

CITY OF OAKLAND  
COUNCIL AGENDA REPORT

OFFICE OF THE CITY CLERK  
CITY OF OAKLAND

2005 OCT 13 PM 3:12

TO: Office of the City Administrator  
ATTN: Deborah Edgerly  
FROM: Public Works Agency  
DATE: October 25, 2005

RE: INFORMATIONAL REPORT ON THE AWARD OF A CONSTRUCTION CONTRACT FOR THE MEMORIAL PARK PROJECT TO RMT LANDSCAPING CONTRACTORS, INC., FOR AN AMOUNT NOT-TO-EXCEED SIX HUNDRED TWELVE THOUSAND DOLLARS (\$612,000.00)

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**SUMMARY**

An informational report has been prepared on the award of the construction contract for the Memorial Park project to RMT Landscaping Contractors, Inc., for an amount not to exceed \$612,000.00. This report also provides details on the finalized scope of work and the local and small local business participation for the project.

On January 31, 2005, three bids were received by the City Clerk for the Memorial Park project. Bay Construction (Oakland), Simco Construction (Oakland) and Ray's Electric (Oakland) submitted bids of \$689,000.00, \$760,540.00 and \$972,300.00, respectively. All three bids were substantially over the engineer's estimate. Staff requested authorization to reject all bids, to revise the scope of work, and to negotiate and award a contract within the revised construction budget of \$630,000.00.

Resolution 79114 C.M.S., was approved by the City Council on March 15, 2005, authorizing staff to reject all bids, to revise the scope of work, to negotiate a contract within the construction budget, and to award a construction contract without return to City Council for an amount not to exceed \$630,000.00 for the Memorial Park project. Staff agreed to return with an informational report regarding the selected contractor for the project. The requested bid rejection and process for contract award allowed the City to meet the State of California, Environmental Enhancement and Mitigation Department grant reimbursement deadline of April 30, 2005.

In April 5, 2005, the Public Works Agency (PWA) informally re-bid the Memorial Park project. Two bids were received by PWA, Contract Administration Division in the amounts of \$612,000.00 and \$646,000.00. The lowest responsive and responsible bidder was RMT Landscaping Contractors, Inc., with a bid amount of \$612,000.00. The bid amount of \$612,000.00 was within the project budget, and the contractor met the City's L/SLBE and local trucking program requirements. The only other bid exceeded the available authorized budget.

The L/SLBE participation is \$126,300.00 (21%) and the local trucking participation is \$5,000.00 (100%) 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 A.

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The finalized scope of work consists of the construction of a concrete plaza area with planting areas at 14<sup>th</sup> Street and Mandela Parkway with a sculpture art piece, “Three Ladders.” There is a series of arched trees and shrub plantings in the plaza and surrounding areas, Bay Trail signage, a drinking fountain, benches, a curved granite seat wall, two interpretive plaques, pervious concrete paths, and a series of arched native grass planted berms, which emulate the seismic wave motion of the land.

This project fulfills the Mayoral and City Council goals and objectives to provide for clean, well-maintained and accessible streets and sidewalks, facilities, amenities, parks recreational facilities and trees. The project is located in Council District 3.

### **FISCAL IMPACT**

This is an informational report and there are no fiscal impacts.

### **BACKGROUND**

The Memorial Park project consists of an open space with colorful greenery and distinctive landscaped areas that acknowledge the lives lost during the 1989 Loma Prieta earthquake and the historical significance of West Oakland. In addition, the Memorial Park project improves the overall visual appearance of the area, encourages residents to use bicycles as an alternative mode of travel, and provides a safe rest area for the Bay Trail connection through West Oakland.

### **KEY ISSUES AND IMPACTS**

The Memorial Park project was identified in the “Rebuilding of the Cypress Freeway Agreement” between the City of Oakland and Caltrans as a priority project for the reconstruction of the area. Staff negotiated a construction contract within the construction budget and there were no significant reductions in the scope of work. The contractor achieved 21% local, small business participation and 100% local trucking for this project. Construction started on April 12, 2005, and was scheduled for completion on September 30, 2005. Full reimbursement in the amount of \$250,000.00 has been received from the State of California, Environmental Enhancement and Mitigation Department grant, and at the time of the writing of this report, a ribbon cutting ceremony is scheduled to be held on October 17, 2005.

### **SUSTAINABLE OPPORTUNITIES**

Economic: The project will enhance the physical appearance of the neighborhood, and will potentially further economic development in the area.

Environmental: The contractor has taken into consideration green building technologies and, to the extent feasible, utilized recycled materials in the products specified, and explored other environmental opportunities such as waste reduction and energy conservation.

Social: The Memorial Park project will improve the overall visual appearance of the area, encourage residents to use bicycles as an alternative mode of travel, and provide a safe rest area for the Bay Trail connection through West Oakland.

### **DISABILITY AND SENIOR CITIZEN ACCESS**

The Memorial Park project is in compliance with the physical access requirements of the Americans with Disabilities Act (“ADA”), and provides equal opportunity and access to the facility.

### **ACTION REQUESTED OF THE CITY COUNCIL**

Staff requests City Council to accept this informational report. No action is requested by the City Council.

Respectfully submitted,



**RAUL GODINEZ II, P.E.**

Director, Public Works Agency

Reviewed by:

Micheal Neary, P.E.

Assistant Director, Public Works Agency

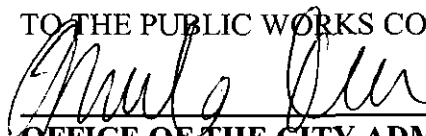
Design & Construction Services Department

Prepared by:

Sandra Washington, Project Manager

Project Delivery Division

APPROVED AND FORWARDED  
TO THE PUBLIC WORKS COMMITTEE



**OFFICE OF THE CITY ADMINISTRATOR**

OFFICE OF THE CITY ADMINISTRATOR  
Contract Compliance & Employment Services Division

# Memo

TO: Gwen McCormick  
 THROUGH: Deborah Barnes, CC&ES Manager *DBarnes*  
 FROM: Vivian Inman *Vivian Inman*  
 CC: Sandra Washington  
 DATE: 7-Apr-05  
 RE: Memorial Park Re-bid

Contract Compliance & Employment Service is in receipt of two bids for the above referenced project. Below, please find a compliance evaluation for the 20% minimum participation requirement and a preliminary review for compliance with the Equal Benefits Ordinance.

Compliance findings for the 20% Local/Small Local Participation Requirement are: ( in Alphabetical Order)

Company Name	Bid Amount (if applicable)	Proposed Participation			Preferences			Banked Credits Eligibility	EBO Compliant ? Y/N
		Total	LBE	SLBE	Bid Discounts	Adjusted Bid Amount	Points		
1 Bay Construction	\$646,000	88.17%	0.00%	88.17%	5%	\$613,700	N/A	2	Y
2 RMT Landscape	\$612,000	21.00%	0.00%	21.00%	2%	\$599,400	N/A	N/A	N

As noted above, both firms met or exceeded the 20% requirement. Firms that are not in compliance with the EBO will have to come into compliance prior to contract execution.

Should you have any questions you may contact me at extension 6261.

# LBE/SLBE Participation RMT Landscape Contractors, Inc.

Project Name: Memorial Park

Project No.: C224510		Engineers Estimate: \$830,000		Under/Over Engineers Estimate: 18,000.00							
Discipline	Prime & Subs	Location	Cert. Status	LBE	SLBE	LOCAL TRUCKING	TOTAL LBE/SLBE	TOTAL Dollars	For Tracking Only		
									Ethnic	MBE	WBE
PRIME Concrete Electrical Artist Sign Trucking	RMT Landscape	San Leandro	UB					\$365,360			
	Berkeley Cement	Berkeley	UB					\$64,340			
	Columbia Electric	San Leandro	UB					\$51,000			
	Keefer & Gilman	Oakland	CB		\$116,000		\$116,000	\$116,000			
	Golden Gate Sign	Oakland	CB		\$10,300		\$10,300	\$10,300			
	Williams Trucking	Oakland	CB			\$5,000	\$5,000	\$5,000	AA	\$5,000	
<b>Project Totals</b>				0.00	\$126,300 21%	\$5,000 100%	\$131,300 21%	\$612,000		\$5,000	0%
<b>Requirements:</b> The 20% requirements is a combination of 10% LBE and 10% SLBE participation or a total of 20% SLBE participation.				LBE: 10%	SLBE: 10%	TOTAL LBE/SLBE: 20%			AA = African American A = Asian C = Caucasian H = Hispanic NA = Native American O = Other		
<b>Legend</b>				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							

# LBE/SLBE Participation Bay Construction

Project Name: Memorial Park

Project No.: C224510		Engineers Estimate: \$630,000		Under/Over Engineers Estimate: -16,000.00								
Discipline	Prime & Subs	Location	Cert. Status	LBE	SLBE	LOCAL TRUCKING	TOTAL	TOTAL	For Tracking Only			
							LBE/SLBE	Dollars	Ethn.	MBE	WBE	
Prime	Bay Construction	Oakland	CB		\$453,603		\$453,603	\$453,603	AA	\$453,603		
Electrical	Columbia Electric	San Leandro	UB					\$48,000				
Equipment	Playworks	Sunnyvale	UB					\$3,450				
Equipment	Ross Recreation	Santa Rosa	UB					\$9,897				
Equipment	Windsor Fireform		UB					\$11,050				
Artist	Keefer & Gilman	Oakland	CB		\$116,000		\$116,000	\$116,000				
Trucking	Williams Trucking	Oakland	CB			\$4,000	\$4,000	\$4,000	AA	\$4,000		
<b>Project Totals</b>					0.00 0.0%	\$569,603 88.17%	\$4,000 100.00%	\$573,603 88.17%	\$646,000		\$457,603	\$0
<b>Requirements:</b> The 20% requirements is a combination of 10% LBE and 10% SLBE participation or a total of 20% SLBE participation.				<b>LBE 10%</b>	<b>SLBE 10%</b>	<b>TOTAL LBE/SLBE 20%</b>	<b>Ethnicity</b> AA = African American A = Asian C = Caucasian H = Hispanic NA = Native American O = Other					
<b>Legend</b>				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								