

OAKLAND CITY COUNCIL

RESOLUTION NO. _____ C.M.S.

RESOLUTION:

(1) AWARDING A PURCHASE CONTRACT FOR ASPHALT AND CONCRETE DISPOSAL SERVICE TO ARGENT MATERIALS, INC., IN ACCORD WITH THE REQUEST FOR QUOTATIONS (RFQ NO. 403527), SPECIFICATION NO. 26-745-00 AND CONTRACTOR'S BID, IN AN AMOUNT NOT TO EXCEED FIVE HUNDRED AND SIXTY THOUSAND DOLLARS (\$560,000) PER YEAR FOR THREE (3) YEARS, WITH ONE (1) ADDITIONAL TWO-YEAR OPTION IN AN AMOUNT NOT TO EXCEED FIVE HUNDRED AND SIXTY THOUSAND DOLLARS (\$560,000) PER YEAR, FOR A TOTAL NOT TO EXCEED \$2,800,000.00 OVER FIVE (5) YEARS.

(2) WAIVING ANY FURTHER ADVERTISING AND BIDDING AND AWARDING A PURCHASING CONTRACT FOR ASPHALT AND CONCRETE DISPOSAL SERVICE TO BEE GREEN RECYCLING & SUPPLY, LLC., IN ACCORD WITH THE REQUEST FOR QUOTATIONS (RFQ NO. 403527), SPECIFICATION NO. 26-745-00 AND CONTRACTOR'S BID, IN AN AMOUNT NOT TO EXCEED FIVE HUNDRED AND SIXTY THOUSAND DOLLARS (\$560,000) PER YEAR FOR THREE (3) YEARS, WITH ONE (1) ADDITIONAL TWO-YEAR OPTION IN AN AMOUNT NOT TO EXCEED FIVE HUNDRED AND SIXTY THOUSAND DOLLARS (\$560,000) PER YEAR, FOR A TOTAL NOT TO EXCEED \$2,800,000.00 OVER FIVE (5) YEARS.

(3) ADOPTING APPROPRIATE CALIFORNIA ENVIRONMENTAL QUALITY FINDINGS.

WHEREAS, the Oakland Department of Transportation performs pavement and sidewalk construction on City streets, requiring the disposal of asphalt, concrete and aggregate base materials; and

WHEREAS, procuring services for material disposal is an essential element of the 5-Year Paving Plan (Resolution No. 88975 C.M.S.); and

WHEREAS, the City conducted a request for quotations (SPECIFICATION NO. 26-745-00/RFQ 403527) to nine (9) identified firms to provide materials disposal service; and

WHEREAS, the City received two (2) bid proposals from Argent Materials, Inc., from Oakland, and from Bee Green Recycling & Supply, LLC; and

WHEREAS, following an evaluation of the RFQ bidders, Argent Materials, Inc.'s proposal was the lowest responsive, responsive quotation bid and found to be fair and reasonable for the disposal of asphalt and concrete materials in accord with Specification No. 26-745-00/RFQ 403527; and

WHEREAS, following an evaluation of the RFQ respondents, Bee Green Recycling & Supply, LLC's, bid proposal was found to be higher than Argent Materials' for the disposal of asphalt and concrete spoils in accord with Specification No. 26-745-00/RFQ 403527. However, maintaining business relationships with multiple suppliers for the disposal of asphalt and concrete materials is beneficial to the City to maintain the operational readiness and efficiency, and prevent obstruction; and

WHEREAS, a multi-year purchasing contract streamlines the disposal service for the disposal of asphalt and concrete spoils; and

WHEREAS, funds for the purchase and disposal of paving materials are available in the Fiscal Year 2025-27 Budget in Fund 2232 (Gas Tax Road Maintenance and Rehabilitation Account), Project 1003469, and Fund 5342 (Measure U), Project 1005420, while funding for following years is subject to funding availability in the future budget cycles; and

WHEREAS, Oakland Municipal Code (OMC) section 2.04.050 requires advertising and competitive bidding for contracts for the purchase of services, supplies or combination required by the City in any one transaction which exceeds \$50,000, and the award to the lowest responsible, responsive bidder if award is made; 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 these contracts shall not result in the loss of employment or salary by any person having permanent status in the competitive service now, therefore, be it

WHEREAS, staff recommends that it is in the best interests of the city to waive further advertising and bidding requirements because the staff time and expense to readvertise will result in delays to paving and construction work, and may not yield a more favorable bid; further, Argent Materials and Bee Green Recycling & Supply LLC are both certified local firms and are prepared to provide the needed service; and

WHEREAS, a purchase contract is not considered a project under the California Environmental Quality Act (CEQA), and therefore is not subject to CEQA review; now, therefore, be it

RESOLVED: That the Council finds that pursuant to Oakland Municipal Code Section 2.04.050.I.5, for the reasons stated above and in the City Administrator's report accompanying this resolution, that it is in the best interests of the city to waive further advertising and bidding for the goods and services to be purchased under the proposed contract and so waives the requirements; and be it

FURTHER RESOLVED: That the Council hereby authorizes the City Administrator or his designee to execute a Contract Purchase Order (CPO) with Argent Materials, a certified LPGLBE firm, in an amount not-to-exceed \$2,800,000 for a five-year period, in accordance with both Specification No. 26-745-00/RFQ 403572 and Argent Materials’ proposal; and be it

FURTHER RESOLVED: That the Council hereby authorizes the City Administrator or his designee to execute a Contract Purchase Order (CPO) with Bee Green Recycling & Supply LLC, a certified SLBE firm, and in an amount not-to-exceed \$2,800,000 for a five-year period, in accordance with both Specification No. 26-745-00/RFQ 403572 and Bee Green’s proposal; and be it

FURTHER RESOLVED: That the Council hereby finds and determines that this Argent Materials purchase contract is not considered a project under the California Environmental Quality Act (CEQA), and therefore is not subject to CEQA review; and be it

FURTHER RESOLVED: That the Council hereby finds and determines that this Bee Green purchase contract is not considered a project under the California Environmental Quality Act (CEQA), and therefore is not subject to CEQA review; and be it

FURTHER RESOLVED: That the City Council directs the City’s Environmental Review Officer to file a Notice of Exemption with the Clerk of the County of Alameda; and be it

FURTHER RESOLVED: That the contract and amendments authorized hereunder shall be reviewed and approved by the City Attorney for form and legality and shall be placed on file in the office of the City Clerk.

IN COUNCIL, OAKLAND, CALIFORNIA,

PASSED BY THE FOLLOWING VOTE:

AYES – BROWN, FIFE, GALLO, HOUSTON, RAMACHANDRAN, UNGER, WANG AND
PRESIDENT JENKINS

NOES –

ABSENT –

ABSTENTION –

ATTEST: _____

ASHA REED
City Clerk and Clerk of the Council of the
City of Oakland, California