690.00	Y
Bay Construction	\$1,128,000	63.07%	0%	63.07%	0%	100%	63.07%	3%	\$1,094,160.00	Y
D-Line Constructors	\$1,182,550	67.77%	0%	67.77%	0%	100%	67.77%	3%	\$1,147,073.50	Y

**Comments:** As noted, all firms met or exceeded the minimum 50% L/SLBE participation requirement. All firms are EBO compliant.



**For Informational Purposes**

Listed below is the lowest responsible bidder's compliance with the 50% Local Employment Program (LEP) and the 15% Oakland Apprenticeship Program for the lowest bidder's most recently completed City of Oakland project.

**Contractor Name:** Ray's Electric  
**Project Name:** New Traffic Signal at Bancroft & 94<sup>th</sup> Avenue  
**Project No.** C444110

**50% Local Employment Program (LEP)**

Was the 50% LEP Goal achieved?	NA	If no, shortfall hours?	NA
Were all shortfalls satisfied?	NA	If no, penalty amount	NA

**15% Oakland Apprenticeship Program**

Was the 15% Apprenticeship Goal achieved?	NA	If no, shortfall hours?	NA
Were shortfalls satisfied?	NA	If no, penalty amount	NA

The spreadsheet below provides details of the 50% LEP and 15% Apprenticeship Programs. Information provided includes the following data: A) total project hours, B) core workforce hours deducted, C) LEP project employment and work hour goal; D) LEP employment and work hours achieved; E) resident new hires; F) shortfall hours; G) percent LEP compliance; H) total apprentice hours; I) apprenticeship goal and hours achieved; and J) apprentice shortfall hours.

Total Project Hours	50% Local Employment Program (LEP)							15% Apprenticeship Program				
	Core Workforce Hours Deducted	LEP Project Employment and Work Hours Goal		LEP Employment and Work Hours Achieved		# Resident New Hires	Shortfall Hours	% LEP Compliance	Total Apprenticeship Hours	Apprenticeship Goal and Hours		Apprentice Shortfall Hours
		Goal	Hours	Goal	Hours					Goal	Hours	
A	B	C	D	E	F	G	H	I	J			
NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA		

**Comments:** The last completed project by Ray's Electric is a Caltrans project. The Local Employment and 15% Apprenticeship Program requirements are not applicable to Caltrans projects. Therefore, there is no LEP or 15% Apprenticeship data.

Should you have any questions, you may contact Vivian Inman, Contract Compliance Officer at (510) 238-6261.

**OFFICE OF THE CITY ADMINISTRATOR**



**Contracts & Compliance Unit**

**PROJECT EVALUATION FORM**

**PROJECT NO.: 1004422**

**PROJECT NAME: Pedestrian Lighting, Sidewalk Repair and Crosswalks Striping on International Blvd From 1st Ave to 5th Ave and 22nd Ave to Fruitvale Ave**

**CONTRACTOR: Ray's Electric**

**Engineer's Estimate:  
1,913,880.00**

**Contractors' Bid Amount  
\$890,200.00**

**Over/Under Engineer's Estimate  
1,023,680.00**

**Discounted Bid Amount:  
\$845,690.00**

**Amount of Bid Discount  
\$44,510.00**

**Percent discount  
5.00%**

1. Did the 50% local/small local requirements apply? **YES**
2. Did the contractor meet the 50% requirement? **YES**  
a) % of LBE participation **0.00%**  
b) % of SLBE participation **81.47%**  
c) % of VSLBE participation **0.00%**
3. Did the contractor meet the Trucking requirement? **NO**  
c) Total L/SLBE trucking participation **0.00%**
4. Did the contractor receive bid discounts? **NO**  
(If yes, list the percentage received) **5.00%**
5. Additional Comments.
6. Date evaluation completed and returned to Contract Admin./Initiating Dept.

**1/28/2019**

Date

**Reviewing  
Officer:**

*Vivian J. ...*

**Date: 1/28/2019**

**Approved By:**

*Shelley Darenburg*

**Date: 1/28/2019**

# LBE/SLBE PARTICIPATION

## Bidder 1

Project Name: **Pedestrian Lighting, Sidewalk Repair and Crosswalks Striping on International Blvd From 1st Ave to 5th Ave and 22nd Ave to Fruitvale Ave**

Project No.: 1004422		Engineers Est: 969,850.00					Under/Over Engineers Estimate:						
Discipline	Prime & Subs	Location	Cert. Status	LBE	SLBE	LPG/VSLBE	Total	L/SLBE	Total	TOTAL	For Tracking Only		
							LBE/SLBE	Trucking	Trucking	Dollars	Ethn.	MBE	WBE
ELECTRICAL Supplier Trimming/Stump Removal Traffic Striping/Signage	Ray's Electric	Oakland	CB		696,300.00		696,300.00			696,300.00	C		
	JAM Services, Inc.	Livermore	UB							110,000.00	C		
	DeKay Demolition	Oakland	CB		20,700.00		20,700.00			20,700.00	C		
	Striping Graphics	Cotati	UB							30,000.00	C		
	CONCRETE Supplier WPPP	Central Concrete Appian UDBE SWF	San Jose El Sobrante	UB UB							24,100.00 820.00	C AA	
TRUCKING	All City Trucking	Oakland	CB		8,280.00		8,280.00	8,280	8,280	8,280.00	AI	8,280	
				\$0.00	\$725,280.00	\$0.00	\$725,280.00	\$8,280.00	\$8,280.00	\$890,200.00		\$9,100.00	\$0.00
				0.00%	81.47%	0.00%	81.47%	100.00%	100.00%	100.00%		1.02%	0.00%
<b>Requirements:</b> The 50% requirements is a combination of 25% LBE and 25% SLBE participation. An SLBE firm can be counted 100% towards achieving 50% requirements.											<b>Ethnicity</b> AA = African American AI = Asian Indian AP = Asian Pacific C = Caucasian H = Hispanic NA = Native American O = Other NL = Not Listed MO = Multiple Ownership		
LBE = Local Business Enterprise SLBE = Small Local Business Enterprise Total LBE/SLBE = All Certified Local and Small Local Businesses NPLBE = NonProfit Local Business Enterprise NPSLBE = NonProfit Small Local Business Enterprise					UB = Uncertified Business CB = Certified Business MBE = Minority Business Enterprise WBE = Women Business Enterprise								

**OFFICE OF THE CITY ADMINISTRATOR**



**Contracts & Compliance Unit**

**PROJECT EVALUATION FORM**

**PROJECT NO.:** 1004422

**PROJECT NAME:** Pedestrian Lighting, Sidewalk Repair and Crosswalks Striping on International Blvd From 1st Ave to 5th Ave and 22nd Ave to Fruitvale Ave

**CONTRACTOR:** Bay Construction Co.

**Engineer's Estimate:**  
969,850.00

**Contractors' Bid Amount**  
\$1,128,000.00

**Over/Under Engineer's Estimate**  
-158,150.00

**Discounted Bid Amount:**  
\$1,094,160.00

**Amount of Bid Discount**  
\$33,840.00

**Discount Points:**  
3.00%

1. Did the 50% local/small local requirements apply? **YES**
2. Did the contractor meet the 50% requirement? **YES**
- a) % of LBE participation **0.00%**
  - b) % of SLBE participation **63.07%**
  - c) % of VSLBE participation **0.00%**
3. Did the contractor meet the Trucking requirement? **YES**
- c) Total L/SLBE trucking participation **100.00%**
4. Did the contractor receive bid discounts? **YES**
- (If yes, list the percentage received) **3.00%**
5. Additional Comments.

6. Date evaluation completed and returned to Contract Admin./Initiating Dept.

1/28/2019

Date

**Reviewing  
Officer:**

Vivian Anna

**Date:** 1/28/2019

**Approved By:**

Shelley Darenburg

**Date:** 1/28/2019

# LBE/SLBE PARTICIPATION

## Bidder 2

Project Name: Pedestrian Lighting, Sidewalk Repair and Crosswalks Striping on International Blvd From 1st Ave to 5th Ave and 22nd Ave to Fruitvale Ave

Project No: 1004422		Engineers Est: 969,850.00				Under/Over Engineers Estimate:					For Tracking Only		
Discipline	Prime & Subs	Location	Cert. Status	LBE	SLBE	LPG/VSLBE	Total	L/SLBE	Total	TOTAL	Ethn.	MBE	WBE
							LBE/SLBE	Trucking	Trucking	Dollars			
RIME Striping Electric Trucking	Bay Construction Co.	Oakland	CB		702,435.00		702,435.00			702,435.00	H	702,435.00	
	Striping Graphics	Cotati	UB							30,000.00	C		
	Columbia Electric, Inc.	San Leandr	Ub							386,565.00	NL		
	All City Trucking	Oakland	CB		9,000.00		9,000.00	9,000	9,000	9,000.00	AI	9,000.00	
				\$0.00	\$711,435.00	\$0.00	\$711,435.00	\$9,000.00	\$9,000.00	\$1,128,000.00		\$711,435.00	\$0.00
				0.00%	63.07%	0.00%	63.07%	100.00%	100.00%	100.00%		63.07%	0.00%

**Requirements:**  
 20% requirements is a combination of 10% LBE and 10% SLBE participation. An SLBE firm can be counted 100% towards achieving 20% requirements.

**Ethnicity**  
 AA = African American  
 AI = Asian Indian  
 AP = Asian Pacific  
 C = Caucasian  
 H = Hispanic  
 NA = Native American  
 O = Other  
 NL = Not Listed  
 MO = Multiple Ownership

LBE = Local Business Enterprise  
 SLBE = Small Local Business Enterprise  
 Total LBE/SLBE = All Certified Local and Small Local Businesses  
 NPLBE = NonProfit Local Business Enterprise  
 NPSLBE = NonProfit Small Local Business Enterprise

UB = Uncertified Business  
 CB = Certified Business  
 MBE = Minority Business Enterprise  
 WBE = Women Business Enterprise

**OFFICE OF THE CITY ADMINISTRATOR**



**Contracts & Compliance Unit**

**PROJECT EVALUATION FORM**

**PROJECT NO.:** 1004422

**PROJECT NAME:** Pedestrian Lighting, Sidewalk Repair and Crosswalks Striping on International Blvd From 1st Ave to 5th Ave and 22nd Ave to Fruitvale Ave

**CONTRACTOR:** D-Line Constructors, Inc.

<b><u>Engineer's Estimate:</u></b> 969,850.00	<b><u>Contractors' Bid Amount</u></b> \$1,182,550.00	<b><u>Over/Under Engineer's Estimate</u></b> -212,700.00
--	---	---

<b><u>Discounted Bid Amount:</u></b> \$1,147,073.50	<b><u>Amount of Bid Discount</u></b> \$35,476.50	<b><u>Discount Points:</u></b> 3.00%
--	---	---

- 1. Did the 50% local/small local requirements apply? **YES**
  
- 2. Did the contractor meet the 50% requirement? **YES**
  - a) % of LBE participation **0.00%**
  - b) % of SLBE participation **67.77%**
  - c) % of VSLBE participation **0.00%**
  
- 3. Did the contractor meet the Trucking requirement? **YES**
  - c) Total L/SLBE trucking participation **100.00%**
  
- 4. Did the contractor receive bid discounts? **YES**
  - (If yes, list the percentage received) **3.00%**
  
- 5. Additional Comments.

6. Date evaluation completed and returned to Contract Admin./Initiating Dept.

1/28/2019

Date

**Reviewing Officer:**

*Vivian D'Amico*

**Date:** 1/28/2019

**Approved By:**

*Shelley Darenshney*

**Date:** 1/28/2019



# LBE/SLBE PARTICIPATION

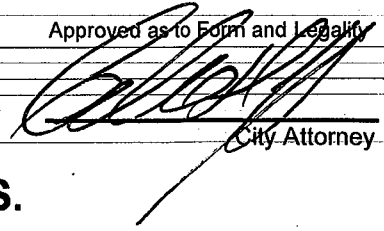
## Bidder 3

**Project Name:** Pedestrian Lighting, Sidewalk Repair and Crosswalks Striping on International Blvd From 1st Ave to 5th Ave and 22nd Ave to Fruitvale Ave

Project No.: 1004422		Engineers Est: 969,850.00				Under/Over Engineers Estimate:				For Tracking Only				
Discipline	Prime & Subs	Location	Cert. Status	LBE	SLBE	LPG/VSLBE	Total	L/SLBE	Total	TOTAL	Ethn.	MBE	WBE	
							LBE/SLBE	Trucking	Trucking	Dollars				
PRIME Electrical Trucking Striping	D-Line Constructors, Inc.	Oakland	CB		\$797,195		\$797,195			\$797,195	H	\$797,195		
	Columbia Electric	San Leandro	UB							\$327,655	NL			
	S&S Trucking	Oakland	CB		\$4,200		\$4,200	\$4,200	\$4,200	\$4,200	H	\$4,200		
	Christp Co.	Fremont	UB							\$53,500	C			
				\$0.00	\$801,395	\$0	\$801,395	\$4,200	\$4,200	\$1,182,550		\$801,395	\$0	
				0.00%	67.77%	0.00%	67.77%	100.00%	100.00%	100.00%		67.77%	0.00%	
<b>Requirements:</b> The 20% requirements is a combination of 10% LBE and 10% SLBE participation. An SLBE firm can be counted 100% towards achieving 20% requirements.											<b>Ethnicity</b> AA = African American AI = Asian Indian AP = Asian Pacific C = Caucasian H = Hispanic NA = Native American O = Other NL = Not Listed MO = Multiple Ownership			
LBE = Local Business Enterprise SLBE = Small Local Business Enterprise Total LBE/SLBE = All Certified Local and Small Local Businesses NPLBE = NonProfit Local Business Enterprise NPSLBE = NonProfit Small Local Business Enterprise				UB = Uncertified Business CB = Certified Business MBE = Minority Business Enterprise WBE = Women Business Enterprise										

FILED  
OFFICE OF THE CITY CLERK  
OAKLAND

**OAKLAND CITY COUNCIL**



City Attorney

2019 MAY 16 PM 5: **RESOLUTION No.** \_\_\_\_\_ **C.M.S.**

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

**RESOLUTION AUTHORIZING THE CITY COUNCIL ADOPT A RESOLUTION AUTHORIZING THE CITY ADMINISTRATOR TO AWARD A CONSTRUCTION CONTRACT TO RAY'S ELECTRIC, THE LOWEST RESPONSIVE AND RESPONSIBLE BIDDER, IN ACCORDANCE WITH PROJECT PLANS AND SPECIFICATIONS AND CONTRACTOR'S BID FOR THE PEDESTRIAN LIGHTING, SIDEWALK REPAIR AND CROSSWALK STRIPING ON INTERNATIONAL BOULEVARD FROM 1ST AVENUE TO 5TH AVENUE, AND 22ND AVENUE TO FRUITVALE AVENUE PROJECT (PROJECT NO. 1004422) INCLUDING BASE BID AND BID ALTERNATE FOR A TOTAL CONTRACT AMOUNT NOT-TO-EXCEED ONE MILLION, TWO HUNDRED THIRTY-SEVEN THOUSAND, FIVE HUNDRED DOLLARS (\$1,237,500.00) AS ADDITIONAL FUNDS BECOME AVAILABLE**

**WHEREAS**, the City of Oakland applied for and awarded an Affordable Housing and Sustainable Communities Program (AHSC) grant in the amount of \$726,050.00 for pedestrian lighting and sidewalk improvements on International Boulevard near the Camino 23 project which will build affordable housing units at 1245 23rd Avenue; and

**WHEREAS**, the City of Oakland applied for and awarded an AHSC grant in the amount of \$460,000.00 for pedestrian lighting along the AC Transit's East Bay Bus Rapid Transit (BRT) corridor near the Lakehouse Commons Project at E 12th and Lake Merritt Boulevard; and

**WHEREAS**, the Pedestrian Lighting, Sidewalk and Crosswalk Striping on International Blvd Project includes installation of pedestrian lighting, sidewalk and crosswalk striping improvements between 1st Avenue to 5th Avenue, and 22nd Avenue to Fruitvale Avenue; and

**WHEREAS**, this project was advertised on November 27, 2018 and three bids were received by the Office of the City Clerk of the City of Oakland on December 20, 2018; and

**WHEREAS**, Ray's Electric, is deemed the lowest responsive and responsible bidder for the project with a base bid of \$890,200.00 and a bid alternate of \$347,300.00; and

**WHEREAS**, funds for the work are available in the following project account:

- AHSC grant associated with Camino 23 Project, State of California Fund (2159); Project Delivery Department Organization (92270); Street Construction Account (57411); AHSC International Blvd Project (1004422);
- Measure KK Fund (5330); Project Delivery Department Organization (92270); Street Construction Account (57411); AHSC International Blvd. (Project 1004422); and

- AHSC grant associated with Lakehouse Commons Project (2159), Projects Delivery Department Organization (92270), Street Construction Account (57411), AHSC International Blvd. (Project 1004422);

**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**, 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, the lowest responsive and responsible bidder, in accordance with project plans, specifications and contractor's bid dated December 20, 2018 for the Pedestrian Lighting, Sidewalk Repair And Crosswalk Striping On International Boulevard From 1st Avenue to 5th Avenue, and 22nd Avenue To Fruitvale Avenue Project (Project No. 1004422) in an amount of Eight Hundred Ninety Thousand Two Hundred Dollars and Zero Cents (\$890,200.00) and authorize the City Administrator, or designee, to increase the same construction contract by the amount of Three Hundred Forty-Seven Thousand Three Hundred Dollars (\$347,300.00) for a total contract amount not-to-exceed One Million, Two Hundred Thirty-Seven Thousand, Five Hundred Dollars (\$1,237,500.00) as additional funds become available in accord; 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 City Administrator, or designee, is hereby authorized to approve and execute any subsequent amendments or modifications of the contract within the limitation of the project specifications, extensions, payment requests, applications for permits, agreements and execute all related actions for the completion of said project without return to Council; 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 the lowest bidder fails to return the complete signed contract documents and supporting documents within the days specified in the Special Provision without return to City Council; and be it

**FURTHER RESOLVED:** That the plans and specifications prepared for this project, including any subsequent changes during construction, are/will be reviewed and adopted by the Director, or his/her 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