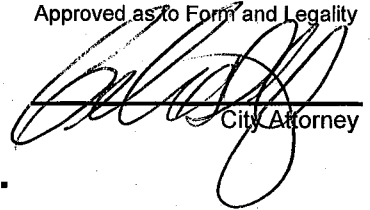


FILED
OFFICE OF THE CITY CLERK
OAKLAND

OAKLAND CITY COUNCIL

RESOLUTION NO. 87855 C.M.S.
City Attorney

2019 AUG 29 AM 4:23

Introduced by Councilmember _____

RESOLUTION AWARDING A CONSTRUCTION CONTRACT TO RAY'S ELECTRIC, THE LOWEST, RESPONSIBLE, RESPONSIVE BIDDER, FOR CALDECOTT TUNNEL AREA IMPROVEMENT PROJECTS 1, 2, 3, 4, PROJECT NO. 1000917, IN ACCORDANCE WITH PROJECT PLANS, SPECIFICATIONS, STATE REQUIREMENTS, AND WITH CONTRACTOR'S BID IN THE AMOUNT OF ONE MILLION EIGHT HUNDRED THIRTY-THREE THOUSAND AND EIGHTY DOLLARS (\$1,833,080)

WHEREAS, in September 2007, Caltrans proposed the Caldecott Tunnel Fourth Bore Project and issued an Environmental Impact Report (EIR) at which time the City of Oakland expressed concerns over the adequacy of the EIR; and

WHEREAS, in June 2008, the City Council passed a Resolution No. 81397 C.M.S. which authorized the City Administrator to negotiate and execute a Settlement Agreement with Caltrans on the Caldecott Tunnel Fourth Bore Project; and

WHEREAS, in May 2011, the City of Oakland and Alameda County Transportation Commission (ACTC) executed a Settlement Agreement which provides a total of eight million dollars (\$8,000,000) to the City of Oakland to fund a total of twenty-one (21) eligible enhancement projects to mitigate potential impacts of the Caldecott Tunnel Fourth Bore Project on local communities in Oakland; and

WHEREAS, on April 12, 2019, the City placed an advertisement on seven newspapers, inviting construction bids; and

WHEREAS, on May 30, 2019, three bids were received by the Office of the City Clerk for the construction of the Caldecott Tunnel Area Improvement Projects 1, 2, 3, 4 (Project No. 1000917); and

WHEREAS, Ray's Electric is deemed the lowest, responsible, responsive bidder for the Caldecott Tunnel Area Improvement Projects 1, 2, 3, 4, Project No. 1000917; and the bid is compliant with the City's Local and Small Local Business (L/SLBE) Enterprises and Equal Benefits Ordinance (EBO); and

WHEREAS, the project is funded by the Settlement Agreement Fund, and there is sufficient fund in the project budget for construction work; and

- Construction Contract, Amount \$942,639, Settlement Agreement Fund, "Tunnel Road-State Route 13-Hiller Drive" Project, Department of Transportation, Project 1000917, Organization 92270, Expense 57411, Task 8.0, Award 21761, Fund 2140, Program NB33.

- Construction Contract, Amount \$890,441, Settlement Agreement Fund, "Pedestrian Facilities-Caldecott Lane-Tunnel Road" Project, Department of Transportation, Project 1001383, Organization 92270, Expense 57411, Task 8.0, Award 21756, Fund 2140, Program NB33.
- Contract Contingency, Amount \$183,300, Settlement Agreement Fund, "Pedestrian Facilities-Caldecott Lane-Tunnel Road" Project, Department of Transportation, Project 1001383, Organization 92270, Expense 57411, Task 8.0, Award 21756, Fund 2140, Program NB33.

WHEREAS, the engineer's estimate for the work is \$1,234,000; 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 Caldecott Tunnel Area Improvement Projects 1, 2, 3, 4 is hereby awarded to Ray's Electric, the lowest, responsible, responsive bidder, in accordance with project plans and specifications in the amount of one million eight hundred thirty-three thousand and eight dollars (\$1,833,080); 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 of Department of Transportation 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 execute any amendment 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 placed on file in the Office of the City Clerk.

IN COUNCIL, OAKLAND, CALIFORNIA SEP 17, 2019

PASSED BY THE FOLLOWING VOTE:

AYES - FORTUNATO BAS, GALLO, GIBSON MCELHANEY, KALB, REID, TAYLOR, ~~THAO~~
AND PRESIDENT KAPLAN —7

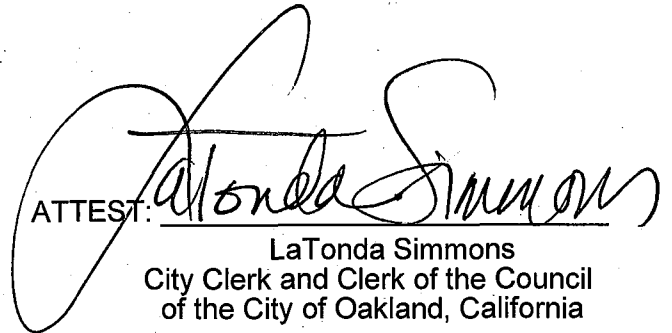
NOES - 0

ABSENT - 0

ABSTENTION - 0

Excused - 1 Thao

ATTEST:



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