

City Attorney's Office

2019 APR 11 PM 5:43

OAKLAND CITY COUNCIL

RESOLUTION NO. 87654 C.M.S.

RESOLUTION AUTHORIZING THE CITY ADMINISTRATOR, OR DESIGNEE, TO 1) AWARD A CONTRACT IN THE AMOUNT OF SIX HUNDRED NINETEEN THOUSAND DOLLARS (\$619,000.00) TO SABOO, INC., THE LOWEST RESPONSIVE AND RESPONSIBLE BIDDER, FOR THE CONSTRUCTION OF THE BROOKFIELD HEAD START RENOVATION PROJECT (NO. 1003442), IN ACCORDANCE WITH THE PROJECT PLANS AND SPECIFICATIONS AND CONTRACTOR'S BID; AND 2) APPROVE AND REALLOCATE FUNDS IN THE AMOUNT OF FOUR HUNDRED THIRTY FIVE THOUSAND DOLLARS (\$435,000.00) FROM HEAD START PLAYGROUND REPLACEMENT PROJECT (NO. 1003444) - MEASURE KK BOND FUND (5330) TO THE BROOKFIELD HEAD START RENOVATION PROJECT FOR CONSTRUCTION AND PROJECT CONTINGENCY.

WHEREAS, Brookfield Head Start Renovation project is one of 18 facilities projects funded by the first series of Measure KK – Affordable Housing and Infrastructure Bond in Fall 2017; and

WHEREAS, The City issued a Notice of Inviting Bids for the Brookfield Head Start Renovation project on February 1, 2019 with three bids received on March 7, 2019; and

WHEREAS, Saboo Inc. is deemed the lowest responsive and responsible bidder for the project; and

WHEREAS, Existing available Project funding from Measure KK award is insufficient to meet the construction budget; and

WHEREAS, Remaining funds in the amount of Four Hundred Thirty-Five Thousand Dollars (\$435,000.00) are available for reallocation from the Head Start Playground Replacement Project (No. 1003444), to the Brookfield Head Start Renovation Project (Project No. 1003442) for construction and project contingency; 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, Saboo Inc. complies with all Local Business Enterprise/Small Local Enterprise (LBE/SLBE) 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 services; now, therefore, be it

RESOLVED: That the City Administrator, or designee, is authorized to award a construction contract to Saboo, Inc., the lowest responsive and responsible bidder in the amount of six hundred nineteen thousand dollars (\$619,000.00) for the construction of the Brookfield Head Start Renovation Project (No. 1003442), in accordance with the contractor's bid and the project plans and specifications; and be it

FURTHER RESOLVED: That the amount of the bond for faithful performance bond, \$619,000.00 and the bond to guarantee payment of all claims for labor and materials furnished and for the amount under the Unemployment Insurance Act, \$619,000.00, 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 Saboo, Inc, on behalf of the City of Oakland and to execute any amendments or modifications of the contract within the limits of the project specifications; 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 authorized to approve and reallocate funds in the amount of four hundred thirty-five thousand dollars (\$435,000.00) from Head Start Playground Replacement Project (No. 1003444) - Measure KK Bond Fund (5330) to the Brookfield Head Start Renovation Project (No. 1003442) for construction; 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 - 7 2019

PASSED BY THE FOLLOWING VOTE:

AYES - FORTUNATO BAS, GALLO, ~~WILLIAMS, HANSEN~~ KALB, REID, TAYLOR, THAO AND
PRESIDENT KAPLAN - 7


NOES - 0

ABSENT - 0

ABSTENTION - 0

Excused - 1 McElhenny

ATTEST:



LATONDA SIMMONS
City Clerk and Clerk of the Council of the
City of Oakland, California