

CITY OF OAKLAND
AGENDA REPORT

2006 MAR 14 PM 2:48

TO: Office of the City Administrator
ATTN: Deborah Edgerly
FROM: Public Works Agency
DATE: March 28, 2006

RE: RESOLUTION AUTHORIZING THE CITY ADMINISTRATOR, OR HER DESIGNEE, TO AWARD A CONSTRUCTION CONTRACT TO BELIVEAU ENGINEERING CONTRACTORS, INC., FOR THE LINCOLN SQUARE JUNK SHIP RENOVATION PROJECT (G250510) IN AN AMOUNT NOT TO EXCEED FOUR HUNDRED AND SIX THOUSAND DOLLARS (\$406,000.00)

SUMMARY

A resolution has been prepared authorizing the City Administrator, or her designee, to award a construction contract to Beliveau Engineering Contractors, Inc., for the Lincoln Square Junk Ship Renovation Project (G250510) in an amount not to exceed \$406,000.00. Beliveau Engineering Contractors, Inc., is the lowest responsive and responsible bidder and has met the City's Local Business Program requirements. Funds have already been budgeted for this project, and are available for this contract.

The project consists of the replacement of the junk ship play structure, play equipment and safety playground surface, the installation of benches, signs and interpretive panels, and other related work at the Lincoln Square Park.

The Lincoln Square Junk Ship Renovation Project is consistent with the Mayoral and City Council Goal and Objective, to "Build Community and Foster Livable Neighborhoods," by renovating the existing playground and providing a clean and accessible facility for various recreational programs and functions. The project is located in Council District 2.

FISCAL IMPACT

This resolution will authorize a \$406,000.00 contract with Beliveau Engineering Contractors, Inc. The total construction budget for the project is \$447,079,00, which includes a contingency of \$41,079.00. Funding for the contract and contingency are available from the following sources:

Item: _____
Public Works Committee
March 28, 2006

- \$172,139.00 from Proposition 40, the California Clean Water, Clean Air, Safe Neighborhood Parks, and Coastal Protection Act of 2002, California Parks and Recreation Fund (2134), Lincoln Square Tot Lot Renovation (Prop 40) Project (G250510), Capital Project Management Organization (92270).
- \$194,940.00 from Proposition 12, the 2000 Parks Bond Act, California Parks and Recreation Fund (2134), Lincoln Square Tot Lot Renovation (Prop 12) Project (G250610), Capital Project Management Organization (92270).
- \$40,000.00 from Alameda County Source Reduction and Recycling Fund (2175), Procurement of Recycled Products Project (H63630), Environmental Services, Recycling & Solid Waste Organization (30682).
- \$40,000.00 from Capital Improvement Fund (5500), Lincoln Square Play Structure ADA Upgrade Project (G250620), Capital Project Management Organization (92270).

The Contract Compliance and the Public Art fees were allocated in Fiscal Year 2004-2005 within Lincoln Square Junk Ship Renovation Project #G250510. It is estimated that the annual operating and maintenance costs for the new play structure will increase slightly. However, unless additional funding is allocated, maintenance of the improvements will be done with existing staff resources to the extent possible.

BACKGROUND

On January 23, 2006, five bids were received by the City Clerk for the project. A bid summary is included in this report – see *Attachment A*. The bids range from \$406,000.00 to \$586,100.00 for base bid and three additive alternates. The engineer's estimate for the base bid and alternates is \$370,000.00. Staff and the design consultants reviewed the bids. The lowest responsive and responsible bid of \$406,000.00 from Beliveau Engineering Contractors, Inc., is deemed reasonable and is within the project budget.

The City's L/SLBE and local trucking programs have been met by Beliveau Engineering Contractors, Inc. There will be L/SLBE participation of \$243,000.00 (59.85%), which exceeds the 20% L/SLBE requirements. There will also be \$5,000.00 (100%) in local trucking participation for 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 shown on Attachment B.

Item: _____
Public Works Committee
March 28, 2006

KEY ISSUES AND IMPACTS

The Lincoln Square Junk Ship play structure was built in the early to mid 1960's and has been heavily used by the children in the neighborhood. However, there is evidence of dry rot, loose connections, damaged planks and splintering, due to age, weathering, and heavy use by the public. The junk ship and the adjacent swing are not accessible to the disabled due to the lack of safety surfacing connecting the structures to the asphalt path of travel. The replacement of the junk ship structure, the upgrades and improvements to the paths of travel, and the installation of accessible play equipment are needed to bring the swing, the junk ship and play area into compliance with the Americans with Disabilities Act Accessibility Guidelines (ADAAG).

Upon approval of the resolution, a contract will be awarded and construction can begin as early as April 2006. The project duration is 100 working days from the date of the Notice to Proceed and completion is anticipated by September 2006. The construction contract specifies \$500.00 in liquidated damages per calendar day if the contract completion time of 100 working days is exceeded. The project schedule is shown on *Attachment A*.

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 project will take into consideration green building technologies. The contractor will be required to use recyclable construction materials to the extent feasible and is required to recycle construction debris.

Social Equity: The project will provide upgraded facilities for the immediate neighborhood and provide enhanced recreational venues.

DISABILITY AND SENIOR CITIZEN ACCESS

The renovation project will improve the accessibility for persons with disabilities and senior citizens. All renovations to the Lincoln Square Junk Ship playground under this construction contract will comply with ADAAG.

RECOMMENDATION AND RATIONALE

It is recommended that the City Administrator, or her designee, be authorized to award a construction contract for the Lincoln Square Junk Ship Renovation project to Beliveau Engineering Contractors, Inc., in an amount not to exceed \$406,000.00. Beliveau Engineering

Item: _____
Public Works Committee
March 28, 2006

Contractors, Inc., has met the City's local business requirements, and there are sufficient funds available in the project account.

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, Public Works Agency
Design and Construction Services Department

Prepared by:
Jadia Wu, AIA
CIP Coordinator
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 28, 2006

ATTACHMENT A

**Lincoln Square Junk Ship Renovation
250 10th Street
(Project No. G250510)**

List of Bidders

Company	Status	Location	Bid Amount
Beliveau Engineering Contractors, Inc.	SLBE	Oakland	\$406,000
McGuire and Hester	SLBE	Oakland	\$443,210
Donny Chu Construction, Inc., DBA DC Construction	SLBE	Oakland	\$471,026
Rodan Builders, Inc.		Belmont	\$495,700
Mark Lee & Yong Kay, Inc., DBA Bay Construction Co.	SLBE	Oakland	\$586,100

Project Schedule

ID	Task Name	Start	Finish	2004				2005				2006			
				Q1	Q2	Q3	Q4	Q1	Q2	Q3	Q4	Q1	Q2	Q3	Q4
1	Lincoln Square Junk Ship	4/12/2004	9/15/2006	[Gantt bar spanning from Q1 2004 to Q3 2006]											
2	Pre-Design	4/12/2004	7/14/2004	[Gantt bar from Q1 2004 to Q2 2004]											
3	Design	7/15/2004	10/31/2005	[Gantt bar from Q3 2004 to Q4 2005]											
4	Bid/Award	11/1/2005	4/28/2006	[Gantt bar from Q4 2005 to Q1 2006]											
5	Construction	5/1/2006	9/15/2006	[Gantt bar from Q2 2006 to Q3 2006]											



OFFICE OF THE CITY ADMINISTRATOR
Contract Compliance & Employment Services Division

Memo

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, 2006

Re: Lincoln Square Junk Ship Renovation

Contract Compliance & Employment Services reviewed five (5) 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		
Beliveau Engineering	\$406,000.00	59.85%	0.00%	59.85%	100%	59.85%	\$385,700	5%	0%	Y
McGuire & Hester	\$443,210.00	47.23%	47.23%	0.00%	0%	10.00%	\$443,210	0%	0%	Y
DC Construction	\$471,026.00	52.81%	0.00%	52.81%	0%	52.81%	\$447,475	5%	0%	N
Rodan Builders, Inc.	\$495,700.00	3.83%	0.00%	3.83%	100%	3.83%	\$495,700	0%	0%	N
Bay Construction	\$586,100.00	63.98%	0.00%	63.98%	100%	63.98%	\$556,795	5%	1%	Y

As noted above, the lowest bidder exceeded the 20% L/SLBE requirement and is in compliance with the Equal Benefit Ordinance (EBO).

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

Contract Compliance and Employment Services Evaluation Form

Project No.: G250510 \ G250610

Project Name: Lincoln Square Junk Ship Renovation

Contractor: Beliveau Engineering

Contractor's Bid Amount: 406,000.00

Engineer's Estimate: 255,465.00

Over/Under the Engineers Estimate: 150,535.00

Bid Discounted Amount: \$20,300.00

Discount Points: 5%

Discounted Bid Price: \$385,700.00

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

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

a) % of LBE **0.00%**
b) % of SLBE **59.85%**

3. Did the contractor meet the Trucking requirement? **YES**


a) % of Local Trucking **100.00%**

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

5. Additional Comments.

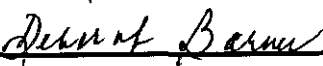
6. Date evaluation completed and returned to Contact Admin./Initiating Dept. **2/14/2006**

**Reviewing
Officer:**



Date: 2/14/2006

Approved By:



Date: 2/14/06

LBE/SLBE Participation Bidder 1

Project Name: Lincoln Square Junk Ship Renovation

Project No.: G250510 \ G250610		Engineers Est: 255,465.00				Under/Over Engineers Estimate: 150,535.00				For Tracking Only		
Discipline	Prime & Subs	Location	Cert. Status	LBE	SLBE	Total LBE/SLBE	S/LBE Trucking	Total Trucking	TOTAL Dollars	Ethn.	MBE	WBE
										PRIME	Beliveau Engineering	Oakland
Trucking	Williams Trucking	Oakland	CB		5,000.00	5,000.00	5,000.00	5,000.00	5,000.00	AA	\$5,000.00	
Steel Fab	Umo Steel, Inc.	Hayward	UB						35,500.00	NL		
Rubber Surface	Sport Surface Specialties	Fresno	UB						72,000.00	NL		
Play Equip.	Ross Rec. Equip.	Santa Rosa	UB						55,500.00	NL		
Project Totals				0.00	243,000.00	243,000.00	5,000.00	5,000.00	406,000.00		\$5,000.00	
				0.00%	59.85%	59.85%	100%	100%				
Requirements:				LBE 10%	SLBE 10%	TRUCKING 20%	LBE/SLBE 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.										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						
				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								

Contract Compliance and Employment Services Evaluation Form

Project No.: G250510 \ G250610

Project Name: Lincoln Square Junk Ship Renovation

Contractor: McGuire & Hester

Contractor's Bid Amount: 443,210.00

Engineer's Estimate: 255,465.00

Over/Under the Engineers Estimate: -187,745.00

Bid Discounted Amount: \$0.00

Discount Points: 0%

Discounted Bid Price: \$443,210.00

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

2. Did the contractor meet the 20% requirement? **NO**

a) % of LBE **47.23%**
b) % of SLBE **0.00%**

3. Did the contractor meet the Trucking requirement? **NO**

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

4. Did the contractor received bid discount points? **NO**
(If yes, list the points received) **0%**

5. Additional Comments.

6. Date evaluation completed and returned to Contact Admin./Initiating Dept. **2/14/2006**

**Reviewing
Officer:**

D. Memon

Date: 2/14/2006

Approved By:

Dehraat Barner

Date: 2/14/06

LBE/SLBE Participation Bidder 2

Project Name: Lincoln Square Junk Ship Renovation

Project No.: G250510 \ G250610		Engineers Est: 255,465.00				Under/Over Engineers Estimate: -187,745.00						
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	McGuire & Hester	Oakland	CB	209,343.80		209,343.80			209,343.80	C		
Metal Fab	Bay Area Welding	Richmond	UB						37,545.00	NL		
Playground Install	Community Playgrounds	Novato	UB						26,426.00	NL		
Play Area Surfacing	Sports Surface Specialties	N.Y.	UB						69,895.20	NL		
Partial Woodwork	Bauman Landscape	Richmond	UB						100,000.00	NL		
Project Totals				209,343.80	0.00	209,343.80	0.00	0.00	443,210.00		\$0.00	\$0.00
				47.2%	0.00%	47.23%	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%			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				UB = Uncertified Business				
				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								

Contract Compliance and Employment Services Evaluation Form

Project No.: G250510 \ G250610

Project Name: Lincoln Square Junk Ship Renovation

Contractor: DC Construction

Contractor's Bid Amount: 471,026.00

Engineer's Estimate: 255,465.00

Over/Under the Engineers Estimate: -215,561.00

Bid Discounted Amount: \$23,551.30

Discount Points: 5%

Discounted Bid Price: \$447,474.70

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

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

a)	% of LBE	<u>0.00%</u>
b)	% of SLBE	<u>52.81%</u>

3. Did the contractor meet the Trucking requirement? **NO**


a)	% of Local Trucking	<u>0.00%</u>
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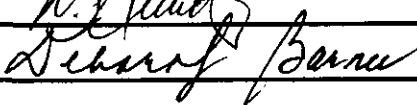
4. Did the contractor received bid discount points? **YES**
(If yes, list the points received) **5%**

5. Additional Comments.
This contractor did not meet the 20% Trucking requirement.

6. Date evaluation completed and returned to Contact Admin./Initiating Dept. **2/14/2006**

**Reviewing
Officer:**



Approved By: 

Date: 2/14/2006

Date: 2/14/06

LBE/SLBE Participation Bidder 3

Project Name: Lincoln Square Junk Ship Renovation

Project No.: G250510 \ G250610		Engineers Est: 255,465.00				Under/Over Engineers Estimate: -215,561.00							
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	DC Construction	Oakland	CB		248,757.00	248,757.00			248,757.00	AP	\$248,757.00		
Play Elements	Ross Recreation Equip	Santa Rosa	UB						55,300.00	NL			
Woodwork	Economy Lumber	Oakland	UB						14,000.00	C			
Demo Concrete	All Clean & Clear	Oakland	UB						40,000.00	NL			
Install Play Surface	Tot Turf by Robertson Ind.	AZ	UB						75,253.00	NL			
Install Play Element	Community Playgrounds, Inc.	Novato	UB						14,941.00	NL			
Build & Install Railing	Bay Area Welding	Richmond	UB						22,775.00	NL			
Project Totals				0.00	248,757.00	248,757.00	0.00	0.00	471,026.00		\$248,757.00	\$0.00	
				0.0%	52.81%	52.81%	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%			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									

Contract Compliance and Employment Services Evaluation Form

Project No.: G250510 \ G250610

Project Name: Lincoln Square Junk Ship Renovation

Contractor: Rodan Builders, Inc.

<u>Contractor's Bid Amount:</u>	495,700.00		
<u>Engineer's Estimate:</u>	255,465.00		
<u>Over/Under the Engineers Estimate:</u>	-240,235.00		
<u>Bid Discounted Amount:</u>	\$0.00	<u>Discount Points:</u>	0%
<u>Discounted Bid Price:</u>	\$495,700.00		

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

2. Did the contractor meet the 20% requirement? **NO**

a)	% of LBE	<u>0.00%</u>
b)	% of SLBE	<u>3.83%</u>

3. Did the contractor meet the Trucking requirement? **YES**

a)	% of Local Trucking	<u>100.00%</u>
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4. Did the contractor received bid discount points? **NO**
(If yes, list the points received) **0%**

5. Additional Comments.

This contractor did not meet the 20% LBE/SLBE requirement.

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

2/14/2006

**Reviewing
Officer:**



Date: 2/14/2006

Approved By:



Date: 2/14/06

LBE/SLBE Participation Bidder 4

Project Name: Lincoln Square Junk Ship Renovation

Project No.:		Engineers Est:		Under/Over Engineers Estimate:								
G250510 \ G250610		255,465.00		-240,235.00								
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	Rodan Builders, Inc.	Belmont	UB						256,900.00	NL		
Grading	MK Pipeline	SF	UB						39,000.00	NL		
Hard Demo	Lombardo	Santa Clara	UB						2,000.00	NL		
Safety Surface	Playground Unlimited	Sunnyvale	UB						69,000.00	NL		
Site Furnishing	Playground Unlimited	Sunnyvale	UB						13,000.00	NL		
Metal Fab	Umo Steel Inc.	Hayward	UB						32,800.00	NL		
Trucking	S&S Trucking	Oakland	CB		19,000.00	19,000.00	19,000.00	19,000.00	19,000.00	H	\$19,000.00	
Playground Equip	Ross	Santa Rosa	UB						57,000.00	NL		
Painting	Hyland Painting	San Carlos	UB						7,000.00	NL		
Project Totals				0.00	19,000.00	19,000.00	19,000.00	19,000.00	495,700.00		\$19,000.00	\$0.00
				0.0%	3.83%	3.83%	100.00%	100.00%				
Requirements:				LBE 10%	SLBE 10%	TRUCKING 20%	LBE/SLBE 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.										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								
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												

Contract Compliance and Employment Services Evaluation Form

Project No.: G250510 \ G250610

Project Name: Lincoln Square Junk Ship Renovation

Contractor: Bay Construction

Contractor's Bid Amount: 586,100.00

Engineer's Estimate: 255,465.00

Over/Under the Engineers Estimate: -330,635.00

Bid Discounted Amount: \$29,305.00

Discount Points: 5%

Discounted Bid Price: \$556,795.00

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

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

a)	% of LBE	<u>0.00%</u>
b)	% of SLBE	<u>63.98%</u>

3. Did the contractor meet the Trucking requirement? **YES**

a)	% of Local Trucking	<u>100.00%</u>
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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. **2/14/2006**

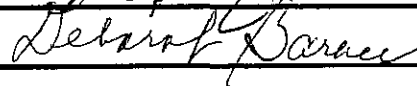
Reviewing

Officer:



Date: 2/14/2006

Approved By:



Date: 2/14/06

LBE/SLBE Participation Bidder 5

Project Name: Lincoln Square Junk Ship Renovation

Project No.: G250510 \ G250610		Engineers Est: 255,465.00				Under/Over Engineers Estimate: -330,635.00							
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	Bay Construction	Oakland	CB		371,011.00	371,011.00			371,011.00	AP	\$371,011.00		
Safety Surfacing	Playground Unlimited	Sunnyvale	UB						71,455.00	NL			
Play Equip	Community Playgrounds	Novato	UB						16,209.00	NL			
Metal Fab	JC Metal Specialist	SF	UB						58,800.00	NL			
Painting	Koreen Bros, Inc.	Petaluma	UB						8,660.00	NL			
Play Equip	Ross Rec. Equipment	Santa Rosa	UB						49,727.00	NL			
Trucking	Williams Trucking	Oakland	CB		4,000.00	4,000.00	4,000.00	4,000.00	4,000.00	AA	\$4,000.00		
Benches /Trash Recepticles	Community Playgrounds	Novato	UB						1,536.00	NL			
Benches /Trash Recepticles	Ross Rec. Equipment	Santa Rosa	UB						4,702.00	NL			
Project Totals				0.00	375,011.00	375,011.00	4,000.00	4,000.00	586,100.00		\$375,011.00	\$0.00	
				0.0%	63.98%	63.98%	100.00%	100.00%					
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%			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									

OFFICE OF THE CITY CLERK

Approved as to Form and Legality

Oakland City Attorney's Office

2006 MAR 14 PM 2:48 OAKLAND CITY COUNCIL

RESOLUTION NO: _____ C.M.S.

INTRODUCED BY COUNCILMEMBER _____

Requires the 2/3 vote of Council

RESOLUTION AUTHORIZING THE CITY ADMINISTRATOR, OR HER DESIGNEE, TO AWARD A CONSTRUCTION CONTRACT TO BELIVEAU ENGINEERING CONTRACTORS, INC., FOR THE LINCOLN SQUARE JUNK SHIP RENOVATION PROJECT (G250510) IN THE AMOUNT NOT TO EXCEED FOUR HUNDRED AND SIX THOUSAND DOLLARS (\$406,000.00)

WHEREAS, on January 23, 2006, five bids were received by the Office of the City Clerk for the Lincoln Square Junk Ship Renovation project; and

WHEREAS, Beliveau Engineering Contractors, Inc. (Oakland), is the lowest responsible bidder and has met the City's L/SLBE program requirements; and

WHEREAS, sufficient funds totaling \$447,079 are available for the contract and contingency from the following sources: \$172,139 from Proposition 40, the California Clean Water, Clean Air, Safe Neighborhood Parks, and Coastal Protection Act of 2002, California Parks and Recreation Fund (2134), Lincoln Square Tot Lot Renovation (Prop 40) Project (G250510), Capital Project Management Organization (92270); \$194,940 from Proposition 12, the 2000 Parks Bond Act, California Parks and Recreation Fund (2134), Lincoln Square Tot Lot Renovation (Prop 12) Project (G250610), Capital Project Management Organization (92270); \$40,000 from Alameda County Source Reduction and Recycling Fund (2175), Procurement of Recycled Products Project (H63630), Environmental Services, Recycling & Solid Waste Organization (30682); and \$40,000 from Capital Improvement Fund (5500), Lincoln Square Play Structure ADA Upgrade Project (G250620), 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 Lincoln Square Junk Ship Renovation Project to Beliveau Engineering Contractors, Inc., in the amount not to exceed Four Hundred and Six Thousand Dollars (\$406,000.00) and to execute any amendments or modifications of said contract within the limitations of the project specifications; and be it

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

FURTHER RESOLVED: The amount of the bond for faithful performance, \$406,000.00, 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, \$406,000.00, 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; and be it

FURTHER RESOLVED: That the approval of this Resolution requires a two-thirds vote of the Council members.

IN COUNCIL, OAKLAND, CALIFORNIA, _____, 2006

PASSED BY THE FOLLOWING VOTE:

AYES - BRUNNER, KERNIGHAN, NADEL, QUAN, BROOKS, REID, CHANG,
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