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OFFICE OF THE CITY CLERK
OAKLAND

2013 MAR 27 PM 4:10

AGENDA REPORT

TO: DEANNA J. SANTANA
CITY ADMINISTRATOR

FROM: Vitaly B. Troyan, P.E.

SUBJECT: Sidewalk Improvement Projects

DATE: February 15, 2013

City Administrator
Approval

Date:

3/26/13

COUNCIL DISTRICT: 5

RECOMMENDATION

Staff recommends that the City Council adopt the following resolutions:

- 1) Resolution Awarding a Construction Contract to Rosas Brothers Construction for the Chapman and Lancaster Streets Sidewalk Improvement Project - Phase II (Project No. G381113), in the Amount of Two Hundred and Twenty Four Thousand, Six Hundred and Twenty Five Dollars (\$224,625.00) in Accord with the Project Plans and Specifications and the Contractor's Bid.
- 2) Resolution Awarding a Construction Contract to Rosas Brothers Construction for the Fruitvale Avenue Sidewalk Improvement Project - Phase III (Project No. G381114), in the Amount of Two Hundred and Eight Thousand, Three Hundred and Three Dollars and Fifty Cents (\$208,393.50) in Accord with the Project Plans and Specifications and the Contractor's Bid.

OUTCOME

Approval of these two resolutions will authorize the City Administrator to execute two construction contracts with Rosas Brothers Construction in the amount of \$224,625.00 for the Chapman and Lancaster Streets Sidewalk Improvement Project - Phase II and \$208,393.50 for the Fruitvale Avenue Sidewalk Improvement Project - Phase III. Both projects are located in Council District 5 as shown in *Attachment A*.

The new sidewalks will improve pedestrian access and enhance neighborhood aesthetics and result in higher property values.

BACKGROUND/LEGISLATIVE HISTORY

1. Chapman and Lancaster Streets Sidewalk Improvement Project: this project consists, in general, of the construction of curb, gutter, sidewalk, ADA-compliant curb

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ramps; installation of fencing; installation of static and retractable bollards; installation of trees with grates and guards; and various landscaping elements.

On December 20, 2012, the City Clerk received seven bids for this project in the amount of \$224,625.00, \$250,640.00, \$250,937.00, \$260,075.00, \$267,288.00, \$295,628.00, and \$304,137.00 as shown in *Attachment B*. Rosas Brothers is deemed the lowest responsive and responsible bidder and therefore is recommended for the award.

Contractor	Bid Amount
Rosas Brothers Construction	\$224,625.00
Bay Construction	\$250,640.00
Wickman and Development and Construction	\$250,937.00
AJW Construction	\$260,076.00
McNabb Construction	\$267,288.00
ENGINEER'S ESTIMATE	\$277,230.00
Beliveau Engineering Construction	\$295,628.00
Empire Engineering and Construction	\$326,841.00

This project was previously bid in April 2012. At that time, only one bid was received and was deemed non-responsive.

2. **Fruitvale Avenue Sidewalk Improvement Project:** this project consists, in general, of the construction of curb, gutter, sidewalk, ADA-compliant curb ramps; track removal; pavement repair; traffic signing and striping; and various landscape elements.

On December 20, 2012, the City Clerk received five bids for this project in the amount of \$208,393.50, \$215,367.00, \$223,252.90, \$258,698.00, and \$313,797.50 as shown in *Attachment B*. Rosas Brothers is deemed the lowest responsive and responsible bidder and therefore is recommended for the award.

Contractor	Bid Amount
Rosas Brothers Construction	\$208,393.50
Wickman Development and Construction	\$215,367.00
AJW Construction	\$223,252.90
ENGINEER'S ESTIMATE	\$244,134.50
Beliveau Engineering Contractors	\$258,698.00
Empire Engineering and Construction	\$314,297.50

This project was previously bid in March 2012. At that time, all bids received were deemed non-responsive.

Caltrans is providing funding for these projects along with other improvements in the area.

ANALYSIS

Adoption of these resolutions will allow the City Administrator or her designee to execute construction contracts with Rosas Brothers Construction. Each contract specifies \$900 in liquidated damages per calendar day if the contract is not completed within 60 working days. Construction is scheduled to begin in May 2013 and be completed by August 2013. The project schedules are shown in *Attachment B*.

1. **Chapman and Lancaster Streets Sidewalk Improvement Project:** Under the proposed contract with Rosas Brothers Construction, the Local Business Enterprise and Small Local Business Enterprise (LBE/SLBE) participation will be 100%, which exceeds the City's 50% LBE/SLBE requirement. The contractor also shows a participation of 100% for trucking, which exceed the 50% Local Trucking requirement. The LBE/SLBE information has been verified by the Social Equity Division of the Department of Contracting and Purchasing, and is shown in *Attachment C*.
2. **Fruitvale Avenue Sidewalk Improvement Project:** Under the proposed contract with Rosas Brothers Construction, the Local Business Enterprise and Small Local Business Enterprise (LBE/SLBE) participation will be 92.32%, which exceeds the City's 50% LBE/SLBE requirement. The contractor also shows a participation of 100% for trucking, which exceed the 50% Local Trucking requirement. The LBE/SLBE information has been verified by the Social Equity Division of the Department of Contracting and Purchasing, and is shown in *Attachment C*.

Staff has reviewed the submitted bids for the work and has determined that the bids are reasonable and reflect the current construction climate.

PUBLIC OUTREACH/INTEREST

Community meetings were held to define the project scope and limits. Businesses and residents in the area will be notified by the City regarding construction activities, schedule, and the key contact person in advance of any construction.

COORDINATION

The project has been coordinated with the following agencies:

- PWA - Department of Infrastructure and Operations (DIO)
- PWA - Department of Facilities and Environment (DFE)
- PG & E
- Community organizations

In addition, the Office of the City Attorney and the City Budget Office reviewed this report and resolutions.

COST SUMMARY/IMPLICATIONS

Per the Cooperative Agreement with Caltrans and Resolution No. 81783 C.M.S., this project is fully funded.

1. AMOUNT OF RECOMMENDATION/COST OF PROJECT:

PROJECT	CONTRACTOR'S BID AMOUNT
Chapman and Lancaster Sidewalk Improvement Project	\$224,625.00
Fruitvale Avenue Sidewalk Improvement Project	\$208,393.50

2. COST ELEMENTS OF AGREEMENT/CONTRACT: The bid amount for both projects is \$433,018.50.

3. SOURCE OF FUNDING:

FUNDING SOURCE	AMOUNT
Chapman and Lancaster Sidewalk Improvement Project California Department of Transportation Fund (2140); Engineering Design: Streets & Structures Organization (92242); Street Construction Account (57411); Project G381113	\$224,625.00
Fruitvale Avenue Sidewalk Improvement Project California Department of Transportation Fund (2140); Engineering Design: Streets & Structures Organization (92242); Street Construction Account (57411); Project G381114	\$208,393.50

4. FISCAL IMPACT:

Approval of these resolutions will authorize the City Administrator to award construction contracts to Rosas Brothers Construction in the amount of \$224,625.00 for the Chapman and Lancaster Streets Sidewalk Improvement Project – Phase II (G381113) and in the amount of \$208,393.50 for the Fruitvale Avenue Sidewalk Improvement Project – Phase III (G381114).

The City is responsible for maintenance of the proposed improvements along Fruitvale Avenue. The Oakland Museum will be responsible for maintenance of the proposed improvements adjacent to its property along Chapman and Lancaster Streets. Both contracts include a three year landscape maintenance period.

PAST PERFORMANCE, EVALUATION AND FOLLOW-UP

Rosas Brothers Construction has performed satisfactorily in past projects. Recently, it was rated "Satisfactory" overall for the On-Call Citywide Sidewalk Repair for Fiscal Year 2006 - 2007. See **Attachment D** for a copy of the evaluation.

SUSTAINABLE OPPORTUNITIES

Economic: The new sidewalks will improve pedestrian access and enhance neighborhood aesthetics and result in higher property values.

All construction contracts require the payment of prevailing wages. This contract will offer employment to Oakland citizens and contribute to an increase quality of life. Project funds will be used within the community and assist in stimulating the economic base.


Construction contracts require 50% of the work hours be performed by Oakland residents and 50% of all new hires to Oakland residents.

Environmental: The contractor will be required to make every effort to reuse clean fill materials and use recyclable concrete product. Best Management Practices for the protection of storm water runoff during construction will be required.

Social Equity: This street improvement project will enhance pedestrian and vehicular safety, thereby benefiting all Oakland residents.

For questions regarding this report, please contact Gus Amirzehni, Engineering Design and Right-of-Way Manager, 510-238-6601.

Respectfully submitted,


VITALY B. TROYAN, P.E.
Director, Public Works Agency

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

Reviewed by:
Gus Amirzehni, P.E., Engineering Design and R.O.W.
Manager

Prepared by:
Jaime Heredia, P.E., Supervising Civil Engineer
Engineering Design and R.O.W. Management Division

Attachments:

- Attachment A - Project Location Map
- Attachment B - List of Bidders and Project Construction Schedule
- Attachment C - Project Schedule
- Attachment D - Contracts & Compliance Unit Compliance Evaluation

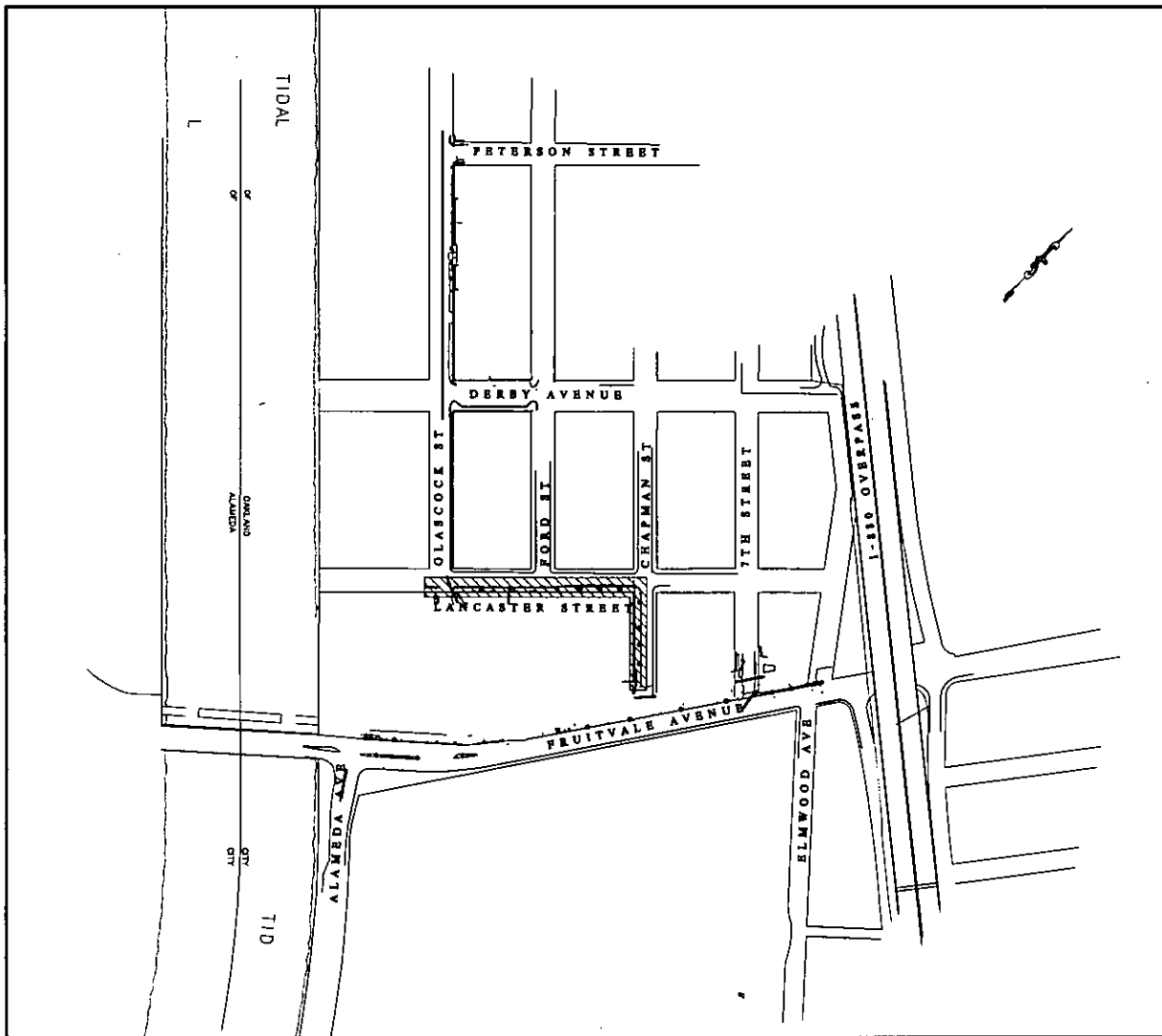
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ATTACHMENT A

Page 1

**CHAPMAN AND LANCASTER STREETS
SIDEWALK IMPROVEMENT PROJECT**

CITY PROJECT NO. G381113- PHASE II (RE-BID)



LOCATION MAP

NOT TO SCALE

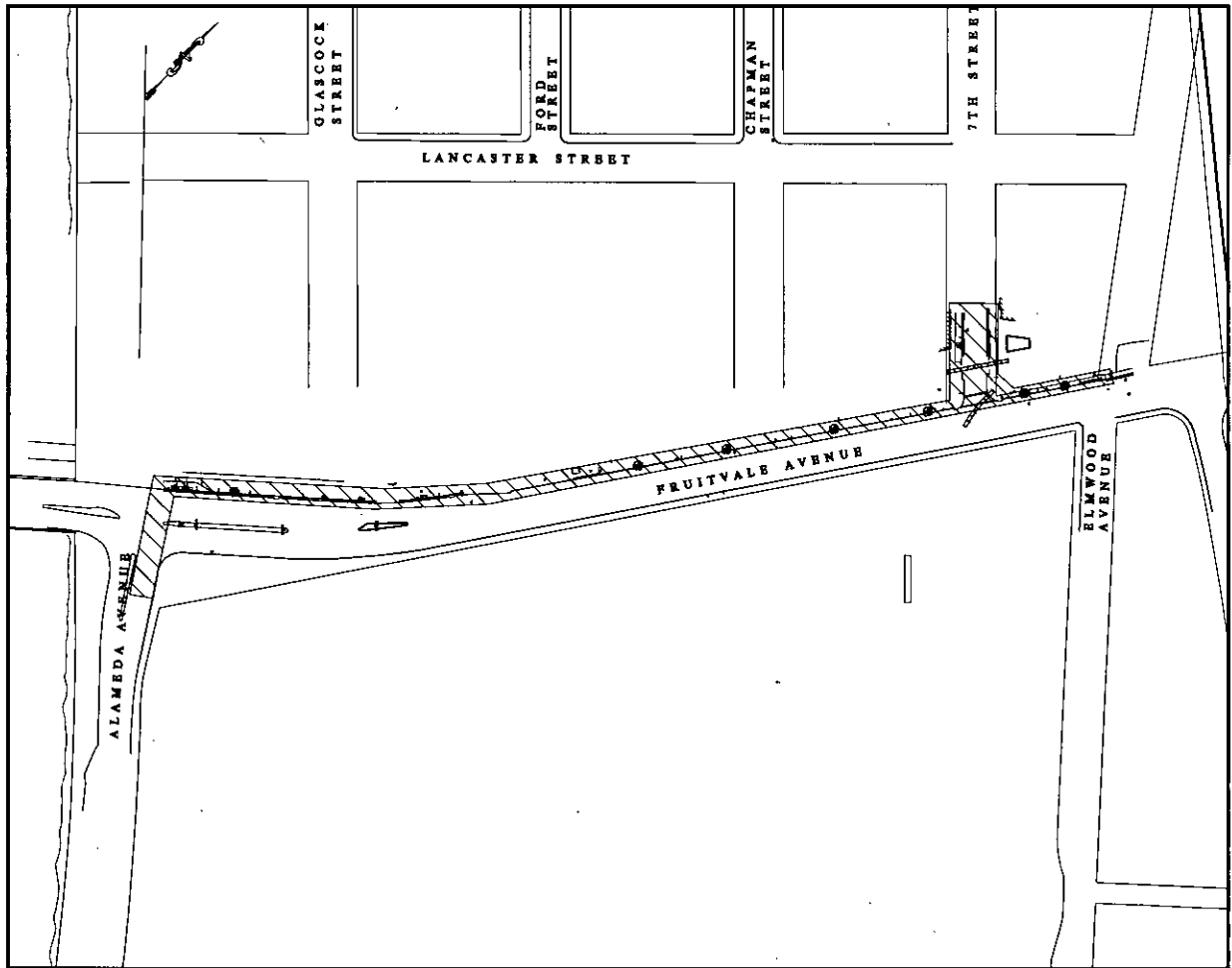
LIMIT OF WORK 

ATTACHMENT A

Page 2

**FRUITVALE AVENUE
SIDEWALK IMPROVEMENT PROJECT**

CITY PROJECT NO. G381114 - PHASE III (RE-BID)



LOCATION MAP

NOT TO SCALE

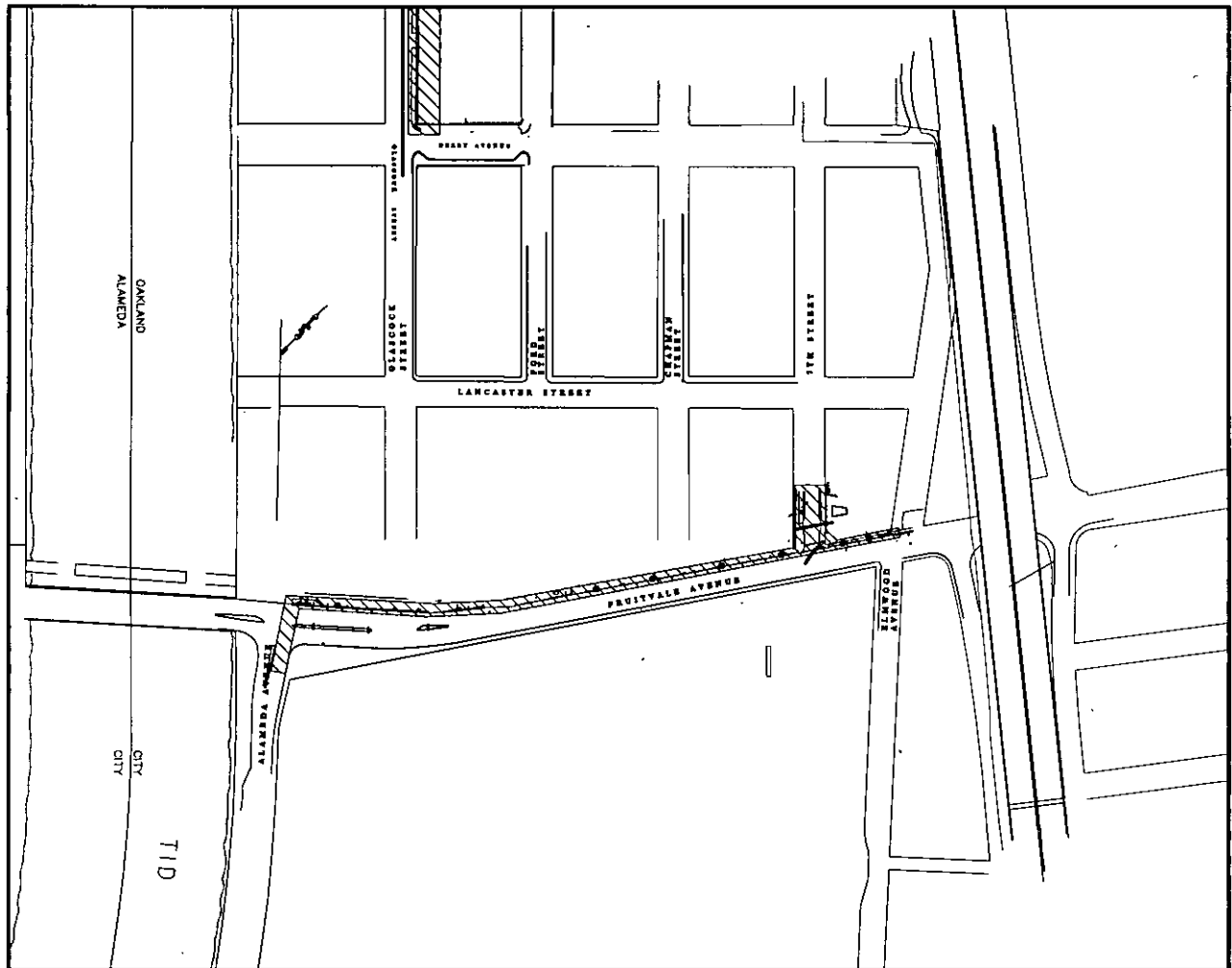
LIMIT OF WORK 

ATTACHMENT 'A'

Page 2

**FRUITVALE AVENUE
SIDEWALK IMPROVEMENT PROJECT**

CITY PROJECT NO. G381111 - PHASE III (RE-BID)



LOCATION MAP

NOT TO SCALE

LIMIT OF WORK 

ATTACHMENT "B"

ATTACHMENT B

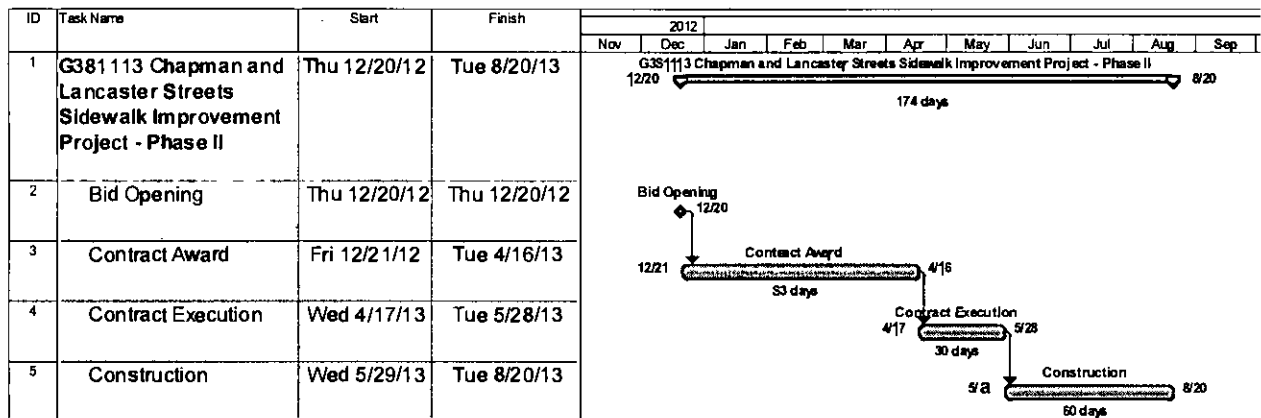
Chapman and Lancaster Streets Sidewalk Improvement Project (G381113)

List of Bidders

Contractor	Location	Bid Amount
Rosas Brothers Construction	Oakland	\$224,625.00
Bay Construction	Oakland	\$250,640.00
Wickman and Development and Construction	Burlingame	\$250,937.00
AJW Construction	Oakland	\$260,075.00
McNabb Construction	Lafayette	\$267,288.00
Beliveau Engineering Construction	Oakland	\$295,628.00
Empire Engineering and Construction	Oakland	\$304,137.00

Engineer's Estimate: \$277,230.00

Project Schedule



ATTACHMENT B

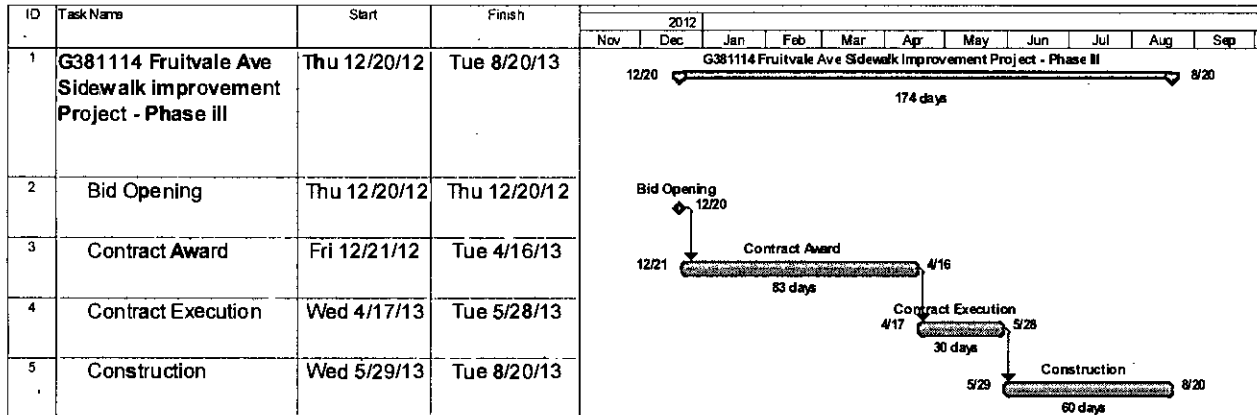
Fruitvale Avenue Sidewalk Improvement Project (G381114)

List of Bidders

Contractor	Location	Bid Amount
Rosas Brothers Construction	Oakland	\$208,393.50
Wickman and Development and Construction	Burlingame	\$215,367.00
AJW Construction	Oakland	\$223,252.90
Beliveau Engineering Construction	Oakland	\$258,698.00
Empire Engineering and Construction	Oakland	\$313,797.50

Engineer's Estimate: \$244,134.50

Project Schedule



ATTACHMENT "C"



INTER OFFICE MEMORANDUM

TO: Kheven LaGrone
Civil Engineer

FROM: Deborah Barnes, Contracts and
Compliance Manager

SUBJECT: Compliance Analysis

DATE: January 24, 2013

Chapman and Lancaster Streets Sidewalk Improvement Project
Phase II-Rebid
Project No. G381111

City Administrator's Office, Contracts and Compliance Unit reviewed seven (7) bids in response to the above referenced project. Below is the outcome of the compliance evaluation for the minimum 50% Local and Small Local Business Enterprise (L/SLBE) participation requirement, a preliminary review for compliance with the Equal Benefits Ordinance (EBO), and a brief overview of the lowest responsible bidder's compliance with the 50% Local Employment Program (LEP) and the 15% Oakland Apprenticeship Program on the bidder's most recently completed City of Oakland project.

Responsive to L/SLBE and/or EBO Policies		Proposed Participation					Earned Credits and Discounts			EBO Compliant? Y/N
Company Name	Original Bid Amount	Total LBE/SLBE	LBE	SLBE	*VSLBE/LPG	Trucking	Total Credited participation	Earned Bid Discounts	Adjusted Bid Amount	
Rosas Brothers Construction	\$224,625.00	100%	0.00%	100%	0.00%	100%	100%	5%	\$213,393.75	Y
Bay Construction	\$250,640.00	88.83%	0.00%	88.83%	0.00%	100%	88.83%	5%	\$238,108.00	Y
Wickman Development and Construction	\$250,937.00	85.96%	0.00%	22.20%	63.76% *127.52	100%	85.96% *149.72	5%	\$238,390.15	N
AJW Construction	\$260,075.00	75.82%	0.00%	73.51%	2.31% 4.62%	100%	75.82% *78.13%	4%	\$249,672.00	Y
McNabb Construction	\$267,288.00	50.13%	0.00%	50.13%	0.00%	100%	50.13%	2%	\$261,942.24	Y
Beliveau Engineering Contractors, Inc.	\$295,628.00	100%	0.00%	100%	0.00%	100%	100%	5%	\$280,846.00	Y

Comments: As noted above, all firms met and/or exceeded the minimum 50% L/SLBE participation requirement. All firms are EBO compliant except Wickman Development and Construction. Firms that are not EBO compliant will have to come into compliance prior to award.

*Pursuant to the L/SLBE program, a Very Small Local Businesses Enterprise's (VLSBE) participation has been double counted toward meeting the L/SLBE requirement.

Non-Responsive to L/SLBE and/or EBO Policies		Proposed Participation					Earned Credits and Discounts				EBO Compliant? Y/N
Company Name	Original Bid Amount	Total LBE/SLBE	LBE	SLBE	*VSLBE	Trucking	Total Credited participation	Earned Bid Discounts	Adjusted Bid Amount	Adjusted Bid Amount	
Empire Engineering & Construction	\$304,137.00	100%	100%	0.00%	0.00%	0.00%	0%	0%	0%	0%	Y

Comments: As noted above, Gordon N. Ball, Inc. failed to meet the minimum 50% L/SLBE participation requirement with 25% SLBE shortfall. Therefore, they are non-responsive.

For Informational Purposes

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: Rosas Brothers Construction

Project Name: On Call Citywide Sidewalk Repair for Fiscal Year 2007-2008 Contract A District 1,2 & 3.

Project No: C269160A

50% Local Employment Program (LEP)

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

15% Oakland Apprenticeship Program

Was the 15% Apprenticeship Goal achieved?	No	If no, shortfall hours?	697.28
Were shortfalls satisfied?	Yes	If no, penalty amount?	518,177.96

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	Core Workforce Hours Deducted	50% Local Employment Program (LEP)							15% Apprenticeship Program				
		LEP Project Employment and Work Hours Goal		LEP Employment and Work Hours Achieved		# Resident New Hires	Shortfall Hours	% LEP Compliance	Total Oakland Apprenticeship Hours Achieved	Apprenticeship Goal and Hours		Apprentice Shortfall Hours	
		Goal	Hours	Goal	Hours					Goal	Hours		
A	B	C		D		E	F	G	H	I		J	
1548	0	50%	774	100%	774	N/A	0	100%	0	15%	464	464	

Comments: Rosas Construction was compliant with the Local Employment Program's 50% resident hiring goal and was non compliant with the 15% Oakland Apprenticeship Program goal. Shortfall dollars have been forfeited.

Should you have any questions, you may contact Sophany Hang at (510) 238-3723.

CONTRACTS AND COMPLIANCE UNIT



Contract Compliance Division

PROJECT EVALUATION FORM

PROJECT NO.: G381111

PROJECT NAME: Chapman and Lancaster Streets Sidewalk Improvement Project Phase II-Rebid

CONTRACTOR: Rosas Brothers Construction

<u>Engineer's Estimate:</u> \$277,230	<u>Contractors' Bid Amount</u> \$224,626	<u>Over/Under Engineer's Estimate</u> \$52,605
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<u>Discounted Bid Amount:</u> \$213,393.75	<u>Amount of Bid Discount</u> \$11,231.25	<u>Discount Points:</u> 5%
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1. Did the 50% requirements apply? **YES**

2. Did the contractor meet the 50% requirement? **YES**
 - a) % of LBE participation **0%**
 - b) % of SLBE participation **100%**
 - c) % of VSLBE participation **0%**

3. Did the contractor meet the L/SLBE Trucking requirement? **YES**
 - a) Total SLBE/LBE trucking participation **100%**

4. Did the contractor receive bid discounts? **YES**

(if yes, list the percentage received) **6%**

5. Additional Comments.

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

1/24/2013

Date

**Reviewing
Officer:**

Shelley Danenburg

Date: 1/24/2013

Approved By:

Shelley Danenburg

Date: 1/24/2013

LBE/SLBE PARTICIPATION

BIDDER 1

Project Name: **Chapman and Lancaster Streets Sidewalk Improvement Project Phase II-Rebid**

Project No.: G381111		Engineers Est: \$277,230					Under/Over Engineers Estimate: \$52,605					For Tracking Only		
Discipline	Prime & Subs	Location	Cert. Status	LBE	SLBE	*VSLBE/LPG	Total	L/SLBE	Total	TOTAL	Ethn.	MBE	WBE	
				25%	25%	double counted value	LBE/SLBE	Trucking	Trucking	Dollars				
PRIME Trucking	Rosas Brothers Construction	Oakland	CB		219,825		219,825			219,825	H	219,825		
	S & S Trucking	Oakland	CB		4,800		4,800	4,800	4,800	4,800	H	4,800		
Project Totals				\$0	\$224,625	\$0	\$224,625	\$4,800	\$4,800	\$224,625		\$224,625	\$0	
				0%	100%	0%	100%	100%	100%	100%		100%	0%	
<p>Requirements: The 50% requirement can be satisfied by a combination of 25% LBE and 25% SLBE. An SLBE firm can be counted 100% towards achieving 50% requirement. An VSLBE's participation is double counted toward meeting the requirement.</p>											<p>Ethnicity AA = African American AI = Asian Indian AP = Asian Pacific C = Caucasian H = Hispanic NA = Native American O = Other NL = Not Listed MO = Multiple Ownership</p>			
<p>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</p>														

CONTRACTS AND COMPLIANCE UNIT



Contract Compliance Division
PROJECT EVALUATION FORM

PROJECT NO: G381111

PROJECT NAME: Chapman and Lancaster Streets Sidewalk Improvement Project Phase II-Rebid

CONTRACTOR: Bay Construction

<u>Engineer's Estimate:</u> \$277,230	<u>Contractors' Bid Amount</u> \$250,640	<u>Over/Under Engineer's Estimate</u> \$26,590
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<u>Discounted Bid Amount</u> \$238,108	<u>Amount of Bid Discount</u> \$12,532	<u>Discount Points:</u> 5%
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1. Did the 50% requirements apply? **YES**
2. Did the contractor meet the 50% requirement? **YES**
- a) % of LBE participation **0%**
 - b) % of SLBE participation **88.83%**
 - c) % of VSLBE participation **0%**
3. Did the contractor meet the Trucking requirement? **YES**
- a) Total SLBE/LBE trucking participation **100%**
4. Did the contractor receive bid discounts? **YES**
- (If yes, list the percentage received) **5%**
5. Additional Comments.

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

1/24/2013

Date

Reviewing
Officer:

Shelley Darenburg

Date: 1/24/2013

Approved By:

Shelley Darenburg

Date: 1/24/2013

LBE/SLBE PARTICIPATION

BIDDER 2

Project Name: **Chapman and Lancaster Streets Sidewalk Improvement Project Phase II-Rebid**

Project No.: G381111		Engineers Est: \$277,230					Under/Over Engineers Estimate: \$26,590					For Tracking Only		
Discipline	Prime & Subs	Location	Cert: Status	LBE	SLBE	*VSLBELPG	Total	L/SLBE	Total	TOTAL	Ethn.	MBE	WBE	
				25%	25%	double counted value	LBE/SLBE	Trucking	Trucking	Dollars				
PRIME Trucking Concrete Supply Landscape Supply	Bay Construction	Oakland	CB		218,640		218,640			218,640	AP	218,640		
	CJC Trucking	Oakland	CB		4,000		4,000	4,000	4,000	4,000	AA	4,000		
	Central Concrete	San Jose	UB							25,000	NL			
	Ewing	San Leandro	UB							3,000	NL			
Project Totals				\$0	\$222,640	\$0	\$222,640	\$4,000	\$4,000	\$250,640		\$222,640	\$0	
				0%	88.83%	0%	88.83%	100%	100%	100%		88.83%	0%	
Requirements: The 50% requirement can be satisfied by a combination of 25% LBE and 25% SLBE. An SLBE firm can be counted 100% towards achieving 50% requirement. An VSLBE's participation is double counted toward meeting the requirement.											Ethnicity AA = African American AI = Asian Indian AP = Asian Pacific C = Caucasian H = Hispanic NA = Native American O = Other NL = Not Listed MO = Multiple Ownership			
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							

CONTRACTS AND COMPLIANCE UNIT



Contract Compliance Division
PROJECT EVALUATION FORM

PROJECT NO.: G381111

PROJECT NAME: Chapman and Lancaster Streets Sidewalk Improvement Project Phase II-Rebid

CONTRACTOR: Wickman Development and Construction

<u>Engineer's Estimate:</u> \$277,230	<u>Contractors' Bid Amount</u> \$250,937	<u>Over/Under Engineer's Estimate</u> \$26,293
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<u>Discounted Bid Amount:</u> \$238,390.15	<u>Amount of Bid Discount</u> \$12,546.86	<u>Discount Points:</u> 6%
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1. Did the 50% requirements apply? **YES**
2. Did the contractor meet the 50% requirement? **YES**
- a) % of LBE participation **0%**
 - b) % of SLBE participation **22.20%**
 - c) % of VSLBE participation ***127.62%**
3. Did the contractor meet the Trucking requirement? **YES**
- a) Total SLBE/LBE trucking participation **100%**
4. Did the contractor receive bid discounts? **YES**
- (If yes, list the percentage received) **5%**

5. Additional Comments.

*VSLBE/LPG participation is valued at 63.76%, however per the L/SLBE Program a VSLBE/LPG's participation is double counted towards meeting the requirement

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

1/24/2013

Date

**Reviewing
Officer:**

[Signature]

Date: 1/24/2013

Approved By:

Shelley Darenburg

Date: 1/24/2013

LBE/SLBE PARTICIPATION

BIDDER 3

Project Name: **Chapman and Lancaster Streets Sidewalk Improvement Project Phase II-Rebid**

Project No.: G381111		Engineers Est: \$277,230					Under/Over Engineers Estimate: \$26,293					For Tracking Only		
Discipline	Prime & Subs	Location	CerL Status	LBE 25%	SLBE 25%	*VSLBE/LPG double counted value	Total LBE/SLBE	L/SLBE Trucking	Total Trucking	TOTAL Dollars	Ethn.	MBE	WBE	
														PRIME
Landscape Demo, Grading, Asphalt,	RMT Landscape Contractors	Oakland	CB		49,708		49,708			49,708	H	49,708		
Trucking	Magdave Associates, Inc.	Oakland	CB			160,000	160,000			160,000	AA	160,000		
Fencing	Williams Trucking	Oakland	CB		6,000		6,000	6,000	6,000	6,000	AA	6,000		
	Benett Fencing	Grass Valley	UB							4,960.00	C			
Project Totals				\$0	\$55,708	\$160,000	\$215,708	\$6,000	\$6,000	\$250,937		\$215,708	\$0	
				0%	22.20%	63.76%	85.96%	100%	100%	100%		85.96%	0%	
Double counted dollar value						\$320,000							Ethnicity:	
Percentage based on double counting						127.52%							AA = African American	
Requirements: The 50% requirement can be satisfied by a combination of 25% LBE and 25% SLBE. An SLBE firm can be counted 100% towards achieving 50% requirement. An VSLBE's participation is double counted toward meeting the requirement.													AI = Asian Indian	
Legend													AP = Asian Pacific	
LBE = Local Business Enterprise				UB = Uncertified Business								C = Caucasian		
SLBE = Small Local Business Enterprise				CB = Certified Business								H = Hispanic		
Total LBE/SLBE = All Certified Local and Small Local Businesses				MBE = Minority Business Enterprise								NA = Native American		
NPLBE = NonProfit Local Business Enterprise				WBE = Women Business Enterprise								O = Other		
NPSLBE = NonProfit Small Local Business Enterprise												NL = Not Listed		
												MO = Multiple Ownership		

CONTRACTS AND COMPLIANCE UNIT



Contract Compliance Division
PROJECT EVALUATION FORM

PROJECT NO.: G381111

PROJECT NAME: Chapman and Lancaster Streets Sidewalk Improvement Project Phase II-Rebid

CONTRACTOR: AJW Construction

<u>Engineer's Estimate:</u>	<u>Contractors' Bid Amount</u>	<u>Over/Under Engineer's Estimate</u>
\$277,230	\$260,075	\$17,155

<u>Discounted Bid Amount:</u>	<u>Amount of Bid Discount</u>	<u>Discount Points:</u>
\$249,672	\$10,403	4%

1. Did the 50% requirements apply? **YES**
2. Did the contractor meet the 50% requirement? **YES**
- a) % of LBE participation **0%**
 - b) % of SLBE participation **73.51%**
 - c) % of VSLBE participation ***4.62%**
3. Did the contractor meet the Trucking requirement? **YES**
- a) Total SLBE/LBE trucking participation **100%**
4. Did the contractor receive bid discounts? **NA**
- (If yes, list the percentage received) **4%**

5. Additional Comments.

*VSLBE/LPG participation is valued at 2.31%, however per the L/SLBE Program a VSLBE/LPG's participation is double counted towards meeting the requirement.

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

1/24/2013

Date

Reviewing Officer:

Sigourney Hays

Date: 1/24/2013

Approved By:

Shelley Oarensburg

Date: 1/24/2013

LBE/SLBE PARTICIPATION

BIDDER 4

Project Name: **Chapman and Lancaster Streets Sidewalk Improvement Project Phase II-Rebid**

Project No.: G381111		Engineers Est: \$277,230					Under/Over Engineers Estimate: 17,155					For Tracking Only		
Discipline	Prime & Subs	Location	Cert. Status	LBE	SLBE	*VSLBE/LPG	Total	L/SLBE	Total	TOTAL	Ethn.	MBE	WBE	
				25%	25%	double counted value	LBE/SLBE	Trucking	Trucking	Dollars				
PRIME	AJW Construction	Oakland	CB		142,643		142,643			142,643	H			
Supply Bollard	Bollard Solutions	El Barton, GA	UB							17,000	NL			
Supply Wire Fence	Beta Fence	Texas	UB							1,900	NL			
Supply Tree	Park Pacific	W.C CA	UB							44,000	NL			
Trucking	UJ Trucking	Oakland	CB			6,000	6,000	6,000	6,000	6,000	H	6,000		
Landscape	RMT Landscape	Oakland	CB		48,532		48,532			48,532	H	48,532		
Project Totals				\$0	\$191,175	\$6,000	\$197,175	\$6,000	\$6,000	\$260,075		\$54,532	\$0	
				0%	73.51%	2.31%	75.81%	100%	100%	100%		20.97%	\$0	
Double counted dollar value				\$12,000						Ethnicity				
Percentage based on double counting				4.62%										
Requirements: The 50% requirement can be satisfied by a combination of 25% LBE and 25% SLBE. An SLBE firm can be counted 100% towards achieving 50% requirement. An VSLBE's participation is double counted toward meeting the requirement.											AA = African American			
											AI = Asian Indian			
											AP = Asian Pacific			
											C = Caucasian			
											H = Hispanic			
											NA = Native American			
											O = Other			
											NL = Not Listed			
											MO = Multiple Ownership			
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												

CONTRACTS AND COMPLIANCE UNIT



Contract Compliance Division
PROJECT EVALUATION FORM

PROJECT NO.: G381111

PROJECT NAME: Chapman and Lancaster Streets Sidewalk improvement Project Phase II-Rebid

CONTRACTOR: McNabb Construction

<u>Engineer's Estimate:</u> \$277,230	<u>Contractors' Bid Amount</u> \$267,288	<u>Over/Under Engineer's Estimate</u> \$9,942
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<u>Discounted Bid Amount:</u> \$261,942.24	<u>Amount of Bid Discount</u> \$5,345.76	<u>Discount Points:</u> 2%
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1. Did the 50% requirements apply? **YES**

2. Did the contractor meet the 50% requirement? **YES**
 - a) % of LBE participation **0%**
 - b) % of SLBE participation **50.13%**
 - c) % of VSLBE participation **0%**

3. Did the contractor meet the Trucking requirement? **YES**
 - a) Total SLBE/LBE trucking participation **100%**

4. Did the contractor receive bid discounts? **YES**

(If yes, list the percentage received) **2%**

5. Additional Comments.

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

1/24/2013
Date

**Reviewing
Officer:**

Date: 1/24/2013

Approved By:

Date: 1/24/2013

LBE/SLBE PARTICIPATION BIDDER 5

Project Name: Chapman and Lancaster Streets Sidewalk improvement Project Phase II-Rebid

Project No.: G381111		Engineers Est: \$277,230					Under/Over Engineers Estimate: \$9,942				For Tracking Only		
Discipline	Prime & Subs	Location	Cert. Status	LBE	SLBE	*VSLBE/LPG	Total	L/SLBE	Total	TOTAL	Ethn.	MBE	WBE
				25%	25%	double counted value	LBE/SLBE	Trucking	Trucking	Dollars			
PRIME	McNabb Construction	Lafayette	UB							133,288	C		
Trucking	CJC Trucking	Oakland	CB		10,000		10,000	10,000	10,000	10,000	AA	10,000	
Material	General Supply	Oakland	CB		124,000		124,000			124,000	AA	124,000	
Project Totals				\$0	\$134,000	\$0	\$134,000	\$10,000	\$10,000	\$267,288		\$134,000.00	\$0
				0%	50.13%	0%	50.13%	100%	100%	100%		50.13%	0%

Requirements: The 50% requirement can be satisfied by a combination of 25% LBE and 25% SLBE. An SLBE firm can be counted 100% towards achieving 50% requirement. An VSLBE's participation is double counted toward meeting the requirement

Ethnicity
 AA = African American
 AI = Asian Indian
 AP = Asian Pacific
 C = Caucasian
 H = Hispanic
 NA = Native American
 O = Other
 NL = Not Listed
 MO = Multiple Ownership

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	

CONTRACTS AND COMPLIANCE UNIT



Contract Compliance Division
PROJECT EVALUATION FORM

PROJECT NO.: G381111

PROJECT NAME: Chapman and Lancaster Streets Sidewalk Improvement Project Phase II-Rebid

CONTRACTOR: Beliveau Engineering Contractors, Inc.

<u>Engineer's Estimate:</u> \$277,230.00	<u>Contractors' Bid Amount</u> \$295,628.00	<u>Over/Under Engineer's Estimate</u> -\$18,398.00
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<u>Discounted Bid Amount:</u> \$280,846.60	<u>Amount of Bid Discount</u> \$14,781.40	<u>Discount Points:</u> 5.00%
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1. Did the 50% requirements apply? **YES**

2. Did the contractor meet the 50% requirement? **YES**

a) % of LBE participation	<u>0%</u>
b) % of SLBE participation	<u>100%</u>
c) % of VLSBE participation	<u>0%</u>

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

a) Total SLBE/LBE trucking participation	<u>100%</u>
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4. Did the contractor receive bid discounts? **YES**

(If yes, list the percentage received)	<u>5%</u>
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5. Additional Comments.

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

1/24/2013

Date

**Reviewing
Officer:**

Date: **1/24/2013**

Approved By:

Date: **1/24/2013**

LBE/6LBE PARTICIPATION BIDDER 6

Project Name: Chapman and Lancaster Streets Sidewalk Improvement Project Phase II-Rébid

Project No.: G381111		Engineers Estb \$277,230					Under/Over Engineers Estimate: -\$18,398				For Tracking Only		
Discipline	Prime & Subs	Location	Cert. Status	LBE	SLBE	*VSLBE/LPG	Total	L/SLBE	Total	TOTAL	Ethn.	MBE	WBE
				25%	25%	double counted value	LBE/SLBE	Trucking	Trucking	Dollars			
PRIME	Seiveau Engineering Contractors, Inc.	Oakland	CB		290,628		290,628			290,628	C		
Trucking	Williams Trucking	Oakland	CB		5,000		5,000	5,000	5,000	5,000	AA	5,000	
Project Totals				\$0	\$295,628.00	\$0.00	\$295,628.00	\$5,000.00	\$5,000.00	\$295,628.00		\$5,000	\$0
				0%	100%	0%	100%	100%	100%	100%		1.69%	0%
Requirements: The 50% requirement can be satisfied by a combination of 25% LBE and 25% SLBE. An SLBE firm can be counted 100% towards achieving 50% requirement. An VSLBE's participation is double counted toward meeting the requirement.											Ethnicity AA = African American AI = Asian Indian AP = Asia Pacific C = Caucasian H = Hispanic NA = Native American O = Other NL = Not Listed MO = Multiple Ownership		
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						

CONTRACTS AND COMPLIANCE UNIT



Contract Compliance Division
PROJECT EVALUATION FORM

PROJECT NO.: G381111

PROJECT NAME: Chapman and Lancaster Streets Sidewalk Improvement Project Phase II-Rebid

CONTRACTOR: Empire Engineering & Construction, Inc.

<u>Engineer's Estimate:</u> \$277,230	<u>Contractors' Bid Amount</u> \$304,137	<u>Over/Under Engineer's Estimate</u> -\$26,907
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<u>Discounted Bid Amount:</u> \$0	<u>Amount of Bid Discount</u> \$0	<u>Discount Points:</u> 0%
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1. Did the 50% requirements apply? **YES**

2. Did the contractor meet the 50% requirement? **NO**
 - a) % of LBE participation **100%**
 - b) % of SLBE participation **0%**
 - c) % of VSLBE participation **0%**

3. Did the contractor meet the Trucking requirement? **NO**
 - a) Total SLBE/LBE trucking participation **0%**

4. Did the contractor receive bid discounts? **NO**

(If yes, list the percentage received) **0%**

5. Additional Comments.

Empire Engineering & Construction, Inc. failed to meet the minimum 50% L/SLBE and 50% L/SLBE trucking requirement. Therefore, they are deemed non-responsive.

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

1/24/2013
Date

**Reviewing
Officer:**

Sophia Hay

Date: 1/24/2013

Approved By:

Shelley Orensburg

Date: 1/24/2013

LBE/SLBE PARTICIPATION BIDDER 7

Project Name: Chapman and Lancaster Streets Sidewalk Improvement Project Phase II-Rebid																							
Project No.: G381111		Engineers Est: \$277,230.00					Under/Over Engineers Estimate: -\$26,907.00																
Discipline	Prime & Subs	Location	Cert Status	LBE	SLBE	*VSLBE/LPG	Total	L/SLBE	Total	TOTAL	For Tracking Only												
				25%	25%	double counted value	LBE/SLBE	Trucking	Trucking	Dollars	Ethn.	MBE	WBE										
PRIME	Empire Engineering & Construction, Inc.	Oakland	CB	304,137			304,137			304,137	C												
Project Totals				\$304,137	\$0	\$0	\$304,137	\$0	\$0	\$304,137		0%	\$0										
				100%	0%	0%	100%	0%	0%	100%		0%	0%										
<p>Requirements: The 50% requirement can be satisfied by a combination of 25% LBE and 25% SLBE. An SLBE firm can be counted 100% towards achieving 50% requirement. An VSLBE's participation is double counted toward meeting the requirement.</p>											<p>Ethnicity AA = African American AI = Asian Indian AP = Asian Pacific C = Caucasian H = Hispanic NA = Native American O = Other NL = Not Listed MO = Multiple Ownership</p>												
<p>Legend</p> <table style="width: 100%;"> <tr> <td>LBE = Local Business Enterprise</td> <td>UB = Uncertified Business</td> </tr> <tr> <td>SLBE = Small Local Business Enterprise</td> <td>CB = Certified Business</td> </tr> <tr> <td>Total LBE/SLBE = All Certified Local and Small Local Businesses</td> <td>MBE = Minority Business Enterprise</td> </tr> <tr> <td>NPLBE = NonProfit Local Business Enterprise</td> <td>WBE = Women Business Enterprise</td> </tr> <tr> <td>NPSLBE = NonProfit Small Local Business Enterprise</td> <td></td> </tr> </table>														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 = 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																							



INTER OFFICE MEMORANDUM

TO: Kheven LaGrone
Civil Engineer

FROM: Deborah Barnes, Contracts and
Compliance Manager

SUBJECT: Compliance Analysis
Fruitvale Avenue Sidewalk Improvement Project
Phase III-Rebid
Project No. G381111

DATE: January 23, 2013

City Administrator's Office, Contracts and Compliance Unit reviewed five (5) bids in response to the above referenced project. Below is the outcome of the compliance evaluation for the minimum 50% Local and Small Local Business Enterprise (L/SLBE) participation requirement, a preliminary review for compliance with the Equal Benefits Ordinance (EBO), and a brief overview of the lowest responsible bidder's compliance with the 50% Local Employment Program (LEP) and the 15% Oakland Apprenticeship Program on the bidder's most recently completed City of Oakland project.

Responsive to L/SLBE and/or EBO Policies		Proposed Participation					Earned Credits and Discounts			EBO Compliant? Y/N
Company Name	Original Bid Amount	Total LBE/SLBE	LBE	SLBE	*VSLBE/LPG	Trucking	Total Credited participation	Earned Bid Discounts	Adjusted Bid Amount	
Rosas Brothers Construction	\$208,393.50	92.32%	0.00%	92.32%	0.00%	100%	100%	5%	\$197,973.83	Y
Wickman Development and Construction	\$215,367.00	85.26%	0.00%	20.25%	65.01% *130.02%	100%	85.26% *150.27%	5%	\$204,598.65	N
AJW Construction	\$223,252.90	91.51%	0.00%	87.93%	3.58% *7.16%	100%	91.51% *95.09	5%	\$212,090.26	Y
Beliveau Engineering Contractors, Inc.	\$258,698.00	98.07%	0.00%	98.07%	0.00%	100%	98.07%	5%	\$245,763.10	Y

Comments: As noted above, all firms met and/or exceeded the minimum 50% L/SLBE participation requirement. All firms are EBO compliant except Wickman Development and Construction. Firms that are not EBO compliant will have to come into compliance prior to award.

*Pursuant to the L/SLBE program, a Very Small Local Businesses Enterprise's (VLSBE) participation has been double counted toward meeting the L/SLBE requirement.

Non-Responsive to L/SLBE and/or EBO Policies		Proposed Participation					Earned Credits and Discounts				EBO Compliant? Y/N
Company Name	Original Bid Amount	Total LBE/SLBE	LBE	SLBE	*VSLBE/LPG	Trucking	Total Credited participation	Earned Bid Discounts	Adjusted Bid Amount	Adjusted Bid Amount	
Empire Engineering & Construction	\$313,797.50	96.69%	100%	0.00%	0.00%	0.00%	0%	0%	0%	0%	Y

Comments: As noted above, Empire Engineering & Construction failed to meet the minimum 50% L/SLBE participation requirement with 25% SLBE shortfall. Therefore, they are deemed non-responsive.

For Informational Purposes

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: Rosas Brothers Construction

Project Name: On Call Citywide Sidewalk Repair for Fiscal Year 2007-2008 Contract A District 1,2 & 3.

Project No: C269160A

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?	No	If no, shortfall hours?	697.28
Were shortfalls satisfied?	No	If no, penalty amount?	\$18,177.96

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 Oakland Apprenticeship Hours Achieved	Apprenticeship Goal and Hours		Apprentice Shortfall Hours
		Goal	Hours	Goal	Hours					Goal	Hours	
A	B	C		D		E	F	G	H	I		J
1548	0	50%	774	100%	774	N/A	0	100%	0	15%	464	464

Comments: Rosas Construction was compliant with the Local Employment Program's 50% resident hiring goal and was non compliant with the 15% Oakland Apprenticeship Program goal. Shortfall dollars have been forfeited.

Should you have any questions, you may contact Sophany Hang at (510) 238-3723.

CONTRACTS AND COMPLIANCE UNIT



Contract Compliance Division

PROJECT EVALUATION FORM

PROJECT NO.: G381111

PROJECT NAME: Fruitvale Avenue Sidewalk Improvement Project Phase III-Rebid

CONTRACTOR: Rosas Brothers Construction

<u>Engineer's Estimate:</u> \$244,134.50	<u>Contractors' Bid Amount</u> \$208,393.50	<u>Over/Under Engineer's Estimate</u> \$36,741.00
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<u>Discounted Bid Amount:</u> \$197,973.83	<u>Amount of Bid Discount</u> \$10,419.68	<u>Discount Points:</u> 5.00%
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1. Did the 50% requirements apply? **YES**

2. Did the contractor meet the 50% requirement? **YES**

a) % of LBE participation	<u>0.00%</u>
b) % of SLBE participation	<u>92.32%</u>
c) % of VSLBE participation	<u>0.00%</u>

3. Did the contractor meet the L/SLBE Trucking requirement? **YES**

a) Total SLBE/LBE trucking participation	<u>100.00%</u>
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4. Did the contractor receive bid discounts? **YES**

(If yes, list the percentage received)	<u>5.00%</u>
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5. Additional Comments.

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

1/23/2013
Date

**Reviewing
Officer:**

Stephen Harg

Date: 1/23/2013

Approved By:

Shelley Sorenson

Date: 1/23/2013

LBE/SLBE PARTICIPATION

BIDDER 1

Project Name: **Fruitvale Avenue Sidewalk Improvement Project Phase III-Rebid**

Project No.: G381111		Engineers Est: \$244,134.50					Under/Over Engineers Estimate: \$35,741.00				For Tracking Only		
Discipline	Prime & Subs	Location	Cert. Status	LBE 25%	SLBE 25%	*VSLBE/LPG double counted value	Total LBE/SLBE	L/SLBE Trucking	Total Trucking	TOTAL Dollars	For Tracking Only		
											Ethn.	MBE	WBE
PRIME Trucking	Rosas Brothers Construction	Oakland	CB		187,593.50		187,593.50			187,593.50	H	219,825.00	
	S & S Trucking	Oakland	CB		4,800.00		4,800.00	4,800.00	4,800.00	4,800.00	H	4,800.00	
Electrical	Columbia Electric	San Leandro	UB							5,600.00	NL		
Striping	Striping Graphics	Cotati	UB							10,400.00	NL		
Project Totals				\$0.00	\$192,393.50	\$0.00	\$192,393.50	\$4,800.00	\$4,800.00	\$208,393.50		\$224,625.00	\$0.00
				0.00%	92.32%	0.00%	92.32%	100.00%	100.00%	100.00%		107.79%	0.00%
Requirements: The 50% requirement can be satisfied by a combination of 25% LBE and 25% SLBE. An SLBE firm can be counted 100% towards achieving 50% requirement. An VSLBE's participation is double counted toward meeting the requirement.											Ethnicity AA = African American AI = Asian Indian C = Caucasian H = Hispanic NA = Native American O = Other NL = Not Listed MO = Multiple Ownership		
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							

CONTRACTS AND COMPLIANCE UNIT



Contract Compliance Division
PROJECT EVALUATION FORM

PROJECT NO.: G381111

PROJECT NAME: Fruitvale Avenue Sidewalk Improvement Project Phase III-Rebid

CONTRACTOR: Wickman Development and Construction

<u>Engineer's Estimate:</u> \$244,134.50	<u>Contractors' Bid Amount</u> \$215,367.00	<u>Over/Under Engineer's Estimate</u> \$28,767.50
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<u>Discounted Bid Amount:</u> \$204,698.65	<u>Amount of Bid Discount</u> \$10,768.36	<u>Discount Points:</u> 5.00%
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- 1. Did the 50% requirements apply? **YES**

- 2. Did the contractor meet the 50% requirement? **YES**
 - a) % of LBE participation **0.00%**
 - b) % of SLBE participation **20.26%**
 - c) % of VSLBE participation ***130.02%**

- 3. Did the contractor meet the Trucking requirement? **YES**
 - a) Total SLBE/LBE trucking participation **100.00%**

- 4. Did the contractor receive bid discounts? **YES**
 - (If yes, list the percentage received) **6.00%**

5. Additional Comments.

***VSLBE/LPG participation is valued at 65.01%, however per the L/SLBE Program a VSLBE/LPG's participation is double counted towards meeting the requirement.**

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

1/23/2013
Date

Reviewing Officer: *[Signature]*

Date: 1/23/2013

Approved By: *Shelley Sorensburg*

Date: 1/23/2013

LBE/SLBE PARTICIPATION

BIDDER 2

Project Name: **Fruitvale Avenue Sidewalk Improvement Project Phase III-Rebid**

Project No.: G381111		Engineers Est: \$244,134.50					Under/Over Engineers Estimate: \$28,767.50					For Tracking Only		
Discipline	Prime & Subs	Location	Cert Status	LBE 25%	SLBE 25%	*VSLBE/ LPG double counted value	Total LBE/SLBE	L/SLBE Trucking	Total Trucking	TOTAL Dollars	Ethn.	MBE	WBE	
PRIME	Wickman Development and Construction	Surlingame	UB							31,754	C			
Landscape	RMT Landscape Contractors	Oakland	CB		31,613		31,613			31,613	H	31,613		
Electrical	Francisco Electric	Oakland	CB		6,000		6,000			6,000	H	6,000		
Demo, Grading, Asphalt,	Magdave Associates, Inc.	Oakland	CB			140,000	140,000			140,000	AA	140,000		
Trucking	Williams Trucking	Oakland	CB		6,000		6,000	6,000	6,000	6,000	AA	6,000		
Project Totals				\$0	\$43,613	\$140,000	\$183,613	\$6,000	\$6,000	\$215,367		\$183,613	\$0	
				0.00%	20.25%	65.01%	85.26%	100.00%	100.00%	100.00%		85.26%	0.00%	
Double counted dollar value						\$280,000							Ethnicity	
Percentage based on double counting						130.01%							AA = African American	
Requirements: The 50% requirement can be satisfied by a combination of 25% LBE and 25% SLBE. An SLBE firm can be counted 100% towards achieving 50% requirement. An VSLBE's participation is double counted toward meeting the requirement													AI = Asian Indian	
Legend													AP = Asian Pacific	
LBE = Local Business Enterprise						UB = Uncertified Business						C = Caucasian		
SLBE = Small Local Business Enterprise						CB = Certified Business						H = Hispanic		
Total LBE/SLBE = All Certified Local and Small Local Businesses						MBE = Minority Business Enterprise						NA = Native American		
NFLBE = NonProfit Local Business Enterprise						WBE = Women Business Enterprise						O = Other		
NPSLBE = NonProfit Small Local Business Enterprise												NL = Not Listed		
												MO = Multiple Ownership		

CONTRACTS AND COMPLIANCE UNIT



Contract Compliance Division
PROJECT EVALUATION FORM

PROJECT NO.: G381111

PROJECT NAME: Fruitvale Avenue Sidewalk Improvement Project Phase III-Rebid

CONTRACTOR: AJW Construction

<u>Engineer's Estimate:</u> \$244,134.50	<u>Contractors' Bid Amount</u> \$223,252.90	<u>Over/Under Engineer's Estimate</u> \$20,881.80
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<u>Discounted Bid Amount:</u> \$212,090.26	<u>Amount of Bid Discount</u> \$11,162.65	<u>Discount Points:</u> 6.00%
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1. Did the 50% requirements apply? **YES**

2. Did the contractor meet the 50% requirement? **YES**

a) % of LBE participation	<u>0.00%</u>
b) % of SLBE participation	<u>87.93%</u>
c) % of VSLBE participation	<u>*7.16%</u>

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

a) Total SLBE/LBE trucking participation	<u>100.00%</u>
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4. Did the contractor receive bid discounts? **YES**

(If yes, list the percentage received)	<u>5.00%</u>
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5. Additional Comments.

*VSLBE/LPG participation is valued at 3.58%, however per the L/SLBE Program a VSLBE/LPG's participation is double counted towards meeting the requirement.

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

1/23/2013
Date

Reviewing Officer:

Stephen Hays

Date: 1/23/2013

Approved By:

Shelley Dorensburg

Date: 1/23/2013

LBE/SLBE PARTICIPATION

BIDDER 3

Project Name: **Fruitvale Avenue Sidewalk Improvement Project Phase III-Rebid**

Project No.: G381111		Engineers Est: \$244,134.50					Under/Over Engineers Estimate: 20,882				For Tracking Only		
Discipline	Prime & Subs	Location	Cert. Status	LBE 25%	SLBE 25%	*VSLBE/ 1 PR double counted value	Total LBE/SLBE	L/SLBE Trucking	Total Trucking	TOTAL Dollars	Ethn.	MBE	WBE
Trucking	UJ Trucking	Oakland	CB			8,000.00	8,000.00	8,000.00	8,000.00	8,000.00	H	8,000.00	
Electrical	Phoenix Electric	SF	UB							6,000.00	AP	6,000.00	
Landscape	RMT Landscape	Oakland	CB		34,613.00		34,613.00			34,613.00	H	34,613.00	
Striping	Striping Graphics	Cotati	UB							12,950.00	NL		
Project Totals				\$0	\$196,302.00	\$8,000.00	\$204,302.00	\$8,000.00	\$8,000.00	\$223,252.90		\$210,302.00	\$0.00
				0.00%	87.93%	3.58%	91.51%	100.00%	100.00%	100.00%		94.20%	\$0.00
Double counted dollar value						\$16,000							
Percentage based on double counting						7.16%							
Requirements: The 50% requirement can be satisfied by a combination of 25% LBE and 25% SLBE. An SLBE firm can be counted 100% towards achieving 50% requirement. An VSLBE's participation is double counted toward meeting the requirement.													
Legend <div style="display: flex; justify-content: space-between;"> <div style="width: 30%;"> <p>LBE = Local Business Enterprise</p> <p>SLBE = Small Local Business Enterprise</p> <p>Total LBE/SLBE = All Certified Local and Small Local Businesses</p> <p>NPLBE = NonProfit Local Business Enterprise</p> <p>NPSLBE = NonProfit Small Local Business Enterprise</p> </div> <div style="width: 30%;"> <p>UB = Uncertified Business</p> <p>CB = Certified Business</p> <p>MBE = Minority Business Enterprise</p> <p>WBE = Women Business Enterprise</p> </div> <div style="width: 30%;"> <p>Ethnicity</p> <p>AA = African American</p> <p>AI = Asian Indian</p> <p>AP = Asian Pacific</p> <p>C = Caucasian</p> <p>N = Hispanic</p> <p>NA = Native American</p> <p>O = Other</p> <p>NL = Not Listed</p> <p>MO = Multiple Ownership</p> </div> </div>													

CONTRACTS AND COMPLIANCE UNIT



Contract Compliance Division
PROJECT EVALUATION FORM

PROJECT NO.: G381111

PROJECT NAME: Fruitvale Avenue Sidewalk Improvement Project Phase III-Rebid

CONTRACTOR: Beliveau Engineering Contractors, Inc.

<u>Engineer's Estimate:</u>	<u>Contractors' Bid Amount</u>	<u>Over/Under Engineer's Estimate</u>
\$244,134.50	\$258,698.00	-\$14,563.50

<u>Discounted Bid Amount:</u>	<u>Amount of Bid Discount</u>	<u>Discount Points:</u>
\$245,763.10	\$12,934.90	5.00%

1. Did the 50% requirements apply? **YES**

2. Did the contractor meet the 50% requirement? **YES**

a) % of LBE participation	<u>0.00%</u>
b) % of SLBE participation	<u>98.07%</u>
c) % of VLSBE participation	<u>0.00%</u>

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

a) Total SLBE/LBE trucking participation	<u>100.00%</u>
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4. Did the contractor receive bid discounts? **YES**

(If yes, list the percentage received)	<u>5.00%</u>
--	---------------------

5. Additional Comments.

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

1/23/2013
Date

Reviewing Officer:

Shelley Darenburg

Date: **1/23/2013**

Approved By:

Shelley Darenburg

Date: **1/23/2013**

LBE/SLBE PARTICIPATION BIDDER 4

Project Name: Fruitvale Avenue Sidewalk Improvement Project Phase III-Rebid															
Project No.: G381111		Engineers Est: \$244,134.50					Under/Over Engineers Estimate: -\$14,563.50								
Discipline	Prime & Subs	Location	Cert Status	LBE 25%	SLBE 25%	*VSLBE/LPG double counted value	Total		Total		TOTAL		For Tracking Only		
							LBE/SLBE	L/SLBE Trucking	Trucking	Trucking	Dollars	Ethn.	MBE	WBE	
PRIME Trucking Signs & Striping Elect. Light	Beliveau Engineering Contractors, Inc	Oakland	CB		230,548.00		230,548.00				230,548.00	C			
	Williams Trucking	Oakland	CB		5,000.00		5,000.00	5,000.00	5,000.00		5,000.00	AA	5,000.00		
	Lineation Markings	Oakland	CB		18,150.00		18,150.00				18,150.00	C			
	Phoenix Electric	SF	UB								5,000.00	AP	5,000.00		
Project Totals				\$0.00	\$253,698.00	\$0.00	\$253,698.00	\$5,000.00	\$5,000.00	\$258,698.00		\$10,000.00	\$0.00		
				0.00%	98.07%	0.00%	98.07%	100.00%	100.00%	100.00%		3.87%	0.00%		
Requirements: The 50% requirement can be satisfied by a combination of 25% LBE and 25% SLBE. An SLBE firm can be counted 100% towards achieving 50% requirement. An VSLBE's participation is double counted toward meeting the requirement.											Ethnicity				
Legend											AA = African American				
LBE = Local Business Enterprise											AP = Asian Pacific				
SLBE = Small Local Business Enterprise											C = Caucasian				
Total LBE/SLBE = All Certified Local and Small Local Businesses											H = Hispanic				
NPLBE = NonProfit Local Business Enterprise											NA = Native American				
NPSLBE = NonProfit Small Local Business Enterprise											O = Other				
											NL = Not Listed				
											MO = Multiple Ownership				

CONTRACTS AND COMPLIANCE UNIT



Contract Compliance Division
PROJECT EVALUATION FORM

PROJECT NO.: G381111

PROJECT NAME: Fruitvale Avenue Sidewalk Improvement Project Phase III-Rebid

CONTRACTOR: Empire Engineering & Construction, Inc.

<u>Engineer's Estimate:</u> \$244,134.50	<u>Contractors' Bid Amount</u> \$313,797.50	<u>Over/Under Engineer's Estimate</u> -\$69,663.00
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<u>Discounted Bid Amount:</u> \$0.00	<u>Amount of Bid Discount</u> \$0.00	<u>Discount Points:</u> 0.00%
--	--	---

- 1. Did the 50% requirements apply? **YES**

- 2. Did the contractor meet the 50% requirement? **NO**
 - a) % of LBE participation **96.92%**
 - b) % of SLBE participation **0.00%**
 - c) % of VSLBE participation **0.00%**

- 3. Did the contractor meet the Trucking requirement? **NO**
 - a) Total SLBE/LBE trucking participation **0.00%**

- 4. Did the contractor receive bid discounts? **NO**
 - (if yes, list the percentage received) **0.00%**

- 5. Additional Comments.

Empire Engineering & Construction, Inc. failed to meet the minimum 50% L/SLBE and 50% L/SLBE trucking requirement. Therefore, they are deemed non-responsive.

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

1/23/2013
Date

Reviewing Officer:

Spencer Hays

Date: 1/23/2013

Approved By:

Shelley Daronberg

Date: 1/23/2013

LBE/SLBE PARTICIPATION BIDDER 5

Project Name: Fruitvale Avenue Sidewalk Improvement Project Phase III-Rebid														
Project No.: G381111		Engineers Est: \$244,134.50					Under/Over Engineers Estimate: -\$69,663.00							
Discipline	Prime & Subs	Location	Cert Status	LBE 25%	SLBE 25%	*VSLBE/LPG double counted value	Total		Total		TOTAL Dollars	For Tracking Only		
							LBE/SLBE	L/SLBE	Trucking	Trucking		Ethn.	MBE	WBE
PRIME Striping	Empire Engineering & Construction, Inc. Striping Graphics	Oakland Cotati	CB UB	304,137.00			304,137.00				303,397.50 10,400.00	C		
Project Totals				\$304,137.00	\$0.00	\$0.00	\$304,137.00	\$0.00	\$0.00	\$0.00	\$313,797.50		\$0.00	\$0.00
				96.92%	0.00%	0.00%	96.92%	0.00%	0.00%	0.00%	100.00%		0.00%	0.00%
Requirements: The 50% requirement can be satisfied by a combination of 25% LBE and 25% SLBE. An SLBE firm can be counted 100% towards achieving 50% requirement. An VSLBE's participation is double counted toward meeting the requirement.											Ethnicity AA = African American AI = Asian Indian AP = Asian Pacific C = Caucasian H = Hispanic NA = Native American O = Other NL = Not Listed MO = Multiple Ownership			
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 "D"

Schedule L-2
City of Oakland
Community & Economic Development Agency
CONTRACTOR PERFORMANCE EVALUATION

Project Number/Title: C269130-On-Call Citywide Sidewalk Repair For Fiscal Year 2006-2007.

Work Order Number (if applicable): _____

Contractor: Rosas Brothers Construction

Date of Notice to Proceed: 7/28/2008

Date of Notice of Completion: 1/22/2010

Date of Notice of Final Completion: 1/22/2010

Contract Amount: \$932,040.00

Evaluator Name and Title: David No, Resident Engineer

The City's Resident Engineer most familiar with the Contractor's performance must complete this evaluation and submit it to Manager, CEDA 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 correctipns requested? If "Yes", specify the date(s) and reason(s) for the correction(s). Provide documentation.			Yes <input type="checkbox"/>	No <input type="checkbox"/>	N/A <input 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 perfdmied 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 attachrheht. Provide documentation.				Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>
5	Did the Cpntractpr cooperate with on-site or adjacent tenants, business owners end 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.	0 <input type="checkbox"/>	1 <input type="checkbox"/>	2 <input checked="" type="checkbox"/>	3 <input type="checkbox"/>	

Unsatisfactory
Marginal
Satisfactory
Outstanding
Not Applicable

TIMELINESS

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"/>	X	<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.			Yes <input type="checkbox"/>	No X	N/A <input 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"/>	X	<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"/>	X	<input type="checkbox"/>	<input type="checkbox"/>
12	Were there other significant issues related to timeliness? If yes, explain on the attachment. Provide documentation.			Yes <input type="checkbox"/>	No X	
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 X	3 <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.	0 <input type="checkbox"/>	1 <input type="checkbox"/>	2 <input checked="" type="checkbox"/>	3 <input type="checkbox"/>	

SAFETY

Unsatisfactory
Marginal
Satisfactory
Outstanding
Not Applicable

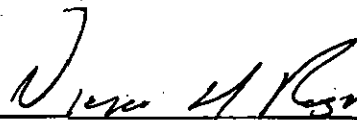
23	Did the Contractor's staff consistently wear personal protective equipment as appropriate? If "No", explain on the attachment.				Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>
24	Did the Contractor follow City and OSHA safety standards? If "Marginal or Unsatisfactory", explain on the attachment.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
25	Was the Contractor warned or cited by OSHA for violations? If Yes, explain on the attachment.				Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>
26	Was there an inordinate number or severity of injuries? Explain on the attachment. If Yes, explain on the attachment.				Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>
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 <input type="checkbox"/>	No <input checked="" type="checkbox"/>
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 <input type="checkbox"/>	1 <input type="checkbox"/>	2 <input checked="" type="checkbox"/>	3 <input type="checkbox"/>	

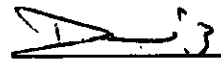
responsible for any bids they submit for future City of Oakland projects within three years of the date of the last Unsatisfactory overall rating.

Any Contractor that receives an Unsatisfactory Overall Rating is required to attend a meeting with the City Administrator, or his/her designee, prior to returning to bidding on City projects. The Contractor is required to demonstrate improvements made in areas deemed Unsatisfactory in prior City of Oakland contracts.

The Public Works Agency Contract Administration Section will retain the final evaluation and any response from the Contractor for a period of five years. The City shall treat the evaluation as confidential, to the extent permitted by law.

COMMUNICATING THE EVALUATION: *The Contractor's Performance Evaluation has been communicated to the Contractor. Signature does not signify consent or agreement.*


Contractor / Date 4/7/2010


Resident Engineer / Date 3/5/2010


Supervising Civil Engineer / Date 3/5/10

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.

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.

The Contractor provides preliminary construction staking and survey to determine the curb ramp layout(s) at each corner to ensure conformance with ADA requirements before construction starts. Also, the Contractor check for ponding at the gutter adjacent to work area and advised the City to extend the construction limit to correct the drainage issue.

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.

For every proposal requests, we required the Contractor to provide a construction schedule. The Contractor did not always provide the construction schedule or the revised schedule.

19: Were the Contractor responsive to the City's questions, requests for proposal, etc? If "Marginal or Unsatisfactory", explain on the attachment.

The Contractor was willing to negotiate the price for proposal requests and their final quotes were reasonable.

FILED
OFFICE OF THE CITY CLERK
OAKLAND

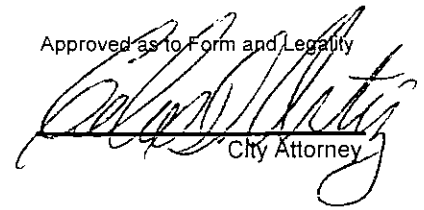
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OAKLAND CITY COUNCIL

RESOLUTION No. _____ C.M.S.

introduced by Councilmember _____

Approved as to Form and Legality



City Attorney

RESOLUTION AWARDING A CONSTRUCTION CONTRACT FOR CHAPMAN AND LANCASTER STREETS SIDEWALK IMPROVEMENT PROJECT – PHASE II (PROJECT NO. G381113) TO ROSAS BROTHERS CONSTRUCTION, THE LOWEST RESPONSIVE AND RESPONSIBLE BIDDER, IN THE AMOUNT OF TWO HUNDRED TWENTY FOUR THOUSAND, SIX HUNDRED AND TWENTY FIVE DOLLARS (\$224,625.00) IN ACCORDANCE WITH THE PROJECT PLANS AND SPECIFICATIONS AND THE CONTRACTOR'S BID

WHEREAS, the City of Oakland was awarded California Department of Transportation funds for Chapman and Lancaster Streets Sidewalk Improvement Project – Phase II (G381113); and

WHEREAS, on December 20, 2012, seven bids were received by the Office of the City Clerk of the City of Oakland for this project; and

WHEREAS, Rosas Brothers Construction, bidding as a prime, is deemed the lowest responsive and responsible bidder for the project; and

WHEREAS, Rosas Brothers Construction, complies with the City of Oakland Local Business Enterprise and Small Local Business Enterprise Program requirements; and

WHEREAS, there are sufficient funds in the project budget for the work that will be available in the following project accounts:

- California Department of Transportation Fund (2140); Engineering Design: Streets & Structures Organization (92242); Street Construction Account (57411);

WHEREAS, the City Council finds and determines based on the representations set forth in the City Administrator's report accompanying this Resolution that the construction contract approved hereunder is temporary in nature; and

WHEREAS, the City lacks the equipment and qualified personnel to perform the necessary work, that the performance of this contract is in the public interest because of economy or better performance and that this contract is of a professional, scientific or technical nature; 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 is authorized to award a construction contract for the Chapman and Lancaster Streets Sidewalk Improvement Project -- Phase II (G381113) to Rosas Brothers Construction, the lowest responsive and responsible bidder, in the amount of Two Hundred and Twenty Four Thousand, Six Hundred and Twenty Five Dollars (\$224,625.00) in accord with the project plans and specifications and the contractor's bid dated December 20, 2012; and be it

FURTHER RESOLVED: That the City Council hereby approves the plans and specifications prepared at the direction of the Assistant Director of the Public Works Agency for this project; and be it

FURTHER RESOLVED: That the City Administrator is authorized to execute any amendments or modifications of the contract with Rosas Brothers Construction within the limitations of the project specifications; and be it

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

FURTHER RESOLVED: That the faithful performance bond and a bond to guarantee payment of all claims for labor and materials furnished and for the amount of 100% of the contract price and due under the Unemployment Insurance Act submitted 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 for form and legality prior to execution and placed on file in the Office of the City Clerk.

IN COUNCIL, OAKLAND, CALIFORNIA, _____

PASSED BY THE FOLLOWING VOTE:

AYES - BROOKS, GALLO, KALB, KAPLAN, GIBSON McELHANEY, REID, SCHAAF and PRESIDENT KERNIGHAN

NOES -

ABSENT -

ABSTENTION -

ATTEST: _____

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

FILED
OFFICE OF THE CITY CLERK
OAKLAND

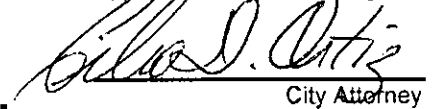
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OAKLAND CITY COUNCIL

RESOLUTION No. _____ C.M.S.

Introduced by Councilmember _____

Approved as to Form and Legality


City Attorney

RESOLUTION AWARDING A CONSTRUCTION CONTRACT FOR FRUITVALE AVENUE SIDEWALK IMPROVEMENT PROJECT – PHASE III (PROJECT NO. G381114) TO ROSAS BROTHERS CONSTRUCTION, THE LOWEST RESPONSIVE AND RESPONSIBLE BIDDER, IN THE AMOUNT OF TWO HUNDRED AND EIGHT THOUSAND, THREE HUNDRED AND NINETY THREE DOLLARS AND FIFTY CENTS (\$208,393.50) IN ACCORDANCE WITH THE PROJECT PLANS AND SPECIFICATIONS AND THE CONTRACTOR'S BID

WHEREAS, the City of Oakland was awarded California Department of Transportation funds for Fruitvale Avenue Sidewalk Improvement Project – Phase III (G381114); and

WHEREAS, on December 20, 2012, five bids were received by the Office of the City Clerk of the City of Oakland for this project; and

WHEREAS, Rosas Brothers Construction, bidding as a prime, is deemed the lowest responsive and responsible bidder for the project; and

WHEREAS, Rosas Brothers Construction, complies with the City of Oakland Local Business Enterprise and Small Local Business Enterprise Program; and

WHEREAS, there are sufficient funds in the project budget for the work that will be available in the following project account:

- Department of Transportation Fund (2140); Engineering Design: Streets & Structures Organization (92242); Street Construction Account (57411)

WHEREAS, the City Council finds and determines based on the representations set forth in the City Administrator's report accompanying this Resolution that the construction contract approved hereunder is temporary in nature; and

WHEREAS, the City lacks the equipment and qualified personnel to perform the necessary work, that the performance of this contract is in the public interest because of economy or better performance and that this contract is of a professional, scientific or technical nature; and

WHEREAS, Rosas Brothers Construction complies with all LBE/SLBE and trucking requirements; 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 a construction contract for the Fruitvale Avenue Sidewalk Improvement Project – Phase III (G381114) is hereby awarded to **Rosas Brothers Construction**, the lowest responsive and responsible bidder, in the amount of Two Hundred and Eight Thousand, Three Hundred and Ninety Three Dollars and Fifty Cents (\$208,393.50) in accord with the project plans and specifications and the contractor's bid dated December 20, 2012; and be it

FURTHER RESOLVED: That the City Council hereby approves the plans and specifications prepared at the direction of the Assistant Director of the Public Works Agency for this project; and be it

FURTHER RESOLVED: That the City Administrator is authorized to execute any amendments or modifications of the contract with Rosas Brothers 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 faithful performance bond and a bond to guarantee payment of all claims for labor and materials furnished are in the amount of 100% of the contract price and are due under the Unemployment Insurance Act submitted 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 for form and legality prior to execution and placed on file in the Office of the City Clerk.

IN COUNCIL, OAKLAND, CALIFORNIA, _____

PASSED BY THE FOLLOWING VOTE:

AYES - BROOKS, GALLO, KALB, KAPLAN, GIBSON McELHANEY, REID, SCHAAF and PRESIDENT KERNIGHAN

NOES -

ABSENT -

ABSTENTION -

ATTEST: _____

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