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OFFICE OF THE CITY CLERK
OAKLAND
2012 SEP 13 PM 2:33

AGENDA REPORT

TO: DEANNA J. SANTANA
CITY ADMINISTRATOR

FROM: Vitaly B. Troyan, P.E.

SUBJECT: Highway Safety Improvement Program (HSIP) Cycle 2 Projects
DATE: August 24, 2012

City Administrator
Approval

Date

9/12/12

COUNCIL DISTRICT: L 2, 3, 4, 5

RECOMMENDATION

Staff recommends that the City Council approve a resolution awarding two construction contracts to Ray's Electric for the construction of two federally-funded projects under the Highway Safety Improvement Program (HSIP), Cycle 2, namely 1) Left Turn Phasing (Project No. C316220) in the amount of Two Hundred Thirty-Nine Thousand and Twenty-Seven Dollars (\$239,027.00) and 2) Countdown Ped Heads (Project No. C316230) in the amount of Forty-Five Thousand Three Hundred and Ninety Dollars (\$45,390.00) in accordance with project plans, specifications, Federal requirements, and Contractors' Bid proposal. The Left Turn Phasing project consists of traffic signal modification to add protected left turn phases at three intersections, and the Countdown Ped Heads project consists of signal modification to add pedestrian signal heads and countdown timer at 14 intersections.

OUTCOME

Approval of this resolution will authorize the City Administrator to execute the two construction contracts for the two federally funded projects under HSIP Cycle 2 with Ray's Electric in the amount of 1) \$239,027.00 for Left Turn Phasing (Project No. C316220) and 2) \$45,390.00 for Countdown Ped Heads (Project No. C316230). The work is located in Council District 1, 2, 3, 4, 5 and 6 as shown in *Attachment A*.

BACKGROUND/LEGISLATIVE HISTORY

The City of Oakland received two HSIP Cycle 2 grants. The grants were accepted and appropriated by City Council on July 7, 2009 per Resolution No. 82121 C.M.S.

The Left Turn Phasing (Project No. C316220) work scope includes installing protected left turn phasing for the following movements: 1) Westbound West Grand Avenue at Market Street; 2) Westbound MacArthur Boulevard at Fruitvale Avenue; and 3) Southbound Market Street at 55th

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Street. The Countdown Ped Heads (Project No. C316230) work scope includes installing pedestrian signal heads and countdown timers at 14 intersections.

National Environmental Policy Act (NEPA) clearance was obtained through the California Department of Transportation for the project on December 2, 2009.

ANALYSIS

On May 31, 2012, the City Clerk received four bids on Left Turn Phasing (Project No. C316220) from Steiny and Company, Inc., Ray's Electric, Phoenix Electric Co., and W. Bradley Inc. in the amount of \$278,620.00, \$239,027.00, \$325,434.50 and \$303,810.00 respectively. Also, on the same day, the City Clerk received five bids on the Countdown Ped Head (Project No. C316230) from Ray's Electric, Phoenix Electric Co., W. Bradley Electric Inc., Infinity Engineering, and Republic ITS Inc. in the amount of \$45,390.00, \$72,210.00, \$56,800.00, \$82,700.00, and \$63,800.00 respectively. Canvass of bids are shown in *Attachment B*.

Ray's Electric is the lowest responsive and responsible bidder for the two projects in the amount of \$239,027.00 for Left Turn Phasing (Project No. C316220) and \$45,390.00 for Countdown Ped Heads (Project No. C316230). Therefore, Ray's Electric is recommended for the award. The Engineer's estimate for construction of Left Turn Phasing (Project No. C316220) is \$241,370.00, and for Countdown Ped Heads (Project No. C316230) is \$80,700.00. Staff reviewed the bids received and concurred that they are reasonable and reflective of the current market conditions. Contract Compliance Memorandums are shown in *Attachment C*.

Both projects are required to meet Federal Underutilized Disadvantaged Business Enterprise (UDBE) goals. Left Turn Phasing (Project No. C316220) has UDBE goals of 2.06% race conscious and 2.47% race neutral. Countdown Ped Heads (Project No. C316230) has UDBE goals of 2.99% race conscious and 0.96% race neutral. UDBE information is shown in *Attachment D*.

Construction is anticipated to begin in December 2012 and be completed by May 2013, weather permitting. For Left Turn Phasing (Project No. C316220), the project document specifies \$2,000.00 in liquidated damages per calendar day if the contract is not completed within 60 working days, with consideration for inclement weather. For Countdown Ped Heads (Project No. C316230), the project document specifies \$800.00 in liquidated damages per calendar day if the contract is not completed within 45 working days, with consideration for inclement weather. Liquidated damages for each project was determined individually for each project based on engineer's estimate, resident engineer office expenses, provisions on number of work days, and other parameters in accordance with the methodology stipulated in the Caltrans Local Assistance Procedures Manual.

PUBLIC OUTREACH/INTEREST

The improvements were scoped based on the historical traffic collision records from the Statewide Integrated Traffic Record Systems (SWITRS) of California and Oakland Police Department, and in consultation with the Public Works Agency (PWA), Electrical Services Division in accordance with the grant application requirements. No public outreach was conducted in selecting the locations, as they were selected solely based upon accident history.

COORDINATION

During the design phase of the project, the Public Works Agency, Transportation Services Division (TSD) staff worked with the Project Delivery Division, Engineering and Right-of-Way Division, Infrastructure and Maintenance Division, Electrical Services Division, Infrastructure Planning and Programming Division, and ADA Division. Prior to construction, PWA, Project Delivery staff will notify nearby businesses and residents of upcoming construction, in accordance with PWA's standard process.

COST SUMMARY/IMPLICATIONS

Approval of this resolution will authorize the City Administrator to award two construction contracts to Ray's Electric for the following amounts:

1. **COST ELEMENTS OF AGREEMENT/CONTRACT:**

- 1) Left Turn Phasing (Project No.C316220) at \$239,027.00, and
- 2) Countdown Ped Heads (Project No. C316230) at \$45,390.00

2. **SOURCE OF FUNDING:**

Sources of Funding for Left Turn Phasing are as follows:

- Federal grant of \$215,124.30 is available for construction from the State of California, Department of Transportation, Fund 2140, Project (C316220)
- Required Oakland local match of \$23,902.70 for construction is available from Measure B Fund (2211), Traffic Signal Management (C427910), Capital Improvement Projects, Transportation Services Division, Organization (92246), Signal and Safety Account (57412)

Sources of Funding for Countdown Ped Heads are as follows:

- Federal grant of \$40,851.00 is available for construction from the State of California, Department of Transportation, Fund 2140, Project (C316230)
- Required Oakland local match of \$4,539.00 is also available from Measure B Fund (2211), Traffic Signal Management (C427910), Capital Improvement
- Projects, Transportation Services Division, Organization (92246), Signal and Safety Account (57412)

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3. **FISCAL IMPACT:**

Approval of this resolution will authorize the City Administrator to execute two construction contracts with Ray's Electric in the amount of \$239,027.00 for Left Turn Phasing and \$45,390.00 for Countdown Ped Heads. There is no significant operating impact from this project.

PAST PERFORMANCE, EVALUATION AND FOLLOW-UP

The Contractor Performance Evaluation for Ray's Electric from three previously completed projects is satisfactory as shown in *Attachment E*.

SUSTAINABLE OPPORTUNITIES


Economic: By reducing vehicular, bicycle and pedestrian conflicts, this project will have a positive economic impact.

Environmental: This project will improve vehicular, bicycle and pedestrian safety, making biking and walking a more attractive mode of transportation, thereby improving the environment by reducing vehicular congestion and emissions. Therefore, the project promotes a healthier and safer environment.

Social Equity: This project will provide safety for all users. The project was selected based on traffic safety records and opportunities to improve conditions to drive, bike and walk.

For questions regarding this report, please contact Ade Oluwasogo, Supervising Transportation Engineer at (510) 238-6103 or Philip Ho, Transportation Engineer at (510) 238-6256.

Respectfully submitted,


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

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

Wladimir Wlassowsky, P.E.
Manager
Transportation Services Division

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

Attachments:

- Attachment A - Project Location Maps
- Attachment B - Canvass of Bids
- Attachment C - Contract Compliance Memorandums
- Attachment D - Underutilized Disadvantaged Business Enterprise (UDBE) Goals
- Attachment E - Contractor Performance Evaluation
- Attachment F - Resolution No. 82121 C.M.S.

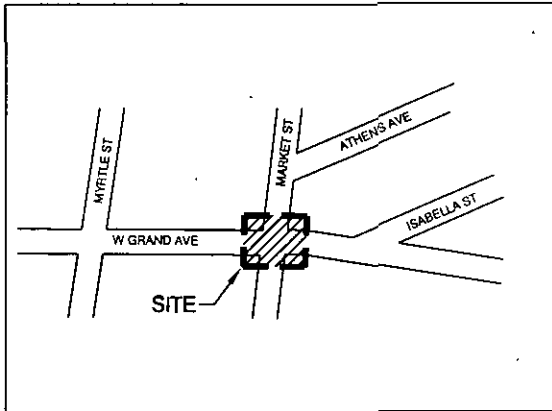
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ATTACHMENT A

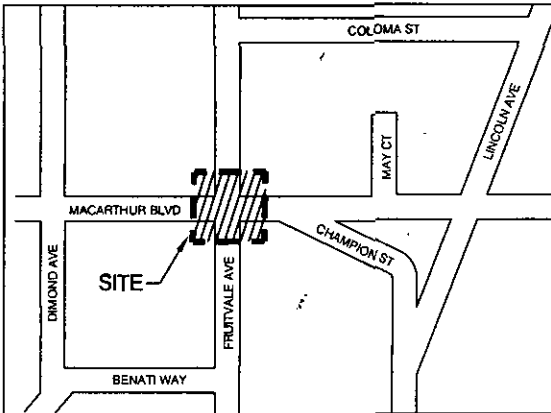
LOCATION MAPS

LEFT TURN PHASING

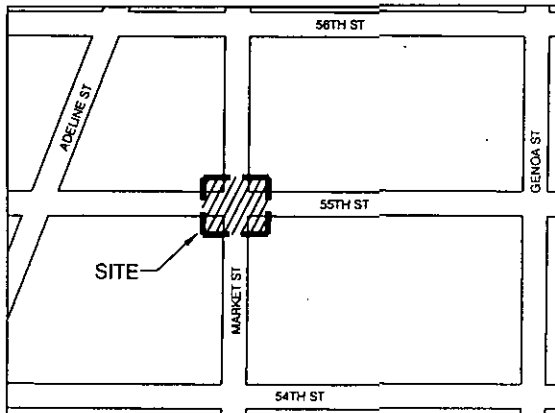
FEDERAL PROJECT NO. HSIPL-5012 (096), CITY PROJECT NO. C316220



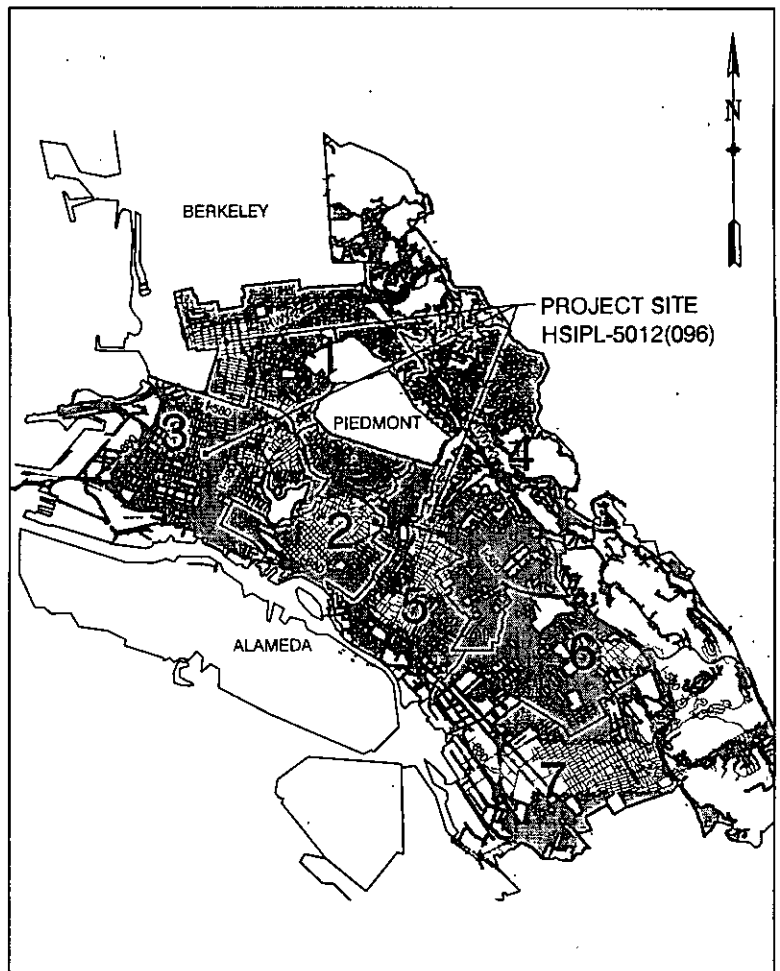
W GRAND AVE/MARKET ST



MACARTHUR BLVD/FRUITVALE AVE



MARKET ST/55TH ST



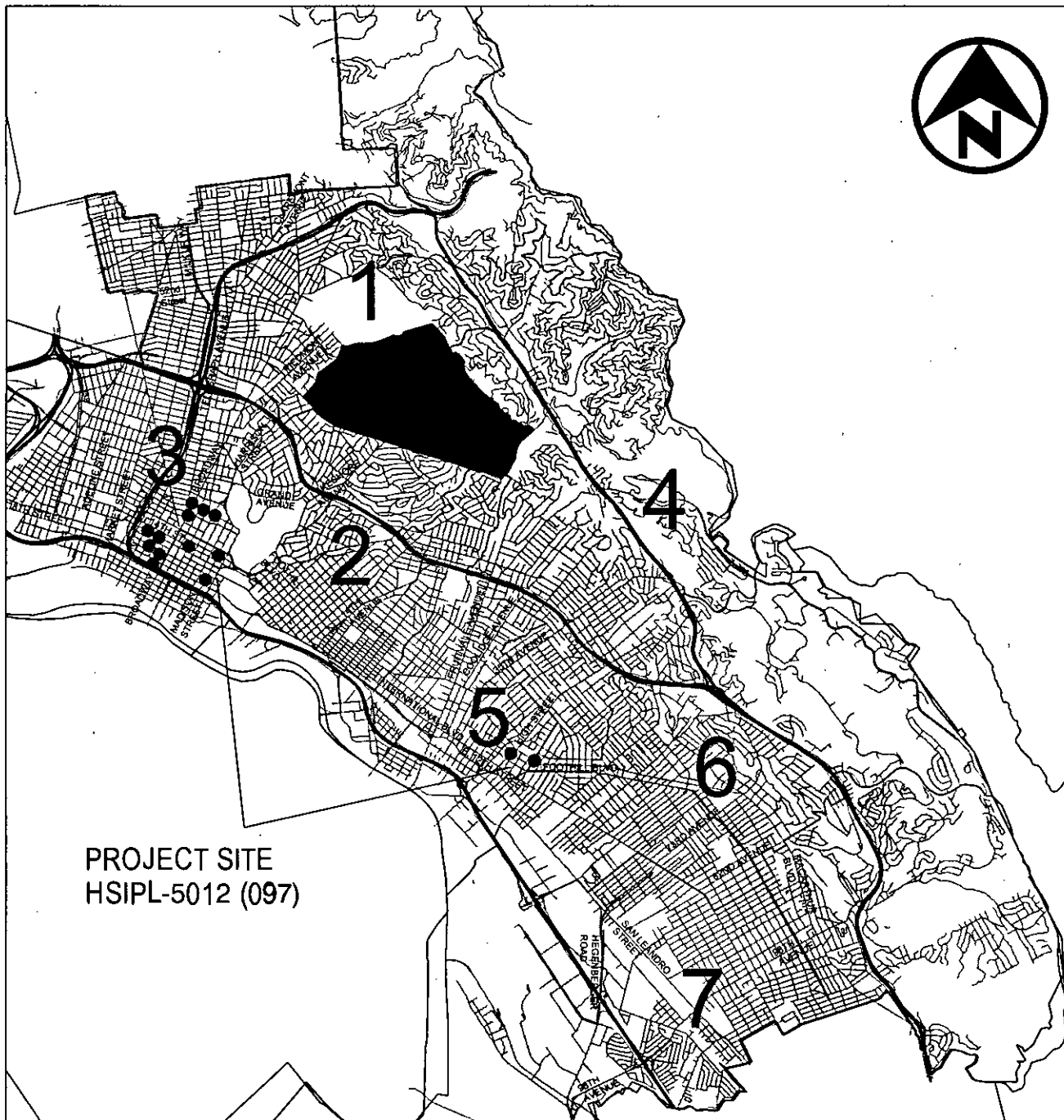
CITY OF OAKLAND COUNCIL DISTRICT MAP

ATTACHMENT A

LOCATION MAPS

COUNTDOWN PED HEADS

FEDERAL PROJECT NO. HSIPL-5012 (097), CITY PROJECT NO. C316230



ATTACHMENT B

CANVASS OF BIDS

COUNTDOWN PED HEADS
FEDERAL PROJECT NO. HSIPL-5012 (097), CITY PROJECT NO. C316230

CITY OF OAKLAND

Public Works Agency - Contract Services

PRELIMINARY BID RESULTS		Bid Document	Ray's Electric	Phoenix Electric Company	W. Bradley Electric, Inc.	Infinity Engineering	Republic ITS Inc.
PROJECT NAME:	Countdown Pedestrian Heads	C6 Bid Schedule	Y	Y	Y	Y	Y
PROJECT NO:	C316230	C14 Equal Employment Opportunity Cert	Y	Y	Y	Y	Y
FEDERAL PROJECT NO:	SIPL-5012 (097)	C12 FCC Section 10285.1	Y	Y	Y	Y	Y
BID DATE:	Thursday, May 31, 2012	C12 FCC Section 10162	Y	Y	Y	Y	Y
ENGINEER'S ESTIMATE:	\$80,700.00	C13 FCC Section 10032	Y	Y	Y	Y	Y
COMMENTS:		C17 Disclosure Lobbying Activities (Exhibit 10-Q or 12E)	Y	Y	Y	Y	Y
1) * Republic ITS, Inc. submitted a Schedule R but not Schedule R Fed		C9 Signature Form and Addenda 1-3 acknowledgement	Y	Y	Y	Y	Y
2)** W. Bradley Electric submitted a Schedule R but not Schedule R Fed		C9 License Type & is R Active per CSLB?	A & C10 Y	A & C10 Y	A & C10 Y	A Y	A & C10 Y
		Bid Security	Y	Y	Y	Y	Y
		C34 Schedule K	Y	Y	Y	Y	Y
		C42 Schedule O	Y	Y	Y	Y	Y
ISSUED TO COMPLIANCE, PROJECT MANAGER AND ALL PRIME BIDDERS:	Friday, June 01, 2012	Schedule R Fed	Y	Y	Y	Y	Y
COMPLIANCE OFFICER:	Vivian Inman	C19 Debarment Cert A	Y	Y	Y	Y	Y

Item Number	Payment Spec. Section	Item Description	Quantity	Unit	Unit Price	Amount	Ray's Electric		Phoenix Electric Company		W. Bradley Electric, Inc.		Infinity Engineering		Republic ITS Inc.	
							Unit Price	Amount	Unit Price	Amount	Unit Price	Amount	Unit Price	Amount	Unit Price	Amount
1	9-3.4	Mobilization	1	LS	\$ 2,000	\$ 2,000.00	\$ 1,500.00	\$ 1,500.00	\$ 3,500.00	\$ 3,500.00	\$ 2,500.00	\$ 2,500.00	\$ 5,000.00	\$ 5,000.00	\$ 1,000.00	\$ 1,000.00
2	9-3.5	Traffic Control	1	LS	\$ 2,500	\$ 2,500.00	\$ 5,000.00	\$ 5,000.00	\$ 3,500.00	\$ 3,500.00	\$ 7,700.00	\$ 7,700.00	\$ 5,000.00	\$ 5,000.00	\$ 1,400.00	\$ 1,400.00
3	209-2.12, 307-8	LED Countdown Pedestrian Signal	74	EA	\$ 800	\$ 62,900.00	\$ 410.00	\$ 30,340.00	\$ 740.00	\$ 54,760.00	\$ 450.00	\$ 33,300.00	\$ 700.00	\$ 51,800.00	\$ 650.00	\$ 48,100.00
4	209-2.12a, 307-8	Retrofit Ped Countdown Modules	58	EA	\$ 350	\$ 19,300.00	\$ 225.00	\$ 8,550.00	\$ 275.00	\$ 10,450.00	\$ 350.00	\$ 13,300.00	\$ 550.00	\$ 20,900.00	\$ 350.00	\$ 13,300.00
		Total of Base Bid Items per spreadsheet calculation				\$ 80,700.00		\$ 45,390.00		\$ 72,210.00		\$ 58,800.00		\$ 82,700.00		\$ 63,800.00
		Total of Base Bid Items per contractor calculation					\$ 45,390.00		\$ 72,210.00		\$ 58,800.00		\$ 82,700.00		\$ 63,800.00	

ATTACHMENT C

CONTRACT COMPLIANCE MEMORANDUM

LEFT TURN PHASING
 FEDERAL PROJECT NO. HSIPL-5012 (096), CITY PROJECT NO. C316220



Memo

City Administrator's Office

Contracts and Compliance Unit

To: Philip Ho- Transportation Engineer
From: Sophany Hang - Assistant Contract Compliance Officer
Through: Deborah Barnes - Manager, Contracts and Compliance *Deborah Barnes*
 Shelley Därensburg - Sr. Contract Compliance Officer
CC: Calvin Hao - PWA Contract Services
Date: June 15, 2012
Re: C316220 - Left Turn Phasing

The City Administrator's Office, Contracts and Compliance Unit, reviewed four (4) bids in response to the above referenced project. Below is the outcome of the compliance evaluation for the Race Conscious Underutilized Disadvantaged Business Enterprise (UDBE) program and a preliminary review for compliance with the Equal Benefits Ordinance (EBO). There is a race conscious UDBE goal of 2.47% for this project.

Responsive		Proposed Participation					Earned Credits and Discounts			Banked Credits Eligibility	EBO Compliant? Y/N
Company Name	Original Bid Amount	RC UDBE Total	DBE	LBE	SLBE	L/SLBE Trucking	Total Credited participation	Earned Bid Discounts	Adjusted Bid Amount		
Ray's Electric	\$239,027.00	3.28%	3.28%	0.00%	7.90%	NA	3.28%	NA	NA	NA	Y
Steiny and Company	\$278,620.00	5.15%	5.15%	0.00%	0.00%	NA	5.15%	NA	NA	NA	Y
Phoenix Electric Co.	\$325,434.50	63.89%	63.89%	0.00%	4.92%	NA	63.89%	NA	NA	NA	Y

Comments: As noted above, all contractors have met the minimum 2.47% RC UDBE participation goals. 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	RC UDBE Total	DBE	LBE	SLBE	L/SLBE Trucking	Total Credited participation	Earned Bid Discounts	Adjusted Bid Amount		
W. Bradley Electric, Inc.	\$303,810.00	0.00%	0.00%	0.00%	0.00%	NA	NA	NA	NA	NA	Y

Comments: As noted above, W. Bradley Electric, Inc. failed to meet the 2.47% RC UDBE participation goal and did not submit Good Faith Effort (GFE) documentation. 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: Ray's Electric
 Project Name: On Call Bridge Maintenance Services FY 08/09
 Project No: C321710
 Date: 3/12/2011

50% Local Employment Program (LEP)

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

15% Oakland Apprenticeship Program

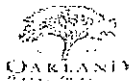
Was the 15% Apprenticeship Goal achieved?	Yes	If no, shortfall hours?	
Were shortfalls satisfied?	Yes	If no, penalty amount?	

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			
1474	0	50%	737	100%	737	0	0	100%	221	15%	221	0

Comments: Ray's Elected exceeded the Local Employment Program's 50% resident hiring goal with 100% resident employment and met the 15% Oakland Apprenticeship Program goals with 111 on-site hours and 111 off-site hours.

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



City Administrator's Office

Contracts and Compliance

PROJECT COMPLIANCE EVALUATION FOR :

Construction Services Under-Utilized Disadvantaged Business Enterprise (UDBE)

PROJECT NO.: C316220

PROJECT NAME: Left Turn Phasing

CONTRACTOR: Ray's Electric

Engineer's Estimate:

\$241,370.00

Contractors' Bid Amount

\$239,027.00

Over/Under Engineer's Estimate

\$2,343.00

Discounted Bid Amount:

N/A

Amt. of Bid Discount

N/A

Discount Points:

N/A

- 1. Did the RC UDBE Program apply? YES
 - a) Race Conscious? YES
 - b) Race Neutral YES
- 2. Did the contractor meet the RC UDBE goal of 2.47% YES
 - a) % of RC UDBE participation 3.28%
 - b) % of RN DBE participation 3.28%
 - c) % of LBE participation 0.0%
 - d) % of SLBE participation 7.90%
- 3. Was Good Faith Effort (GFE) Documentation submitted? NO
- 4. Did the contractor meet the L/SLBE Trucking requirement? NA
 - a) Total L/SLBE trucking participation NA
- 5. Did the contractor receive bid discounts? N/A
(if yes, list the percentage received) N/A

6: Additional Comments:

The UDBE Program applies to this project

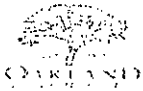
7. Date evaluation completed and returned to Contract 6/15/2012

Reviewing Officer: *Shelley Hansen* Date: 6/15/2012

Approved By: *Shelley Hansen* Date: 6/15/2012

UDBE Participation Bidder 1

Project Name: Left Turn Phasing														
Project No.: 0316220		Engineer's Est. \$241,370.00						Under/Over Engineer's Est. 2,343.00						
Discipline	Prime & Subs	Location	Cert. Status	LBE Dollars	SLBE Dollars	Total LBE/SLBE Dollars	DBE Dollars	RC UDBE Dollars	Total Dollars	Certified DBE/WBE				
										Ethn.	DBE	RC UDBE	WBE	
PRIME Striping Traffic Signals Electr. Mats. Supplier	Ray's Electric	Oakland	UB						\$148,142	C				
	Leneation Marking Corp.	Oakland	UB		\$11,035	\$11,035			\$11,035	C				
	JAM Service	Livermora	UB						\$72,000	C				
	CAT Co Services	Oakland	CB		\$7,850	\$7,850	\$7,850	\$7,850	\$7,850	AA	\$7,850	\$7,850	\$7,850	
Project Totals				\$0 0.0%	\$18,885 7.90%	\$18,885 7.90%	\$7,850 3.28%	\$7,850 3.28%	\$239,027 100%		\$7,850 3.28%	\$7,850 3.28%	\$7,850 3.28%	
							DBE Dollars	RC UDBE Dollars	Total Dollars	Ethnicity AA = African American AI = Asian Indian AP = Asian Pacific C = Caucasian H = Hispanic NA = Native American O = Other NL = Not Listed				
Legend				us = Uncertified Business CB = Certified Business DBE = Disadvantaged Business Enterprise WBE = Women Business Enterprise UDBE = Underutilized Disadvantaged Business Enterprise										



City Administrator's Office

Contracts and Compliance

PROJECT COMPLIANCE EVALUATION FOR :

Construction Services Under-Utilized Disadvantaged Business Enterprise (UDBE)

PROJECT NO.: C316220

PROJECT NAME: Left Turn Phasing

CONTRACTOR: Steiny and Company, Inc.

<u>Engineer's Estimate:</u>	<u>Contractors' Bid Amount</u>	<u>Over/Under Engineer's Estimate</u>
\$241,370.00	\$278,620.00	-\$37,250.00

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

- 1. Did the RC UDBE Program apply? YES
 - a) Race Conscious? YES
 - b) Race Neutral YES
- 2. Did the contractor meet the RC UDBE goal of 2.47% YES

- a) % of RC UDBE participation 5.15%
- b) % of RN DBE participation 5.15%
- c) % of LBE participation 0.00%
- d) % of SLBE participation 0.00%

3. Was Good Faith Effort (GFE) Documentation submitted? NO

4. Did the contractor meet the L/SLBE Trucking requirement? NA

a) Total L/SLBE trucking participation NA

5. Did the contractor receive bid discounts? N/A

(If yes, list the percentage received) N/A

6. Additional Comments.
The UDBE Program applies to this project.

7. Date evaluation completed and returned to Contract 8/15/2012

Reviewing Officer:

Date: 6/15/2012

Approved By:

Date: 6/15/2012

UDBE Participation Bidder 2

Project Name: Left Turn Phasing																
Project No.: C316220		Engineer's Est. \$241,370.00						Under/Over Engineer's Est. -\$37,250.00								
Discipline	Prime & Subs	Location	Cert. Status	LBE Dollars	SLBE Dollars	Total LBE/SLBE Dollars	DBE Dollars	RC UDBE Dollars	Total Dollars	Certified DBE/WBE						
										Ethn.	DBE	RC UDBE	WBE			
PRIME Material	Steiny and Company, Inc. Raper Electrical Distr. Corp.	Vallejo Sanger	UB CB				14,340.00	14,340.00	264,280.00							
									14,340.00					14,340.00		
Project Totals				\$0.00	\$0.00	\$0.00	\$14,340.00	\$14,340.00	\$278,620.00		\$14,340.00	\$14,340.00	\$0.00			
				0.00%	0.00%	0.00%	5.15%	5.15%	100.00%		5.15%	5.15%	0.00%			
							DBE Dollars	RC UDBE Dollars	Total Dollars	Ethnicity AA = African American AI = Asian Indian AP = Asian Pacific C = Caucasian H = Hispanic NA = Native American O = Other NL = Not Listed						
Legend UB = Uncertified Business CB = Certified Business DBE = Disadvantaged Business Enterprise WBE = Women Business Enterprise UDBE = Underutilized Disadvantaged Business Enterprise																



City Administrator's Office

Contracts and Compliance

PROJECT COMPLIANCE EVALUATION FOR :

Construction Services Under-Utilized Disadvantaged Business Enterprise (UDBE)

PROJECT NO.: C316220

PROJECT NAME: Left Turn Phasing

CONTRACTOR: Phoenix Electric Co.

<u>Engineer's Estimate:</u>	<u>Contractors' Bid Amount</u>	<u>Over/Under Engineer's Estimate</u>
\$241,370.00	\$325,434.50	-\$84,064.50

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

1. Did the RC UDBE Program apply? YES
- a) Race Conscious? YES
- b) Race Neutral YES
2. Did the contractor meet the RC UDBE goal of 2.47% YES

- a) % of RC UDBE participation 63.89%
- b) % of RN DBE participation 64.66%
- c) % of LBE participation 0.00%
- d) % of SLBE participation 4.92%

3. Was Good Faith Effort (GFE) Documentation submitted? NO

4. Did the contractor meet the L/SLBE Trucking requirement? NA

a) Total L/SLBE trucking participation NA

5. Did the contractor receive bid discounts? N/A

(If yes, list the percentage received) N/A

6. Additional Comments.
The UDBE Program applies to this project

7. Date evaluation completed and returned to Contract 6/15/2012

Reviewing Officer: [Signature] Date: 6/15/2012

Approved By: [Signature] Date: 6/15/2012

Bidder 4

Project Name: **Left Turn Phasing**

Project No.: C316220		Engineer's Est. \$241,370.00					Under/Over Engineer's Est. -\$84,064.50						
Discipline	Prime & Subs	Location	Cert. Status	LBE Dollars	SLBE Dollars	Total LBE/SLBE Dollars	DBE Dollars	RC UDBE Dollars	Total Dollars	Certified DBE/WBE			
										Ethn.	DBE	RC UDBE	WBE
PRIME Striping, Mies Concrete and AC Traffic Supplier Trucking Saw Outing	Phoenix Electric Co.	SF	CB				207,934.50	207,934.50	207,934.50	AP	207,934.50	207,934.50	207,934.50
	AJW Construction	Oakland	UB		15,000.00	15,000.00			15,000.00	H			
	Jam Services	Live more	UB						100,000.00	C			
	S & S Trucking	Oakland	UB		1,000.00	1,000.00			1,000.00	H	1,000.00		
	Bay Line Cutting and Coring	Oakland	UB						1,500.00	H	1,500.00		
Project Totals				\$0.00	\$16,000.00	\$16,000.00	\$207,934.50	\$207,934.50	\$325,434.50		\$210,434.50	\$207,934.50	\$207,934.50
				0.00%	4.92%	4.92%	63.89%	63.89%	100.0%		64.66%	63.89%	63.89%
							DBE Dollars	RC UDBE Dollars	Total Dollars	Ethnicity AA - African American AI - Asian Indian AP - Asian Pacific C - Caucasian H - Hispanic NA - Native American O - Other NL - Not Listed			
Legend				UB - Uncertified Business CB - Certified Business DBE - Disadvantaged Business Enterprise WBE - Women Business Enterprise UDBE - Underutilized Disadvantaged Business Enterprise									



City Administrator's Office

Contracts and Compliance

PROJECT COMPLIANCE EVALUATION FOR :

Construction Services Under-Utilized Disadvantaged Business Enterprise (UDBE)

PROJECT NO.: C316220

PROJECT NAME: Left Turn Phasing

CONTRACTOR: W. Bradley Electric, Inc.

<u>Engineer's Estimate:</u>	<u>Contractors' Bid Amount</u>	<u>Over/Under Engineer's Estimate</u>
\$241,370.00	\$303,810.00	-\$62,440.00

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

1. Did the RC UDBE Program apply? YES

- a) Race Conscious? YES
- b) Race Neutral YES

2. Did the contractor meet the RC UDBE goal of 2.47% NO

- a) % of RC UDBE participation 0.00%
- b) % of RN DBE participation 0.00%
- c) % of LBE participation 0.0%
- d) % of SLBE participation 0.0%

3. Was Good Faith Effort (GFE) Documentation submitted? NO

4. Did the contractor meet the L/SLBE Trucking requirement? NA

- a) Total L/SLBE trucking participation NA

5. Did the contractor receive bid discounts? N/A

(If yes, list the percentage received) N/A

6. Additional Comments.

The UDBE Program applies to this project. Firm failed to meet the RC UDBE goal of 2.47% and no GFE was submitted. Therefore, the firm is deemed non-responsive.

7. Date evaluation completed and returned to Contract 6/15/2012

Reviewing Officer: [Signature] Date: 6/15/2012

Approved By: Shelley Darenburg Date: 6/15/2012

UDBE Participation Bidder 3

Project Name: Left Turn Phasing		Engineer's Est. \$241,370.00						Under/Over Engineer's Est. -\$62,440.00					
Project No.: C316220		Engineer's Est. \$241,370.00						Under/Over Engineer's Est. -\$62,440.00					
Discipline	Prime & Subs	Location	Cert. Status	LBE Dollars	SLBE Dollars	Total LBE/SLBE DoDars	DBE Dollars	RC UDBE Dollars	Total Dollars	Certified DBE/WBE			
										Ethn.	DBE	RC UDBE	WBE
PRIME	W. Bradley Electric, Inc.	Novato	UB						249,045.00	C			
Striping	Bayside Striping	Petaluma	UB						\$6,865	NL			
Boring	Colebavic Const.	San Jose	UB						\$6,000	NL			
Material supplies	J.D. Lawrence	Auburn	UB						\$41,900	NL			
Project Totals				\$0	\$0	\$0	\$0	\$0	\$303,810		\$0	\$0	\$0
				0.0%	0.00%	0.00%	0.00%	0.00%	100.0%		0.00%	0.00%	0.00%
							DBE Dollars	RC UDBE Dollars	Total Dollars	Ethnicity AA = African American AI = Asian Indian AP = Asian Pacific C = Caucasian H = Hispanic NA = Native American O = Other NL = Not Listed			
Legend				UB = Uncertified Business CB = Certified Business DBE = Disadvantaged Business Enterprise WBE = Women Business Enterprise UDBE = Underutilized Disadvantaged Business Enterprise									

ATTACHMENT C

CONTRACT COMPLIANCE MEMORANDUM

COUNTDOWN PED HEADS
FEDERAL PROJECT NO. HSIPL-5012 (097), CITY PROJECT NO. C316230

Memo

City Administrator's Office - Contracts and Compliance Unit

To: Phillip Ho, Civil Engineer
From: Vivian Inman, Contract Compliance Officer
Through: Deborah Barnes - Manager, Contract & Compliance Unit *Deborah Barnes*
 Shelley Darensburg - Sr. Contract Compliance Officer
CC: Calvin Hao, PWA Contract Services
Date: June 11, 2012
Re: C316230 - Countdown Pedestrian Heads

The 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 Race Conscious Underutilized Disadvantaged Business Enterprise (UDBE) program and a preliminary review for compliance with the Equal Benefits Ordinance (EBO). There is a race conscious UDBE goal of 2.99% for this project.

Responsive		Proposed Participation				Earned Credits and Discounts			Banked Credits Eligibility	EBO Compliant? Y/N
Company Name	Original Bid Amount	RC UDBE Total	LBE	SLBE	Trucking	Total Credited participation	Earned Bid Discounts	Adjusted Bid Amount		
Ray's Electric	\$45,390	7.05%	0%	66.95%	NA	NA	NA	NA	NA	Y
Republic Intelligent Transportation Services, Inc.	\$63,800	7.84%	0%	0%	NA	NA	NA	NA	NA	Y
Phoenix Electric Company	\$72,210	65.38%	NA	NA	NA	NA	NA	NA	NA	Y
Infiniti Engineering	\$82,700	3.39%	3.39%	0%	NA	NA	NA	NA	NA	N

Comments: As noted above, all of the firms exceeded the minimum 2.99% RC UDBE participation goals. Infiniti Engineering is not EBO compliant. They will have to come into compliance prior to contract award.

Non-Responsive		Proposed Participation				Earned Credits and Discounts			Banked Credits Eligibility	EBO Compliant? Y/N
Company Name	Original Bid Amount	RC UDBE Total	LBE	SLBE	Trucking	Total Credited participation	Earned Bid Discounts	Adjusted Bid Amount		
W. Bradley Electric	\$56,800	0%	NA	NA	NA	NA	NA	NA	NA	N

Comments: W. Bradley Electric, Inc. failed to submit a completed Schedule R. Therefore, both firm is 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 last completed City of Oakland project.

Contractor Name: Ray's Electric
 Project Name:
 Project No:

50% Local Employment Program (LEP)

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

15% Oakland Apprenticeship Program

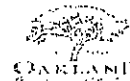
Was the 15% Apprenticeship Goal achieved?	NA	If no, shortfall hours?	
Were shortfalls satisfied?	NA	If no, penalty amount?	

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, G) 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			
NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	

Comments: This project is a DBE project therefore Local Employment or 15% Apprenticeship requirements does not apply to this project.

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



City Administrator's Office
Contracts and Compliance Unit

PROJECT COMPLIANCE EVALUATION FOR :

Construction Services Under-Utilized Disadvantaged Business Enterprise (UDBE)

PROJECT NO.: C316230

PROJECT NAME: Countdown Pedestrian Heads

CONTRACTOR: Ray's Electric

Engineer's Estimate:

\$80,700.00

Contractors' Bid Amount

\$45,390.00

Over/Under Engineer's Estimate

\$35,310.00

Discounted Bid Amount:

N/A

AmL of Bid Discount

N/A

Discbunt Points:

N/A

- | | |
|---|------------------|
| 1. Did the RC UDBE Program apply? | <u>YES</u> |
| a) Race Conscious? | <u>YES</u> |
| b) Race Neutral | <u>YES</u> |
| 2. Did the contractor meet the RC UDBE goal of 2.99% | <u>YES</u> |
| a) % of RC UDBE participation | <u>7.05%</u> |
| b) % of RN DBE participation | <u>7.05%</u> |
| c) % of LBE participation | <u>0.00%</u> |
| d) % of SLBE participation | <u>66.95%</u> |
| 3. Was Good Faith Effort (GFE) Documentation submitted? | <u>YES</u> |
| 4. Did the contractor meet the L/SLBE Trucking requirement? | <u>N/A</u> |
| a) Total L/SLBE trucking participation | <u>0.00%</u> |
| 5. Did the contractor receive bid discounts? | <u>N/A</u> |
| (if yes, list the percentage received) | <u>N/A</u> |
| 6. Additional Comments. | |
| 7. Date evaluation completed and returned to Contract | <u>6/11/2012</u> |

Reviewing Officer:

Nina Jan

Date: 6/11/2012

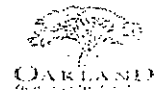
Approved By:

Shelley Darenburg

Date: 6/11/2012

Bidder 1

Project Name: Countdown Pedestrian Heads													
Project No.: C316230		Engineer's Est \$80,700.00						Under/Over Engineer's Est \$35,310.00					
Discipline	Prima & Subs	Location	Cert Status	LBE Dollars	SLBE Dollars	Total LBE/SLBE Dollars	DBE Dollars	RC UDBE Dollars	Total Dollars	Certified DBE/WBE			
										Ethn.	DBE	RC UDBE	WBE
PRIME Pedestrian Signals Electric Material	Ray's Electric	Oakland	UB		27,190.00	27,190.00			27,190.00	C			
	Jam Services	Livcnnore	UB						15,000.00	C			
	Calco Services	Oakland	CB		3,200.00	3,200.00	3,200.00	3,200.00	3,200.00	AA	3,200.00	3,200.00	3,200.00
Project Totals				50.00 0.00%	\$30,390.00 66.05%	\$30,390.00 66.95%	\$3,200.00 7.05%	\$3,200.00 7.05%	\$45,390.00 100.00%		\$3,200.00 7.05%	\$3,200.00 7.05%	\$3,200.00 7.05%
							DBE Dollars	RC UDBE Dollars	Total Dollars	Ethnicity AA = African American AI = Asian Indian AP = Asian Pacific C = Caucasian H = Hispanic NA = Native American O = Other NL = Not Listed			
Legend UB = Uncertified Business CS = Certified Business DBE = Disadvantaged Business Enterprise WBE = Women Business Enterprise UDBE = Underutilized Disadvantaged Business Enterprise													



City Administrator's Office
Contracts and Compliance Unit

PROJECT COMPLIANCE EVALUATION FOR :

Construction Services Under-Utilized Disadvantaged Business Enterprise (UDBE)

PROJECT NO.: C316230

PROJECT NAME: Countdown Pedestrian Heads

CONTRACTOR: W. Bradley Electric, Inc.

Engineer's Estimate:

\$80,700.00

Contractors' Bid Amount

\$56,800.00

Over/Under Engineer's Estimate

\$23,900.00

Discounted Bid Amount:

N/A

Amt. of Bid Discount

N/A

Discount Points:

N/A

- | | |
|---|---------------------|
| 1. Did the RC UDBE Program apply? | <u>YES</u> |
| a) Race Conscious? | <u>YES</u> |
| b) Race Neutral | <u>YES</u> |
| 2. Did the contractor meet the RC UDBE goal of 2.99% | <u>NO</u> |
| a) % of RC UDBE participation | <u>0.00%</u> |
| b) % of RN DBE participation | <u>0.00%</u> |
| c) % of LBE participation | <u>0.00%</u> |
| d) % of SLBE participation | <u>0.00%</u> |
| 3. Was Good Faith Effort (GFE) Documentation submitted? | <u>NO</u> |
| 4. Did the contractor meet the L/SLBE Trucking requirement? | <u>N/A</u> |
| a) Total L/SLBE trucking participation | <u>0.00%</u> |
| 5. Did the contractor receive bid discounts? | <u>N/A</u> |
| (If yes, list the percentage received) | <u>N/A</u> |
| 6. Additional Comments. | |
| <u>Firm failed to submit a completed Schedule R, therefore compliance could not be determined.</u> | |

7. Date evaluation completed and returned to Contract 6/11/2012

Reviewing Officer:

[Signature]

Date: 6/11/2012

Approved By:

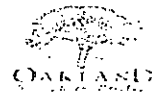
Shelley Darenburg

Date: 6/11/2012

Bidder 2

Project Name: **Countdown Pedestrian Heads**

Project No.: C310230		Engineer's Est. \$30,700.00						Under/Over Engineer's Est. \$23,900.00					
Discipline	Prime & Subs	Location	Cert. Status	LBE Dollars	SLBE Dollars	Total LBE/SLBE Dollars	DBE Dollars	RC UDBE Dollars	Total Dollars	Certified DBE/WBE			
										Ethn.	DBE	RC UDBE	WBE
PRIME	W. Bradley Electric, Inc.	Novato	UB						56,800.00	C			
				Firm failed to submit a completed Schedule R									
Project Totals				\$0.00 0.00%	\$0.00 0.00%	\$0.00 0.00%	\$0.00 0.00%	\$0.00 0.00%	\$56,800.00 0.00%		\$0.00 0.00%	\$0.00 0.00%	\$0.00 0.00%
							DBE Dollars	RC UDBE Dollars	Total Dollars	Ethnicity AA = African American AI = Asian Indian AP = Asian Pacific C = Caucasian H = Hispanic NA = Native American O = Other NL = Not Listed			
Legend	UB = Uncertified Business CB = Certified Business DBE = Disadvantaged Business Enterprise WBE = Women Business Enterprise UDBE = Underutilized Disadvantaged Business Enterprise												



City Administrator's Office

Contracts and Compliance Unit

PROJECT COMPLIANCE EVALUATION FOR :

Construction Services Under-Utilized Disadvantaged Business Enterprise (UDBE)

PROJECT NO.: C316230

PROJECT NAME: Countdown Pedestrian Heads

CONTRACTOR: Phoenix Electric Company

Engineer's Estimate:

\$80,700.00

Contractors' Bid Amount

\$45,390.00

Over/Under Engineer's Estimate

\$35,310.00

Discounted Bid Amount:

N/A

Amt. of Bid Discount

N/A

Discount Points:

N/A

- 1. Did the RC UDBE Program apply? YES
 - a) Race Conscious? YES
 - b) Race Neutral YES
- 2. Did the contractor meet the RC UDBE goal of 2.99% YES
 - a) % of RC UDBE participation 65.38%
 - b) % of RN DBE participation 65.38%
 - c) % of LBE participation 0.00%
 - d) % of SLBE participation 0.00%
- 3. Was Good Faith Effort (GFE) Documentation submitted? NO
- 4. Did the contractor meet the L/SLBE Tracking requirement? N/A
 - a) Total L/SLBE tracking participation 0.00%
- 5. Did the contractor receive bid discounts? N/A
(If yes, list the percentage received) N/A
- 6. Additional Comments.

7. Date evaluation completed and returned to Contract 6/11/2012

Reviewing Officer:

Viktor Ivan

Date: 6/11/2012

Approved By:

Shelley Darenburg

Date: 6/11/2012

Bidder 3

Project Name: Countdown Pedestrian Heads

Project No.: C316230		Engineer's Est. \$80,700.00					Under/Over Engineer's Est. \$8,490.00						
Discipline	Prime & Subs	Location	Cert Status	LBE Dollars	SLBE Dollars	Total LBE/SLBE Dollars	DBE Dollars	RC UDBE Dollars	Total Dollars	Certified DBE/WBE			
										Ethn.	DBE	RC UDBE	WBE
PRIME Traffic Signals	Phoenix Electric Company Jam Services	San Francisco Livermore	CB UB				47,210.00	47,210.00	47,210.00 25,000.00	AP	47,210.00	47,210.00	
										C			
Project Totals				\$0.00 0.00%	\$0.00 0.00%	\$0.00 0.00%	\$47,210.00 65.38%	\$47,210.00 65.38%	\$72,210.00 100.00%		\$47,210.00 65.38%	\$47,210.00 65.38%	\$0.00 0.00%
							DBE Dollars	RC UDBE Dollars	Total Dollars	Ethnicity AA = African American AI = Asian Indian AP = Asian Pacific C = Caucasian H = Hispanic NA = Native American O = Other NL = Not Listed			
Legend UB = Uncertified Business CB = Certified Business DBE = Disadvantaged Business Enterprise WBE = Women Business Enterprise UDBE = Underutilized Disadvantaged Business Enterprise													



City Administrator's Office
Contracts and Compliance Unit

PROJECT COMPLIANCE EVALUATION FOR:

Construction Services Under-Utilized Disadvantaged Business Enterprise (UDBE)

PROJECT NO.: C316230

PROJECT NAME: Countdown Pedestrian Heads

CONTRACTOR: Republic Intelligent Transportation Services, Inc.

Engineer's Estimate:

	<u>Contractors' Bid Amount</u>	<u>Over/Under Engineer's Estimate</u>
\$80,700.00	\$63,800.00	\$16,900.00

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

- | | |
|---|------------------|
| 1. Did the RC UDBE Program apply? | <u>YES</u> |
| a) Race Conscious? | <u>YES</u> |
| b) Race Neutral | <u>YES</u> |
| 2. Did the contractor meet the RC UDBE goal of 2.99% | <u>YES</u> |
| a) % of RC UDBE participation | <u>7.84%</u> |
| b) % of RN DBE participation | <u>7.84%</u> |
| c) % of LBE participation | <u>0.00%</u> |
| d) % of SLBE participation | <u>66.95%</u> |
| 3. Was Good Faith Effort (GFE) Documentation submitted? | <u>NO</u> |
| 4. Did the contractor meet the L/SLBE Trucking requirement? | <u>N/A</u> |
| a) Total L/SLBE trucking participation | <u>0.00%</u> |
| 5. Did the contractor receive bid discounts? | <u>N/A</u> |
| (If yes, list the percentage received) | <u>N/A</u> |
| 6. Additional Comments. | |
| 7. Date evaluation completed and returned to Contract | <u>6/11/2012</u> |

Reviewing Officer:

Vivian [Signature]

Date: 6/11/2012

Approved By:

Shelley [Signature]

Date: 6/11/2012

Bidder 4

Project Name: Countdown Pedestrian Heads													
Project No.: C318230		Engineer's Est. \$80,700.00					Under/Over Engineer's Est. \$18,900.00						
Discipline	Prime & Subs	Location	Cert Status	LBE Dollars	SLBE Dollars	Total LBE/SLBE Dollars	DBE Dollars	RC UDBE Dollars	Total Dollars	Certified DBE/WBE			
										Ethn.	DBE	RC UDBE	WBE
PRIME Material	Republic Intelligent Transportation Services, Inc. Seaport Lighting	Novato Palm Desert	UB							C			
			CB				5,000.00	5,000.00	58,800.00 5,000.00	C	5,000.00	5,000.00	5,000.00
Project Totals				\$0.00 0.00%	\$0.00 0.00%	\$0.00 0.00%	\$5,000.00 7.84%	\$5,000.00 7.84%	\$83,800.00 100.00%		\$5,000.00 7.84%	\$5,000.00 7.84%	\$5,000.00 7.84%
							DBE Dollars	RC UDBE Dollars	Total Dollars	Ethnicity AA = African American AI = Asian Indian AP = Asian Pacific C = Caucasian H = Hispanic NA = Native American O = Other NL = Not Listed			
Legend UB = Uncertified Business CB = Certified Business DBE = Disadvantaged Business Enterprise WBE = Women Business Enterprise UDBE = Underutilized Disadvantaged Business Enterprise													



City Administrator's Office
Contracts and Compliance Unit

PROJECT COMPLIANCE EVALUATION FOR :

Construction Services Under-Utilized Disadvantaged Business Enterprise (UDBE)

PROJECT NO.: C316230

PROJECT NAME: Countdown Pedestrian Heads

CONTRACTOR: Infiniti Engineering

Engineer's Estimate:

\$80,700.00

Contractors' Bid Amount

\$82,700.00

Over/Under Engineer's Estimate

-\$2,000.00

Discounted Bid Amount:

N/A

Amt. of Bid Discount

N/A

Discount Points:

N/A

- | | |
|---|------------------|
| 1. Did the RC UDBE Program apply? | <u>YES</u> |
| a) Race Conscious? | <u>YES</u> |
| b) Race Neutral | <u>YES</u> |
| 2. Did the contractor meet the RC UDBE goal of 2.99% | <u>YES</u> |
| a) % of RC UDBE participation | <u>3.39%</u> |
| b) % of RN DBE participation | <u>3.39%</u> |
| c) % of LBE participation | <u>3.39%</u> |
| d) % of SLBE participation | <u>0.00%</u> |
| 3. Was Good Faith Effort (GFE) Documentation submitted? | <u>NO</u> |
| 4. Did the contractor meet the L/SLBE Trucking requirement? | <u>N/A</u> |
| a) Total L/SLBE trucking participation | <u>0.00%</u> |
| 5. Did the contractor receive bid discounts? | <u>N/A</u> |
| (If yes, list the percentage received) | <u>N/A</u> |
| 6. Additional Comments. | |
| 7. Date evaluation completed and returned to Contract | <u>6/11/2012</u> |

Reviewing Officer:

W.C. [Signature]

Date: 6/11/2012

Approved By:

Shelley Darsenburg

Date: 6/11/2012

Bidder 5

Project Name: Countdown Pedestrian Heads													
Protect No.: C316230		Engineer's Est. \$80,700.00						Under/Over Engineer's Est. -\$2,000.00					
Disciplina	Primo & Subs	Location	Cert. Status	LBE Dollars	SLBE Dollars	Total LBE/SLBE Dollars	DBE Dollars	RC UDBE Dollars	Total Dollars	Certified DBE/WBE			
										Ethn.	DBE	RC UDBE	WBE
PRIME Item 4 Supplies	Infinite Engineering	Oakland	UB	2,800.00		2,800.00	2,800.00	2,800.00	78,924.00	C			
	Empire Engineering	Oakland	CB						2,800.00	AA	2,800.00	2,800.00	
	A&M Sales	Martinez	UB						978.00	NL			
Project Totals				\$2,800.00	\$0.00	\$2,800.00	\$2,800.00	\$2,800.00	\$82,700.00		\$2,800.00	\$2,800.00	\$0.00
				3.39%	0.00%	3.39%	3.39%	3.39%	100.00%		3.39%	3.39%	0.00%
							DBE Dollars	RC UDBE Dollars	Total Dollars	Ethnicity AA = African American AI = Asian Indian AP = Asian Pacific C = Caucasian H = Hispanic NA = Native American O = Other NL = Not Listed			
Legend		UB = Uncertified Business CB = Certified Business DBE = Disadvantaged Business Enterprise WBE = Women Business Enterprise UDBE = Underutilized Disadvantaged Business Enterprise											

ATTACHMENT E

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

Project Number/Title: C269010, C269410, C269710, C269910, C222310 – Citywide Traffic Signal Project 2005-2006

Work Order Number (if applicable): _____

Contractor: Ray's Electric

Date of Notice to Proceed: October 8, 2007

Date of Notice of Completion: August 8, 2008

Date of Notice of Final Completion: August 8, 2008

Contract Amount: \$584,916.50

Evaluator Name and Title: Henry Choi – Resident Engineer

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

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

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

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

ASSESSMENT GUIDELINES:

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

WORK PERFORMANCE

		Unsatisfactory	Marginal	Satisfactory	Outstanding	Not Applicable
1	Did the Contractor perform all of the work with acceptable Quality and Workmanship?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
1a	If problems arose, did the Contractor provide solutions/coordinate with the designers and work proactively with the City to minimize impacts? If "Marginal or Unsatisfactory", explain on the attachment Provide documentation.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
2	Was the work performed by the Contractor accurate and complete? If "Marginal or Unsatisfactory", explain on the attachment and provide documentation. Complete (2a) and (2b) below.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
2a	Were corrections requested? If "Yes", specify the date(s) and reason(s) for the correction(s). Provide documentation.			Yes <input type="checkbox"/>	No <input type="checkbox"/>	N/A <input checked="" type="checkbox"/>
2b	If corrections were requested, did the Contractor make the corrections requested? If "Marginal or Unsatisfactory", explain on the attachment Provide documentation.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
3	Was the Contractor responsive to City staff's comments and concerns regarding the work performed or the work product delivered? If "Marginal or Unsatisfactory", explain on the attachment Provide documentation.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
4	Were there other significant issues related to "Work Performance"? If Yes, explain on the attachment Provide documentation.				Yes <input type="checkbox"/>	No <input type="checkbox"/>
5	Did the Contractor cooperate with on-site or adjacent tenants, business owners and residents and work in such a manner as to minimize disruptions to the public. If "Marginal or Unsatisfactory", explain on the attachment.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
6	Did the personnel assigned by the Contractor have the expertise and skills required to satisfactorily perform under the contract? If "Marginal or Unsatisfactory", explain on the attachment	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
7	Overall, how did the Contractor rate on work performance? The score for this category must be consistent with the responses to the questions given above regarding work performance and the assessment guidelines. Check 0, 1, 2, or 3.	0 <input type="checkbox"/>	1 <input type="checkbox"/>	2 <input checked="" type="checkbox"/>	3 <input type="checkbox"/>	

TIMELINESS

		Unsatisfactory	Marginal	Satisfactory	Outstanding	Not Applicable
8	Did the Contractor complete the work within the time required by the contract (including time extensions or amendments)? If "Marginal or Unsatisfactory", explain on the attachment why the work was not completed according to schedule. Provide documentation.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
9	Was the Contractor required to provide a service in accordance with an established schedule (such as for security, maintenance, custodial, etc.)? If "No", or "N/A", go to Question #10. If "Yes", complete (9a) below.			Yes <input type="checkbox"/>	No <input type="checkbox"/>	N/A <input checked="" type="checkbox"/>
9a	Were the services provided within the days and times scheduled? If "Marginal or Unsatisfactory", explain on the attachment and specify the dates the Contractor failed to comply with this requirement (such as tardiness, failure to report, etc.). Provide documentation.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
10	Did the Contractor provide timely baseline schedules and revisions to its construction schedule when changes occurred? If "Marginal or Unsatisfactory", explain on the attachment. Provide documentation.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" 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 type="checkbox"/>	<input type="checkbox"/>	<input checked="" 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"/>	

FINANCIAL

		Unsatisfactory	Marginal	Satisfactory	Outstanding	Not Applicable
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"/>	

COMMUNICATION

		Unsatisfactory	Marginal	Satisfactory	Outstanding	Not Applicable
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 checked="" 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"/>	

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"/>	

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

OVERALL RATING: 2

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

PROCEDURE:

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

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

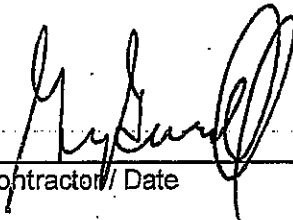
Contractors who receive an Unsatisfactory Overall Rating (i.e., Total Score less than 1.0) will be allowed the option of voluntarily refraining from bidding on any City of Oakland projects within one year from the date of the Unsatisfactory Overall Rating, or of being categorized as non-responsible for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

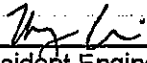
responsible for any bids they submit for future City of Oakland projects within three years of the date of the last Unsatisfactory overall rating.


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 9/22/08


Resident Engineer / Date 09/22/08


Supervising Civil Engineer / Date 9/22/08

ATTACHMENT F

FILED
OFFICE OF THE CITY CLERK
OAKLAND

2009 JUN 11 PM 4:07

OAKLAND CITY COUNCIL

Approved as to Form and Legality


City Attorney

RESOLUTION No. 82121 C.M.S.

Introduced by Councilmember _____

RESOLUTION AUTHORIZING THE ADMINISTRATOR OR DESIGNEE TO ACCEPT AND APPROPRIATE THREE HUNDRED THREE THOUSAND FIVE HUNDRED SEVENTY DOLLARS (\$303,570.00) HIGHWAY SAFETY IMPROVEMENT PROGRAM (HSIP) GRANT FUNDS TO INSTALL PROTECTED LEFT TURN PHASING AND PEDESTRIAN COUNTDOWN HEADS AT VARIOUS SIGNALIZED INTERSECTIONS CITYWIDE

WHEREAS, the State of California Department of Transportation (Caltrans) disburses federal Highway Safety Improvement Program (HSIP) funds to eligible jurisdictions for projects that improve traffic safety; and

WHEREAS, the City of Oakland desires to accept and appropriate the \$303,570.00 in Federal Cycle 2 HSIP funds for the purpose of appropriating said funding to Caltrans Fund (2140), and Community and Economic Development Agency, Transportation Services Division Organization (88363), to address eligible traffic safety issues; and

WHEREAS, \$222,930.00 of said funding will be used to install protected left turn phasing for the following movements: 1) Westbound West Grand Avenue at Market Street; 2) Westbound MacArthur Boulevard at Fruitvale Avenue; and 3) Southbound Market Street at 55th Street; and

WHEREAS, \$80,640.00 of said funding will be used to install pedestrian countdown modules at the following intersections: 1) High Street/Bond Avenue; 2) Foothill Boulevard/47th Avenue; 3) 7th Street/Washington Street; 4) 8th Street/Washington Street; 5) 8th Street/Madison Street; 6) 10th Street/Clay Street; 7) 11th Street/Clay Street; 8) 11th Street / Jefferson Street; 9) 12th Street/Webster Street; 10) 13th Street/Madison Street; 11) Broadway/17th Street; 12) Broadway/19th Street; 13) 19th Street / Franklin Street; 14) 19th Street/Webster Street; and

WHEREAS, the local match of \$33,730.00 is available in the Hazard Elimination Safety Project C316210, Fund 2211, Transportation Services Division Organization (88363); and

WHEREAS, the Community and Economic Development Agency has requested a waiver of the 1.5% public art fee for this project because HSIP guidelines restrict funding uses to traffic safety improvements and prohibit the use of grant funds for public art; now, therefore, be it

RESOLVED: That the City Council hereby authorizes acceptance and appropriation of the Federal Cycle 2 Highway Safety Improvement Program funds in the total amount of \$303,570.00 for the aforementioned eligible traffic safety improvements; and be it

FURTHER RESOLVED: That these grant funds will be deposited and appropriated to Caltrans Fund (2140), Transportation Services Division Organization (88363) in a project number to be established; and be it

FURTHER RESOLVED: That for this project the 1.5% public art fee is waived because HSIP guidelines prohibit the use of grant funds for public art; and be it

FURTHER RESOLVED: That the City Administrator, or his designee, is authorized, on behalf of the City of Oakland, to execute and submit all documents, payment requests, and related actions, as well as to appropriate any additional grant funds received for the completion of this project.

IN COUNCIL, OAKLAND, CALIFORNIA, JUL 7 2009, 20

PASSED THE FOLLOWING VOTE:

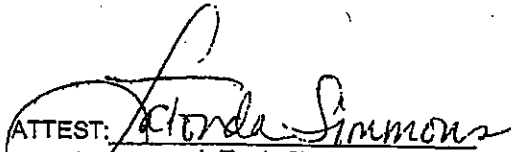
AYES - BROOKS, DE LA FUENTE, KAPLAN, KERNIGHAN, NADEL, QUAN, REID, AND
PRESIDENT BRUNNER - 8

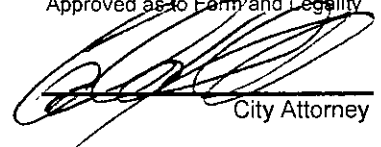
NOES - 0

ABSENT - 0

ABSTENTION - 0

ATTEST:


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

FILED
OFFICE OF THE CLERK
OAKLAND**OAKLAND CITY COUNCIL**
City Attorney2012 SEP 13 11 23 AM
RESOLUTION No. _____ C.M.S.

Introduced by Councilmember _____

RESOLUTION AUTHORIZING THE CITY ADMINISTRATOR TO AWARD A CONSTRUCTION CONTRACT TO RAY'S ELECTRIC, THE LOWEST RESPONSIBLE AND RESPONSIVE BIDDER, FOR COUNTDOWN PED HEADS (PROJECT NO. C316230) UNDER 2007-2009 HIGHWAY SAFETY IMPROVEMENT PROGRAM (HSIP) CYCLE 2 IN ACCORDANCE WITH PROJECT PLANS, SPECIFICATIONS, FEDERAL REQUIREMENTS, AND CONTRACTOR'S BID IN THE AMOUNT OF FORTY FIVE THOUSAND THREE HUNDRED AND NINETY DOLLARS (\$45,390.00)

WHEREAS, on May 31, 2012, five (5) bids were received by the City of Oakland Office of the City Clerk from Ray's Electric, Phoenix Electric Co., W. Bradley Electric Inc., Infinity Engineering, and Republic ITS Inc. in the amounts of \$45,390.00, \$72,210.00, \$56,800.00, \$82,700.00, and \$63,800.00 respectively in response to the Notice To Bidders for the construction of the Countdown Ped Heads Project; and

WHEREAS, the City of Oakland was awarded with 2007-2009 Highway Safety Improvement Program (HSIP) Cycle 2 federal grant which is administered by State of California, Department of Transportation, and the funding for the grant was accepted and appropriated by City Council on July 7, 2009 per Resolution No. 82121 C.M.S.; and

WHEREAS, Ray's Electric submitted the lowest responsible and responsive bid, and the bid complies with the 2.99% Race Conscious Underutilized Disadvantaged Business Enterprise (UDBE) participation per Federal requirements; and

WHEREAS, there is sufficient fund in the project budget for the work. Funding for the construction contract work will be available in the following project accounts; and

- Federal HSIP Cycle 2 grant \$80,640.00. State of California, Department of Transportation, Project (C316230).
- City of Oakland local match \$73,678.00. Measure B Fund (2211), Traffic Signal Management (C427910), Capital Improvement Projects, Transportation Services Division, Organization (92246), Signal and Safety Account (57412);

WHEREAS, the engineer's estimate for the work is \$80,700.00; and

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

WHEREAS, the City Administrator has determined that the performance of this contract shall not result in the loss of employment or salary by any person having permanent status in the competitive services; now, therefore be it

RESOLVED, That the contract for the construction of Countdown Ped Heads (Project No. 316230) under 2007-2009 HSIP Cycle 2 is hereby awarded to Ray's Electric in accordance with the project plans, specifications, Federal requirements and Contractor's Bid in the amount of Forty Five Thousand Three Hundred and Ninety Dollars (\$45,390.00); and be it

FURTHER RESOLVED, That the plans and specifications prepared by the Assistant Director of the Public Works Agency for this project, as authorized by City Ordinance no.13039, are hereby approved ; and be it

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

FURTHER RESOLVED, That the City Administrator, or her designee, is hereby authorized to enter into a contract with Ray's Electric on behalf of the City of Oakland and 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 for form and legality and place on file in the Office of the City Clerk.

IN COUNCIL, OAKLAND, CALIFORNIA, _____, 2012

PASSED BY THE FOLLOWING VOTE:

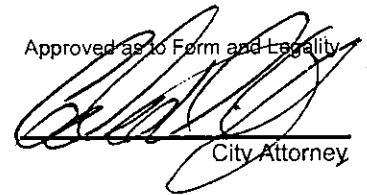
AYES - BROOKS, BRUNNER, DE LA FUENTE, KAPLAN, KERNIGHAN, NADEL, SCHAAF and
PRESIDENT REID

NOES -

ABSENT -

ABSTENTION -

ATTEST: _____
LaTonda Simmons
City Clerk and Clerk of the Council
of the City of Oakland, California



City Attorney

2012 SEP 13 PM 2:33 **RESOLUTION No. _____ C.M.S.**

Introduced by Councilmember _____

RESOLUTION AUTHORIZING THE CITY ADMINISTRATOR TO AWARD A CONSTRUCTION CONTRACT TO RAY'S ELECTRIC, THE LOWEST RESPONSIBLE AND RESPONSIVE BIDDER, FOR LEFT TURN PHASING (PROJECT NO. C316220) UNDER 2007-2009 HIGHWAY SAFETY IMPROVEMENT PROGRAM (HSIP) CYCLE 2 IN ACCORDANCE WITH PROJECT PLANS, SPECIFICATIONS, FEDERAL REQUIREMENTS, AND CONTRACTOR'S BID IN THE AMOUNT OF TWO HUNDRED THIRTY NINE THOUSAND AND TWENTY SEVEN DOLLARS (\$239,027.00).

WHEREAS, on May 31, 2012, four (4) bids were received by the City of Oakland Office of the City Clerk from Steiny & Company, Inc., Ray's Electric, Phoenix Electric Co., and W. Bradley Inc. in the amounts of \$278,620.00, \$239,027.00, \$325,434.50 and \$303,810.00 respectively, in response to the Notice To Bidders for the construction of the Left Turn Phasing Project; and

WHEREAS, the City of Oakland was awarded with 2007-2009 Highway Safety Improvement Program (HSIP) Cycle 2 federal grant which is administered by State of California, Department of Transportation, and the funding for the grant was accepted and appropriated by City Council on July 7, 2009 per Resolution No. 82121 C.M.S.; and

WHEREAS, Ray's Electric submitted the lowest responsible and responsive bid, and the bid complies with the 2.06% Race Conscious Underutilized Disadvantaged Business Enterprise (UDBE) participation per Federal requirements; and

WHEREAS, there is sufficient fund in the project budget for the work. Funding for the construction contract work will be available in the following project accounts; and

- Federal HSIP Cycle 2 grant \$222,930.00. State of California, Department of Transportation, Project (C316220).
- City of Oakland local match \$134,789. Measure B Fund (2211), Traffic Signal Management (C427910), Capital Improvement Projects, Transportation Services Division, Organization (92246), Signal and Safety Account (57412);

WHEREAS, the engineer's estimate for the work is \$241,370.00; and

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

WHEREAS, the City Administrator has determined that the performance of this contact shall not result in the loss of employment or salary by any person having permanent status in the competitive services; now, therefore be it

RESOLVED, That the contract for the construction of Left Turn Phasing (Project No. 316220) under 2007-2009 HSIP Cycle 2 is hereby awarded to Ray's Electric in accordance with the project plans, specifications, Federal requirements and Contractor's Bid in the amount of Two Hundred Thirty Nine Thousand and Twenty Seven Dollars (\$239,027.00); and be it

FURTHER RESOLVED, That the plans and specifications prepared by the Assistant Director of the Public Works Agency for this project are hereby approved, as authorized by City Ordinance no.13039, are hereby approved ; and be it

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

FURTHER RESOLVED, That the City Administrator, or her designee, is hereby authorized to enter into a contract with Ray's Electric on behalf of the City of Oakland and 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 for form and legality and place on file in the Office of the City Clerk.

IN COUNCIL, OAKLAND, CALIFORNIA, _____, 2012

PASSED BY THE FOLLOWING VOTE:

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

NOES -

ABSENT -

ABSTENTION -

ATTEST: _____
LaTonda Simmons
City Clerk and Clerk of the Council
of the City of Oakland, California