

CITY OF OAKLAND
AGENDA REPORT

FILED
OFFICE OF THE CITY CLERK
2007 MAR 27 PM 2:01

TO: Office of the City Administrator
ATTN: Deborah Edgerly
FROM: Public Works Agency
DATE: March 27, 2007

RE: **Resolution Authorizing The City Administrator, Or Her Designee, To Award A Construction Contract To Green Acres Landscaping And Maintenance, Inc., For The Lakeside Park Central Control Irrigation Upgrade Project (No. C242114) In The Amount Of One Hundred Forty- Five Thousand Dollars (\$145,000.00)**

SUMMARY

A resolution has been prepared authorizing the City Administrator, or her designee, to award a construction contract to Green Acres Landscaping and Maintenance, Inc., for The Lakeside Park Central Control Irrigation Upgrade Project (No. C242114). Green Acres Landscaping and Maintenance, Inc., is the lowest responsive and responsible bidder and has met the City's Local Business Program requirements. This project involves furnishing and installing central control irrigation components, evapotranspiration monitoring components, flow sensors, remote control valves, field wiring, trenching, pavement repair and related work. Funds are budgeted and available for this project under the "Oakland Trust for Clean Water and Safe Parks" general obligation bond (Measure DD).

The Lakeside Park Central Control Irrigation Upgrade Project is consistent with the Mayoral and City Council Goal to "Build Community and Foster Livable Neighborhoods," by providing for clean and well-maintained facilities, amenities, parks and recreational facilities. The project is located in Council District 3.

FISCAL IMPACT

In accordance with Council's direction on March 22, 2005, a portion of the funding from the Lake Merritt Systemwide Improvements project was allocated to the Lakeside Park Central Control Irrigation Upgrade Project. Funding of \$234,600.00 is available from the Measure DD Bond Fund (5320) Series A, Lake Merritt Systemwide/Lakeside Park Central Control Irrigation Upgrade Project (No. C242114), in the Capital Project Management Organization (92270). This resolution will authorize a \$145,000.00 construction contract with Green Acres Landscaping and Maintenance, Inc.

The Contract Compliance fee of \$11,730.00 and the Public Art fee of \$3,519.00 will be assessed within the project. Public Works Agency will include the additional operating and maintenance costs for the irrigation system, which will be minimal, in the 2007-2009 Budget.

Item: _____
Public Works Committee
March 27, 2007

BACKGROUND

On January 29, 2007, the City Clerk received three bids for the Lakeside Park Central Control Irrigation Upgrade Project. Green Acres Landscaping and Maintenance, Inc., Del Conte's Landscaping, Inc., and Bay Construction Company submitted bids of \$145,000.00, \$153,110.00 and \$159,000.00, respectively. Refer to *Attachment A* for a summary of bids. The engineer's estimate is \$125,000.00. The lowest responsive and responsible bid of \$145,000.00 was submitted by Green Acres Landscaping and Maintenance, Inc., and is within the project budget. The other bids were non-responsive in that they failed to meet the LBE/SLBE program requirements.

The Lakeside Park irrigation systems have a variety of irrigation controllers which were installed at various times over the last 40 years and they are in need of upgrading. The computerized central control and evapotranspiration irrigation monitoring equipment to be installed under this project provides technology to conserve water by managing water application based on the watering needs. Also, the system will automatically turn off valves when sprinkler heads or pipes are broken and inform maintenance forces of where repairs need to be performed.

KEY ISSUES AND IMPACTS

The City's Local / Small Local Business Enterprise (L/SLBE) programs have been met by Green Acres Landscaping and Maintenance, Inc. There will be L/SLBE participation of 100%. The local trucking participation requirement does not apply due to the minimal amount of trucking on this project. The contractor is required to have 50% of the work hours performed by Oakland residents and 50% of all new hires are to be Oakland residents. The L/SLBE information has been verified by the Contract Compliance & Employment Services Division of the City Administrator's Office and is included as *Attachment B*.

Upon approval of the resolution, a contract will be awarded and construction can begin in May 2007. The project duration is 45 working days from the date of the Notice to Proceed and completion is anticipated by July 2007.

The construction contract specifies \$500.00 in liquidated damages per calendar day if the contract completion time of 45 working days is exceeded. The project schedule is shown on *Attachment A*.

PROJECT DESCRIPTION

This project involves furnishing and installing central control irrigation components, evapotranspiration monitoring components, flow sensors, remote control valves, field wiring, trenching, pavement repair and related work.

SUSTAINABLE OPPORTUNITIES

Economic: The project will generate jobs for Oakland residents, and business tax, sales tax and other revenues for the City by those who work on the project.

Environmental: The contractor will be required to use recyclable construction materials to the extent feasible and is required to recycle construction debris.

Social Equity: There are no social equity issues related to this project.

DISABILITY AND SENIOR CITIZEN ACCESS

This project consists of the installation irrigation equipment. There are no impacts to the accessibility features or to senior citizen access in Lakeside Park.

RECOMMENDATION AND RATIONALE

It is recommended that the City Administrator, or her designee, be authorized to award a construction contract to Green Acres Landscaping and Maintenance, Inc., for the Lakeside Park Central Control Irrigation Upgrade Project (No. C242114) in the amount of one hundred forty- five thousand dollars (\$145,000.00). Green Acres Landscaping and Maintenance, Inc., is a certified Small Local Business Enterprise, and they have met the SLBE requirements. Sufficient funds are available to construct this project.

ACTION REQUESTED OF THE CITY COUNCIL

Staff recommends that the City Council approve the resolution.

Respectfully submitted,

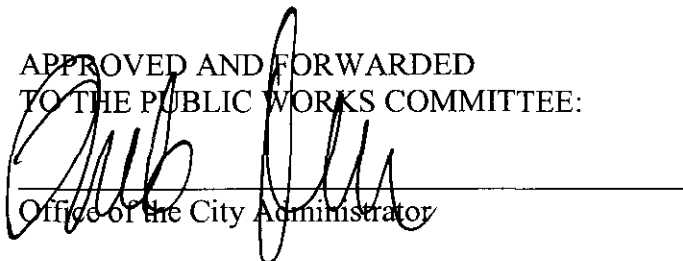


Raul Godinez, II, P.E.
Director, Public Works Agency

Reviewed by:
Michael Neary, P.E.
Assistant Director
Design and Construction Services Department

Prepared by:
Lyle Oehler
Project Manager
Project Delivery Division

APPROVED AND FORWARDED
TO THE PUBLIC WORKS COMMITTEE:



Office of the City Administrator

Attachments:

- A. List of Bidders/Schedule
- B. Contract Compliance Memo

Item: _____
Public Works Committee
March 27, 2007

ATTACHMENT A

Lakeside Park Central Control Irrigation Upgrade Project

Project No. C242114

List of Bidders

Company/Bidder	Labor Compliance Status	Business Location	Bid Amount
Green Acres Landscaping and Maintenance, Inc.	SLBE	Oakland	\$145,000.00
Del Contie's Landscaping , Inc.	N/A	Fremont	\$153,110.00
Bay Construction Company	N/A	Oakland	\$159,000.00

Project Schedule

ID	Task Name	Start	Finish	2006												2007												2008											
				M	J	J	A	S	O	N	D	J	F	M	A	M	J	J	A	S	O	N	D	J	F	M	A	M	J	J	A	S	O	N					
1	LAKESIDE PARK IRRIGATION	6/16/05	7/4/07																																				
2	DESIGN	6/16/05	10/31/06																																				
3	BID AND AWARD	11/1/06	5/2/07																																				
4	CONSTRUCTION	5/3/07	7/4/07																																				



Memo

Office of the City Administrator

Contract Compliance & Employment Services Division

To: Gwen McCormick - Contract Administrator Supervisor
From: Dasco Munoz - CC&ES Contract Compliance Officer
Through: Deborah Barnes - CC&ES Manager *Deborah Barnes*
CC: Project Manager
Date: February 14, 2007
Re: Lakeside Park Central Control Irrigation Upgrade, Project No. C242114

RECEIVED
 FEB 14 2007
 CONTRACT COMPLIANCE & EMPLOYMENT SERVICES DIVISION

Contract Compliance & Employment Services reviewed three (3) bids received in response to the above referenced project. Below is the outcome of our compliance evaluation for the twenty percent (20%) minimum participation requirement and a preliminary review for compliance with the Equal Benefits Ordinance (EBO).

Company Name	Bid Amount	Proposed Participation							Banked Credits Eligibility	EBO Compliant Y/N
		Total L/SLBE	LBE	SLBE	Trucking	Total Credited	Adjusted Bid Amount	Bid Discounts		
Green Acres Landscaping/Maintenance, Inc.	\$145,000.00	100.00%	0.00%	100.00%	N/A	100.00%	\$137,750	5%	2%	Y
Del Conte's Landscaping, Inc.	\$153,110.00	0.00%	0.00%	0.00%	N/A	0.00%	\$153,110	0%	0%	N
Bay Construction Co.	\$159,000.00	0.00%	0.00%	0.00%	N/A	0.00%	\$159,000	0%	0%	Y

As noted above, only Green Acres Landscaping and Maintenance exceeded the 20% L/SLBE requirement, the trucking requirement has been waived due to the minimal amount trucking on this project. Green Acres Landscaping and Maintenance is in compliance with the Equal Benefit Ordinance (EBO).

Should you have any questions you may contact Dasco Munoz at 238-3970

ATTACHMENT B

Contract Compliance and Employment Services Evaluation Form

Project No.: C242114

Project Name: Lakeside Park Central Control Irrigation Upgrade Project

Contractor: Green Acres Landscaping/Maintenance, Inc.

Contractor's Bid Amount: 145,000.00

Engineer's Estimate: 125,000.00

Over/Under the Engineers Estimate: 20,000.00

Bid Discounted Amount: \$7,250.00

Discount Points: 5%

Discounted Bid Price: \$137,750.00

1. Did the 20% requirements apply? YES

2. Did the contractor meet the 20% requirement? YES

a) % of LBE 0.00%
b) % of SLBE 100.00%

3. Did the contractor meet the Trucking requirement? N/A


a) % of Local Trucking 0.00%

4. Did the contractor received bid discount points? YES
(If yes, list the points received) 5%

5. Additional Comments.

6. Date evaluation completed and returned to Contact Admin./Initiating Dept. 2/14/2007

Reviewing
Officer:



Date: 2/14/2007

Approved By:



Date: 2/14/07

LBE/SLBE Participation Bidder 1

Project Name: Lakeside Park Central Control Irrigation Upgrade Project

Project No.: C242114		Engineers Est: 125,000.00				Under/Over Engineers Estimate: 20,000.00				For Tracking Only		
Discipline	Prime & Subs	Location	Cert. Status	LBE	SLBE	Total	S/LBE	Total	TOTAL	Ethn.	MBE	WBE
						LBE/SLBE	Trucking	Trucking	Dollars			
PRIME	Green Acres Landscaping/Maintenance, Inc.	Oakland	CB		145,000.00	145,000.00			145,000.00	H		
Project Totals				0.00	145,000.00	145,000.00	0.00	0.00	145,000.00		\$0.00	
				0.00%	100.00%	100.00%	0%	100%				
Requirements: The 20% requirements is a combination of 10% LBE and 10% SLBE participation. An SLBE firm can be counted 100% towards achieving 20% requirements.				LBE 10%	SLBE 10%	TRUCKING 20%	LBE/SLBE 20%			Ethnicity AA = African American AI = Asian Indian AP = Asian Pacific C = Caucasian H = Hispanic NA = Native American O = Other NL = Not Listed		
Legend				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				

ATTACHMENT B

Contract Compliance and Employment Services Evaluation Form

Project No.: C242114

Project Name: Lakeside Park Central Control Irrigation Upgrade Project

Contractor: Del Conte's Landscaping, Inc.

Contractor's Bid Amount: 153,110.00

Engineer's Estimate: 125,000.00

Over/Under the Engineers Estimate: -28,110.00

Bid Discounted Amount: \$0.00

Discount Points: 0%

Discounted Bid Price: \$153,110.00

1. Did the 20% requirements apply? YES

2. Did the contractor meet the 20% requirement? YES

a) % of LBE 0.00%
b) % of SLBE 0.00%

3. Did the contractor meet the Trucking requirement? N/A

a) % of Local Trucking 0.00%

4. Did the contractor received bid discount points? YES
(If yes, list the points received) 0%

5. Additional Comments.

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

2/14/2007

Reviewing
Officer:

Date: 2/14/2007

Approved By:

Date: 2/14/07

LBE/SLBE Participation Bidder 2

Project Name: Lakeside Park Central Control Irrigation Upgrade Project

Project No.: C242114		Engineers Est: 125,000.00			Under/Over Engineers Estimate: -28,110.00							
Discipline	Prime & Subs	Location	Cert. Status	LBE	SLBE	Total LBE/SLBE	S/LBE Trucking	Total Trucking	TOTAL Dollars	Ethn.	MBE	WBE
Prime	Del Conte's Landscaping, Inc.	Freemont	UB						153,110.00	NL		
Project Totals												
				0.00	0.00	0.00	0.00	0.00	153,110.00		\$0.00	\$0.00
				0.0%	0.00%	0.00%	0.00%	0.00%				
Requirements: The 20% requirements is a combination of 10% LBE and 10% SLBE participation. An SLBE firm can be counted 100% towards achieving 20% requirements.				LBE 10%		SLBE 10%		TRUCKING 20%		LBE/SLBE 20%		
Legend				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				
Ethnicity AA = African American AI = Asian Indian AP = Asian Pacific C = Caucasian H = Hispanic NA = Native American O = Other NL = Not Listed												

ATTACHMENT B

Contract Compliance and Employment Services Evaluation Form

Project No.: C242114

Project Name: Lakeside Park Central Control Irrigation Upgrade Project

Contractor: Bay Construction Co.

Contractor's Bid Amount: 159,000.00

Engineer's Estimate: 125,000.00

Over/Under the Engineers Estimate: -34,000.00

Bid Discounted Amount: \$0.00

Discount Points: 0%

Discounted Bid Price: \$159,000.00

1. Did the 20% requirements apply? **YES**

2. Did the contractor meet the 20% requirement? **YES**

a) % of LBE **0.00%**

b) % of SLBE **0.00%**

3. Did the contractor meet the Trucking requirement? **N/A**

a) % of Local Trucking **0.00%**

4. Did the contractor received bid discount points? **YES**
(If yes, list the points received) **0%**

5. Additional Comments.

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

2/14/2007

Reviewing
Officer:

D. Mendez

Date: 2/14/2007

Approved By:

Deborah Barr

Date: 2/14/2007

LBE/SLBE Participation Bidder 3

Project Name: Lakeside Park Central Irrigation Upgrade Project

Project No.: C242114		Engineers Est: 125,000.00			Under/Over Engineers Estimate: -34,000.00							
Discipline	Prime & Subs	Location	Cert. Status	LBE	SLBE	Total LBE/SLBE	S/LBE Trucking	Total Trucking	TOTAL Dollars	For Tracking Only		
										Ethn.	MBE	WBE
Prime Supplier	Bay Construction Co. Ewing Irrigation	Oakland San Leandro	UB UB						124,000.00 35,000.00	AP NL		
Project Totals												
				0.00	0.00	0.00	0.00	0.00	159,000.00		\$0.00	\$0.00
Requirements:				LBE 10%		SLBE 10%		TRUCKING 20%		Ethnicity		
The 20% requirements is a combination of 10% LBE and 10% SLBE participation. An SLBE firm can be counted 100% towards achieving 20% requirements.				LBE 10%		SLBE 10%		TRUCKING 20%		AA = African American AI = Asian Indian AP = Asian Pacific C = Caucasian H = Hispanic NA = Native American O = Other NL = Not Listed		
Legend				LBE = Local Business Enterprise		UB = Uncertified Business		LBE/SLBE 20%				
				SLBE = Small Local Business Enterprise		CB = Certified Business						
				Total LBE/SLBE = All Certified Local and Small Local Businesses		MBE = Minority Business Enterprise						
				NPLBE = NonProfit Local Business Enterprise		WBE = Women Business Enterprise						
				NPSLBE = NonProfit Small Local Business Enterprise								

OFFICE OF THE CITY CLERK
OAKLAND

2007 MAR 15 PM 2:01 OAKLAND CITY COUNCIL

Approved as to Form and Legality

Oakland City Attorney's Office

RESOLUTION No: _____ C.M.S.

INTRODUCED BY COUNCILMEMBER _____

RESOLUTION AUTHORIZING THE CITY ADMINISTRATOR, OR HER DESIGNEE, TO AWARD A CONSTRUCTION CONTRACT TO GREEN ACRES LANDSCAPING AND MAINTENANCE, INC., FOR THE LAKESIDE PARK CENTRAL CONTROL IRRIGATION UPGRADE PROJECT (NO. C242114) IN THE AMOUNT OF ONE HUNDRED FORTY FIVE THOUSAND DOLLARS (\$145,000.00)

WHEREAS, on January 29, 2007, three bids were received by the Office of the City Clerk for the Lakeside Park Central Control Irrigation Upgrade Project; and

WHEREAS, Green Acres Landscaping and Maintenance, Inc., (Oakland) is the lowest responsible bidder and has met the City's L/SLBE program requirements; and

WHEREAS, sufficient funds totaling \$145,000.00 are available for the contract from the Measure DD Series A Fund (5320) in the Lakeside Park Central Control Irrigation Upgrade Project (No. C242114) and the Capital Project Management Organization (92270); and

WHEREAS, the City lacks the equipment and qualified personnel to perform the necessary work; and

WHEREAS, the City Council finds and determines that the performance of this contract is in the public interest because of economy; and

WHEREAS, the City Council finds that services under this contract will be temporary; 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 her designee, is hereby authorized to award a construction contract on behalf of the City of Oakland for the Lakeside Park Central Control Irrigation Upgrade Project to Green Acres Landscaping and Maintenance, Inc., in the amount of one hundred forty five thousand dollars (\$145,000.00) and to execute any amendments or modifications of said contract within the limitations of the project specifications; and be it

FURTHER RESOLVED: That the plans and specifications prepared by the Director of Public Works for this project are hereby approved; and be it

FURTHER RESOLVED: That the City Administrator is hereby authorized to reject all other bids; and be it

FURTHER RESOLVED: The amount of the bond for faithful performance, \$145,000.00, and the amount for a bond to guarantee payment of all claims for labor and material furnished and for the amount due under the Unemployment Insurance Act, \$145,000.00, with respect to such work are hereby approved; and be it

FURTHER RESOLVED: That the contract shall be reviewed and approved by the City Attorney and placed on file in the Office of the City Clerk.

IN COUNCIL, OAKLAND, CALIFORNIA, _____, 2007

PASSED BY THE FOLLOWING VOTE:

AYES - BROOKS, BRUNNER, CHANG, KERNIGHAN, NADEL, QUAN, REID, AND
 PRESIDENT OF THE COUNCIL DE LA FUENTE

NOES -

ABSENT -

ABSTENTION -

ATTEST: _____
 LATONDA SIMMONS
 City Clerk and Clerk of the Council of the
 City of Oakland, California