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# OAKLAND CITY COUNCIL

RESOLUTION No. 68959 C. M. S.

INTRODUCED BY COUNCILMEMBER \_\_\_\_\_

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**RESOLUTION REJECTING THE BID OF H.B. COMPANY FOR THE SLIDE REPAIRS AT THE MONTCLAIR GOLF COURSE (PROJECT NO. C47910) AND AWARDING THE CONTRACT TO J.H. FITZMAURICE, INC. IN AN AMOUNT NOT TO EXCEED \$17,575**

**WHEREAS**, on March 30, 1992, eleven (11) bids were received by the City Clerk for the slide repairs at the Montclair Golf Course; and

**WHEREAS**, H.B. COMPANY submitted the low bid of \$17,082 for the project; and

**WHEREAS**, the City of Oakland Redevelopment Agency Minority and Women Business Enterprise Construction Program provides for the establishment of a goal of 30% of the contract amount for the participation of MBE's and 5% of the contract amount for the participation of WBE's; and

**WHEREAS**, H.B. COMPANY failed to achieve or submit documentation of a good faith effort for the achievement of such goals as outlined in Section VI, No. 2 of the City of Oakland and Redevelopment Agency Minority and Women Business Enterprise Construction Program; now therefore, be it;

**RESOLVED:** That the bid of H.B. COMPANY for the slide repairs at the Montclair Golf Course in the City of Oakland are hereby rejected; and be it

**FURTHER RESOLVED:** That the contract for the slide repairs at the Montclair Golf Course in the City of Oakland be and the same is hereby awarded to J.H. FITZMAURICE, INC., a corporation, in accordance with the terms of its bid therefor, dated March 30, 1992.

Prices for separate items in place as follows:

<u>ITEM NO.</u>	<u>ITEM</u>	<u>UNIT PRICE</u>
1.	Per lump sum - Rock Removal in Parking Area to 2" Minimum Below Parking Finish Grade.....	\$ 7,650.00
2.	Per lump sum - Drain Trench Construction....	\$ 2,780.00
3.	Per lump sum - Access Road Resurfacing (3" AC Including Grading on 10'x65' Road.....	\$ 3,850.00
4.	Per cubic yard - Removal of Unsuitable Materials.....	\$ 195.00
5.	Per cubic yard - Stone Rip-Rap.....	\$ 220.00

(Prices include all applicable taxes)

**FURTHER RESOLVED:** That the plans and specifications prepared by the Director of Public Works for this project and the contract prepared by the City Attorney for said J.H. FITZMAURICE, INC., are hereby approved. The amount of the bond for faithful performance, \$8,787.50, and the amount for a bond to guarantee payment of all claims for labor and materials furnished and for amount due under the Unemployment Insurance Act with respect to such work are hereby approved. Said contract provides that such work shall be commenced at the time stipulated by the Engineer in the Notice to Proceed and shall be completed within twenty-five (25) working days from the date of the Notice to Proceed sent to the Contractor by the Director of Public Works.

**FURTHER RESOLVED:** That the City Manager is hereby directed to enter into said contract with J.H. FITZMAURICE, INC., on behalf of the City of Oakland.

**FURTHER RESOLVED:** That the City Clerk is hereby directed to post conspicuously forthwith notice of the above award on the official bulletin board in the Office of the City Clerk.

**FURTHER RESOLVED:** That all other bids for the above work in the City of Oakland are hereby rejected and the City Clerk is hereby directed to return bid bonds to the unsuccessful bidders.

MAY 26 1992

IN COUNCIL, OAKLAND, CALIFORNIA, \_\_\_\_\_, 19 \_\_\_\_\_

**PASSED BY THE FOLLOWING VOTE:**


AYES— BAZILE, CANNON, GIBSON HASKELL, MILEY, MOORE, OGAWA, RILES, SPEES, and PRESIDENT HARRIS, - 9

NOES— NONE

ABSENT— NONE

ABSTENTION— NONE

ATTEST: \_\_\_\_\_

  
ARRECE JAMESON  
City Clerk and Clerk of the Council  
of the City of Oakland, California