

FILED
THE CITY CLERK
OAKLAND

2013 DEC -5 PM 1:30

AGENDA REPORT

TO: DEANNA J. SANTANA
CITY ADMINISTRATOR

FROM: Brooke A. Levin
Interim Director, PWA

SUBJECT: Railroad Crossing Improvements
Constmction Contract Award

DATE: November 5, 2013

City Administrator
Approval

Date

11/25/13

COUNCIL DISTRICT: 3 and 5

RECOMMENDATION

Staff recommends that the City Council approve a resolution authorizing the City Administrator or her designee to execute a construction contract with Ray's Electric, the lowest responsive and responsible bidder, for the constmction of the railroad grade crossing improvements at the intersections of Broadway/Embarcadero and Fruitvale Avenue near San Leandro Street (Project Nos. C459010, C458910) in accordance with plans and specifications for the project and with Contractor's Bid in the amount of Three-Hundred Thirly-Seven Thousand, Seven Hundred Ninety Dollars, and Twenty-Five Cents (\$337,790.25) and reject all other bids.

OUTCOME

Approval of this resolution will authorize the City Administrator or her designee to execute a constmction contract with Ray's Electric for the Railroad Grade Crossing Improvements at the intersections of Broadway/Embarcadero and Fmitvale Avenue near San Leandro Street (Projects No. C459010, C458910) in the amount of \$337,790.25 and reject all other bids.

BACKGROUND/LEGISLATIVE HISTORY

The City of Oakland received a federal grant administered by the State to implement railroad crossing safety improvements at locations jointly determined by the California Public Utilities Commission (CPUC), Union Pacific Railroad, and the City. The City Council previously approved resolutions authorizing the City Administrator or her designee to accept and appropriate the grants on July 3, 2012 under resolutions number 83953 and 83952.

The project will build ADA ramps and sidewalks, upgrade a traffic signal, repair pavement, install a median, and install new pavement markings at:

1. Broadway and Embarcadero West intersection
2. Fmitvale Avenue near San Leandro Street

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ANALYSIS

On September 5, 2013, three bids were received by the City Clerk for the construction of the project. One of the bids was from Ray's Electric at \$337,790.25, the second bid was from Beliveau Engineering Contractors Inc. at \$381,410, and the third bid was from Gordon N. Ball Inc. at \$419,862.75. The lowest bid from Ray's Electric was 6% higher than the engineer's estimate which was \$318,210.50.

Bidder	Amount
Engineer's Estimate	\$318,210.50
Ray's Electric	\$337,790.25
Beliveau Engineering Contractors Inc.	\$381,410.00
Gordon N. Ball Inc.	\$419,862.75

On September 20, 2013, Contract Compliance deemed Ray's Electric, Beliveau Engineering, and Gordon N. Ball Inc. as meeting the 2.11% Race Neutral Disadvantaged Business Enterprise (RN DBE) participation goals. All three firms were compliant with the City's Equal Benefits Ordinance (EBO) requirements as well. The Local Employment Program (LEP) is not applicable since this is a DBE project. Ray's Electric is the lowest responsive and responsible bidder, and staff recommends the award to Ray's Electric.

PUBLIC OUTREACH/INTEREST

There has been no specific public outreach on the project, as the locations were selected solely by the CPUC based upon their collision history, with concurrence on proposed measures to reduce collisions in the future from Union Pacific Railroad and the City. A Notice to Bidders and information about the project were sent to prospective bidders through CIPList.com. A mandatory Pre-Bid meeting was held on August 13, 2013, and bidders were allowed to ask questions about the project. Outreach in the project areas will take place prior to the project construction.

COORDINATION

The project scope was internally coordinated within the Public Works Agency. This report has also been coordinated with the department of Contract Compliance, Budget Office and City Attorney's Office.

COST SUMMARY/IMPLICATIONS

Approving of this resolution will authorize the City Administrator or her designee to award and execute a construction contract with Ray's Electric in the amount of \$337,790.25.

1. AMOUNT OF RECOMMENDATION/COST OF PROJECT:
Construction Cost: \$337,790.25
2. COST ELEMENTS OF AGREEMENT/CONTRACT: N/A
3. SOURCE OF FUNDING:
State Grant Fund (2140); Transportation Services Organization (92246); Street Construction Account (57411); CA 130 Grade Crossing Improvements at the intersections of Broadway/Embarcadero and Fruitvale Avenue near San Leandro Street (C459010, C458910): \$337,790.25
4. FISCAL IMPACT:
Approval of this resolution will authorize the City Administrator to award and execute a construction contract in an amount of \$337,790.25 for the Railroad Grade Crossing Improvements at the intersections of Broadway/Embarcadero and Fruitvale Avenue near San Leandro Street Projects.

PAST PERFORMANCE, EVALUATION AND FOLLOW-UP

Ray's Electric's last performance evaluation was Satisfactory. See *Attachment A* for Contractor Evaluation completed on March 13, 2013.

SUSTAINABLE OPPORTUNITIES

Economic: The award of this contract will yield business tax revenues to the City of Oakland, and generate economic and job opportunities for Oakland residents.

Environmental: The improvements will improve the environment by promoting and improving railroad crossing safety for pedestrians and bicyclists, thereby reducing dependency on combustible engines, congestion and vehicle emissions, and improving the quality of life.

Social Equity: The project will provide improved accessibility and safety at railroad grade crossings in Oakland. This will contribute to an overall improvement in access for Oakland residents and visitors to employment and services.

CEQA

The project consists of modifying existing facilities. Therefore, it is exempt under the Categorical Exemption of Article 19 of the CEQA Guidelines, Section 15301 - Existing Facilities. Determinations of exemption were processed by the CPUC and approved by Caltrans prior to authorization for project design.

For questions regarding this report, please contact Ade Oluwasogo, Supervising Transportation Engineer, at 510-238-6103.

Respectfully submitted,

for 
BROOKE A. LEVIN
Interim Director, Public Work Agency

Reviewed by:
Michael Neary, P.E., Assistant Director
Department of Engineering and Construction

Wladimir Wlassowsky, P.E.
Transportation Services Division Manager

Prepared by:
Ade Oluwasogo, P.E.
Supervising Transportation Engineer
Transportation Services Division

Attachment:

Attachment A - Contractor Performance Evaluation, Canvas of Bids, Compliance Analysis

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Attachment A

Schedule L-2
City of Oakland
Public Works Agency
CONTRACTOR PERFORMANCE EVALUATION

Project Number/Title: P233271
Work Order Number (if applicable): NA
Contractor: Rav's Electric
Date of Notice to Proceed: February 23rd 2012
Date of Notice of Completion: March 13, 2013
Date of Notice of Final Completion: March 13, 2013
Contract Amount: \$1,876,021.00
Evaluator Name and Title: Julius M. Kale, Jr. Resident Engineer

The City's Resident Engineer most familiar with the Contractor's performance must complete this evaluation and submit it to Manager, PWA Project Delivery Division, within 30 calendar days of the issuance of the Final Payment.

Whenever the Resident Engineer finds the Contractor is performing below Satisfactory for any category of the Evaluation, the Resident Engineer shall discuss the perceived performance shortfall at the periodic site meetings with the Contractor. An Interim Evaluation will be performed if at any time the Resident Engineer finds that the overall performance of a Contractor is Marginal or Unsatisfactory. An Interim Evaluation is required prior to issuance of a Final Evaluation Rating of Unsatisfactory. The Final Evaluation upon Final Completion of the project will supersede interim ratings.

The following list provides a basic set of evaluation criteria that will be applicable to all construction projects awarded by the City of Oakland that are greater than \$50,000. Narrative responses are required to support any evaluation criteria that are rated as Marginal or Unsatisfactory, and must be attached to this evaluation. If a narrative response is required, indicate before each narrative the number of the question for which the response is being provided. Any available supporting documentation to justify any Marginal or Unsatisfactory ratings must also be attached.

If a criterion is rated Marginal or Unsatisfactory and the rating is caused by the performance of a subcontractor, the narrative will note this. The narrative will also note the General Contractor's effort to improve the subcontractor's performance.

ASSESSMENT GUIDELINES:

Outstanding (3 points)	Performance among the best level of achievement the City has experienced.
Satisfactory (2 points)	Performance met contractual requirements.
Marginal (1 point)	Performance barely met the lower range of the contractual requirements or performance only met contractual requirements after extensive corrective action was taken.
Unsatisfactory (0 points)	Performance did not meet contractual requirements. The contractual performance being assessed reflected serious problems for which corrective actions were ineffective.

WORK PERFORMANCE

Unsatisfactory
Marginal
Satisfactory
Outstanding
Not Applicable

1	Did the Contractor perform all of the work with acceptable Quality and Workmanship?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
1a	If problems arose, did the Contractor provide solutions/coordinate with the designers and work proactively with the City to minimize impacts? If "Marginal or Unsatisfactory", explain on the attachment. Provide documentation.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
2	Was the work performed by the Contractor accurate and complete? If "Marginal or Unsatisfactory", explain on the attachment and provide documentation. Complete (2a) and (2b) below.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
2a	Were corrections requested? If "Yes", specify the date(s) and reason(s) for the correction(s). Provide documentation.			<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
2b	If corrections were requested, did the Contractor make the corrections requested? If "Marginal or Unsatisfactory", explain on the attachment. Provide documentation.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
3	Was the Contractor responsive to City staff's comments and concerns regarding the work performed or the work product delivered? If "Marginal or Unsatisfactory", explain on the attachment. Provide documentation.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
4	Were there other significant issues related to "Work Performance"? If Yes, explain on the attachment. Provide documentation.				<input type="checkbox"/>	<input checked="" type="checkbox"/>
5	Did the Contractor cooperate with on-site or adjacent tenants, business owners and residents and work in such a manner as to minimize disruptions to the public. If "Marginal or Unsatisfactory", explain on the attachment.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
6	Did the personnel assigned by the Contractor have the expertise and skills required to satisfactorily perform under the contract? If "Marginal or Unsatisfactory", explain on the attachment.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
7	Overall, how did the Contractor rate on work performance? The score for this category must be consistent with the responses to the questions given above regarding work performance and the assessment guidelines. Check 0, 1, 2, or 3.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	

TIMELINESS

Unsatisfactory
Marginal
Satisfactory
Outstanding
Not Applicable

8	Did the Contractor complete the work within the time required by the contract (including time extensions or amendments)? If "Marginal or Unsatisfactory", explain on the attachment why the work was not completed according to schedule. Provide documentation.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
9	Was the Contractor required to provide a service in accordance with an established schedule (such as for security, maintenance, custodial, etc.)? If "No", or "N/A", go to Question #10. If "Yes", complete (9a) below.	<input type="checkbox"/>		Yes <input type="checkbox"/>	No <input type="checkbox"/>	N/A <input checked="" type="checkbox"/>
9a	Were the services provided within the days and times scheduled? If "Marginal or Unsatisfactory", explain on the attachment and specify the dates the Contractor failed to comply with this requirement (such as tardiness, failure to report, etc.). Provide documentation.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
10	Did the Contractor provide timely baseline schedules and revisions to its construction schedule when changes occurred? If "Marginal or Unsatisfactory", explain on the attachment. Provide documentation.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
11	Did the Contractor furnish submittals in a timely manner to allow review by the City so as to not delay the work? If "Marginal or Unsatisfactory", explain on the attachment. Provide documentation.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
12	Were there other significant issues related to timeliness? if yes, explain on the attachment. Provide documentation.	<input type="checkbox"/>		Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>	
13	Overall, how did the Contractor rate on timeliness? The score for this category must be consistent with the responses to the questions given above regarding timeliness and the assessment guidelines. Check 0, 1, 2, or 3.	0 <input type="checkbox"/>	1 <input type="checkbox"/>	2 <input checked="" type="checkbox"/>	3 <input type="checkbox"/>	<input type="checkbox"/>

Unsatisfactory
Marginal
Satisfactory
Outstanding
Not Applicable

FINANCIAL

14	Were the Contractor's billings accurate and reflective of the contract payment terms? If "Marginal or Unsatisfactory", explain on the attachment. Provide documentation of occurrences and amounts (such as corrected invoices):	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
15	Were there any claims to increase the contract amount? If "Yes", list the claim amount. Were the Contractor's claims resolved in a manner reasonable to the City? Number of Claims: _____ Claim amounts: \$ _____ Settlement amount: \$ _____				Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>
16	Were the Contractor's price quotes for changed or additional work reasonable? If "Marginal or Unsatisfactory", explain on the attachment. Provide documentation of occurrences and amounts (such as corrected price quotes).	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
17	Were there any other significant issues related to financial issues? If Yes, explain on the attachment and provide documentation.				Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>
18	Overall, how did the Contractor rate on financial issues? The score for this category must be consistent with the responses to the questions given above regarding financial issues and the assessment guidelines. Check 0, 1, 2, or 3.	0 <input type="checkbox"/>	1 <input type="checkbox"/>	2 <input checked="" type="checkbox"/>	3 <input type="checkbox"/>	

Unsatisfactory
Marginal
Satisfactory
Outstanding
Not Applicable

COMMUNICATION

19	Was the Contractor responsive to the City's questions, requests for proposal, etc ? If "Marginal or Unsatisfactory", explain on the attachment.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
20	Did the Contractor communicate with City staff clearly and in a timely manner regarding:					
20a	Notification of any significant issues that arose? If "Marginal or Unsatisfactory", explain on the attachment.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
20b	Staffing issues (changes, replacements, additions, etc.)? If "Marginal or Unsatisfactory", explain on the attachment.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
20c	Periodic progress reports as required by the contract (both verbal and written)? if "Marginal or Unsatisfactory", explain on the attachment.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
20d	Were there any billing disputes? If "Yes", explain on the attachment.				<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
21	Were there any other significant issues related to communication issues? Explain on the attachment. Provide documentation.				<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
22	Overall, how did the Contractor rate on communication issues? The score for this category must be consistent with the responses to the questions given above regarding communication issues and the assessment guidelines. Check 0, 1, 2, or 3.	<input type="checkbox"/> 0	<input type="checkbox"/> 1	<input checked="" type="checkbox"/> 2	<input type="checkbox"/> 3	

SAFETY

Unsatisfactory
Marginal
Satisfactory
Outstanding
Not Applicable

23	Did the Contractor's staff consistently wear personal protective equipment as appropriate? If "No", explain on the attachment				Yes X	No □
24	Did the Contractor follow City and OSHA safety standards? If "Marginal or Unsatisfactory", explain on the attachment	□	□	□	X	□
25	Was the Contractor warned or cited by OSHA for violations? If Yes, explain on the attachment.				Yes □	No X
26	Was there an inordinate number or severity of injuries? Explain on the attachment. If Yes, explain on the attachment				Yes □	No X
27	Was the Contractor officially warned or cited for breach of U.S. Transportation Security Administration's standards or regulations? If "Yes", explain on the attachment				Yes □	No X
28	Overall, how did the Contractor rate on safety issues? The score for this category must be consistent with the responses to the questions given above regarding safety issues and the assessment guidelines. Check 0, 1, 2, or 3.	0 □	1 □	2 X	3 □	

OVERALL RATING

Based on the weighting factors below, calculate the Contractor's overall score using the scores from the four categories above.

1. Enter Overall score from Question 7	<u> 2 </u> X 0.25 = <u> 0.5 </u>
2. Enter Overall score from Question 13	<u> 2 </u> X 0.25 = <u> 0.5 </u>
3. Enter Overall score from Question 18	<u> 2 </u> X 0.20 = <u> 0.4 </u>
4. Enter Overall score from Question 22	<u> 2 </u> X 0.15 = <u> 0.3 </u>
5. Enter Overall score from Question 28	<u> 2 </u> X 0.15 = <u> 0.3 </u>

TOTAL SCORE (Sum of 1 through 5): 2

OVERALL RATING: 2

Outstanding:	Greater than 2.5
Satisfactory	Greater than 1.5 & less than or equal to 2.5
Marginal:	Between 1.0 & 1.5
Unsatisfactory:	Less than 1.0

PROCEDURE:

The Resident Engineer will prepare the Contractor Performance Evaluation and submit it to the Supervising Civil Engineer. The Supervising Civil Engineer will review the Contractor Performance Evaluation to ensure adequate documentation is included, the Resident Engineer has followed the process correctly, the Contractor Performance Evaluation has been prepared in a fair and unbiased manner, and the ratings assigned by the Resident Engineer are consistent with all other Resident Engineers using consistent performance expectations and similar rating scales.

The Resident Engineer will transmit a copy of the Contractor Performance Evaluation to the Contractor. Overall Ratings of Outstanding or Satisfactory are final and cannot be protested or appealed. If the Overall Rating is Marginal or Unsatisfactory, the Contractor will have 10 calendar days in which they may file a protest of the rating. The Public Works Agency Assistant Director, Design & Construction Services Department, will consider a Contractor's protest and render his/her determination of the validity of the Contractor's protest. If the Overall Rating is Marginal, the Assistant Director's determination will be final and not subject to further appeal. If the Overall Rating is Unsatisfactory and the protest is denied (in whole or in part) by the Assistant Director, the Contractor may appeal the Evaluation to the City Administrator, or his/her designee. The appeal must be filed within 14 calendar days of the Assistant Director's ruling on the protest. The City Administrator, or his/her designee, will hold a hearing with the Contractor within 21 calendar days of the filing of the appeal. The decision of the City Administrator regarding the appeal will be final.

Contractors who receive an Unsatisfactory Overall Rating (i.e., Total Score less than 1.0) will be allowed the option of voluntarily refraining from bidding on any City of Oakland projects within one year from the date of the Unsatisfactory Overall Rating, or of being categorized as non-responsible for any projects the Contractor bids on for a period of one year from the date of the Unsatisfactory Overall Rating. Two Unsatisfactory Overall Ratings within any five year period will result in the Contractor being categorized by the City Administrator as non-

ATTACHMENT TO CONTRACTOR PERFORMANCE EVALUATION:

Use this sheet to provide any substantiating comments to support the ratings in the Performance Evaluation. Indicate before each narrative the number of the question for which the response is being provided. Attach additional sheets if necessary.

CITY OF OAKLAND

Public Works Agency - Contract Services

CONTRACTOR BID RESULTS

PROJECT NAME: CA 130 Grbde Crossing Improvements at Broadway and Fruitvale Avenue
 PROJECT NO: C459010
 FEDERAL PROJECT NO: NA)
 BID DATE: Thursday, September 05, 2013
 ENGINEER'S ESTIMATE: \$318,212.50
 ISSUED TO COMPLIANCE, PROJECT MANAGER AND ALL PRIME BIDDERS: Thursday, September 05, 2013
 BASIS OF AWARD: base bid
 COMPLIANCE OFFICER: Vivian Itunan
 COMMENTS: Beliveau's Bid Total differs from City's Total

Documents Required With Bid	GORDON N. BALL INC		RAY'S ELECTRIC		BELIVEAU ENGINEERING CONTRACTORS INC.	
Contractor's Bid Form	Y		Y		Y	
Bid Schedule	Y		Y		Y	
Addenda acknowledgement	Y		Y		Y	
Bid Bond	Y		Y		Y	
License Type and Is It Active per CSLB?	A	Y	A	Y	A	Y
Schedule O - Campaign Contributions Certification	Y		Y		Y	
Schedule R - FED Subcontractor, Supplier, Trucker Listing	Y		Y		Y	
Public Contract Code Sec 10285.1, 10162, 10232	Y		Y		Y	
Atch C Equal Employment Opportunity Certification	Y		Y		Y	
Atch D Noncollusion Affidavit	Y		Y		Y	
Atch E Debarment and Suspension Certification	Y		Y		Y	
Atch F Nonlobbying Certification for Federal-Aid Contracts	Y		Y		Y	
Atch G Disclosure of Lobbying Activities	Y		Y		Y	

Item Number	Item Description	Payment Spec. Section	Engineer's Estimate				GORDON N. BALL INC.		RAY'S ELECTRIC		BELIVEAU ENGINEERING CONTRACTORS INC.	
			Quantity	Unit	Unit Price	Amount	Unit Price	Amount	Unit Price	Amount	Unit Price	Amount
BROADWAY.												
1	Construction Information Signs	7-12, 313-1	1	t\$	\$500.00	\$ 500.00	\$ 1,760.00	\$ 1,760.00	\$ 1,500.00	\$ 1,500.00	\$ 1,800.00	\$ 1,800.00
2	Mobilization	0	1	LS	\$2,000.00	\$ 2,000.00	\$ 12,000.00	\$ 12,000.00	\$ 5,000.00	\$ 5,000.00	\$ 12,000.00	\$ 12,000.00
3	Traffic Control	7-10	1	LS	\$7,500.00	\$ 7,500.00	\$ 13,560.00	\$ 13,560.00	\$ 9,000.00	\$ 9,000.00	\$ 2,400.00	\$ 2,400.00
4	Concrete & Pavement Saw-cut	300-1	220	LF	\$2.00	\$ 440.00	\$ 5.50	\$ 1,210.00	\$ 4.00	\$ 880.00	\$ 7.00	\$ 1,540.00
5	Remove Existing Pavement & Concrete	300-1	1,140	SF	\$4.00	\$ 4,560.00	\$ 7.00	\$ 7,980.00	\$ 4.00	\$ 4,560.00	\$ 4.00	\$ 4,560.00
6	Cold Mill Asphalt Pavement	302-S 2, 300-1	B90S	SF	\$1.50	\$ 13,357.50	\$ 1.90	\$ 16,919.50	\$ 1.65	\$ 14,693.25	\$ 1.00	\$ 8,905.00
7	Pavement, 6" AC	302-S	B90S	SF	\$6.00	\$ 53,430.00	\$ 5.75	\$ 51,203.75	\$ 6.00	\$ 53,430.00	\$ 6.00	\$ 53,430.00
8	Accessible Ramp (330 sf PCC Allowance)	303-S	4	EA	\$6,250.00	\$ 25,000.00	\$ 3,080.00	\$ 12,320.00	\$ 1,800.00	\$ 7,200.00	\$ 3,000.00	\$ 12,000.00
9	PCC Median Curb (Type 1)	303-S	400	LF	\$25.00	\$ 10,000.00	\$ 29.50	\$ 11,800.00	\$ 30.00	\$ 12,000.00	\$ 19.00	\$ 7,600.00
10	Relocate Sign	313-2	2	EA	\$350.00	\$ 700.00	\$ 434.00	\$ 868.00	\$ 250.00	\$ 500.00	\$ 750.00	\$ 1,500.00
11	Striping Removal	310-5.6	1	LS	\$1,200.00	\$ 1,200.00	\$ 2,250.00	\$ 2,250.00	\$ 3,000.00	\$ 3,000.00	\$ 1,000.00	\$ 1,000.00
12	Striping	210-1,310-5.5	1	LS	\$2,500.00	\$ 2,500.00	\$ 3,600.00	\$ 3,600.00	\$ 3,200.00	\$ 3,200.00	\$ 1,300.00	\$ 1,300.00
	CPUC Standard No 8 (By Others)	n/a										
FRUITVALE AVENUE.												

CITY OF OAKLAND

Public Works Agency - Contract Services

13	Construction Information Signs	7-12	1	LS	\$500.00	\$ 500.00	\$ 1,760.00	\$ 1,760.00	\$ 1,200.00	\$ 1,200.00	\$ 1,700.00	\$ 1,700.00
14	Traffic Control	7-10	1	LS	\$2,500.00	\$ 2,500.00	\$ 13,500.00	\$ 13,500.00	\$ 22,000.00	\$ 22,000.00	\$ 30,000.00	\$ 30,000.00
15	Mobilization	0	1	LS	\$2,000.00	\$ 2,000.00	\$ 12,000.00	\$ 12,000.00	\$ 8,000.00	\$ 8,000.00	\$ 31,000.00	\$ 31,000.00
16	Pavement Saw-cut	300-1	870	LF	\$2.00	\$ 1,740.00	\$ 3.00	\$ 2,610.00	\$ 4.00	\$ 3,480.00	\$ 5.00	\$ 4,350.00
17	Remove Existing Pavement & Concrete	300-1	4,805	SF	\$4.00	\$ 19,220.00	\$ E.00	\$ 28,830.00	\$ 4.00	\$ 19,220.00	\$ 3.00	\$ 14,415.00
15	Base, 18" AB (Fruitvale Avenue)	200-2,301-2	640	SF	\$2.75	\$ 1,760.00	\$ 11.00	\$ 7,040.00	\$ 5.00	\$ 3,200.00	\$ 8.00	\$ 5,120.00
19	Pavement, 6" AC (Fruitvale Avenue)	203,302-5	640	SF	\$4.00	\$ 2,560.00	\$ 9.50	\$ 6,080.00	\$ 6.00	\$ 3,840.00	\$ 20.00	\$ 12,800.00
20	Base, 6" AB (Paving Behind Sidewalk)	200-2,301-2	1,230	SF	\$1.75	\$ 2,152.50	\$ 5.50	\$ 6,765.00	\$ 2.00	\$ 2,460.00	\$ 5.00	\$ 6,150.00
21	Pavement, 2" AC (Paving Behind Sidewalk)	203,302-5	1,230	SF	\$2.00	\$ 2,460.00	\$ 4.40	\$ 5,412.00	\$ 5.00	\$ 6,150.00	\$ 7.00	\$ 8,610.00
22	Base, 4" AB (Beneath Sidewalk)	200-2,301-2	1,600	SF	\$1.50	\$ 2,400.00	\$ 4.75	\$ 7,600.00	\$ 2.00	\$ 3,200.00	\$ 3.50	\$ 5,600.00
23	Slurry Seal	302-4	9,770	SF	\$1.00	\$ 9,770.00	\$ 1.35	\$ 13,189.50	\$ 0.60	\$ 5,862.00	\$ 1.00	\$ 9,770.00
	AC Paving Between Sidewalk and Rail Panels (By others)	n/a										
24	PCC Median Curb	303-5	175	LF	\$24.00	\$ 4,200.00	\$ 52.00	\$ 9,100.00	\$ 23.00	\$ 4,025.00	\$ 36.00	\$ 6,300.00
25	PCC Barner Curb (6"W x 24"H)	303-5	35	LF	\$30.00	\$ 1,050.00	\$ 72.00	\$ 2,520.00	\$ 80.00	\$ 2,800.00	\$ 92.00	\$ 3,220.00
26	PCC Sidewalk (4" Thick)	303-5	1,600	SF	\$4.00	\$ 6,400.00	\$ 7.90	\$ 12,640.00	\$ 8.00	\$ 12,800.00	\$ 10.00	\$ 16,000.00
27	Curb & Gutter	303-5	170	LF	\$28.00	\$ 4,760.00	\$ 45.00	\$ 7,650.00	\$ 32.00	\$ 5,440.00	\$ 38.00	\$ 6,460.00
28	PCC 12' wide Commercial Driveway w/ conform to sidewalk	303-5	1	EA	\$1,200.00	\$ 1,200.00	\$ 2,900.00	\$ 2,900.00	\$ 1,100.00	\$ 1,100.00	\$ 3,800.00	\$ 3,800.00
29	PCC 25' wide Commercial Driveway	303-5	1	EA	\$1,500.00	\$ 1,500.00	\$ 4,255.00	\$ 4,255.00	\$ 2,100.00	\$ 2,100.00	\$ 4,200.00	\$ 4,200.00
30	PCC 48' wide Commercial Driveway	303-5	1	EA	\$3,600.00	\$ 3,600.00	\$ 5,245.00	\$ 5,245.00	\$ 4,100.00	\$ 4,100.00	\$ 8,800.00	\$ 8,800.00
31	Detectable Warnings	303-5 1 1 2	4	EA	\$300.00	\$ 1,200.00	\$ 1,115.00	\$ 4,460.00	\$ 400.00	\$ 1,600.00	\$ 220.00	\$ 880.00
32	Relocate Survey Monument	309	2	EA	\$5,000.00	\$ 10,000.00	\$ 1,475.00	\$ 2,950.00	\$ 2,400.00	\$ 4,800.00	\$ 800.00	\$ 1,600.00
33	Pedestrian Barricade	303-5	3	EA	\$350.00	\$ 1,050.00	\$ 1,500.00	\$ 4,500.00	\$ 1,000.00	\$ 3,000.00	\$ 1,400.00	\$ 4,200.00
34	New Road Sign	215, 313-2	2	EA	\$350.00	\$ 700.00	\$ 585.00	\$ 1,170.00	\$ 300.00	\$ 600.00	\$ 700.00	\$ 1,400.00
35	Striping Removal	310-5.6	1	LS	\$1,200.00	\$ 1,200.00	\$ 3,375.00	\$ 3,375.00	\$ 1,500.00	\$ 1,500.00	\$ 1,500.00	\$ 1,500.00
36	Striping	210-1,310-5.6	1	LS	\$2,500.00	\$ 2,500.00	\$ 7,400.00	\$ 7,400.00	\$ 3,500.00	\$ 3,500.00	\$ 1,500.00	\$ 1,500.00
	UPRR Instrument House upgrades (By Others)	n/a										
37	Bore and Jack for 6" Steel Casing	306-2	50	LF	\$800.00	\$ 40,000.00	\$ 250.00	\$ 12,500.00	\$ 70.00	\$ 3,500.00	\$ 300.00	\$ 15,000.00
38	Install Type 18 Signal Standard w/ 30' mast arm	307-8	1	LS	\$7,000.00	\$ 7,000.00	\$ 8,000.00	\$ 8,000.00	\$ 9,800.00	\$ 9,800.00	\$ 8,700.00	\$ 8,700.00
39	Install Type 15TS Standard w/ Luminaire Arm and Fixture	307-8	1	LS	\$5,500.00	\$ 6,500.00	\$ 6,500.00	\$ 6,500.00	\$ 6,500.00	\$ 6,500.00	\$ 5,600.00	\$ 5,600.00
40	Install Type 15TS Standard w/o Luminaire Arm and Fixture	307-8	1	LS	\$6,000.00	\$ 6,000.00	\$ 5,600.00	\$ 5,600.00	\$ 5,000.00	\$ 5,000.00	\$ 3,700.00	\$ 3,700.00
41	Install Type 1-B pole	307-8	1	EA	\$500.00	\$ 500.00	\$ 5,500.00	\$ 5,500.00	\$ 3,000.00	\$ 3,000.00	\$ 1,600.00	\$ 1,600.00
42	Install New Programmable Visibility (PV) Signal Head	307-8	1	EA	\$2,000.00	\$ 2,000.00	\$ 6,000.00	\$ 6,000.00	\$ 5,050.00	\$ 5,050.00	\$ 3,000.00	\$ 3,000.00
43	Install Signal Heads, Pedestrian Signal Heads, Back Plates, and Mounting	307-8	1	LS	\$11,000.00	\$ 11,000.00	\$ 5,000.00	\$ 5,000.00	\$ 10,000.00	\$ 10,000.00	\$ 5,600.00	\$ 5,600.00
44	Install No 6 Pull Boxes	307-8	8	LS	\$300.00	\$ 2,400.00	\$ 955.00	\$ 7,640.00	\$ 600.00	\$ 4,800.00	\$ 8,500.00	\$ 68,000.00
45	Install 3" Conduit and wires & cables	307-8	900	LF	\$20.00	\$ 18,000.00	\$ 45.00	\$ 40,500.00	\$ 40.00	\$ 36,000.00	\$ 21.00	\$ 18,900.00
46	Install 'No-Right-Turn' LED Activated Blackout Sign	307-8	1	EA	\$1,200.00	\$ 1,200.00	\$ 4,500.00	\$ 4,500.00	\$ 4,700.00	\$ 4,700.00	\$ 2,800.00	\$ 2,800.00
47	Relocate Existing Video Detection Camera Install new cable	307-8	1	LS	\$7,000.00	\$ 7,000.00	\$ 2,200.00	\$ 2,200.00	\$ 1,500.00	\$ 1,500.00	\$ 600.00	\$ 600.00
48	Install New Video Detection Camera and Cables	307-8	1	LS	\$9,000.00	\$ 9,000.00	\$ 7,500.00	\$ 7,500.00	\$ 7,000.00	\$ 7,000.00	\$ 10,000.00	\$ 10,000.00
	Total of Base Bid Items per spreadsheet calculation					\$ 318,210.50		\$ 419,861.75		\$ 337,790.25		\$ 440,910.00
	Total of Base Bid Items per contractor calculation						\$ 419,862.75		\$ 337,790.25		\$ 381,410.00	



INTER OFFICE MEMORANDUM

TO: Mohamed Alaoui

FROM: Deborah Bames, *Deborah Bames*
 Manager, Contracts and Compliance

SUBJECT: Compliance Analysis

DATE: September 19, 2013

CA 130 Grade Crossing Improvements at Broadway and Fruitvale Avenue
 Project No. C459010

The City Administrator's Office, Contracts & Compliance, reviewed three (3) bids in response to the above referenced project. Below is the outcome of the compliance evaluation for the Disadvantaged Business Enterprise (DBE) program and a preliminary review for compliance with the Equal Benefits Ordinance (EBO). There is a DBE goal of 2.31% for this project.

Below are the results of our findings:

Responsive to DBE and/or EBO Policies		Proposed Participation				Earned Credits and Discounts			Banked Credits Eligibility	EBO Compliant? Y/N
Company Name	Original Bid Amount	DBE Total	LBE	SLBE	Trucking	Total Credited participation	Earned Bid Discounts	Adjusted Bid Amount		
Ray's Electric	\$337,790.25	3.60%	0.00	86.38%	NA	NA	NA	NA	NA	Y
Beliveau Engineering	\$381,410.00	2.62%	0.00%	62.32%	NA	NA	NA	NA	NA	Y
Gordon N. Ball	\$419,882.75	2.54%	0.00%	2.54%	NA	NA	NA	NA	NA	Y

Comments: As noted above, all firms met or exceeded the minimum 2.11% RN DBE participation goals. All firms are EBO compliant.

Non-Responsive to DBE and/or EBO Policies		Proposed Participation				Earned Credits and Discounts			Banked Credits Eligibility	EBO Compliant? Y/N
Company Name	Original Bid Amount	DBE Total	LBE	SLBE	Trucking	Total Credited participation	Earned Bid Discounts	Adjusted Bid Amount		
NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA

Comments: There were no non-responsive firms.

For Informational Purposes

Comments: Local Employment Program (LEP) or Apprenticeship Program is not applicable. This is a DBE project.

Listed below is the lowest responsible bidder's compliance with the 50% Local Employment Program (LEP) and the 15% Oakland Apprenticeship Program for the lowest bidder's most recently completed City of Oakland project.

Contractor Name: Ray's Electric
 Project Name: E. 18th Street Improvement Project
 Project No. P233285

50% Local Employment Program (LEP)

Was the 50% LEP Goal achieved?	Yes	If no, shortfall hours?	N/A
Were all shortfalls satisfied?	Yes	If no, penalty amount	N/A

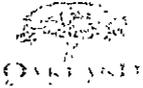
15% Oakland Apprenticeship Program

Was the 15% Apprenticeship Goal achieved?	Yes	If no, shortfall hours?	N/A
Were shortfalls satisfied?	Yes	If no, penalty amount	N/A

The spreadsheet below provides details of the 50% LEP and 15% Apprenticeship Programs. Information provided includes the following data: A) total project hours, B) core workforce hours deducted, C) LEP project employment and work hour goal; D) LEP employment and work hours achieved; E) # resident new hires; F) shortfall hours; G) percent LEP compliance; H) total apprentice hours; I) apprenticeship goal and hours achieved; and J) Apprentice shortfall hours.

Total Project Hours	50% Local Employment Program (LEP)							15% Apprenticeship Program				
	Core Workforce Hours Deducted	LEP Project Employment and Work Hours Goal		LEP Employment and Work Hours Achieved		# Resident New Hires	Shortfall Hours	% LEP Compliance	Total Apprenticeship Hours	Apprenticeship Goal and Hours		Apprentice Shortfall Hours
		Goal	Hours	Goal	Hours					Goal	Hours	
A	B	C		D		E	F	G	H	I		J
15395	0	50%	7699	100%	7699	NA	0	100%	2310	15%	2310	0

Should you have any questions, you may contact Vivian Imnan at (510) 238-6261.



OFFICE OF THE CITY ADMINISTRATOR

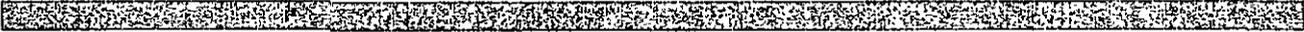
Contracts & Compliance Unit

PROJECT COMPLIANCE EVALUATION FOR :

Construction Services Disadvantaged Business Enterprise (DBE)

PROJECT NO.: C459010

PROJECT NAME: CA 130 Grade Crossing Improvements at Broadway and Fruitvale Avenue



CONTRACTOR: Ray's Electric

Engineer's Estimate:

\$318,212.50

Contractors' Bid Amount

\$337,790.25

Over/Under Engineer's Estimate

-\$19,577.75

Discounted Bid Amount:

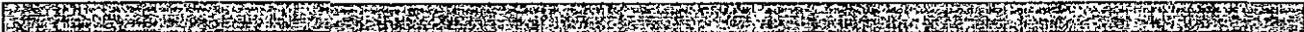
N/A

Amt. of Bid Discount

N/A

Discount Points:

N/A



- 1. Did the DBE Program apply? **YES**
- 2. Did the contractor meet the DBE goal of 2.31% **YES**
 - b) % of DBE participation **3.60%**
 - c) % of LBE participation **0.00%**
 - d) % of SLBE participation **86.38%**
- 3. Was Good Faith Effort (GFE) Documentation submitted? **NO**
- 5. Did the contractor receive bid discounts? **N/A**
(If yes, list the percentage received) **N/A**
- 6. Additional Comments.
- 7. Date evaluation completed and returned to Contract **9/19/2013**

Reviewing Officer:

Vivian [Signature]

Date: 9/19/2013

Approved By: *Shelley [Signature]*

Date: 9/19/2013

DBE Participation Bidder 1

Project Name: CA 130 Grade Crossing improvements at Broadway and Fruitvale Avenue

Project No.: 0459010		Engineer's Est.		\$318,212.50		Over/Under Engineers Estimate		-\$19,577.75			
Discipline	Prims & Subs	Location	Cart. Status	LBE Dollars	SLBE Dollars	Total LBE/SLBE Dollars	DBE Dollars	Total Dollars	Certified DBE/WBE		
									Ethn.	DBE	WBE
PRIME	Ray's Electric	Oakland	UB		267,433.69			267,433.69	C		
Traffic Signal Equip. Supplier	Jam Services	Uvermore	UB					21,500.00	C		
Truckino Services	Economy Trucking	Union City	CB				4,800.00	4,800.00	AP	4,800.00	4,800.00
Electrical	Catco Services	Oakland	CB		7,354.56	7,354.56	7,354.56	7,354.56	AA	7,354.56	7,354.56
Striping	Striping Graphics	Cotati	UB					11,202.00	C		
Paving	AJW Constmction	Oakland	UB		17,000.00			17,000.00	H		
Slurry Seal	Graham Construction	San Jose	UB					5,500.00	H		
Drilling	Precision Drilling	San Jose	UB					3,000.00	C		
Project Totals				\$0.00	\$291,788.25	\$7,354.56	\$12,154.56	\$337,790.25		\$12,154.56	\$12,154.56
				0.00%	06.38%	2.18%	3.60%	100.00%		3.60%	3.60%
Legend									DBE Ethnicity		
UB = Uncertified Business CB = Certified Business DBE = Disadvantaged Business Enterprise WBE = Woman Business Enterprise									AA-African American; AP-Asian Subcontinent; AP-Asian Pacific Islander; NA = Native American; H-Hispanic/Latino; W-Women WBE Ethnicity AA-African American; AP-Asian Pacific Islander; NA=Native American; W-Woman		



OFFICE OF THE CITY ADMINISTRATOR

Contracts & Compliance Unit

PROJECT COMPLIANCE EVALUATION FOR :

Construction Services Disadvantaged Business Enterprise (DBE)

PROJECT NO.: C459010

PROJECT NAME: CA 130 Grade Crossing improvements at Broadway and Fruitvale Avenue

CONTRACTOR: Beliveau Engineering Contractors, Inc.

<u>Enalner's Estimate:</u>	<u>Contractors' Bid Amount</u>	<u>Over/Under Engineer's Estimate</u>
\$318,212.50	\$381,410.00	-\$63,197.50

<u>Discounted Bid Amount:</u>	<u>Amt. of Bid Discount</u>	<u>Discount Points:</u>
N/A	N/A	N/A

- | | |
|---|----------------------|
| 1. Did the DBE Program apply? | <u>YES</u> |
| 2. Did the contractor meet the DBE goal of 2.31% | <u>YES</u> |
| b) % of DBE participation | <u>2.62%</u> |
| c) % of LBE participation | <u>0.00%</u> |
| d) % of SLBE participation | <u>62.32%</u> |
| 3. Was Good Faith Effort (GFE) Documentation submitted? | <u>NO</u> |
| 4. Did the contractor meet the Trucking requirement? | <u>NA</u> |
| a) Total trucking participation | <u>NA</u> |
| 5. Did the contractor receive bid discounts? | <u>N/A</u> |
| (If yes, list the percentage received) | <u>N/A</u> |
| 6. Additional Comments. | |

7. Date evaluation completed and returned to Contract **9/19/2013**

Reviewing Officer:

Vivian Jam

Date: **9/19/2013**

Approved By:

Shelley Darenburg

Date: **9/19/2013**

DBE Participation Bidder 2

Project Name: CA 130 Grade Crossing Improvements at Broadway and Fruitvale Avenue

Project No.: C459010		Engineer's Est \$318,212.50					Over/Under Engineers Estimate -\$83,197.50				
Discipline	Prime & Subs	Location	Cert. Status	LBE Dollars	SLBE Dollars	Total LBE/SLBE Dollars	DBE Dollars	Total Dollars	Certified DBE/WBE		
									Ethn.	DBE	WBE
PRIME Striping Trucking Electrical	Beliveau Engineering Contractors, Inc. Lineation markings Williams Trucking W. Bradley	Oakland	UB		227,685.00	227,685.00		277,685.00	C		
		Oakland	UB					3,000.00	AA		
		Oakland	CB		10,000.00	10,000.00	10,000.00	10,000.00	C	10,000.00	
		Novato	UB					90,725.00	C		
Project Totals				\$0.00	\$237,685.00	\$237,685.00	\$10,000.00	\$381,410.00		\$10,000.00	\$0.00
				0.00%	62.32%	62.32%	2.62%	100.00%		2.62%	0.00%
								DBE Ethnicity	AA=African American AI=Asian Subcontinent AP=Asian Pacific Islander; NA = Native American; H=Hispanic/Latino; W=Women Legend UB = Uncertified Business CB = Certified Business DBE = Disadvantaged Business Enterprise WBE = Woman Business Enterprise		

OFFICE OF THE CITY ADMINISTRATOR

Contracts & Compliance Unit

PROJECT COMPLIANCE EVALUATION FOR :

Construction Services Disadvantaged Business Enterprise (DBE)

PROJECT NO.: C459010

PROJECT NAME: CA 130 Grade Crossing improvements at Broadway and Fruitvale Avenue

CONTRACTOR: Gordon N. Ball

Engineer's Estimate:

\$318,212.50

Contractors' Bid Amount

\$419,862.75

Over/Under Engineer's Estimate

-\$101,650.25

Discounted Bid Amount:

N/A

Amt. of Bid Discount

N/A

Discount Points:

N/A

- | | |
|---|--------------|
| 1. Did the DBE Program apply? | <u>YES</u> |
| 2. Did the contractor meet the DBE goal of 2.31% | <u>YES</u> |
| b) % of DBE participation | <u>2.54%</u> |
| c) % of LBE participation | <u>0.00%</u> |
| d) % of SLBE participation | <u>2.54%</u> |
| 3. Was Good Faith Effort (GFE) Documentation submitted? | <u>NO</u> |
| 4. Did the contractor meet the Trucking requirement? | <u>NA</u> |
| a) Total trucking participation | <u>NA</u> |
| 5. Did the contractor receive bid discounts? | <u>N/A</u> |
| (If yes, list the percentage received) | <u>N/A</u> |
| 6. Additional Comments. | |

7. Date evaluation completed and returned to Contract 9/19/2013

**Reviewing
Officer:**

Vivian Ann

Date: 9/19/2013

Approved By:

Shelley Danerisburg

Date: 9/19/2013

DBE Participation Bidder 3

Project Name: CA 130 Grade Crossing improvements at Broadway and Fruitvale Avenue

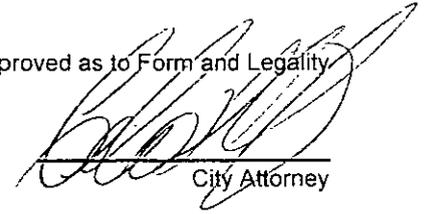
Project No.:		C4S9010		Engineer's Est.				\$318,212.50		Over/Under Engineers Estimate		-\$101,650.25	
Discipline	Prime & Subs	Location	Cert. Status	LBE Dollars	SLBE Dollars	Total LBE/SLBE Dollars	DBE Dollars	Total Dollars	Certified DBE/WBE				
									Ethn.	DBE	WBE		
PRIME	Gordon N. Ball	San Francisco	UB					289,964.75	C				
Striping	Striping Graphics	Cotati	UB					11,200.00	C				
Slurry Seal	Bond Blacktop	Union City	UB					11,528.00	C				
Electrical	Columbia Electric, Inc.	San Leandro	UB					96,500.00	C				
Trucking/Disposal	S&S Trucking	Oakland	CB		10,670.00	10,670.00	10,670.00	10,670.00	H	10,670.00			
Project Totals				\$0.00	\$10,670.00	\$10,670.00	\$10,670.00	\$419,862.75		\$10,670.00	\$0.00		
				0.00%	2.54%	2.54%	2.54%	100.00%		2.54%	0.00%		
								DBE Ethnicity					
								DBE Dollars	Total Dollars				
								AA=African American AI=Asian Subcontinent AP=Asian Pacific Islander; NA = Native American; N=Hispanic/Latino; W=Women UDBE Ethnicity AA=African American; AP=Asian Pacific Islander; NA=Native American; W=Women					
Legend													
UB = Uncertified Business CB = Certified Business DBE = Disadvantaged Business Enterprise WBE = Women Business Enterprise													

FILED
OFFICE OF THE CITY CLERK
OAKLAND

2013 DEC -5 PM 1:31

OAKLAND CITY COUNCIL

Approved as to Form and Legality



City Attorney

RESOLUTION No. _____ C.M.S.

Introduced by Councilmember _____

RESOLUTION AUTHORIZING THE CITY ADMINISTRATOR OR HER DESIGNEE TO EXECUTE A CONSTRUCTION CONTRACT WITH RAY'S ELECTRIC, THE LOWEST RESPONSIVE AND RESPONSIBLE BIDDER, FOR THE CONSTRUCTION OF THE RAILROAD GRADE CROSSING IMPROVEMENTS AT THE INTERSECTIONS OF BROADWAY/EMBARCADERO AND FRUITVALE AVENUE NEAR SAN LEANDRO STREET (PROJECT NOS. C459010, C458910) IN ACCORDANCE WITH PLANS AND SPECIFICATIONS FOR THE PROJECT AND WITH CONTRACTOR'S BID IN THE AMOUNT OF THREE-HUNDRED THIRTY-SEVEN THOUSAND, SEVEN HUNDRED NINETY DOLLARS, AND TWENTY-FIVE CENTS (\$337,790.25) AND REJECT ALL OTHER BIDS

WHEREAS, on September 5, 2013, four bids were received by the Office of the City Clerk for the construction of Railroad Grade Crossing Improvements at the intersections of Broadway/Embarcadero and Fruitvale Avenue near San Leandro Street (C459010, C458910); and

WHEREAS, Ray's Electric, is deemed the lowest responsive and responsible bidder for the Railroad Grade Crossing Improvements at the intersections of Broadway/Embarcadero and Fruitvale Avenue near San Leandro Street Project; and

WHEREAS, there is sufficient funding in the project budget for the work in Grant Fund (2140); Transportation Services Organization (92246); Street Construction Account (57411); CA 130 Grade Crossing Improvements at the intersections of Broadway/Embarcadero and Fruitvale Avenue near San Leandro Street (C459010, C458910); and

WHEREAS, the City Council finds that the City lacks the equipment and qualified personnel to perform the necessary work and that the performance of this contract is in the public interest because of economy and better performance; and

WHEREAS, the City Administrator has determined 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 services; now, therefore, be it

RESOLVED: That the contract for the construction of the Railroad Grade Crossing Improvements at the intersections of Broadway/Embarcadero and Fruitvale Avenue near San Leandro Street is hereby awarded to Ray's Electric, the lowest responsive and responsible bidder, in accordance with project plans and specifications in the amount of Three Hundred and Thirty-Seven Thousand, Seven Hundred and Ninety Dollars, and Twenty-Five Cents (\$337,790.25); and be it

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

FURTHER RESOLVED: That the contractor shall provide a faithful performance bond and payment bond to guarantee payment of all claims for labor and materials furnished and for the amount due under the Unemployment Insurance Act for one hundred percent (100%) of the contract amount prior to execution of the contract; and be it

FURTHER RESOLVED: That the City Administrator, or her designee, is hereby authorized to enter into a contract with Ray's Electric on behalf of the City of Oakland and execute any amendment or modifications to said agreement within the limitations of the project specifications; and be it

FURTHER RESOLVED: That all other bids are hereby rejected; and be it

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

IN COUNCIL, OAKLAND, CALIFORNIA, _____, 20__

PASSED THE FOLLOWING VOTE:

AYES – BROOKS, GALLO, GIBSON-MCELHANEY, KALB, KAPLAN, REID, SCHAAF AND PRESIDENT KERNIGHAN

NOES –

ABSENT –

ABSTENTION –

ATTEST.

LaTonda Simmons
City Clerk and Clerk of the Council
of the City of Oakland, California