

FILED  
OFFICE OF THE CITY CLERK  
OAKLAND  
2009 FEB 11 PM 4:12

# CITY OF OAKLAND

## AGENDA REPORT

TO: Office of the City Administrator  
ATTN: Dan Lindheim  
FROM: Community and Economic Development Agency  
DATE: February 24, 2009

RE: **Resolution Authorizing Award Of A Construction Contract To Pacific Trenchless, Inc. For The Rehabilitation Of Sanitary Sewers Off Alvarado Road and Evergreen Lane (Project No. C282811) For The Amount Of Two Hundred Fifty-Four Thousand Nine Hundred Ten Dollars (\$254,910.00)**

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### SUMMARY

A resolution has been prepared authorizing the City Administrator to award a construction contract in the amount of \$254,910.00 to Pacific Trenchless Inc. for the rehabilitation of sanitary sewers off Alvarado Road and Evergreen Lane (Project No. C282811). The work to be completed under this project is part of the City's annual Sanitary Sewer Rehabilitation program. The work is located in Council District 1 and as shown in *Attachment A*.

It is recommended that the resolution be approved.

### FISCAL IMPACT

Approval of this resolution will authorize the City Administrator to award a construction contract to Pacific Trenchless Inc. in the amount of \$254,910.00. Funding for this project is available in

- Sewer Service Fund (3100); Capital project – sanitary sewer design organization (92244); sewers account (57417); Project C282811; \$254,910.00.

This project will rehabilitate existing sewer pipes and help reduce the demand for sanitary sewer maintenance.

### BACKGROUND

On December 4, 2008, the City Clerk received eight bids for this project in the amounts of \$244,000.00, \$254,910.00, \$262,000.00, \$285,075.00, \$305,000.00, \$341,376.00, \$389,650.00 and \$428,500.00 as shown in *Attachment B*. The lowest bidder, KJ Woods Construction, did not meet the 20% L/SLBE requirement and was deemed non-responsive. The second lowest bidder,

Item: \_\_\_\_\_  
Public Works Committee  
February 24, 2009

Pacific Trenchless, Inc., is deemed responsive and responsible, and therefore is recommended for the award. The Engineer's estimate for the work is \$344,150.00.

Under the proposed contract with Pacific Trenchless, Inc., LBE/SLBE participation of \$239,010.00 (93.84%) exceeds the City's 20% LBE/SLBE requirement. The contractor shows \$200.00 (100%) for trucking exceeding the 20% Local Trucking requirement. The contractor received 5% credit for LBE/SLBE preference, or \$12,746.00. The contractor is required to have 50% of the work hours performed by Oakland residents, and 50% of all new hires are to be Oakland residents. The LBE/SLBE information has been verified by the Contract Compliance Division of the Department of Contracting and Purchasing, and is shown in *Attachment C*.

### **KEY ISSUES AND IMPACTS**

Construction is scheduled to begin in March 2009 and should be completed by June 2009. The contract specifies \$1,000.00 in liquidated damages per calendar day if the contract is not completed within 50 working days. The project schedule is shown in *Attachment B*.

### **PROJECT DESCRIPTION**

In general, the proposed work consists of replacement of 1,685 lineal feet of 8-inch diameter sewer mains by pipe expanding; reconnecting house connection sewers; and other ancillary works as indicated on the plans and specifications.

### **EVALUATION OF PAST PERFORMANCE**

The Contractor Performance Evaluation for Pacific Trenchless Inc. from a previously completed project is included as *Attachment D*.

### **SUSTAINABLE OPPORTUNITIES**

**Economic:** The contractor is required to have 50% of the work hours performed by Oakland residents, and 50% of all new hires are to be Oakland residents.

**Environmental:** The replacement of the sanitary sewers will eliminate the possibility of sewer leakage and overflows and thus prevent potential harm to groundwater resources and the bay. The contractor will be required to make every effort to reuse clean fill materials and use recyclable concrete and asphalt products. Best Management Practices for the protection of storm water runoff during construction will be required.

**Social Equity:** This project is part of the citywide program to eliminate wastewater overflows thereby benefiting all Oakland residents.

## DISABILITY AND SENIOR CITIZEN ACCESS

There is no direct impact or benefit to seniors or people with disabilities. During construction, the Contractor will be required to monitor safe access through the construction area.

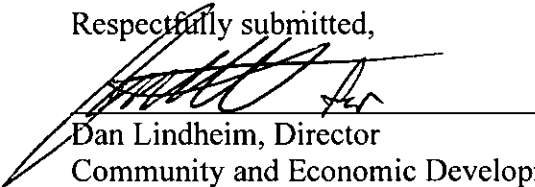
## RECOMMENDATION AND RATIONALE

It is recommended that the construction contract be awarded to Pacific Trenchless, Inc., the lowest responsive responsible bidder, in the amount of \$254,910.00 for the rehabilitation of sanitary sewers off Alvarado Road and Evergreen Lane (Project No. C282811). Pacific Trenchless Inc. has met the LBE/SLBE requirements, and there are sufficient funds in the project account.

## ACTION REQUESTED OF THE CITY COUNCIL

Staff recommends that the City Council approve the resolution.

Respectfully submitted,



\_\_\_\_\_  
Dan Lindheim, Director  
Community and Economic Development Agency

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

Prepared by:  
Allen Law, P.E., Acting Supervising Civil Engineer  
Engineering Design & R.O.W. Management Division

APPROVED AND FORWARDED TO  
THE PUBLIC WORKS COMMITTEE:

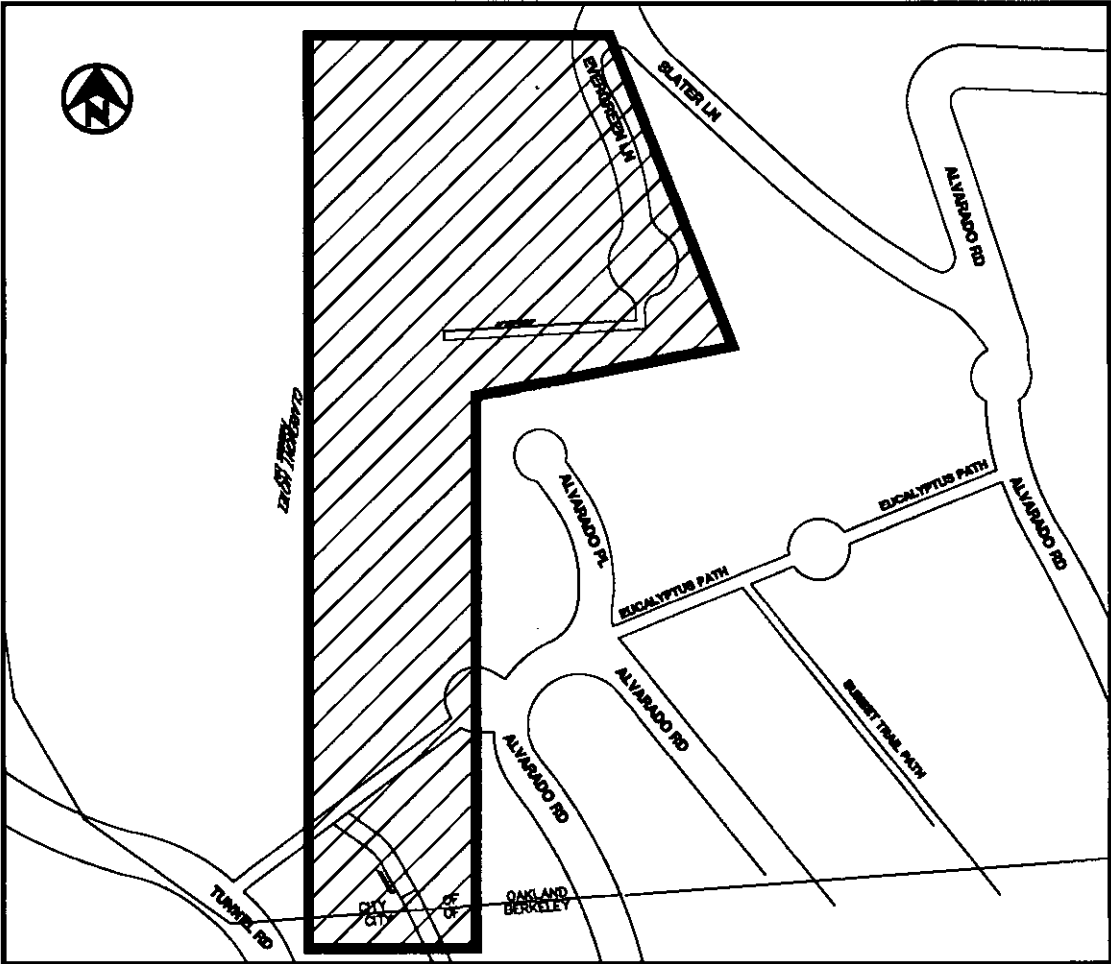


\_\_\_\_\_  
Office of the City Administrator

Item: \_\_\_\_\_  
Public Works Committee  
February 24, 2009

# PLANS FOR THE REHABILITATION OF SANITARY SEWERS OFF ALVARADO ROAD AND EVERGREEN LANE

CITY PROJECT NO. C282811



**LOCATION MAP**

NOT TO SCALE

LIMIT OF WORK 

**Attachment B**

**The Rehabilitation Of Sanitary Sewers Off Alvarado Road and Evergreen Lane  
(Project No. C282811)**

**List of Bidders**

<b>Company</b>	<b>Location</b>	<b>Bid Amount</b>
KJ Woods Construction	San Francisco	\$244,000.00
Pacific Trenchless, Inc.	Oakland	\$254,910.00
Mosto Construction Inc.	Oakland	\$262,000.00
Precision Engineering, Inc.	San Francisco	\$285,075.00
Andes Construction, Inc.	Oakland	305,000.00
Bay Construction	Oakland	341,376.00
Rosas Brothers Construction	Oakland	389,650.00
Pfiser Excavating, Inc.	Vallejo	\$428,500.00

**Project Schedule**

ID	Task Name	Start	Finish	2008				2009				
				Qtr 2	Qtr 3	Qtr 4	Qtr 1	Qtr 2	Qtr 3			
1	<b>Proj. No. C282811</b>	<b>Mon 11/5/07</b>	<b>Fri 6/5/09</b>									
2	Design	Mon 11/5/07	Fri 9/19/08									
3	Bid/Award	Mon 9/22/08	Mon 3/9/09									
4	Construction	Tue 3/10/09	Fri 6/5/09									

# Memo

Department of Contracting and Purchasing  
Social Equity Division



To: Gunawan Santoso, Civil Engineer  
 From: Vivian Inman Contract Compliance Officer  
 Through: Deborah Barnes, Director, DC&P  
 Shelley Darenburg, Sr. Contract Compliance Officer *S Darenburg*  
 CC: Gwen McCormick, Contract Administration Supervisor  
 Date: January 29, 2009  
 Re: C282811--Rehabilitation of Sanitary Sewers off Alvarado Road and Evergreen Lane

The Department of Contracting and Purchasing (DCP), Division of Social Equity, reviewed eight (8) bids in response to the above referenced project. Below is the outcome of the compliance evaluation for the minimum 20% 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.

Below are the results of our findings:

Responsive		Proposed Participation				Earned Credits and Discounts			Banked Credits Eligibility	EBO Compliant? Y/N
Company Name	Original Bid Amount	Total LBE/SLBE	LBE	SLBE	Trucking	Total Credited participation	Earned Bid Discounts	Adjusted Bid Amount		
Pacific Trenchless	\$254,910	93.84%	0%	93.84%	100%	93.84%	5%	\$242,165	2%	Y
Mosto Construction	\$262,000	100%	0%	100%	100%	100%	5%	\$248,900	2%	Y
Precision Engineering	\$285,075	20%	4%	16%	100%	20%	2%	\$279,374	0%	Y
Andes Construction	\$305,000	100%	0%	100%	100%	100%	5%	\$289,750	2%	Y
Bay Construction	\$341,376	100%	1%	99%	100%	100%	5%	\$324,307	2%	Y

**Comments:** As noted above, all firms met and/or exceeded the minimum 20% L/SLBE requirement. All firms are EBO compliant.

Non-Responsive		Proposed Participation				Earned Credits and Discounts			Banked Credits Eligibility	EBO Compliant? Y/N
Company Name	Original Bid Amount	Total LBE/SLBE	LBE	SLBE	Trucking	Total Credited participation	Earned Bid Discounts	Adjusted Bid Amount		
K J Woods Construction	\$244,000	16.39%	7.377%	9.02%	0%	0%	0%	N/A	0%	Y
Rosas Brothers Construction	\$389,650	0%	0%	0%	0%	0%	0%	NA	0%	Y
Pfiser Excavating, Inc.	\$428,500	1%	0%	1%	100%	0%	0%	NA	0%	Y

**Comments:** As noted above, all contractors failed to meet the City's 20% L/SLBE minimum participation requirement. KJ Woods listed \$18,000 in trucking dollars. Based on the other bids received and the project manager's determination, there is not \$18,000 of trucking on this project. Therefore, the firm did not receive credit towards the minimum 20% L/SLBE and 20% trucking participation.

**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:** Pacific Trenchless  
**Project Name:** Rehabilitation of Sanitary Sewers at Four Locations  
**Project No.** C282890

The contractor's last completed project for the City of Oakland in the last fiscal year was a 30 day project and the LEP and Oakland Apprenticeship Programs did not apply.

**50% Local Employment Program (LEP)**

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

**15% Oakland Apprenticeship Program**

Was the 15% Apprenticeship Goal achieved?	NA	If no, shortfall hours?	NA
Were shortfalls satisfied?	NA	If no, penalty amount?	NA

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				
	Workforce Hours	LEP Project Employment and Work Hours Goal		LEP Employment and Work Hours Achieved		# Resident New Hires	Shortfall Hours	% LEP Compliance	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
NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA

**Comments:** NA

Should you have any questions, please contact the Department of Contracting and Purchasing at (510) 238-3970.



**DEPARTMENT OF CONTRACTING AND PURCHASING**

**Social Equity Division**

**PROJECT COMPLIANCE EVALUATION FOR :**

**Project No. C282811**

**RE: Rehabilitation of Sanitary Sewers off Alvarado Road and Evergreen Lane**

**CONTRACTOR:**

**PacificTrenchless**

<b><u>Engineer's Estimate:</u></b> \$344,150	<b><u>Contractors' Bid Amount</u></b> \$254,910	<b><u>Over/Under</u></b> <b><u>Engineer's Estimate</u></b> \$89,240
<b><u>Discounted Bid Amount:</u></b> \$242,165	<b><u>Amt. of Bid Discount</u></b> \$12,746	<b><u>Discount Points:</u></b> 5%

- 1. Did the 20% local/small local requirement apply: **YES**
- 2. Did the contractor meet the 20% requirement
  - a) % of LBE participation **0%**
  - b) % of SLBE participation **93.84%**
- 3. Did the contractor meet the Trucking requirement? **YES**
  - a) Total trucking participation **100%**
- 4. Did the contractor receive bid discount points? **YES**
  - (If yes, list the points received) **5%**
- 5. Additional Comments.

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

1/5/2009

Date

**Reviewing**  
**Officer:**

*Vivian...*

**Date:** 1/6/09

**Approved By**

*Shelley Darenberg*

**Date:** 1/6/09



## LBE/SLBE Participation Bidder 2

Project Name: **Rehabilitation of Sanitary Sewers off Alvarado Road & Evergreen Lane**

Project No.: C282811		Engineer's Estimate 344,150				Under/Over Engineers Estimate: 89,240						
Discipline	Prime & Subs	Location	Cert. Status	LBE	SLBE	Total LBE/SLBE	L/SLBE Trucking	Total Trucking	TOTAL Dollars			
										Ethn	MBE	WBE
PRIME Trucking HDPE Pipe Manhole Materials	PacificTrenchless	Oakland	CB		239,010		239,010		239,010	C		
	Williams Trucking	Oakland	CB		200	200	200	200	200	AA	200	
	P&F Distributors	Brisbane	UB						12,900	C		
	US Concrete	Livermore	UB						2,800	C		
<b>Project Totals</b>				\$0	\$239,210	\$200	\$239,210	\$200	\$254,910		\$200	\$0
				0.00%	93.84%	93.84%	100%	100%	100%		0.08%	
<b>Requirements:</b> The 20% requirements is a combination of 10% LBE and 10% SLBE participation. An SLBE firm can be counted 100% towards achieving 20% requirements.				LBE 10%	SLBE 10%	TRUCKING 20%	LBE/SLBE 20%			<b>Ethnicity</b> AA = African American A = Asian C = Caucasian H = Hispanic NA = Native American O = Other NL = Not Listed		
<b>Legend</b>				LBE = Local Business Enterprise				UB = Uncertified Business				
				SLBE = Small Local Business Enterprise				CB = Certified Business				
				Total LBE/SLBE = All Certified Local and Small Local Businesses				MBE = Minority Business Enterprise				
				NPLBE = NonProfit Local Business Enterprise				WBE = Women Business Enterprise				
				NPSLBE = NonProfit Small Local Business Enterprise								



**DEPARTMENT OF CONTRACTING AND PURCHASING**

**Social Equity Division**

**PROJECT COMPLIANCE EVALUATION FOR :**

Project No. C282811

RE: **Rehabilitation of Sanitary Sewers off Alvarado Road and Evergreen Lane**

**CONTRACTOR:**

**Mosto Construction**

<u>Engineer's Estimate:</u> \$344,150	<u>Contractors' Bid Amount</u> \$262,000	<u>Over/Under Engineer's Estimate</u> \$82,150
<u>Discounted Bid Amount:</u> \$248,900	<u>Amt. of Bid Discount</u> \$13,100	<u>Discount Points:</u> 5%

1. Did the 20% local/small local requirement apply: **YES**
2. Did the contractor meet the 20% requirement
  - a) % of LBE participation **0%**
  - b) % of SLBE participation **100%**
3. Did the contractor meet the Trucking requirement? **YES**
  - a) Total trucking participation **100%**
4. Did the contractor receive bid discount points? **YES**

(If yes, list the points received) **5%**
5. Additional Comments.

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

1/5/2009

Date

**Reviewing  
Officer:**

*Vince...* Date: 1/6/09

**Approved By**

*Shelley Dorensberg* Date: 1/6/09

## LBE/SLBE Participation Bidder 3

Project Name: **Rehabilitation of Sanitary Sewers off Alvarado Road & Evergreen Lane**

Project No.: C282811		Engineer's Estimate 344,150				Under/Over Engineers Estimate: 82,150						
Discipline	Prime & Subs	Location	Cert. Status	LBE	SLBE	Total LBE/SLBE	L/SLBE Trucking	Total Trucking	TOTAL Dollars	Ethnicity	MBE	WBE
PRIME Trucking	Mosto Construction	Oakland	CB		260,000	260,000			260,000	H	260,000	
	Monroe Brooks Trucking	Oakland	CB		2,000	2,000	2,000	2,000	2,000	AA	2,000	
<b>Project Totals</b>				\$0	\$262,000	\$262,000	\$2,000	\$2,000	\$262,000		\$262,000	\$0
				0%	100%	100%	100%	100%	100%		100%	
<b>Requirements:</b> The 20% requirements is a combination of 10% LBE and 10% SLBE participation. An SLBE firm can be counted 100% towards achieving 20% requirements.				<b>LBE 10%</b>	<b>SLBE 10%</b>	<b>TRUCKING 20%</b>	<b>LBE/SLBE 20%</b>			<b>Ethnicity</b> AA = African American A = Asian C = Caucasian H = Hispanic NA = Native American O = Other NL = Not Listed		
<b>Legend</b>				LBE = Local Business Enterprise SLBE = Small Local Business Enterprise Total LBE/SLBE = All Certified Local and Small Local Businesses NPLBE = NonProfit Local Business Enterprise NPSLBE = NonProfit Small Local Business Enterprise		UB = Uncertified Business CB = Certified Business MBE = Minority Business Enterprise WBE = Women Business Enterprise						



**DEPARTMENT OF CONTRACTING AND PURCHASING**

**Social Equity Division**

**PROJECT COMPLIANCE EVALUATION FOR :**

Project No. C282811

RE:

**Rehabilitation of Sanitary Sewers off Alvarado Road and Evergreen Lane**

**CONTRACTOR:**

**Precision Engineering**

<u>Engineer's Estimate:</u> \$344,150	<u>Contractors' Bid Amount</u> \$285,075	<u>Over/Under Engineer's Estimate</u> \$59,075
<u>Discounted Bid Amount:</u> \$279,374	<u>Amt. of Bid Discount</u> \$5,702	<u>Discount Points:</u> 2%
1. Did the 20% local/small local requirement apply:		<u>YES</u>
2. Did the contractor meet the 20% requirement		<u>YES</u>
a) % of LBE participation	<u>4%</u>	
b) % of SLBE participation	<u>16%</u>	
3. Did the contractor meet the Trucking requirement?		<u>YES</u>
a) Total trucking participation	<u>100%</u>	
4. Did the contractor receive bid discount points?		<u>YES</u>
(If yes, list the points received)		
5. Additional Comments.		

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

1/5/2009

Date

Reviewing Officer:

Vivian [Signature]

Date: 1/6/09

Approved By

Shelley Qarensburg

Date: 1/6/09

## LBE/SLBE Participation Bidder 4

Project Name: **Rehabilitation of Sanitary Sewers off Alvarado Road & Evergreen Lane**

Project No.: C282811		Engineer's Estimate 344,150				Under/Over Engineers Estimate: 54,575						
Discipline	Prime & Subs	Location	Cert. Status	LBE	SLBE	Total LBE/SLBE	L/SLBE Trucking	Total Trucking	TOTAL Dollars	Ethn	MBE	WBE
<b>PRIME</b>	Precision Engineering	San Francisco	UB						231,575	C		
Trucking	CJC Trucking	Oakland	UB		22,000	22,000	22,000	22,000	22,000	AA	22,000	
Sawcutting	Bayline Saw Cutting	Oakland	CB		7,000	7,000			7,000	H	7,000	
Concrete	Oakland Ready Mix	Oakland	CB		12,500	12,500			12,500	C		
Materials	URS Corporation	Oakland	CB		12,000	12,000			12,000	C		
Supplies	Level Construction	Oakland	CB		4,500	4,500			4,500.00	C		
<b>Project Totals</b>				\$0	\$58,000	\$58,000	\$22,000	\$22,000	\$289,575		\$29,000	\$0
				0%	20%	20%	100%	100%	100%		10.01%	
<b>Requirements:</b> The 20% requirements is a combination of 10% LBE and 10% SLBE participation. An SLBE firm can be counted 100% towards achieving 20% requirements.				<b>LBE 10%</b>	<b>SLBE 10%</b>	<b>TRUCKING 20%</b>	<b>LBE/SLBE 20%</b>			<b>Ethnicity</b> AA = African American A = Asian C = Caucasian H = Hispanic NA = Native American O = Other NL = Not Listed		
<b>Legend</b>				LBE = Local Business Enterprise SLBE = Small Local Business Enterprise Total LBE/SLBE = All Certified Local and Small Local Businesses NPLBE = NonProfit Local Business Enterprise NPSLBE = NonProfit Small Local Business Enterprise		UB = Uncertified Business CB = Certified Business MBE = Minority Business Enterprise WBE = Women Business Enterprise						



**DEPARTMENT OF CONTRACTING AND PURCHASING**

**Social Equity Division**

**PROJECT COMPLIANCE EVALUATION FOR :**

Project No. C282811

RE:

**Rehabilitation of Sanitary Sewers off Alvarado Road and Evergreen Lane**

**CONTRACTOR:**

**Andes Construction**

<u>Engineer's Estimate:</u> \$344,150	<u>Contractors' Bid Amount</u> \$305,000	<u>Over/Under Engineer's</u> \$39,150
<u>Discounted Bid Amount:</u> \$289,750	<u>Amt. of Bid Discount</u> \$15,250	<u>Discount Points:</u> 5%

- 1. Did the 20% local/small local requirement apply: **YES**
- 2. Did the contractor meet the 20% requirement **YES**
  - a) % of LBE participation **0%**
  - b) % of SLBE participation **100%**
- 3. Did the contractor meet the Trucking requirement? **YES**
  - a) Total trucking participation **100%**
- 4. Did the contractor receive bid discount points? **YES**
  - (If yes, list the points received) **5%**
- 5. Additional Comments.

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

1/5/2009

Date

**Reviewing Officer:**

*Vince [Signature]*

**Date:** 1/6/09

**Approved By**

Shelley Oarensburg

**Date:** 1/6/09

## LBE/SLBE Participation Bidder 5

Project Name: **Rehabilitation of Sanitary Sewers off Alvarado Road & Evergreen Lane**

Project No.: C282811		Engineer's Estimate: 344,150				Under/Over Engineers Estimate: 39,150							
Discipline	Prime & Subs	Location	Cert. Status	LBE	SLBE	Total LBE/SLBE	L/SLBE Trucking	Total Trucking	TOTAL Dollars				
										Ethnic	MBE	WBE	
PRIME Trucking	Andes Construction	Oakland	CB		303,000	303,000			303,000	H	303,000		
	Irvin Trucking	Oakland	CB		2,000		2,000	2,000	2,000	AA	2,000		
<b>Project Totals</b>				\$0	\$305,000	\$303,000	\$2,000	\$2,000	\$305,000		\$305,000	\$0	
				0%	100%	100%	100%	100%	100%		100.00%		
<b>Requirements:</b> The 20% requirements is a combination of 10% LBE and 10% SLBE participation. An SLBE firm can be counted 100% towards achieving 20% requirements.  participation. An SLBE firm can be counted 100% towards achieving 20% requirements.				<b>LBE 10%</b>	<b>SLBE 10%</b>	<b>TRUCKING 20%</b>	<b>LBE/SLBE 20%</b>			<b>Ethnicity</b> AA = African American A = Asian C = Caucasian H = Hispanic NA = Native American O = Other NL = Not Listed			
				UB = Uncertified Business CB = Certified Business MBE = Minority Business Enterprise WBE = Women 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									



**DEPARTMENT OF CONTRACTING AND PURCHASING**

**Social Equity Division**

**PROJECT COMPLIANCE EVALUATION FOR :**

Project No. C282811

RE: **Rehabilitation of Sanitary Sewers off Alvarado Road and Evergreen Lane**

**CONTRACTOR:** Bay Construction

<u>Engineer's Estimate:</u> \$344,150	<u>Contractors' Bid Amount</u> \$341,376	<u>Over/Under Engineer's Estimate</u> \$2,774
<u>Discounted Bid Amount:</u> \$324,307	<u>Amt. of Bid Discount</u> \$17,069	<u>Discount Points:</u> 5%

1. Did the 20% local/small local requirement apply: **YES**
2. Did the contractor meet the 20% requirement
  - a) % of LBE participation **1%**
  - b) % of SLBE participation **99%**
3. Did the contractor meet the Trucking requirement? **YES**
  - a) Total trucking participation **100%**
4. Did the contractor receive bid discount points? **YES**  
(If yes, list the points received) **5%**
5. Additional Comments.

6. Date evaluation completed and returned to Contract Admin./Initiating Dept.  
1/5/2009  
Date

Reviewing Officer: *Vivian [Signature]*  
Approved By *Shelley Darsenbury*

Date: *1/6/09*  
Date: *1/6/09*



## LBE/SLBE Participation Bidder 6

Project Name: **Rehabilitation of Sanitary Sewers off Alvarado Road & Evergreen Lane**

Project No.: C282811		Engineer's Estimate 344,150			Under/Over Engineers Estimate: 2,774							
Discipline	Prime & Subs	Location	Cert. Status	LBE	SLBE	Total LBE/SLBE	L/SLBE Trucking	Total Trucking	TOTAL Dollars	Ethnicity	MBE	WBE
PRIME Trucking Concrete	Bay Construction	Oakland	CB		334,876	334,876			334,876	A	334,876	
	Williams Trucking	Oakland	CB		2,500	2,500	2,500	2,500	2,500	AA	2,500	
	Bay Line Saw Cutting	Oakland	CB	4,000		4,000			4,000	H	4,000	
<b>Project Totals</b>				\$4,000	\$337,376	\$341,376	\$2,500	\$2,500	\$341,376		\$341,376	\$0
				1%	99%	100%	100%	100%	100%		100%	
<b>Requirements:</b> The 20% requirements is a combination of 10% LBE and 10% SLBE participation. An SLBE firm can be counted 100% towards achieving 20% requirements.				<b>LBE 10%</b>	<b>SLBE 10%</b>	<b>TRUCKING 20%</b>	<b>LBE/SLBE 20%</b>			<b>Ethnicity</b> AA = African American A = Asian C = Caucasian H = Hispanic NA = Native American O = Other NL = Not Listed		
participation. An SLBE firm can be counted 100% towards achieving 20% requirements.				UB = Uncertified Business CB = Certified Business MBE = Minority Business Enterprise WBE = Women 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								

**DEPARTMENT OF CONTRACTING AND PURCHASING**



**Social Equity Division**

**PROJECT COMPLIANCE EVALUATION FOR :**

Project No. **C282811**

RE: **Rehabilitation of Sanitary Sewers off Alvarado Road and Evergreen Lane**

**CONTRACTOR**

**Pfiser Excavating, Inc.**

<u>Engineer's Estimate:</u> \$344,150	<u>Contractors' Bid Amount</u> \$428,500	<u>Over/Under Engineer's Estimate</u> (\$84,350)
<u>Discounted Bid Amount:</u> \$428,500	<u>Amt. of Bid Discount</u> \$0	<u>Discount Points:</u> 5%
1. Did the 20% local/small local requirement apply:		<b><u>YES</u></b>
2. Did the contractor meet the 20% requirement		<b><u>NO</u></b>
a) % of LBE participation	<b><u>0%</u></b>	
b) % of SLBE participation	<b><u>1%</u></b>	
3. Did the contractor meet the Trucking requirement?		<b><u>YES</u></b>
a) Total trucking participation	<b><u>100%</u></b>	
4. Did the contractor receive bid discount points?		<b><u>NO</u></b>
(If yes, list the points received)	<b><u>0%</u></b>	
5. Additional Comments.		
<b>Contractor failed to meet the minimum 20% L/SLBE participation requirement. Therefore the firm is deemed non-responsive.</b>		

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

1/5/2009

Date

Reviewing Officer:

*Vittoria*

Date: 1/6/09

Approved By

*Shelley Qarensberg*

Date: 1/6/09

## LBE/SLBE Participation Bidder 8

Project Name: **Rehabilitation of Sanitary Sewers off Alvarado Road & Evergreen Lane**

Project No.: C282811		Engineer's Estimate 344,150				Under/Over Engineers Estimate: -84,350							
Discipline	Prime & Subs	Location	Cert. Status	LBE	SLBE	Total LBE/SLBE	L/SLBE Trucking	Total Trucking	TOTAL Dollars	Ethnicity	MBE	WBE	
										H	AA		
PRIME Trucking	Pfiser Excavating, Inc. Sudden Sams	Vallejo Oakland	UB CB		4,000	4,000	4,000	4,000	424,500				
									4,000	4,000			
<b>Project Totals</b>				\$0	\$4,000	\$4,000	\$4,000	\$4,000	\$428,500		\$4,000	\$0	
				0%	1%	1%	100%	100%	100%		1%		
<b>Requirements:</b>				LBE 10%	SLBE 10%	TRUCKING 20%	LBE/SLBE 20%		<b>Ethnicity</b> AA = African American A = Asian C = Caucasian H = Hispanic NA = Native American O = Other NL = Not Listed				
The 20% requirements is a combination of 10% LBE and 10% SLBE participation. An SLBE firm can be counted 100% towards achieving 20% requirements.  participation. An SLBE firm can be counted 100% towards achieving 20% requirements.				UB = Uncertified Business CB = Certified Business MBE = Minority Business Enterprise WBE = Women 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													



**DEPARTMENT OF CONTRACTING AND PURCHASING**

**Social Equity Division**

**PROJECT COMPLIANCE EVALUATION FOR :**

Project No. C282811

RE: **Rehabilitation of Sanitary Sewers off Alvarado Road and Evergreen Lane**

**CONTRACTOR:** Rosas Brothers Construction

<u>Engineer's Estimate:</u> \$344,150	<u>Contractors' Bid Amount</u> \$389,650	<u>Over/Under Engineer's Estimate</u> (\$45,500)
<u>Discounted Bid Amount:</u> \$389,650	<u>Amt. of Bid Discount</u> \$0	<u>Discount Points:</u> 5%

- 1. Did the 20% local/small local requirement apply: **YES**
- 2. Did the contractor meet the 20% requirement
  - a) % of LBE participation **0%**
  - b) % of SLBE participation **0%**
- 3. Did the contractor meet the Trucking requirement? **NO**
  - a) Total trucking participation **0%**
- 4. Did the contractor receive bid discount points? **NO**  
(If yes, list the points received) **0%**

5. Additional Comments.  
**Contractor failed to list dollar amounts on the Schedule R and compliance cannot be determined. Therefore, contractor is deemed non-responsive.**

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

1/5/2009

Date

**Reviewing Officer:**

*[Signature]*

**Date:** 1/6/09

**Approved By**

*Shelley Darenburg*

**Date:** 1/6/09

## LBE/SLBE Participation Bidder 7

Project Name: **Rehabilitation of Sanitary Sewers off Alvarado Road & Evergreen Lane**

Project No.: C282811		Engineer's Estimate: 344,150				Under/Over Engineers Estimate: -45,500							
Discipline	Prime & Subs	Location	Cert. Status	LBE	SLBE	Total LBE/SLBE	L/SLBE Trucking	Total Trucking	TOTAL Dollars				
										Ethn.	MBE	WBE	
PRIME Trucking	Rosas Brothers Construction	Oakland	CB							H			
	Williams Trucking	Oakland	CB							AA			
<b>Project Totals</b>				\$0 0%	\$0 0%	\$0 0%	\$0 0%	\$0 0%	\$389,650 100%		\$0 0%	\$0	
<b>Requirements:</b> The 20% requirements is a combination of 10% LBE and 10% SLBE participation. An SLBE firm can be counted 100% towards achieving 20% requirements. participation. An SLBE firm can be counted 100% towards achieving 20% requirements.				LBE 10%	SLBE 10%	TRUCKING 20%	LBE/SLBE 20%			<b>Ethnicity</b> AA = African American A = Asian C = Caucasian H = Hispanic NA = Native American O = Other NL = Not Listed			
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									



**DEPARTMENT OF CONTRACTING AND PURCHASING**

**Social Equity Division**

**PROJECT COMPLIANCE EVALUATION FOR :**

**Project No. C282811**

**RE:**

**Rehabilitation of Sanitary Sewers off Alvarado Road and Evergreen Lane**

**CONTRACTOR:**

**KJ Woods Construction**

<b><u>Engineer's Estimate:</u></b>	<b><u>Contractors' Bid Amount</u></b>	<b><u>Over/Under Engineer's Estimate</u></b>
\$344,150	\$244,000	\$100,150
<b><u>Discounted Bid Amount:</u></b>	<b><u>Amt. of Bid Discount</u></b>	<b><u>Discount Points:</u></b>
\$244,000	\$0	0%
1. Did the 20% local/small local requirement apply:		<b><u>YES</u></b>
2. Did the contractor meet the 20% requirement		<b><u>NO</u></b>
a) % of LBE participation	<b><u>7.377%</u></b>	
b) % of SLBE participation	<b><u>9.02%</u></b>	
3. Did the contractor meet the Trucking requirement?		<b><u>NO</u></b>
a) Total trucking participation	<b><u>0%</u></b>	
4. Did the contractor receive bid discount points?		<b><u>NO</u></b>
(If yes, list the points received)		

**5. Additional Comments.**

**Contractor failed to meet the minimum 20% L/SLBE participation requirement. Contractor listed \$18,000 in certified local trucking. Based on the other bids received and the project manager's determination, there is not \$18,000 of trucking on this project. Therefore, the firm did not receive credit toward the minimum 20% L/SLBE participation requirement and the firm is deemed non responsive.**

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

1/5/2009

Date

**Reviewing Officer:**

*[Signature]*

**Date:**

1/29/09

**Approved By**

*Shelley Darenburg*

**Date:**

\_\_\_\_\_

## LBE/SLBE Participation Bidder 1

Project Name: **Rehabilitation of Sanitary Sewers off Alvarado Road & Evergreen Lane**

Project No.: C282811		Engineer's Estimate: 344,150				Under/Over Engineers Estimate: 100,150						
Discipline	Prime & Subs	Location	Cert. Status	LBE	SLBE	Total LBE/SLBE	L/SLBE Trucking	Total Trucking	TOTAL Dollars	Ethn	MBE	WBE
PRIME	KJ Woods Construction	San Francisco	UB						180,000	C		
Saw Cutting	Bayline Construction	Oakland	CB	8,000		8,000			8,000	H	8,000	
Trucking	S&S Trucking	Oakland	CB						18,000	H	18,000	
Pipe Supplier	Mission Clay Products	Oakland	UB						6,000	C		
Excavation	Peak Engineering	Oakland	CB		22,000	22,000			22,000	AI	22,000	
Concrete	Oakland Ready Mix	Oakland	CB	10,000		10,000			10,000	C		
<b>Project Totals</b>				\$18,000	\$22,000	\$40,000	\$0	\$0	\$244,000		\$48,000	\$0
				7.377%	9.02%	16.39%	0%	0%	100%		19.67%	
<b>Requirements:</b> The 20% requirements is a combination of 10% LBE and 10% SLBE participation. An SLBE firm can be counted 100% towards achieving 20% requirements.				LBE 10%	SLBE 10%	TRUCKING 20%	LBE/SLBE 20%			<b>Ethnicity</b> AA = African American A = Asian C = Caucasian H = Hispanic NA = Native American O = Other NL = Not Listed		
<b>Legend</b>				LBE = Local Business Enterprise SLBE = Small Local Business Enterprise Total LBE/SLBE = All Certified Local and Small Local Businesses NPLBE = NonProfit Local Business Enterprise NPSLBE = NonProfit Small Local Business Enterprise				UB = Uncertified Business CB = Certified Business MBE = Minority Business Enterprise WBE = Women Business Enterprise				

City of Oakland  
Public Works Agency  
CONTRACTOR PERFORMANCE EVALUATION

Project Title: Sewer Rehab: Main, Blair Ave, Thornhill, Aspinwall  
Work Order Number: Project No. C180816  
Contractor: Pacific Trenchless  
Date of Notice to Proceed: April 12 2007  
Date of Notice of Completion: December 2007  
Date of Notice of Final Completion:  
Contract Amount: \$100,320  
Evaluator Name and Title: James McGee, AIA Assoc

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 is 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.



Unsatisfactory  
Marginal  
Satisfactory  
Outstanding  
Not Applicable

**WORK PERFORMANCE**

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.			Yes <input type="checkbox"/>	No <input checked="" 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"/>
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.				Yes <input type="checkbox"/>	No <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	<b>Overall, how did the Contractor rate on work performance?</b> 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)?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	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"/>	N/A		<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 #8. If "Yes", complete (9a) below.			Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>	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 checked="" 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.				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"/>	

*Pacific*

*Truckless*

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	<b>Overall, how did the Contractor rate on financial issues?</b> 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"/>	

*Pacific  
Trenchless*

*CAB2810*

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.				Yes <input type="checkbox"/>	No <input type="checkbox"/>
21	Were there any other significant issues related to communication issues? Explain on the attachment. Provide documentation.				Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>
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"/>	

*Bob*  
*Touchless*

*CL32810*

**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	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	<b>Overall, how did the Contractor rate on safety issues?</b> 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"/>	

*Pacific  
Trenchless*

**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     2 X 0.25 = .5
- 2. Enter Overall score from Question 13     2 X 0.25 = .5
- 3. Enter Overall score from Question 18     2 X 0.20 = .4
- 4. Enter Overall score from Question 22     2 X 0.15 = .3
- 5. Enter Overall score from Question 28     2 X 0.15 = .3

**TOTAL SCORE** (Sum of 1 through 5):     2.0

**OVERALL RATING:**     2.0

- 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-

C72 Contractor Evaluation Form     Contractor: Pacific Touchless     Project No: 020206

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

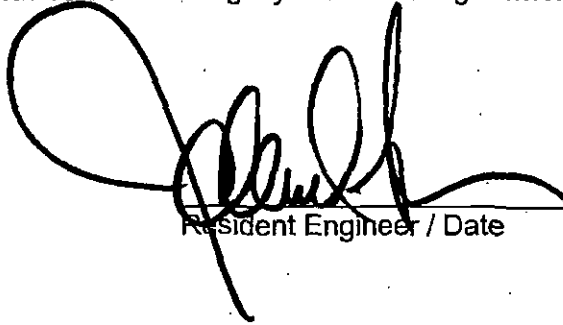
Any Contractor that receives an Unsatisfactory Overall Rating is required to attend a meeting with the City Administrator, or his/her designee, prior to returning to bidding on City projects. The Contractor is required to demonstrate improvements made in areas deemed Unsatisfactory in prior City of Oakland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



Pacific Trenchless 1/3/08  
Contractor / Date



10/25/07  
Resident Engineer / Date

Jim Murray 10/25/07  
Supervising Civil Engineer / Date

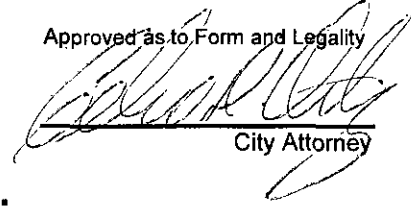
FILED  
OFFICE OF THE CITY CLERK  
OAKLAND

2009 FEB 11

PM 4:13

# OAKLAND CITY COUNCIL

Approved as to Form and Legality



City Attorney

RESOLUTION NO. \_\_\_\_\_ C.M.S.

Introduced by Councilmember \_\_\_\_\_

**RESOLUTION AUTHORIZING AWARD OF A CONSTRUCTION CONTRACT TO PACIFIC TRENCHLESS, INC. FOR THE REHABILITATION OF SANITARY SEWERS OFF ALVARADO ROAD AND EVERGREEN LANE (PROJECT NO. C282811) FOR THE AMOUNT OF TWO HUNDRED FIFTY-FOUR THOUSAND NINE HUNDRED TEN DOLLARS (\$254,910.00)**

**WHEREAS**, on December 4, 2008, eight bids were received by the Office of the City Clerk of the City of Oakland for the Rehabilitation of Sanitary Sewers off Alvarado Road and Evergreen Lane (Project No. C282811); and

**WHEREAS**, KJ Woods Construction, the lowest bidder did not meet the 20% L/SLBE requirement and was deemed non-responsive; and

**WHEREAS**, Pacific Trenchless, Inc., a certified SLBE bidding as a prime, is deemed the lowest responsive and responsible bidder for the project; and

**WHEREAS**, there are sufficient funds in the project budget for the work. Funding for this project is available in the following project account:

- Sewer Service Fund (3100); Capital Projects - Sanitary Sewer Design Organization (92244); Sewers Account (57417); Project No. C282811; \$254,910.00; and these funds were specifically allocated for this project; this project will help reduce the amount of sanitary sewer maintenance requirement; and

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

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

**WHEREAS**, Pacific Trenchless Inc. 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 services; now, therefore, be it



**RESOLVED:** That the construction contract for the rehabilitation of sanitary sewers off Alvarado Road and Evergreen Lane (Project No. C282811) is hereby awarded to Pacific Trenchless, Inc. in accordance with the terms of its bid therefore, dated December 4, 2008, for the amount of Two Hundred Fifty-Four Thousand Nine Hundred Ten Dollars (\$254,910.00); and be it

**FURTHER RESOLVED:** That the plans and specifications prepared by the Deputy Director of the Community and Economic Development Agency for this project are hereby approved; and be it

**FURTHER RESOLVED:** That the amount of the bond for faithful performance, \$254,910.00, and the amount for a bond to guarantee payment of all claims for labor and materials furnished and for the amount due under the Unemployment Insurance Act, \$254,910.00, with respect to such work are hereby approved; and be it

**FURTHER RESOLVED:** That the City Administrator is hereby authorized to enter into a contract with Pacific Trenchless Inc. on behalf of the City of Oakland and to execute any amendments 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 and placed on file in the Office of the City Clerk; and be it

**FURTHER RESOLVED:** That the City Clerk is hereby directed to post conspicuously forthwith notice of the above award on the official bulletin board in the Office of the City Clerk.

IN COUNCIL, OAKLAND, CALIFORNIA, \_\_\_\_\_, 20\_\_\_\_\_

**PASSED BY THE FOLLOWING VOTE:**

AYES - BROOKS, DE LA FUENTE, KAPLAN, KERNIGHAN, NADEL, QUAN, REID, and PRESIDENT BRUNNER

NOES -

ABSENT -

ABSTENTION -

ATTEST: \_\_\_\_\_

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