



FILED
OFFICE OF THE CITY CLERK
OAKLAND
2013 MAR 27 AM 10:37

AGENDA REPORT

TO: DEANNA J. SANTANA
CITY ADMINISTRATOR

FROM: Vitaly B. Troyan, P.E.

SUBJECT: Rehab of Sanitary Sewers

DATE: January 25, 2013

City Administrator

Date

Approval

3/26/13

COUNCIL DISTRICT: 1, 4, 5

RECOMMENDATION

Staff recommends that the City Council adopt the following four contract award resolutions:

- 1) Resolution Awarding A Construction Contract to Andes Construction, Inc. for the rehabilitation of sanitary sewers in the Area Bounded by Shattuck Avenue, 59th Street, Telegraph Avenue and Woolsey Street (Project No. C312310 Sub-Basin 50-10) in accord with plans and specifications for the project and contractor's bid in the amount of Two Million Seven Hundred Ninety-Five Thousand Five Hundred Twenty-Five Dollars (\$2,795,525.00)
- 2) Resolution Awarding a Construction Contract to Andes Construction, Inc. for the rehabilitation of sanitary sewers in Rosedale Avenue bounded by Foothill Boulevard and Santa Rita Street (Project No. C329128) in accord with plans and specifications for the project and contractor's bid in the amount of Three Hundred Ninety-Five Thousand Seventy-One Dollars (\$395,071.00)
- 3) Resolution Awarding a Construction Contract to Andes Construction, Inc. for the rehabilitation of sanitary sewers in Bridge Avenue bounded by Foothill Boulevard and E.16th Street, and in the easement bounded by Carrington Street, 42nd Avenue, Santa Rita Street, and High Street (Project No. C329129) in accord with plans and specifications for the project and contractor's bid in the amount of Three Hundred Seven Thousand Nine Hundred Twenty-Four Dollars (\$307,924.00)
- 4) Resolution Awarding a Construction Contract To Mosto Construction for the rehabilitation of sanitary sewers in the easement by Elinora Avenue and Reinhardt Drive (Project No. C329130) in accord with plans and specifications for the project and contractor's bid in the amount of Two Hundred Seventy-One Thousand Six Hundred Seventy-Two Dollars (\$271,672.00)

Item: _____
Public Works Committee
April 9, 2013

OUTCOME

Approval of the four resolutions will authorize the City Administrator to execute three construction contracts with Andes Construction, Inc. in the amounts of \$2,795,525.00, \$395,071.00, and \$307,924.00 and a construction contract with Mosto Construction in the amount of \$271,672.00. The work to be completed under these projects are part of the City's annual Sanitary Sewer Rehabilitation program. The work is located in Council Districts 1, 4, and 5 as shown in *Attachment A1, A2, A3 and A4*.

BACKGROUND/LEGISLATIVE HISTORY

1. **Rehabilitation of Sanitary Sewers in the Area Bounded by Shattuck Avenue, 59th Street, Telegraph Avenue and Woolsey Street (Project No. C312310 Sub-Basin 50-10):** the proposed work consists, in general, of the rehabilitation of 15,950 linear feet of existing sanitary sewer pipes by pipe-expanding method; rehabilitating sewer structures; reconnecting house connecting sewers; and other work specifically shown on the project plans or included in the Special Provisions

On February 7, 2013, the City Clerk received two bids for this project in the amount of \$2,795,525.00 and \$3,391,564.00. Andes Construction, Inc. is deemed the lowest responsive and responsible bidder and therefore is recommended for the award. The Engineer's estimate for the work is \$3,343,990.00.

Company	Bid Amount
Andes Construction, Inc.	\$2,795,525.00
Engineer's Estimate	\$3,343,990.00
Pacific Trenchless, Inc.	\$3,391,564.00

2. **Rehabilitation of Sanitary Sewers in Rosedale Avenue bounded by Foothill Boulevard and Santa Rita Street (Project No. C329128):** The proposed work consists, in general, of the rehabilitation of 3,219 linear feet of existing sanitary sewers pipes by pipe-expanding method; rehabilitating sewer structures; reconnecting house connecting sewers; and other work specifically shown on the project plans or included in the Special Provisions.

On January 17, 2013, the City Clerk received four bids for this project in the amount of \$395,071.00, \$479,338.00, \$540,491.00, and \$628,369.00. Andes Construction, Inc. is deemed the lowest responsive and responsible bidder, and therefore is recommended for the award. The Engineer's estimate for the work is \$510,680.00.

Company	Bid Amount
Andes Construction, Inc.	\$395,071.00
J Howard Engineering, Inc.	\$479,338.00
Engineer's Estimate	\$510,680.00
Pacific Trenchless, Inc.	\$540,491.00
Valentine Corporation	\$628,369.00

3. **Rehabilitation of Sanitary Sewers in Bridge Avenue bounded by Foothill Boulevard and E.16th Street, and in the easement bounded by Carrington Street, 42nd Avenue, Santa Rita Street, and High Street (Project No. C329129):** the proposed work consists, in general, of the rehabilitation of 2,882 linear feet of existing sanitary sewers pipes by pipe-expanding method; rehabilitating sewer structures; reconnecting house connecting sewers; and other work specifically shown on the project plans or included in the Special Provisions.

On January 31, 2013, the City Clerk received four bids for this project in the amount of \$307,924.00, \$363,238.00, \$381,960.00, and \$413,462.00. Andes Construction, Inc. is deemed the lowest responsive and responsible bidder, and therefore is recommended for the award. The Engineer's estimate for the work is \$407,940.00.

Company	Bid Amount
Andes Construction, Inc.	\$307,924.00
Mosto Construction	\$363,238.00
J Howard Engineering, Inc.	\$381,960.00
Engineer's Estimate	\$407,940.00
Pacific Trenchless, Inc.	\$413,462.00

4. **Rehabilitation of Sanitary Sewers in the Easement by Elinora Avenue and Reinhardt Drive (Project No. C329130):** the proposed work consists, in general, of rehabilitating 2,109 linear feet of existing sanitary sewer pipes by pipe expanding method; rehabilitating sewer structure; reconnecting house connection sewers; and other work specifically shown on the project plans or included in the Special Provisions.

On January 17, 2013, the City Clerk received four bids for this project in the amount of \$271,672.00, \$294,546.00, \$302,287.00, and \$381,130.00. Mosto Construction is deemed the lowest responsive and responsible bidder, and therefore is recommended for the award. The Engineer's estimate for the work is \$315,570.00.

Company	Bid Amount
Mosto Construction	\$271,672.00
Pacific Trenchless, Inc	\$294,546.00
Andes Construction, Inc.	\$302,287.00
Engineer's Estimate	\$315,570.00
J Howard Engineering, Inc.	\$381,130.00

ANALYSIS

Adoption of these resolutions will allow the City Administrator or her designee to execute three construction contracts with Andes Construction, Inc. and one construction contract with Mosto Construction for sewer rehabilitation at various locations as follows:

1. **Rehabilitation of Sanitary Sewers in the Area Bounded by Shattuck Avenue, 59th Street, Telegraph Avenue and Woolsey Street (Project No. C312310 Sub-Basin 50-10):** Under the proposed contract with Andes Construction Inc., the Local Business Enterprise/Small Local Business Enterprise (LBE/SLBE) participation of LBE/SLBE (96.14%) exceeds the City's 50% LBE/SLBE requirement. The contractor shows L/SLBE (100%) for trucking, exceeding the 50% Local Trucking requirement. 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 Social Equity Division of the Department of Contracting and Purchasing, and is shown in Attachment CI.

Construction is scheduled to begin in June 2013 and should be completed by January 2014. The contract specifies \$1,000.00 in liquidated damages per calendar day if the contract is not completed within 180 working days. The project schedule is shown in *Attachment B*.

2. **Rehabilitation of Sanitary Sewers in Rosedale Avenue bounded by Foothill Boulevard and Santa Rita Street (Project No. C329128):** Under the proposed contract with Andes Construction, Inc., the Local Business Enterprise and Small Local Business Enterprise (LBE/SLBE) participation will be 94.94%, which exceeds the City's 50%

Item: _____
Public Works Committee
April 9, 2013

LBE/SLBE requirement. The contractor also shows a participation of 100% for trucking, which exceed the 50% Local Trucking requirement. The LBE/SLBE information has been verified by the Social Equity Division of the Department of Contracting and Purchasing, and is shown in *Attachment C2*.

Construction is scheduled to begin in June 2013 and should be completed by August 2013. 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*.

3. **Rehabilitation of Sanitary Sewers in Bridge Avenue bounded by Foothill Boulevard and E.16th Street, and in the easement bounded by Carrington Street, 42nd Avenue, Santa Rita Street, and High Street (Project No. C329129):** Under the proposed contract with Andes Construction, Inc., the Local Business Enterprise/Small Local Business Enterprise (LBE/SLBE) participation will be 95.13%, which exceeds the City's 50% LBE/SLBE requirement. The contractor shows 100% participation for trucking. 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 Social Equity Division of the Department of Contracting and Purchasing, and is shown in *Attachment C3*.

Construction is scheduled to begin in June 2013 and should be completed by August 2013. 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*.

4. **Rehabilitation of Sanitary Sewers in the Easement by Elinora Avenue and Reinhardt Drive (Project No. C329130):** Under the proposed contract with Mosto Construction, Local Business Enterprise/Small Local Business Enterprise (LBE/SLBE) participation will be 87.12%, which exceeds the City's 50% LBE/SLBE requirement. The contractor shows 100% participation for trucking. 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 Social Equity Division of the Department of Contracting and Purchasing, and is shown in *Attachment C4*.

Construction is scheduled to begin in June 2013 and should be completed by August 2013. The contract specifies \$1,000.00 in liquidated damages per calendar day if the contract is not completed within 60 working days. The project schedule is shown in *Attachment B*.

The Environmental Protection Agency (EPA) mandates the reduction of sanitary sewer flows during storm events. These projects are part of the City-wide program to improve pipe conditions and reduce wet weather peak flows in sanitary sewer system. Staff has reviewed the submitted bids for the work and has determined that the bids are reasonable for the current construction climate.

PUBLIC OUTREACH/INTEREST

The Home Owner Associations, Merchants Associations and residents in easements area have been notified in writing about this project. They will be notified again individually prior to construction.

COORDINATION

The work to be done under these contracts was coordinated with:

- Public Works Agency – Department of Infrastructure and Operations
- In addition, the following reviewed this report and resolutions:
 - Office of the City Attorney
 - City Budget Office

COST SUMMARY/IMPLICATIONS

Approval of the four resolutions will authorize the City Administrator to execute construction contracts in the amount of \$2,795,525.00, \$395,071.00, \$307,924.00 and \$271,672.00.

1. AMOUNT OF RECOMMENDATION/COST OF PROJECT:

FUNDING SOURCE	AMOUNT
Rehabilitation of sanitary sewers in the area bounded by Shattuck Avenue, 59 th Street, Telegraph Avenue and Woolsey Street (Sub-Basin 50-10) (Project No. C312310)	\$2,795,525.00
Rehabilitation of sanitary sewers in Rosedale Avenue bounded by Foothill Boulevard and Santa Rita Street (Project No. C329128)	\$395,071.00
Rehabilitation of sanitary sewers in Bridge Avenue bounded by Foothill Boulevard and E.16th Street, and in the easement bounded by Carrington Street, 42nd Avenue, Santa Rita Street, and High Street (Project No. C329129)	\$307,924.00
Rehabilitation of sanitary sewers in the easement by Elinora Avenue and Reinhardt Drive (Project No. C329130)	\$271,672.00

Item: _____
Public Works Committee
April 9, 2013

2. COST ELEMENTS OF AGREEMENTS/CONTRACTS: \$3,770,192.00

3. SOURCE OF FUNDING:

FUNDING SOURCES	AMOUNT
Sewer Service Fund (3100); Capital Project – Sanitary Sewer Design Organization (92244); Sewers Account (57417); Project C312310	\$2,795,525.00
Sewer Service Fund (3100); Capital Project – Sanitary Sewer Design Organization (92244); Sewers Account (57417); Project C329128	\$395,071.00
Sewer Service Fund (3100); Capital Project – Sanitary Sewer Design Organization (92244); Sewers Account (57417); Project C329129	\$307,924.00
Sewer Service Fund (3100); Capital Project – Sanitary Sewer Design Organization (92244); Sewers Account (57417); Project C329130	\$271,672.00

4. FISCAL IMPACT:

Approval of the four resolutions will authorize the City Administrator to execute construction contracts in the amount of \$2,795,525.00, \$395,071.00, \$307,924.00 and \$271,672.00. These projects will rehabilitate existing sewer pipes, reduce rain-related sewer overflows, and improve sewer pipe conditions in the area, and reduce ongoing maintenance costs.

PAST PERFORMANCE, EVALUATION AND FOLLOW-UP

The Contractor Performance Evaluation for Andes Construction, Inc. from a previously completed project is satisfactory and is included as ***Attachment D1***.

The Contractor Performance Evaluation for Mosto Construction from a previously completed project is satisfactory and is included as ***Attachment D2***.

SUSTAINABLE OPPORTUNITIES

Economic: The contractors are all verified for Local Business Enterprise and Small Local Business Enterprise (LBE/SLBE) participation by the Social Equity Division of the Department of Contracting and Purchasing. The contractors are required to have 50% of the work hours performed by Oakland residents, and 50% of all new hires are to be Oakland residents, which will result in dollars being spent locally.

Environmental: Replacing sanitary sewers will minimize sewer leakage and overflows, thus preventing potential harm to property, 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.

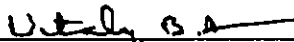
Social Equity: This project is part of the citywide program to eliminate wastewater overflows, thereby benefiting all Oakland residents.

CEQA

A Negative Declaration for sewer rehabilitation projects was adopted by Ordinance No. 10876 C.M.S. and with approval by City Council on June 23, 1987.

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

Respectfully submitted,


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

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

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

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

Attachments:

- Attachment A1, A2, A3 and A4 – Project Location Map
- Attachment B – Project Construction Schedule
- Attachment C1, C2, C3, and C4 – Contracts & Compliance Unit Compliance Evaluation
- Attachment D1 and D2 – Contractor Performance Evaluation

Item: _____
Public Works Committee
April 9, 2013


Attachment A1
REHABILITATION OF SANITARY SEWERS IN THE
AREA BOUNDED BY SHATTUCK AVENUE, 59TH STREET
TELEGRAPH AVENUE AND WOOLSEY STREET
(SUBBASIN 50-10)

CITY PROJECT NO. C312310



LOCATION MAP

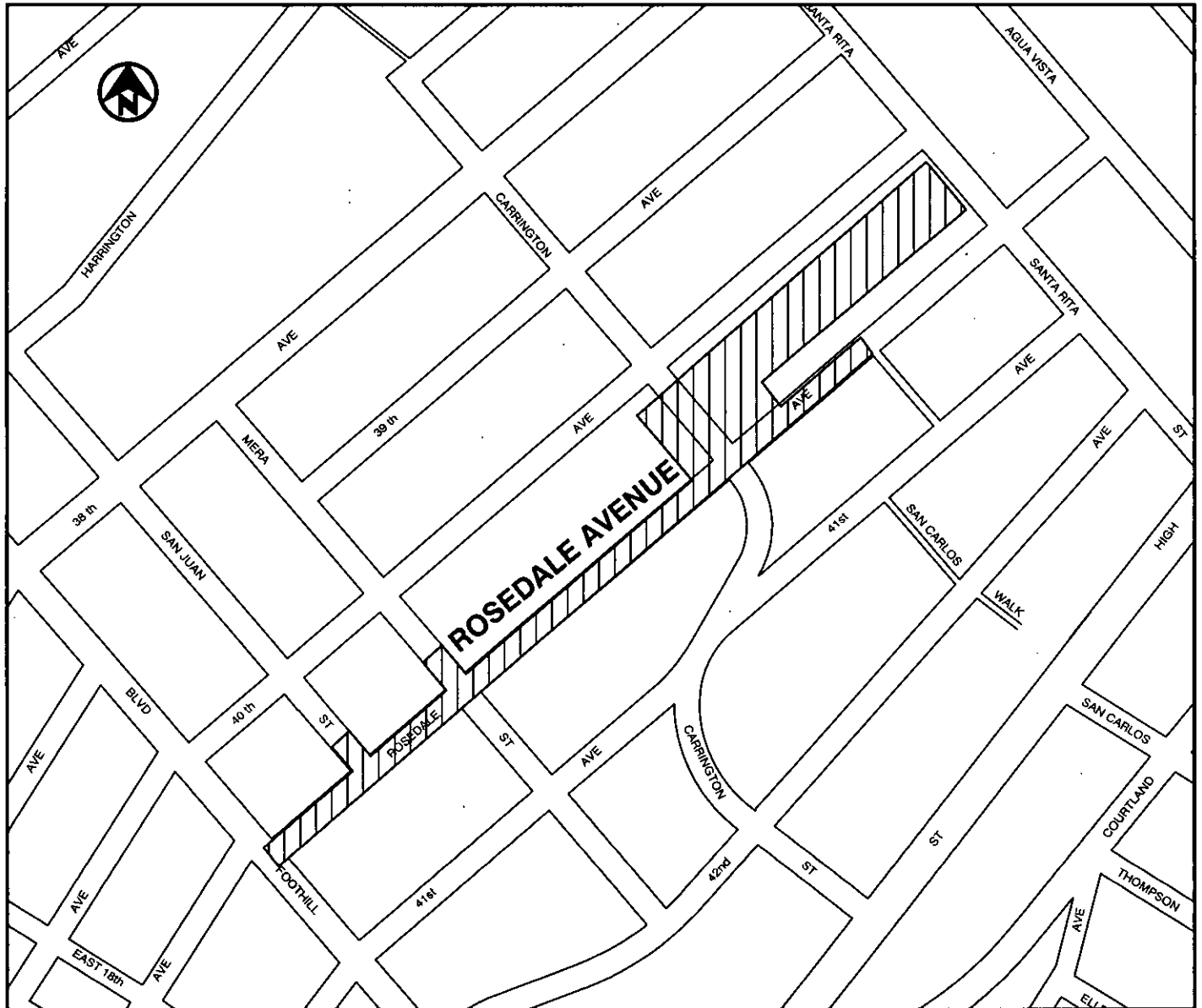
NOT TO SCALE

LIMIT OF WORK 

Attachment A2

REHABILITATION OF SANITARY SEWERS IN ROSEDALE AVENUE BOUNDED BY FOOTHILL BOULEVARD AND SANTA RITA STREET

CITY PROJECT NO. C329128



LOCATION MAP

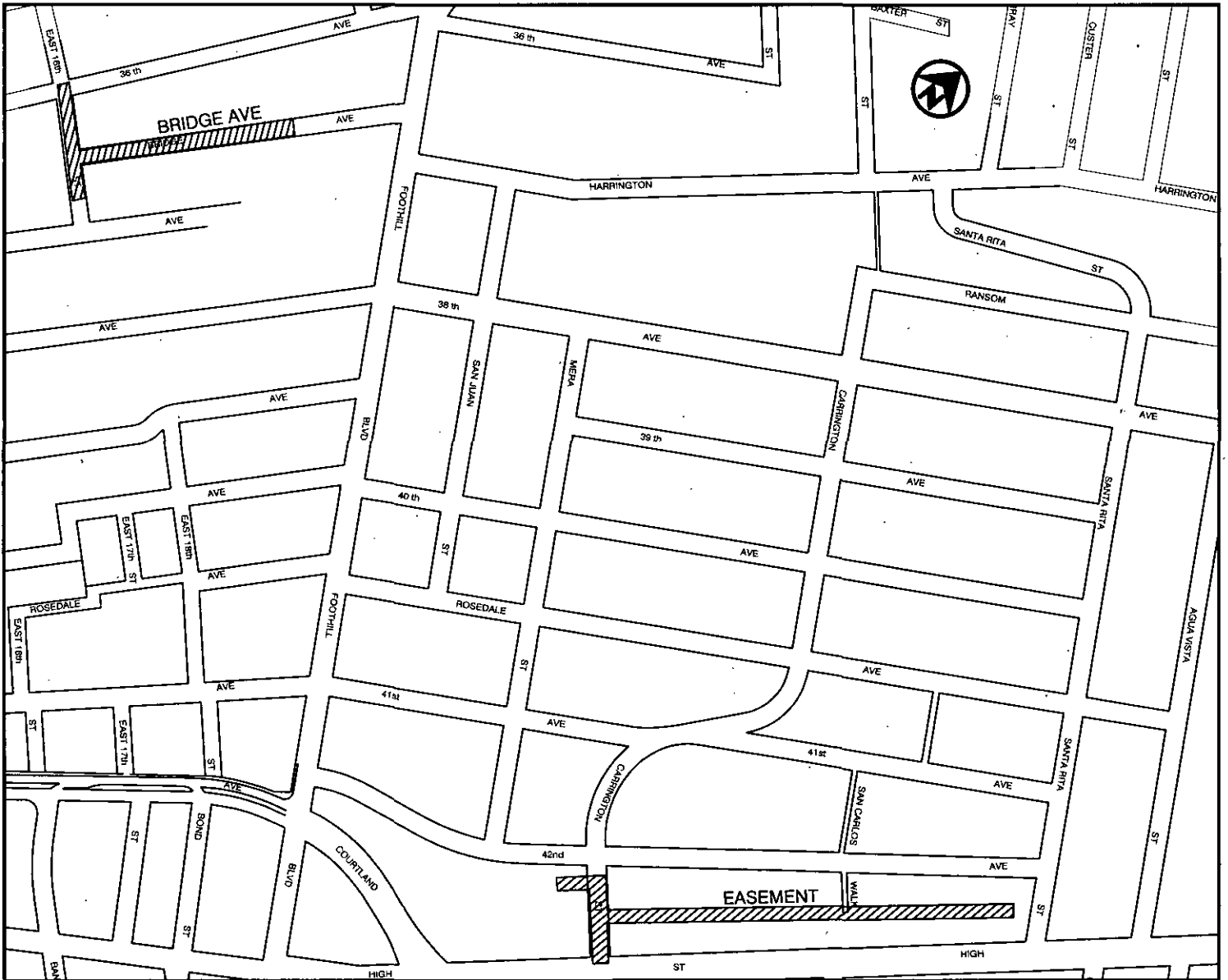
NOT TO SCALE

LIMIT OF WORK 

Attachment A3

REHABILITATION OF SANITARY SEWERS IN BRIDGE AVENUE BOUNDED BY FOOTHILL BOULEVARD AND EAST 16TH STREET, AND IN THE EASEMENT BOUNDED BY CARRINGTON STREET, 42ND AVENUE, SANTA RITA STREET, AND HIGH STREET

CITY PROJECT NO. C329129



LOCATION MAP

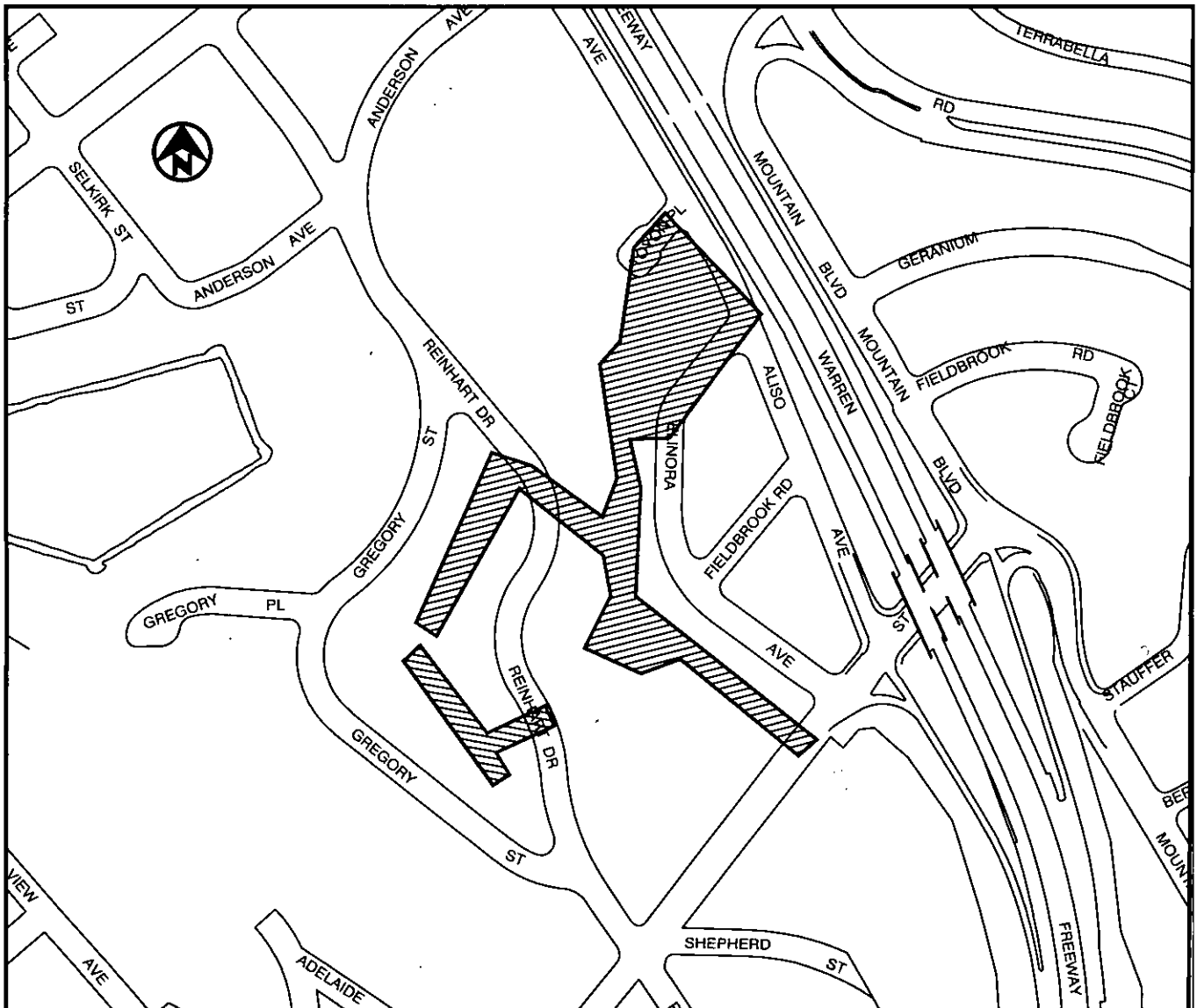
NOT TO SCALE

LIMIT OF WORK 

ATTACHMENT A4

REHABILITATION OF SANITARY SEWERS
IN THE EASEMENT BY
ELINORA AVENUE AND REINHARDT DRIVE

CITY PROJECT NO. C329130



LOCATION MAP

NOT TO SCALE

LIMIT OF WORK 

Attachment B

Project Construction Schedules

ID	Task Name	Start	Finish	2013											
				Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	Jan
1	Project No. C312310	Mon 5/13/13	Fri 1/17/14												
2	Construction	Mon 5/13/13	Fri 1/17/14												
3															
4	Project No. C329128	Mon 6/3/13	Fri 8/16/13												
5	Construction	Mon 6/3/13	Fri 8/16/13												
6															
7	Project No. C329129	Mon 6/3/13	Fri 8/16/13												
8	Construction	Mon 6/3/13	Fri 8/16/13												
9															
10	Project No. C329130	Mon 6/3/13	Fri 8/23/13												
11	Construction	Mon 6/3/13	Fri 8/23/13												

Attachment C



C1

INTER OFFICE MEMORANDUM

TO: Dolores Campos,
Assistant Engineer

FROM: Deborah Barnes, Manager
Contracts and Compliance

SUBJECT: Compliance Analysis

DATE: February 19, 2013

Rehabilitation of Sanitary Sewers in the Area Bounded by Shattuck Avenue, 59th Street,
Telegraph Avenue and Woolsey Street (Sub-basin 50-10)
Project No. C312310

City Administrator's Office, Contracts and Compliance Unit reviewed two (2) bids in response to the above referenced project. Below is the outcome of the compliance evaluation for the minimum 50% Local and Small Local Business Enterprise (L/SLBE) participation requirement, a preliminary review for compliance with the Equal Benefits Ordinance (EBO), and a brief overview of the lowest responsible bidder's compliance with the 50% Local Employment Program (LEP) and the 15% Oakland Apprenticeship Program on the bidder's most recently completed City of Oakland project. Also included is a preliminary review for compliance with the Equal Benefits Ordinance (EBO).

Below are the results of our findings:

Responsive to L/SLBE and/or EBO Policies		Proposed Participation					Earned Credits and Discounts			EBO Compliant? Y/N
Company Name	Original Bid Amount	Total LBE/SLBE	LBE	SLBE	*VSLBE/LPG	L/SLBE Trucking	Total Credited participation	Earned Bid Discounts	Adjusted Bid Amount	
Andes Construction	\$2,795,525	96.14%	0.18%	94.53%	1.43%	100%	96.14%	5%	\$2,655,748.75	Y
Pacific Trenchless	\$3,391,564	93.51%	1.18%	92.33%	0.00%	100%	93.51%	5%	\$3,221,985.80	Y

Comments: As noted above, both firms met and/or exceeded the minimum 50% L/SLBE participation requirement. Both firms are EBO compliant.

*Proposed VSLBE/LPG participation is valued at .715%, however per the L/SLBE Program a VSLBE/LPG's participation is double counted towards meeting the requirement. Therefore, the VSLBE/LPG value for Andes Construction is 1.43%.

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: Andes Construction
 Project Name: On Call Sewer Emergency Project FY 08/09
 Project No. C329113

50% Local Employment Program (LEP)

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

15% Oakland Apprenticeship Program

Was the 15% Apprenticeship Goal achieved?	YES	If no, shortfall hours?	NA
Were shortfalls satisfied?	YES	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				
	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	C	D	D	E	F	G	H	I	I	J
617.5	0	50%	308.75	100%	308.75	0	0	100%	92.63	15%	92.63	0

Comments: Andes Construction exceeded the Local Employment Program's 50% resident hiring goal with 100% resident employment and met the 15% Oakland Apprenticeship Program goals with 47 on-site hours and 47 off-site hours.

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

City Administrator's Office



Contracts and Compliance Unit

PROJECT EVALUATION FORM

PROJECT NO.: C312310

PROJECT NAME: Rehabilitation of Sanitary Sewers in the Area Bounded by Shattuck Avenue, 59th Street, Telegraph Avenue and Woolsey Street (Sub-Basin 50-10)

CONTRACTOR: Andes Construction

<u>Engineer's Estimate:</u> \$3,343,990	<u>Contractors' Bid Amount</u> \$2,795,626.00	<u>Over/Under Engineer's Estimate</u> \$648,466.00
--	--	---

<u>Discounted Bid Amount:</u> \$2,866,748.75	<u>Amount of Bid Discount</u> \$139,776.25	<u>Discount Points:</u> 5%
---	---	-------------------------------

- 1. Did the 50% local/small local requirements apply? **YES**
- 2. Did the contractor meet the 50% requirement? **YES**
 - a) % of LBE participation **0.18%**
 - b) % of SLBE participation **94.88%**
 - c) % of VSLBE participation **1.43%**
- 3. Did the contractor meet the Trucking requirement? **YES**
 - a) Total SLBE/LBE trucking participation **100%**
- 4. Did the contractor receive bid discounts? **YES**
(If yes, list the percentage received) **5%**

5. Additional Comments.

*Proposed VSLBE/LPG participation is valued at .715%, however per the L/SLBE Program a VSLBE/LPG's participation is double counted towards meeting the requirement. Therefore the VSLBE/LPG value is 1.43%.

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

2/19/2013

Date

Reviewing Officer:

Vincent [Signature]

Date: 2/19/2013

Approved By:

Shelley [Signature]

Date: 2/19/2013

LBE/SLBE PARTICIPATION BIDDER 1

Project Name: Rehabilitation of Sanitary Sewers in the Area Bounded by Shattuck Avenue, 59th Street, Telegraph Avenue and Woolsey Street (Sub-Basin 50-10)													
Project NO.: C312310		Engineers Est: 3,343,930					Under/Over Engineers Estimate: 548,465						
Discipline	Prime & Subs	Location	Cert. Status	LBE	SLBE	*VSLBE/LPG double counted value	Total	L/SLBE	Total	TOTAL	For Tracking Only		
							LBE/SLBE	Trucking	Trucking	Dollars	Ethn.	MBE	WBE
PRIME	Andes Construction	Oakland	CB		2,832,525		2,832,525			2,832,525.00	C		
Trucking	Foston Trucking	Oakland	CB		20,000		20,000	20,000	20,000	20,000	AA	20,000	
Saw Cutting	Bay Line	Emeryville	US							5,000	H	5,000	
Pipe	Isco	Kentucky	UB							100,000	C		
AB	Aman	Los Angeles	UB							5,000	C		
MH Precast	Old Castle Precast	Livermore	UB							5,000	C		
AC Supply	Gallager & Burk	Oakland	CB			20,000	20,000			10,000	C		
Drain Rock	Dutra	San Rafael	UB							5,000	C		
Concrete	Right Away	Oakland	CB	5,000			5,000			5,000	C		
MH Rehab	Contech	Stockton	UB							2,000	C		
Striping	Uneation Markings	Oakland	UB							6,000			
Project Totals				\$5,000	\$2,852,525	\$20,000	\$2,877,525	\$20,000	\$20,000	\$2,795,525.00		25,000	\$0
				0.18%	94.88%	1.43%	96.49%	100%	100%	100%		0.89%	0%
Requirements: The 50% requirements is a combination of 25% LBE and 25% SLBE participation. An SLBE firm can be counted 100% towards achieving 50% requirement. A LPGVSLBE's participation is double counted toward meeting the requirements.											Ethnicity AA = African American AI = Adan Indian AP = Asian Pacific C = Caucasian H = Hispanic NA = Native American O = Other M. = Not Used MO = Multiple Ownership		
LBE = Local Business Enterprise SLBE = Small Local Business Enterprise Tow 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 Administrator's Office



Contracts and Compliance Unit

PROJECT EVALUATION FORM

PROJECT NO.: C312310

PROJECT NAME: Rehabilitation of Sanitary Sewers in the Area Bounded by Shattuck Avenue, 59th Street, Telegraph Avenue and Woolsey Street (Sub-Basin 50-10)

CONTRACTOR: Pacific Trenchless

<u>Engineer's Estimate:</u> \$3,343,990	<u>Contractors' Bid Amount</u> \$3,391,564.00	<u>Over/Undsr Engineer's Estimate</u> -\$47,574.00
--	--	---

<u>Discounted Bid Amount:</u> \$3,221,985.80	<u>Amount of Bid Discount</u> \$169,578.20	<u>Discount Points:</u> 5%
---	---	-------------------------------

1. Did the 50% local/small local requirements apply? YES
2. Did the contractor meet the 50% requirement? YES
 - a) % of LBE participation 1.18%
 - b) % of SLBE participation 92.33%
 - c) % of VSLBE participation 0%
3. Did the contractor meet the Trucking requirement? YES
 - a) Total SLBE/LBE trucking participation 100%
4. Did the contractor receive bid discounts? YES

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

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

2/19/2013
Date

Reviewing
Officer:

Vivian [Signature]

Date: 2/19/2013

Approved By:

Shelley [Signature]

Date: 2/19/2013

LBE/SLBE PARTICIPATION

BIDDER 2

Project Name: Rehabilitation of Sanitary Sewers in the Area Bounded by Shattuck Avenue, 59th Street, Telegraph Avenue and Woosley Street (Sub-Basin 50-10)													
Project No.: C312310		Engineers Est: 3,343,990					Under/Over Engineers Estimate: -47,574						
Discipline	Prime & Subs	Location	Cert Status	LBE	SLBE	VSLBE/LPG double counted value	Total	L/SLBE	Total	TOTAL	For Tracking Only		
							LBE/SLBE	Trucking	Trucking	Dollars	Ethn.	MBE	WBE
PRIME	Pacific Trenchless	Oakland	CB		3,001,564		3,001,564			3,001,564	C		
Trucking	Williams Trucking	Oakland	CB		50,000		50,000	50,000	50,000	50,000	AA	50,000	
Grind & Pave AC	AJW Construction	Oakland	CB		80,000		80,000			80,000	H	80,000	
HOPE Pipe	P&F Distributors	Brisbane	UB							170,000	C		
Manhole Materials	Old Castle Concrete	Livermore	UB							25,000	C		
Manhole Lining	Con-tech of California	Stockton	UB							10,000	C		
Pipe Couplings	Mission Clay Products	Oakland	CB	40,000			40,000			40,000	C		
Cast-Iron Cleanouts	Groeninger Co.	Hayward	UB							15,000	C		
Project Totals				\$40,000	\$3,131,564	\$0	\$3,171,564	\$50,000	\$50,000	\$3,391,564		\$130,000	0
				1.18%	92.33%	0%	93.51%	100%	100%	100%		3.83%	0.00%
Requirements: The 50% requirements is a combination of 25% LBE and 25% SLBE participation. An SLBE firm can be counted 100% towards achieving 50% requirements. A LPG/VSLBE's participation is double counted toward meeting the requirements.											Ethnicity AA = African American AI = Asian Indian AP = Asian Pacific C = Caucasian H = Hispanic NA = Native American O = Other NL = Not Listed MO = Multiple Ownership		
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 = Uncontrolled Business CB = Certified Business MBE = Minority Business Enterprise WBE = Woman Business Enterprise								



INTER OFFICE MEMORANDUM

C 2

TO: David Ng
CIP Coordinator

FROM: Deborah Batnes

SUBJECT: Compliance Analysis
Rehabilitation of Sanitary Sewer in Rosedale Avenue Bounded
By Foothill Blvd. and Santa Rita Street –
Project No. C329128

DATE: February 15, 2013

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 minimum 50% Local and Small Local Business Enterprise (L/SLBE) participation requirement, a preliminary review for compliance with the Equal Benefits Ordinance (EBO), and a brief overview of the lowest responsible bidder's compliance with the 50% Local Employment Program (LEP) and the 15% Oakland Apprenticeship Program on the bidder's most recently completed City of Oakland project.

Responsive to L/SLBE and/or EBO Policies		Proposed Participation					Earned Credits and Discounts			EBO Compliant? Y/N
Company Name	Original Bid Amount	Total LBE/SLBE	LBE	SLBE	*VSLBE/LPG	L/SLBE Trucking	Total Credited participation	Earned Bid Discounts	Adjusted Bid Amount	
Andes Construction, Inc.	\$395,071	94.94%	.51%	92.41%	2.02%	100%	94.94%	5%	\$375,317.45	Y
J. Howard Engineering, Inc.	\$479,338	92.07%	3.55%	88.53%	0.00%	100%	92.07%	5%	\$455,371.10	N
Pacific Trenchless	\$540,491	95.56%	0.00%	95.56%	0.00%	100%	95.56%	5%	\$513,466.45	Y

Comments: As noted above, all three (3) firms met and/or exceeded the minimum 50% L/SLBE participation requirement. *Andes Construction's proposed VSLBE/LPG participation value was 1.01%, however, per the L/SLBE Program a VSLBE/LPG's participation is double counted towards meeting the requirement. Therefore, the VSLBE/LPG value for Andes is 2.02%. J. Howard Engineering is not EBO compliant. They will have to come into compliance prior to contract execution.

Non-Responsive to L/SLBE and/or EBO Policies		Proposed Participation					Earned Credits and Discounts				EBO Compliant? Y/N
Company Name	Original Bid Amount	Total LBE/SLBE	LBE	SLBE	*VSLBE/LPG	L/SLBE Trucking	Total Credited participation	Earned Bid Discounts	Adjusted Bid Amount	Adjusted Bid Amount	
Valentine Corporation	\$628,369	48.37%	0.57%	41.38%	7.42%	100%	0%	0%	0%	0%	Y

Comments: As noted above, Valentine Corporation, failed to meet the minimum 50% L/SLBE participation requirement. *Valentine Construction's proposed VSLBE/LPG participation value was 3.71%, however, per the L/SLBE Program a VSLBE/LPG's participation is double counted towards meeting the requirement. Therefore, the VSLBE/LPG value is 7.42%. Based on the above the firm is deemed non-responsive. The firm is EBO certified.

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: Andes Construction
 Project Name: On Call Sewer Emergency Project FY 08/09
 Project No. C329113

50% Local Employment Program (LEP)

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

15% Oakland Apprenticeship Program

Was the 15% Apprenticeship Goal achieved?	YES	If no, shortfall hours?	NA
Were shortfalls satisfied?	YES	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				
	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			
617.5	0	50%	308.75	100%	308.75	0	0	100%	92.63	15%	92.63	0

Comments: Andes Construction exceeded the Local Employment Program's 50% resident hiring goal with 100% resident employment and met the 15% Oakland Apprenticeship Program goals with 47 on-site hours and 47 off-site hours.

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

City Administrator's Office



Contracts and Compliance Unit

PROJECT EVALUATION FORM

PROJECT NO.: C329128

PROJECT NAME: Rehabilitation of Sanitary Sewers in Rosedale Avenue Bounded by Foothill Blvd and Santa Rita Street

CONTRACTOR: Andes Construction, Inc.

Engineer's Estimate: \$610,680	Contractors' Bid Amount \$396,071.00	Over/Under Engineer's Estimate \$116,609.00
--	--	---

Discounted Bid Amount: \$376,317.46	Amount of Bid Discount \$19,763.66	Discount Points: 6%
---	--	-------------------------------

- 1. Did the 50% local/small local requirements apply? **YES**
- 2. Did the contractor meet the 50% requirement? **YES**
 - a) % of LBE participation **0.61%**
 - b) % of SLBE participation **92.41%**
 - c) % of VSLBE participation **4.04%**
- 3. Did the contractor meet the Trucking requirement? **YES**
 - a) Total SLBE/LBE trucking participation **100%**
- 4. Did the contractor receive bid discounts? **Yes**
(If yes, list the percentage received) **0%**
- 5. Additional Comments.

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

2/16/2013

Date

Reviewing
Officer:

[Signature]

Date: 2/16/2013

Approved By:

[Signature]

Date: 2/16/2013

LBE/SLBE PARTICIPATION BIDDER 1

Project Name: Rehabilitation of Sanitary Sewers in Rosedale Avenue Bounded by Foothill Blvd and Santa Rita Street														
Project No.: C329128		Engineers Est: 510,sao					Under/Over Engineers Estimate: 115,609							
Discipline	Prime & Subs	Location	Cert. Status	LBE	SLBE	*VSLBE/LPG	Total	L/SLSE	Total	TOTAL	For Tracking Only			
							LBE/SLBE	Trucking	Trucking	Dollars	Ethn.	MBE	WBE	
PRIME	Andes Construction, Inc.	Oakland	CB		360,071					360,071.00	H	360,071		
Sawcutting	Bay Line	Emeryville	UB							2,000	H	2,000		
Trucking	Foston Trucking	Oakland	CB		5,000		5,000	5,000	5,000	5,000	AA	5,000		
Pipe	P&F	Brisbane	UB							15,000	C			
AB	Aman	Los Angeles	UB							1,000	C			
MH Precast	Old Castle Precast	Livermore	UB							5,000	C			
AC	Gallagher & Burk	Oakland	CB			2,000	2,000			2,000	C			
Drain Rock	Dutra	San Rafeael	UB							1,000	C			
Concrete	Right Away	Oakland	CB	2,000			2,000			2,000	C			
MH Reban	Contech	Stockton	UB							2,000	C			
Project Totals					\$2,000	\$385,071	\$2,000	\$9,000	\$5,000	\$5,000	\$395,071.00		367,071	\$0
				0.51%	92.41%	1.01%	93.93%	100%	100%	100%			92.91%	0%
Requirements: The SON requirements is a combination of 25% LBE and 25% SLBE participation. An SLBE firm can be counted 100% towards achieving 50% requirements. A LPGVSLSE's participation is double counted toward meeting the requirements.											Ethnicity AA = African American AI = Asian Indian AP = Asian Pacific C = Caucasian H = Hispanic NA = Native American O = Other NL = Not Listed MO = Multiple Ownership			
LBE = Local Business Enterprise SLBE = Small Local Business Enterprise Total LBE/SLBE = All Certified Local and Small Local Businesses NPLBE = Non-Profit Local Business Enterprise NPSLBE = Non-Profit Small Local Business Enterprise											UB = Uncertified Business CB = Certified Business MBE = Minority Business Enterprise WBE = Women Business Enterprise			

City Administrator's Office



Contracts and Compliance Unit

PROJECT EVALUATION FORM

PROJECT NO.: C329128

PROJECT NAME: Rehabilitation of Sanitary Sewers in Rosedale Avenue Bounded by Foothill Blvd and Santa Rita Street

CONTRACTOR: J. Howard Engineering, Inc.

<u>Engineer's Estimate:</u> \$510,680	<u>Contractors' Bid Amount</u> \$479,338.00	<u>Over/Under Engineer's Estimate</u> \$31,342.00
--	--	--

<u>Discounted Bid Amount:</u> \$455,371.10	<u>Amount of Bid Discount</u> \$23,966.90	<u>Discount Points:</u> 5%
---	--	-------------------------------

1. Did the 50% local/small local requirements apply? YES
2. Did the contractor meet the 50% requirement? YES
 - a) % of LBE participation 3.55%
 - b) % of SLBE participation 88.53%
 - c) % of VSLBE participation 0%
3. Did the contractor meet the Trucking requirement? YES
 - a) Total SLBE/LBE trucking participation 100%
4. Did the contractor receive bid discounts? YES

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

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

2/15/2013

Date

Reviewing
Officer:

Jeffrey Hoff

Date: 2/15/2013

Approved By:

Shelley Darendburg

Date: 2/15/2013

LBE/SLBE PARTICIPATION

BIDDER 2

Project Name: Rehabilaiton of Sanitary Sewers in Rosedale Avenue Bounded by Foothill Blvd and Santa Rita Street													
Project No.: C329128		Engineers Est: 510,880					Under/Over Engineers Estimate: 31,342						
Discipline	Prime & Subs	Location	Cert. Status	LBE	SLBE	VSLBE/LPG	Total	L/SLBE	Total	TOTAL	For Tracking Only		
							LBE/SLBE	Trucking	Trucking	Dollars	Ethn.	MBE	WBE
PRIME	J. Howard Engineering, Inc.	Oakland	CB		384,338		384,338			384,338	C		
Truckign	CJC Trucking	Oakland	CB		18,000		18,000	18,000	18,000	18,000	AA	18,000	
Paving	AJW Construction	Oakland	CB		17,000		17,000			17,000	H	17,000	
Concrete	Right Away Ready Mo	Oakland	CB	7,000			7,000			7,000	C		
Pipe/Fittings	Mission Clay	Oakland	CB	10,000			10,000			10,000	C		
Recycling	Inner City	Oakland	CB		5,000		5,000			5,000	C		
HOPE Pipe	P&F Distributors	Brisbane	UB							25,000	C		
Saw cutting	Bay Line	San Francisco	UB							4,500	H	4,500	
Manhole Lining	Contech of CA	Stockton	UB							500	C		
Manhole Materials	US Concrete	Livermore	UB							8,000	C		
Project Totals				\$17,000	\$424,338	\$0	\$441,330	\$18,000	\$18,000	\$479,338		\$39,500	0
				3.55%	88.53%	0%	92.07%	100%	100%	100%		8.24%	0.00%

Requirements: The 50% requirements is a combination of 25% LBE and 25% SLBE participation. An SLBE firm can be counted 100% towards achieving SON requirements. A LPG/VSLBE's participation is double counted toward meeting the requirements.

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

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 Administrator's Office



Contracts and Compliance Unit

PROJECT EVALUATION FORM

PROJECT NO.: C329128

PROJECT NAME: Rehabilitation of Sanitary Sewers in Rosedale Avenue Bounded by Foothill Blvd and Santa Rita Street

CONTRACTOR: Pacific Trenchless

<u>Engineer's Estimate:</u> \$510,680.00	<u>Contractors' Bid Amount</u> \$540,491.00	<u>Over/Under Engineer's Estimate</u> -\$29,811.00
---	--	---

<u>Discounted Bid Amount:</u> \$313,466.45	<u>Amount of Bid Discount</u> \$27,024.55	<u>Discount Points:</u> 5.00%
---	--	----------------------------------

- 1. Did the 50% local/small local requirements apply? YES
- 2. Did the contractor meet the 50% requirement? YES
 - a) % of LBE participation 0.00%
 - b) % of SLBE participation 95.56%
 - c) % of VSLBE participation 0.00%
- 3. Did the contractor meet the Trucking requirement? YES
 - a) Total SLBE/LBE trucking participation 100.00%
- 4. Did the contractor receive bid discounts? YES
(if yes, list the percentage received) 5.00%
- 6. Additional Comments.

6. Date evaluation completed and returned to Contract Admin./Initiating Dept.
2/15/2013

Date

Reviewing
Officer:

[Signature]
Shelley Darenburg

Date: 2/15/2013

Approved By:

Date: 2/15/2013

LBE/SLBE PARTICIPATION BIDDER 3

Project Name: Rehabilitation of Sanitary Sewers in Rosedale Avenue Bounded by Foothill Blvd and Santa Rita Street													
Project No.: C329128		Engineers Est: 1,998,826.00					Under/Over Engineers Estimate: 1,458,335.00						
Discipline	Prime & Subs	Location	Cert Status	LBE 14%	SLBE 14%	*VSLBE/LPG double counted value	Total	L/SLBE	Total	TOTAL	For Tracking Only		
							LBE/SLBE	Trucking	Trucking	Dollars	Ethn.	MBE	WBE
PRIME Trucking HOPE Pipe Manhole Materials	Pacific Trenchless	Oakland	CB		511,491		511,491.00			511,491.00	C		
	Williams Trucking	Oakland	CB		5,000		5,000	5,000	5,000	5,000	AA	5,000.00	
	P&F Distributors	Brisbane	UB							20,000	C		
	US Concrete, Inc.	Livermore	UB							4,000	C		
Project Totals				\$0	\$516,491	\$0	\$516,491	\$5,000	\$5,000	\$540,491.00		5,000	\$0
				0.00%	95.56%	0.00%	95.56%	100%	100%	100%		0.93%	0%
Requirements: The 50% requirements is a combination of 25% LBE and 25% SLBE participation. An SLBE firm can be counted 100% towards achieving 50% requirements. A LPGVSLBE's participation is double counted toward meeting the requirements.											AI = Asian Indian AP = Asian Pacific C = Caucasian H = Hispanic NA = Native American O = Other NL = Not Listed MO = Multiple Ownership		
LBE = Local Business Enterprise SLBE = Small Local Business Enterprise Total LBB/SLBE = All Certified Local and Small Local Businesses NPLBE = NonProfit Local Business Enterprise NPSLBE = NonProfit Small Local Business Enterprise				U/B = Uncertified Business CB = Certified Business MBE = Minority Business Enterprise WBE = Women Business Enterprise									

City Administrator's Office



Contracts and Compliance Unit

PROJECT EVALUATION FORM

PROJECT NO.: C329128

PROJECT NAME: Rehabilitation of Sanitary Sewers in Rosedale Avenue Bounded by Foothill Blvd and Santa Rita Street

CONTRACTOR: Valentine Corporation

<u>Engineer's Estimate:</u> \$510,680	<u>Contractors' Bid Amount</u> \$628,369.00	<u>Over/Under Engineer's Estimate</u> -\$117,689.00
--	--	--

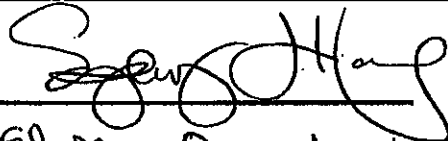
<u>Discounted Bid Amount:</u> \$0.00	<u>Amount of Bid Discount</u> \$0.00	<u>Discount Points:</u> 0%
---	---	-------------------------------

- 1. Did the 50% local/small local requirements apply? YES
- 2. Did the contractor meet the 50% requirement? NO
 - a) % of LBE participation 0.57%
 - b) % of SLBE participation 41.38%
 - c) % of VSLBE participation 7.42%
- 3. Did the contractor meet the Trucking requirement? YES
 - a) Total SLBE/LBE trucking participation 100%
- 4. Did the contractor receive bid discounts? NO
(if yes, list the percentage received) 0%

5. Additional Comments.

*Proposed VSLBE/LPG participation is valued at 3.71%, however per the L/SLBE Program a VSLBE/LPG's participation is double counted towards meeting the requirement. Firm failed to meet the 50% L/SLBE. Therefore, firm is deemed non-responsive.

6. Date evaluation completed and returned to Contract Admin./Initiating Dept. 2/15/2013

Reviewing Officer:  Date: 2/16/2013
Approved By: Shelley Danaher Date: 2/15/2013

LBE/SLBE PARTICIPATION BIDDER 4

Project Name: Rehabilitaiton of Sanitary Sewers in Rosedale Avenue Bounded by Foothill Blvd and Santa Rita Street															
Project No.: C32912S		Engineers Est: 510,680					Under/Over Engineers Estimate: -117,689								
Discipline	Prime & Subs	Location	Cert. Status	LBE	SLBE	*VSLBE/PG double counted value	Total		Total		TOTAL		For Tracking Only		
							LBE/SLBE	Trucking	Trucking	Dollars	Ethn.	MBE	WBE		
PRIME	Valentine Corporation	San Rafael	UB								299,201.00	C			
Trucking	Montroe Trucking	Oakland	CB			17,000	17,000	17,000	17,000		17,000	AA	17,000		
Pipe Bursting	Mosto Const	Oakland	CB		260,000		260,000				260,000	AA	260,000		
Assemblies	Pace Supply	Oakland	UB								27,000	C			
CCTV	Roy's Sewer Service	Novato	UB								13,568	NL			
CCTV	The Plumbing Ministry	Oakland	UB								8,000	AA	8,000		
Concrete Supply	Right Away Ready Mix	Oakland	CB	3,600			3,600				3,600	C			
Project Totals					\$3,600	\$260,000	\$17,000	\$260,600	\$17,000	\$17,000	\$528,369.00			\$285,000	\$0
				0.57%	41.38%	3.71%	44.66%	100%	100%	100%			45.36%	0%	
Requirements: The 50% requirement is a combination of 25% LBE and 25% SLBE participation. An SLBE firm can be counted 100% towards achieving 50% requirements. A LBE/SLBE's participation is double counted toward meeting the requirements.												AI = Asian Indian AP = Asian Pacific C = Caucasian H = Hispanic NA = Native American O = Other NL = Not Listed MO = Multiple Ownership			
LBE = Local Business Enterprise SLBE = Small Local Business Enterprise Total LBE/SLBE = All Certified Local and Small Local Businesses NPLBE = Non-Profit Local Business Enterprise NPSLBE = Non-Profit Small Local Business Enterprise						UB = Uncertified Business CS = Certified Business MBE = Minority Business Enterprise WBE = Women Business Enterprise									



CITY OF OAKLAND

C3

INTER OFFICE MEMORANDUM

TO: David Ng
CIP Coordinator

FROM: Deborah Barnes *Deborah Barnes*

SUBJECT: Compliance Analysis

DATE: February 15, 2013

Rehabilitation of Sanitary Sewers in Bridge Avenue Bounded by Foothill Boulevard and E. 16th Street and in the Easement Bounded by Carrington Street, 42nd Avenue, Santa Rita Street and High Street –
Project No. C329129

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 minimum 50% Local and Small Local Business Enterprise (L/SLBE) participation requirement, a preliminary review for compliance with the Equal Benefits Ordinance (EBO), and a brief overview of the lowest responsible bidder's compliance with the 50% Local Employment Program (LEP) and the 15% Oakland Apprenticeship Program on the bidder's most recently completed City of Oakland project.

Responsive to L/SLBE and/or EBO Policies		Proposed Participation					Earned Credits and Discounts			EBO Compliant? Y/N
Company Name	Original Bid Amount	Total LBE/SLBE	LBE	SLBE	*VSLBE/LPG	L/SLBE Trucking	Total Credited participation	Earned Bid Discounts	Adjusted Bid Amount	
Andes Construction, Inc.	\$307,924	95.13%	.65%	91.88%	2.60%	100%	95.13%	5%	\$292,527.80	Y
Mosto Construction	\$363,238	89.97%	.33%	89.64%	0.00%	100%	89.97%	5%	\$348,116.10	Y
J. Howard Engineering	\$381,960	92.01%	3.53%	88.48%	0.00%	100%	92.01%	5%	\$362,862.00	N
Pacific Trenchless, Inc.	\$413,462	94.20%	0.00%	94.20%	0.00%	100%	94.20%	5%	\$392,788.90	Y

Comments: As noted above, all firms met and/or exceeded the minimum 50% L/SLBE participation requirement.

*Andes Construction proposed VSLBE/LPG participation value was 1.30%, however, per the L/SLBE Program a VSLBE/LPG's participation is double counted towards meeting the requirement. Therefore, the VSLBE/LPG value for Andes is 2.60%. All firms are EBO compliant except J. Howard Engineering. They will have to come into compliance prior to contract execution.

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: Andes Construction
 Project Name: On Call Sewer Emergency Project FY 08/09
 Project No. C329113

50% Local Employment Program (LEP)

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

15% Oakland Apprenticeship Program

Was the 15% Apprenticeship Goal achieved?	YES	If no, shortfall hours?	NA
Were shortfalls satisfied?	YES	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				
	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
617.5	0	50%	308.75	100%	308.75	0	0	100%	92.63	15%	92.63	0

Comments: Andes Construction exceeded the Local Employment Program's 50% resident hiring goal with 100% resident employment and met the 15% Oakland Apprenticeship Program goals with 47 on-site hours and 47 off-site hours.

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

City Administrator's Office



Contracts and Compliance Unit

PROJECT EVALUATION FORM

PROJECT NO.: C329129

PROJECT NAME: Rehabilitation of Sanitary Sewers in Bridge Avenue Bounded by Foothill Boulevard and E. 16th Street and in the Easement Bounded by Carrington Street, 42nd Avenue, Santa Rita Street and High Street

CONTRACTOR: Andes Construction, Inc.

<u>Engineer's Estimate:</u> \$407,940	<u>Contractors' Bid Amount</u> \$307,924.00	<u>Over/Under Engineer's Estimate</u> \$100,016.00
--	--	---

<u>Discounted Bid Amount:</u> \$292,627.80	<u>Amount of Bid Discount</u> \$16,396.20	<u>Discount Points:</u> 6%
---	--	-------------------------------

1. Did the 50% local/small local requirements apply? YES

2. Did the contractor meet the 50% requirement? YES
 - a) % of LBE participation 0.66%
 - b) % of SLBE participation 91.88%
 - c) % of VSLBE participation 2.80%

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

4. Did the contractor receive bid discounts? YES
(If yes, list the percentage received) 5%

5. Additional Comments.

Proposed VSLBE/LPG participation is valued at 1.30%, however per the L/SLBE Program a VSLBE/LPG's participation is double counted towards meeting the requirement.

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

2/16/2013
Date

Reviewing Officer:

[Signature]

Date: 2/16/2013

Approved By:

Shelley Darenburg

Date: 2/16/2013

LBE/SLBE PARTICIPATION BIDDER 1

Project Name:		Rehabilitaiton of Sanitary Sewers in Bridge Avenue Bounded by Foothill Boulevard and E. 16th Street and in the Easement Bounded by Carrington Street, 42nd Avenue, Santa Rita Street and High Street											
Project No.:		Engineers Est:		407,940				Underover Engineers Estimate:				100,015	
Discipline	Prima & Subs	Location	Cert. Status	LBE	SLBE	*VSLBE/LPG	Total		TOTAL		For Tracking Only		
							LBE/SLBE	L/SLBE Trucking	Total Trucking	Dollars	Ethn.	MBE	WBE
PRIME	Andes Coastruction, Inc	Oakland	CB		277,924		227,924			277,024.00	H	277,924	
Sawcutting	Bay Line	Emeryville	UB							2,000	H	2,000	
Trucking	Foston Trucking	Oakland	CB		5,000		5,000	5,000	5,000	5,000	AA	5,000	
Pipe	P&F Distributors	Brisbane	UB							10,000	C		
AB	Aman	Los Angeles	UB							1,000	C		
MH Precast	Old Castle Precast	Livermore	UB							5,000	C		
AC	Gallagher & Svrk	Oakland	CB			2,000	2,000			2,000	C		
Drain Rock	Dutra	San Rafael	UB							1,000	C		
Concrete	Right Away	Oakland	CB	2,000			2,000			2,000	C		
MH Reban	Contech	Stockton	UB							2,000	C		
Project Totals				\$2,000	3282,924	\$2,000	\$236,924	55,000	\$5,000	\$307,924.00		284,924	\$0
				0.65%	\$1.85%	1.30%	93.83%	100%	100%	100%		92.53%	0%

Requirements: The 50% requirements is a combination of 25% LBE and 25% SLBE participation. An SLBE firm can be counted 100% towards achieving 50% requirements. A LPG/SLBE's participation is double counted toward meeting the requirements.

LBE = Local Business Enterprise
 SLBE = Small Local Business Enterprise
 Total LBE/SLBE = All Certified Local and Small Local Businesses
 NPLBE = Non-Profit Local Business Enterprise
 NPSLBE = Non-Profit Small Local Business Enterprise
 UB = Uncertified Business
 CB = Certified Business
 MSE = Minority Business Enterprise
 WBE = Women Business Enterprise

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

City Administrator's Office



Contracts and Compliance Unit

PROJECT EVALUATION FORM

PROJECT NO.: 0329129

PROJECT NAME: Rehabilitation of Sanitary Sewers in Bridge Avenue Bounded by Foothill Boulevard and E. 16th Street and in the Easement Bounded by Carrington Street, 42nd Avenue, Santa Rita Street and High Street

CONTRACTOR: Mosto Construction

<u>Engineer's Estimate:</u> \$407,940	<u>Contractors' Bid Amount</u> \$366,438.00	<u>Over/Under Engineer's Estimate</u> \$41,502.00
--	--	--

<u>Discounted Bid Amount:</u> \$348,116.10	<u>Amount of Bid Discount</u> \$18,321.90	<u>Discount Points:</u> 5%
---	--	-------------------------------

1. Did the 50% local/small local requirements apply? YES
2. Did the contractor meet the 50% requirement? YES
 - a) % of LBE participation 0.33%
 - b) % of SLBE participation 89.64%
 - c) % of VSLBE participation 0%
3. Did the contractor meet the Trucking requirement? YES
 - a) Total SLBE/LBE trucking participation 100%
4. Did the contractor receive bid discounts? YES

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

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

2/15/2013

Date

Reviewing
Officer:

Shelley Darenburg

Date: 2/15/2013

Approved By:

Shelley Darenburg

Date: 2/15/2013

LBE/SLBE PARTICIPATION

BIDDER 2

Project Name: Rehabilitation of Sanitary Sewers in Bridge Avenue Bounded by Foothill Boulevard and E. 16th Street and in the Easement Bounded by Carrington Street, 42nd Avenue, Santa Rita Street and High Street														
Project No.: C329129		Engineers Est. 407,940				Under/Over Engineers Estimate: 41,502								
Discipline	Prime & Subs	Location	Cert Status	LBE	SLBE	VSLBE/LPG	Total	L/SLBE	Total	TOTAL	For Tracking Only			
							LBE/SLBE	Trucking	Trucking	Dollars	Ethn.	MBE	WBE	
PRIME	Mosta Construction	Oakland	CB		316,471		316,471			316,471	H	316,471		
Trucking	Monroe's Trucking	Oakland	CB		12,000		12,000	12,000	12,000	12,000	AA	12,000		
HOPE Pipe	PAF Distributors	Brisbane	UB							20,167	C			
Manhole Structure	Old Castle Precast	Livermore	UB							8,000	C			
Pipe Fitting Clay Pipe	Mission Clay	Oakland	CB	1,200			1,200			1,200	C			
Hydropox Sealant	Con Tech of CA	Stockton	UB							8,000	C			
Concrets	Central Concrete	San Jose	UB							1,800	C			
AB, Cement, Misc	Lanns Baldley	Oakland	UB							1,800	C			
Project Totals					\$1,200	\$328,471	\$0	\$329,671	\$12,000	\$12,000	\$366,438		\$328,471	0
					0.33%	89.64%	0%	89.97%	100%	100%	100%		69.64%	0.00%
Requirements: The 50% requirements is a combination of 25% LBE and 25% SLBE participation. An SLBE firm can be counted 100% towards achieving 50% requirements. A LPSA/SLBE's participation is double counted toward meeting the requirements.											Ethnicity AA = African American AI = Asian Indian AP = Asian Pacific C = Caucasian N = Hispanic NA = Native American O = Other NL = Not Listed MO = Multiple Ownership			
LBE = Local Business Enterprise SLBE = Small Local Business Enterprise Total L&E/SLBE = All Certified Local and Small Local Businesses NPLBE = Non-Profit Local Business Enterprise NPSLBE = Non-Profit Small Local Business Enterprise						UB = Uncertified Business CB = Certified Business MBE = Minority Business Enterprise WBE = Women Business Enterprise								

City Administrator's Office



Contracts and Compliance Unit

PROJECT EVALUATION FORM

PROJECT NO.: C329129

PROJECT NAME: Rehabilitation of Sanitary Sewers in Bridge Avenue Bounded by Foothill Boulevard and E. 16th Street and in the Easement Bounded by Carrington Street, 42nd Avenue, Santa Rita Street and High Street

CONTRACTOR: J. Howard Engineering, Inc.

<u>Engineer's Estimate:</u> \$407,940.00	<u>Contractors' Bid Amount</u> \$381,960.00	<u>Over/Under Engineer's Estimate</u> \$25,980.00
---	--	--

<u>Discounted Bid Amount:</u> \$362,862.00	<u>Amount of Bid Discount</u> \$19,098.00	<u>Discount Points:</u> 5.00%
---	--	----------------------------------

1. Did the 50% local/small local requirements apply? YES

2. Did the contractor meet the 50% requirement? YES
 - a) % of LBE participation 3.53%
 - b) % of SLBE participation 88.48%
 - c) % of VSLBE participation 0.00%

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

4. Did the contractor receive bid discounts? YES
 - (If yes, list the percentage received) 5.00%

5. Additional Comments.

6. Date evaluation completed and returned to Contract Admin./Initiating Dept. 2/15/2013

Date

Reviewing Officer:

Date: 2/15/2013

Approved By:

Date: 2/15/2013

LBE/SLBE PARTICIPATION BIDDER 3

Project Name: Rehabilitation of Sanitary Sewers in Bridge Avenue Bounded by Foothill Boulevard and E. 16th Street and in the Easement Bounded by Carrington Street, 42nd Avenue, Santa Rita Street and High Street															
Project No.: C329129		Engineers Est: 407,940.00					Under/Over Engineers Estimate: 25,980.00								
Discipline	Prime & Subs	Location	Cert. Status	LBE	SLBE	*VSLBE/LPG double counted value	Total	L/SLBE	Total	TOTAL	For Tracking Only				
							LBE/SLBE	Trucking	Trucking	Dollars	Ethn.	MBE	WBE		
PRIME	J. Howard Engineering, Inc.	Oakland	CB		310,960		310,960.00			310,960.00	C				
Trucking	CJC Trucking	Oakland	CB		13,000		13,000	13,000	13,000	13,000	AA	13,000			
Paving	A/W Construction Right Away Ready	Oakland	CB		10,000		10,000			10,000	H	10,000			
Concrete	Mix	Oakland	CB	5,500			5,500			5,500	C				
Pipe Fittings	Mission Clay	Oakland	CB	8,000			8,000			8,000	C				
Recycle	Inner City	Oakland	CB		4,000		4,000			4,000	C				
HOPE Pipe	P&F Distributors	Brisbane	UB							20,000	C				
Saw Cutting	Bay Line	Emeryville	UB							3,500	H	3,500.00			
Manhole Uning	Contech of CA	Stockton	UB							500	C				
Manhole Materials	US Concrete	Livermore	UB							6,500	C				
Project Totals				\$13,500	\$337,960	\$0	\$351,460	\$13,000	\$13,000	\$361,960.00			26,500	\$0	
				3.53%	88.48%	0.00%	92.01%	100%	100%	100%			6.94%	0%	
Requirements: The 50% requirements is a combination of 25% LBE and 25% SLBE participation. An SLBE firm can be counted 100% towards achieving 50% requirements. A LPGVSLBE's participation is double counted toward meeting the requirements.											AI = Asian Indian AP = Asian Pacific C = Caucasian H = Hispanic NA = Native American O = Other NL = Not Listed MO = Multiple Ownership				
<table style="width: 100%; border: none;"> <tr> <td style="width: 50%; border: none;"> 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 </td> <td style="width: 50%; border: none;"> UB = Uncertified Business CB = Certified Business MBE = Minority Business Enterprise WBE = Women Business Enterprise </td> </tr> </table>														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
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 Administrator's Office



Contracts and Compliance Unit

PROJECT EVALUATION FORM

PROJECT NO.: C329129

PROJECT NAME: Rehabilitation of Sanitary Sewers in Bridge Avenue Bounded by Foothill Boulevard and E. 16th Street and in the Easement Bounded by Carrington Street, 42nd Avenue, Santa Rita Street and High Street

CONTRACTOR: Pacific Trenchless, Inc.

<u>Engineer's Estimate:</u> \$407,940	<u>Contractors' Bid Amount</u> \$413,462.00	<u>Over/Under Engineer's Estimate</u> -\$5,522.00
--	--	--

<u>Discounted Bid Amount:</u> \$392,788.90	<u>Amount of Bid Discount</u> \$20,673.10	<u>Discount Points:</u> 5%
---	--	-------------------------------

1. Did the 50% local/small local requirements apply? YES
2. Did the contractor meet the 50% requirement? YES
 - a) % of LBE participation 0.00%
 - b) % of SLBE participation 94.20%
 - c) % of VSLBE participation 0.00%
3. Did the contractor meet the Trucking requirement? YES
 - a) Total SLBE/LBE trucking participation 100%
4. Did the contractor receive bid discounts? YES
(If yes, list the percentage received) 5%
5. Additional Comments.

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

2/15/2013

Date

Reviewing Officer:

Joseph Hay

Date: 2/15/2013

Approved By:

Shelley Orensberg

Date: 2/15/2013

LBE/SLBE PARTICIPATION BIDDER 4

Project Name: Rehabilitation of Sanitary Sewers in Bridge Avenue Bounded by Foothill Boulevard and E. 16th Street and in the Easement Bounded by Carrington Street, 42nd Avenue, Santa Rita Street and High Street														
Project No.: C329129		Engineers Est: 407,940				Under/Over Engineers Estimate: -5,522								
Discipline	Prime & Subs	Location	Cert. Status	LBE	SLBE	*VSLBE/LPG double counted value	Total		Total		For Tracking Only			
							LBE/SLBE	L/SLBE Tracking	Tracking	TOTAL Dollars	Ethn.	MBE	WBE	
PRIME	Pacific Trenchless, Inc.	Oakland	CB		384,462		334,462			384,462.00	C			
Trucking	Williams Trucking	Oakland	CB		5,000		5,000	5,000	5,000	5,000	AA	5,000		
HOPE Pipe	P&F Distributors	Brisbane	UB							20,000	C			
Manhole Materials	US Concrete, Inc.	Livermore	UB							4,000	C			
Project Totals					\$0	\$389,462	\$0	\$389,462	\$5,000	\$5,000	\$413,462.00		\$5,000	\$0
				0.00%	94.20%	0%	94.20%	100%	100%	100%		1.21%	0%	
Requirements: The 50% requirement is a combination of 25% LBE and 25% SLBE participation. An SLBE firm can be counted 100% towards achieving 50% requirements. A LPB/SLBE's participation is double counted toward meeting the requirements.											AI = Asian Indian AP = Asian Pacific C = Caucasian H = Hispanic NA = Native American O = Other NL = Not Listed MO = Multiple Ownership			
LBE = Local Business Enterprise SLBE = Small Local Business Enterprise Total LBE/SLBE = All Certified Local and Small Local Businesses NPLBE = Non-Profit Local Business Enterprise NPSLBE = Non-Profit Small Local Business Enterprise						MB = Uncertified Business CB = Certified Business MBE = Minority Business Enterprise WBE = Women Business Enterprise								



C4

INTER OFFICE MEMORANDUM

TO: Gunawan Santoso
Civil Engineer

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

SUBJECT: Compliance Analysis
The Rehabilitation of Sanitary Sewers in
the Easement by Elinora Avenue and Reinhardt Drive
Project No. C329130

DATE: January 31, 2013

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 minimum 50% Local and Small Local Business Enterprise (L/SLBE) participation requirement, a preliminary review for compliance with the Equal Benefits Ordinance (EBO), and a brief overview of the lowest responsible bidder's compliance with the 50% Local Employment Program (LEP) and the 15% Oakland Apprenticeship Program on the bidder's most recently completed City of Oakland project.

Responsive to L/SLBE and/or EBO Policies		Proposed Participation					Earned Credits and Discounts			EBO Compliant? Y/N
Company Name	Original Bid Amount	Total LBE/SLBE	LBE	SLBE	*VLSBE/LPG	Trucking	Total Credited participation	Earned Bid Discounts	Adjusted Bid Amount	
Mosto Construction	\$271,672.00	87.12%	1.55%	84.47%	1.10% *2.20	100%	87.12% *88.22%	5%	\$258,088.40	Y
Pacific Trenchless, Inc.	\$294,546.00	92.23%	0.00%	92.23%	0.00%	100%	92.23%	5%	\$279,818.70	Y
Andes Construction	\$302,287.00	91.40%	0.66%	90.08%	.66% *1.32	100%	91.40% *92.06	5%	\$287,172.65	Y
J. Howard Engineering, Inc.	\$381,130.00	92.21%	3.07%	89.14%	0.00%	100%	92.21%	5%	\$362,073.50	N

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

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

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.

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: **Mosto Construction**

Project Name: **Rehabilitation of Sanitary Sewers in the Easement between Sayre Dr. and Paso Robles
And Easement Between Chambers Drive and Saroni Drive**

Project No. C329123

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, penalty amount	
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
1071	0	50%	535.5	100%	535.5	0	0	100%	161	15%	161	0

Comments: **Mosto Construction exceeded** the Local Employment Program's 50% resident hiring goal with **100%** resident employment and the 15% Oakland Apprenticeship Program goals.

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

CONTRACTS AND COMPLIANCE UNIT



Contract Compliance Division

PROJECT EVALUATION FORM

PROJECT NO.: C329130

PROJECT NAME: The Rehabilitation of Sanitary Sewers in the Easement by Elinora Avenue and Reinhardt Drive

CONTRACTOR: Mosto Construction

<u>Engineer's Estimate:</u> \$315,570	<u>Contractors' Bid Amount</u> \$271,672	<u>Over/Under Engineer's Estimate</u> \$43,898
<u>Discounted Bid Amount:</u> \$258,088.40	<u>Amount of Bid Discount</u> \$13,583.60	<u>Discount Points:</u> 5%

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

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

a) % of LBE participation **1.66%**
b) % of SLBE participation **84.47%**
c) % of VSLBE participation ***2.20%**

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

a) Total SLBE/LBE trucking participation **100%**

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

(If yes, list the percentage received) **5%**

5. Additional Comments.

*VSLBE/LPG participation is valued at 1.10%, however per the L/SLBE Program a VSLBE/LPG's participation is double counted towards meeting the requirement.

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

1/31/2013
Date

Reviewing Officer:

[Signature]

Date: 1/31/2013

Approved By:

Shelley Dorensburg

Date: 1/31/2013

LBE/SLBE PARTICIPATION

BIDDER 1

Project Name: The Rehabilitation of Sanitary Sewers in the Easement by Elinora Avenue and Reinhardt Drive

Project No.: C329130		Engineers Est: \$315,570					Under/Over Engineers Estimate: \$43,898				For Tracking Only		
Discipline	Prime & Subs	Location	CerL Status	LBE 25%	SLBE 25%	*VSLBE/LPG double counted value	Total LBE/SLBE	L/SLBE Trucking	Total Trucking	TOTAL Dollars	Ethn.	MBE	WBE
PRIME	Mosto Construction	Oakland	CB		229,472		229,472			229,472	H	229,472	
Trucking	Monroe Trucking	Oakland	CB			3,000	3,000	3,000	3,000	3,000	AA	3,000	
HOPE Supplies	P & F Distributors	Brisbane	UB							15,000	C		
MH Structures	Old Castle Precast	Pleasanton	UB							15,000	NL		
Pipe Couplings	Mission Clay	Oakland	CB	4,200			4,200			4,200	NL		
MH Bases-Misc Concrete	Lams Building Supply	Oakland	UB							2,500	NL		
Post Video	APIT	Sacramento	UB							2,500	NL		
Project Totals				\$4,200	\$229,472	\$3,000	\$236,672	\$3,000	\$3,000	\$271,672		\$232,472	\$0
				1.55%	84.47%	1.10%	87.12%	100%	100%	100%		85.57%	0.00%
Double counted dollar value						\$6,000	\$242,672			\$274,672	Ethnicity		
Percentage based on double counting						2.20%	88.22%			101.10%	AA = African American		
Requirements: The 50% requirement can be satisfied by a combination of 25% LBE and 25% SLBE. An SLBE firm can be counted 100% towards achieving 50% requirement. An LPG/VSLBE's participation is double counted toward meeting the requirement.											NL = Asian Indian		
											C = Caucasian		
											H = Hispanic		
											NA = Native American		
											O = Other		
											NL = Not Listed		
											MO = Multiple Ownership		
SLLBE = Small Local Business Enterprise					CB = Certified Business								
Total LBE/SLBE = All Certified Local and Small Local Businesses					MBE = Minority Business Enterprise								
NPLBE = NonProfit Local Business Enterprise					WBE = Women Business Enterprise								
NPSLBE = NonProfit Small Local Business Enterprise													

CONTRACTS AND COMPLIANCE UNIT



Contract Compliance Division
PROJECT EVALUATION FORM

PROJECT NO.: C329130

PROJECT NAME: The Rehabilitation of Sanitary Sewers in the Easement by Elinora Avenue and

CONTRACTOR: Pacific Trenchless, Inc.

<u>Engineer's Estimate:</u> \$315,570	<u>Contractors' Bid Amount</u> \$294,546	<u>Over/Under Engineer's Estimate</u> \$21,024
---	--	--

<u>Discounted Bid Amount:</u> \$279,818.70	<u>Amount of Bid Discount</u> \$14,727.30	<u>Discount Points:</u> 5%
--	---	--------------------------------------

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

2. Did the contractor meet the 50% requirement? **YES**
 - a) % of LBE participation **0%**
 - b) % of SLBE participation **92.23%**
 - c) % of VSLBE participation **0%**

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

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

(If yes, list the percentage received) **5%**

5. Additional Comments.

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

1/31/2013

Date

**Reviewing
Officer:**

Shelley Darenburg

Date: 1/31/2013

Approved By:

Shelley Darenburg

Date: 1/31/2013

LBE/SLBE PARTICIPATION

BIDDER 2

Project Name: The Rehabilitation of Sanitary Sewers in the Easement by Elinora Avenue and Reinhardt Drive

Project No.: C329130		Engineers Est: \$315,570					Under/Over Engineers Estimate: \$21,024					For Tracking Only		
Discipline	Prime & Subs	Location	Cert. Status	LBE 25%	SLBE 25%	*VSLBE/ LPG double counted value	Total LBE/SLBE	L/SLBE Trucking	Total Trucking	TOTAL Dollars	For Tracking Only			
											Ethn.	MBE	WBE	
PRIME	Pacific Trenchless, Inc.	Oakland	CB		270,971		270,971			270,971	C			
Trucking	Williams Trucking	Oakland	CB		700		700	700	700	700	AA	700		
HOPE Pipe	P & F Distributors	Brisbane	UB							14,375	C			
Manhole Lining	Contech of California	Stockton	UB							4,000	C			
Manole Materials	US Concrete, Inc.	Livermore	UB							4,500	C			
Project Totals				\$0	\$271,671	\$0	\$271,671	\$700	\$700	\$294,546		\$700	\$0	
				0%	92.23%	0%	92.23%	100%	100%	100%		0.24%	0%	
Requirements: The 50% requirement can be satisfied by a combination of 25% LBE and 25% SLBE. An SLBE firm can be counted 100% towards achieving 50% requirement. An VSLBE's participation is double counted toward meeting the requirement.											Ethnicity AA = African American AI = Asian Indian AP = Asian Pacific C = Caucasian H = Hispanic NA = Native American O = Other NL = Not Listed MO = Multiple Ownership			
Legend		LBE = Local Business Enterprise SLBE = Small Local Business Enterprise Total LBE/SLBE = All Certified Local and Small Local Businesses NPLBE = NonProfit Local Business Enterprise NPSLBE = NonProfit Small Local Business Enterprise				UB = Uncertified Business CB = Certified Business MBE = Minority Business Enterprise WBE = Women Business Enterprise								

CONTRACTS AND COMPLIANCE UNIT



Contract Compliance Division
PROJECT EVALUATION FORM

PROJECT NO.: 0329130

PROJECT NAME: The Rehabilitation of Sanitary Sewers in the Easement by Elinora Avenue and

CONTRACTOR: Andes Construction, Inc.

<u>Engineer's Estimate:</u> \$315,570	<u>Contractors' Bid Amount:</u> \$302,287	<u>Over/Under Engineer's Estimate</u> \$13,283
---	---	--

<u>Discounted Bid Amount:</u> \$287,172.66	<u>Amount of Bid Discount</u> \$15,114.35	<u>Discount Points:</u> 5%
--	---	--------------------------------------

1. Did the 50% requirements apply? **YES**
2. Did the contractor meet the 50% requirement? **YES**
- a) % of LBE participation **0.66%**
 - b) % of SLBE participation **90.08%**
 - c) % of VSLBE participation ***1.32**
3. Did the contractor meet the Trucking requirement? **YES**
- a) Total SLBE/LBE trucking participation **100%**
4. Did the contractor receive bid discounts? **YES**
- (If yes, list the percentage received) **5%**
5. Additional Comments.

*VSLBE/LPG participation is valued at .66%, however per the L/SLBE Program a VSLBE/LPG's participation is double counted towards meeting the requirement

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

1/31/2013

Date

Reviewing Officer:

Shelley Dorenstrung

Date: 1/31/2013

Approved By:

Shelley Dorenstrung

Date: 1/31/2013

LBE/SLBE PARTICIPATION BIDDER 3

Project Name: The Rehabilitation of Sanitary Sewers in the Easement by Elinora Avenue and Reinhardt Drive													
Project No.: C329130		Engineers Est. \$315,570					Under/Over Engineers Estimate: 13,283						
Discipline	Prime & Subs	Location	Cert. Status	LBE 25%	SLBE 25%	*VSLBE/ LPG double counted value	Total LBE/SLBE	L/SLBE Trucking	Total Trucking	TOTAL Dollars	For Tracking Only		
											Ethn.	MBE	WBE
PRIME	Andes Construction, Inc.	Oakland	CB		262,287		262,287			262,287	H	262,287	
Trucking	Foston Trucking	Oakland	CB		5,000		5,000	5,000	5,000	5,000	AA	5,000	
Saw Cutting	Bay Line	Oakland	UB		5,000		5,000			5,000	H	5,000	
Pipe	ISCO	Louisville, KY	UB							2,000	C		
AB	Aman	Los Angeles	UB							2,000	C		
MH Precast	Old Castle Precast	Livermore	UB							10,000	C		
Asphalt Concrete	Gallagher & Burk	Oakland	CB			2,000	2,000			2,000	C		
Drain Rock	Dutra	San Rafael	UB							2,000	C		
Pipe Equip.	P & F	Brisbane	UB							10,000	C		
Concrete	Right Away	Oakland	CB	2,000			2,000			2,000	C		
Project Totals				\$2,000	\$272,287	\$2,000	\$276,287	\$5,000	\$5,000	\$302,287		\$272,287	\$0
				0.66%	90.08%	0.66%	91.40%	100%	100%	100%		90.08%	\$0
Double counted dollar value						\$4,000	\$278,287			\$304,287	Ethnicity		
Percentage based on double counting						1.32%	92.06%			100.66%	AA = African American		
Requirements: The 50% requirement can be satisfied by a combination of 25% LBE and 25% SLBE. An SLBE firm can be counted 100% towards achieving 50% requirement. An LPG/VSLBE's participation is double counted toward meeting the requirement.											AI = Asian Indian		
											AP = Asian Pacific		
											C = Caucasian		
											H = Hispanic		
											NA = Native American		
											O = Other		
											NL = Not Listed		
											MO = Multiple Ownership		
Legend LBE = Local Business Enterprise SLBE = Small Local Business Enterprise Total LBE/SLBE = All Certified Local and Small Local Businesses NPLBE = NonProfit Local Business Enterprise NPSLBE = NonProfit Small Local Business Enterprise UB = Uncertified Business CB = Certified Business MBE = Minority Business Enterprise WBE = Women Business Enterprise													

CONTRACTS AND COMPLIANCE UNIT



Contract Compliance Division
PROJECT EVALUATION FORM

PROJECT NO.: C329130

PROJECT NAME: The Rehabilitation of Sanitary Sewers in the Easement by Elinora Avenue and

CONTRACTOR: J. Howard Engineering, Inc.

<u>Engineer's Estimate:</u>	<u>Contractors' Bid Amount</u>	<u>Over/Under Engineer's Estimate</u>
\$315,570	\$381,130	-\$65,560

<u>Discounted Bid Amount:</u>	<u>Amount of Bid Discount</u>	<u>Discount Points:</u>
\$362,073.50	\$19,056.50	5%

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

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

a) % of LBE participation	<u>3.07%</u>
b) % of SLBE participation	<u>89.14%</u>
c) % of VLSBE participation	<u>0%</u>

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

a) Total SLBE/LBE trucking participation	<u>100%</u>
--	--------------------

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

(if yes, list the percentage received)	<u>5%</u>
--	------------------

5. Additional Comments.

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

1/31/2013
Date

**Reviewing
Officer:**

[Signature]

Date: 1/31/2013

Approved By:

Shelley Darenstang

Date: 1/31/2013

LBE/SLBE PARTICIPATION BIDDER 4

Project Name: The Rehabilitation of Sanitary Sewers in the Easement by Elinora Avenue and Reinhardt Drive

Project No.: C329130		Engineers Est. \$315,570					Under/Over Engineers Estimat: -\$65,560				For Tracking Only		
Discipline	Prime & Subs	Location	Cert. Status	LBE 25%	SLBE 25%	*VSLBE/LPG double counted value	Total LBE/SLBE	L/SLBE Trucking	Total Trucking	TOTAL Dollars	Ethn.	MBE	WBE
PRIME	J. Howard Engineering, Inc.	Oakland	CB		321,230		321,230			321,230	C		
Trucking	Williams Trucking	Oakland	CB		16,000		15,000	15,000	15,000	15,000	AA	15,000	
Saw Cutting	Bay Line	Oakland	UB							5,000	H	5,000	
HDPE/Fitting	P & F Distributors	Brisbane	UB							15,000	C		
Manhole Materials	U.S Concrete, Inc.	Uvermore	UB							7,000	C		
Pipe/Couplings/fit	Mission Clay	Oakland	CB	6,700			6,700			6,700	C		
Concrete	Right Away Redy Mix	Oakland	CB	5,000			5,000			5,000	C		
Recycle Materials	Inner City	Oakland	CB		3,500		3,500			3,500	C		
Manhole Lining	Contech of California	Stockton	UB							2,700	C		
Project Totals				\$11,700	\$339,730	\$0	\$351,430	\$15,000	\$15,000	\$381,130		20,000	\$0
				3.07%	89.14%	0%	92.21%	100%	100%	100%		5.25%	0%
Requirements: The 50% requirement can be satisfied by a combination of 25% LBE and 25% SLBE. An SLBE firm can be counted 100% towards achieving 50% requirement. An LPG/VSLBE's participation is double counted toward meeting the requirement.											Ethnicity AA = African American AP = Asian Pacific C = Caucasian H = Hispanic NA = Native American O = Other NL = Not Listed MO = Multiple Ownership		
Legend		LBE = Local Business Enterprise SLBE = Small Local Business Enterprise Total LBB/SLBE = All Certified Local and Small Local Businesses NPLBE = NonProfit Local Business Enterprise NPSLBE = NonProfit Small Local Business Enterprise					UB = Uncertified Business CB = Certified Business MBE = Minority Business Enterprise WBE = Women Business Enterprise						

Attachment D

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

Project Number/Title: RSS in the Easement of KNowland Park
Work Order Number (if applicable): C329116
Contractor: Andes Construction
Date of Notice to Proceed: 6-6-11
Date of Notice of Completion: 7-23-12
Date of Notice of Final Completion: 7-23-12
Contract Amount: \$437,592.00
Evaluator Name and Title: Jun Osalbo, 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 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"/>	<input type="checkbox"/>	<input checked="" 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	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 checked="" type="checkbox"/>	No <input 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"/>	

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"/>	

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 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"/>
26	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	<u>2</u>	X 0.25 =	<u>.5</u>
2. Enter Overall score from Question 13	<u>2</u>	X 0.25 =	<u>.5</u>
3. Enter Overall score from Question 18	<u>2</u>	X 0.20 =	<u>.4</u>
4. Enter Overall score from Question 22	<u>2</u>	X 0.15 =	<u>.3</u>
5. Enter Overall score from Question 28	<u>2</u>	X 0.15 =	<u>.3</u>

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-


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.

 2-5-13
Contractor / Date

 1/17/13
Resident Engineer / Date
for Jun Osalbo

 1/17/13
Supervising Civil Engineer / Date

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

Project Number/Title: C329123
Work Order Number (if applicable): _____
Contractor: Mosto Construction
Date of Notice to Proceed: 05/23/12
Date of Notice of Completion: 07/26/12
Date of Notice of Final Completion: 07/26/12
Contract Amount: \$165,198.00
Evaluator Name and Title: Mastewal Cherinet, 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 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 checked="" 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 type="checkbox"/>	<input checked="" 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 type="checkbox"/>	<input checked="" 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 checked="" type="checkbox"/>	No <input 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"/>	

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	<p>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?</p> <p>Number of Claims: _____</p> <p>Claim amounts: \$ _____</p> <p>Settlement amount: \$ _____</p>				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	<p>Overall, how did the Contractor rate on financial issues?</p> <p>The score for this category must be consistent with the responses to the questions given above regarding financial issues and the assessment guidelines.</p> <p>Check 0, 1, 2, or 3.</p>	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 2.3 X 0.25 = 0.63
2. Enter Overall score from Question 13 2 X 0.25 = 0.50
3. Enter Overall score from Question 18 2 X 0.20 = 0.40
4. Enter Overall score from Question 22 2 X 0.15 = 0.30
5. Enter Overall score from Question 28 2.5 X 0.15 = 0.40

TOTAL SCORE (Sum of 1 through 5): 2.3

OVERALL RATING: Satisfactory

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*

Partys Jc 9-17-12
Contractor / Date

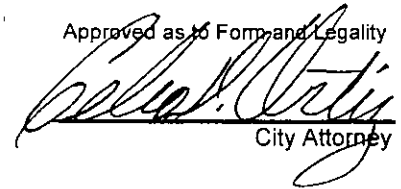
Mastewal Cherinet 09/14/12
Resident Engineer / Date

[Signature] 09/17/12
Supervising Civil Engineer / Date

FILED
OFFICE OF THE CITY CLERK
OAKLAND

2013 MAR 27 AM 10:40

Approved as to Form and Legality


City Attorney

OAKLAND CITY COUNCIL

RESOLUTION No. _____ C.M.S.

RESOLUTION:

AUTHORIZING THE CITY ADMINISTRATOR TO AWARD A CONSTRUCTION CONTRACT TO ANDES CONSTRUCTION, INC., THE LOWEST RESPONSIVE AND RESPONSIBLE BIDDER FOR THE REHABILITATION OF SANITARY SEWERS IN THE AREA BOUNDED BY SHATTUCK AVENUE, 59TH STREET, TELEGRAPH AVENUE AND WOOLSEY STREET (SUB-BASIN 50-10 PROJECT NO. C312310) IN ACCORD WITH PLANS AND SPECIFICATIONS FOR THE PROJECT AND CONTRACTOR'S BID IN THE AMOUNT OF TWO MILLION SEVEN HUNDRED NINETY-FIVE THOUSAND FIVE HUNDRED TWENTY-FIVE DOLLARS (\$2,795,525.00)

WHEREAS, on February 7, 2013, two bids were received by the Office of the City Clerk of the City of Oakland for the Rehabilitation of Sanitary Sewers In The Area Bounded By Shattuck Avenue, 59th Street, Telegraph Avenue, and Woolsey Street (Sub-Basin 50-10 - Project No. C312310); and

WHEREAS, Andes Construction, 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. C312310; \$2,795,525.00; 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 Council finds and determines based on the representations set forth in the City Administrator's report accompanying this Resolution that the construction contract approved hereunder is temporary in nature; and

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

WHEREAS, Andes Construction, 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 service now, therefore, be it

FURTHER RESOLVED: That the City Administrator is authorized to award a construction contract for the Rehabilitation of Sanitary Sewers in the Area Bounded By Shattuck Avenue, 59th Street, Telegraph Avenue, and Woolsey Street (Sub-Basin 50-10 - Project No. C312310) to Andes Construction, Inc., the lowest responsive and responsible bidder, in an amount of Two Million Seven Hundred Ninety-Five Thousand Five Hundred Twenty-Five Dollars (\$2,795,525.00) in accord with plans and specifications for the Project and contractor's bid dated February 7, 2013; and be it

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

FURTHER RESOLVED: That the amount of the bond for faithful performance bond, \$2,795,525.00, and the bond to guarantee payment of all claims for labor and materials furnished and for the amount under the Unemployment Insurance Act, \$2,795,525.00, with respect to such work are hereby approved; and be it

FURTHER RESOLVED: That the City Administrator, or her designee, is hereby authorized to enter into a contract with Andes Construction, Inc. on behalf of the City of Oakland and to execute any amendments or modifications of the contract within the limitations of the project specifications; and be it

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

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

IN COUNCIL, OAKLAND, CALIFORNIA, _____, 20____

PASSED BY THE FOLLOWING VOTE:

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

NOES -

ABSENT -

ABSTENTION -

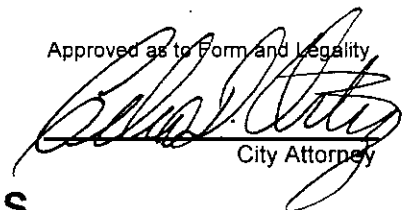
ATTEST: _____

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

FILED
OFFICE OF THE CITY CLERK
OAKLAND

OAKLAND CITY COUNCIL

Approved as to Form and Legality



City Attorney

2013 MAR 27 AM 10:40
RESOLUTION No. _____ C.M.S.

Introduced by Councilmember _____

RESOLUTION AWARDING A CONSTRUCTION CONTRACT TO ANDES CONSTRUCTION, INC., THE LOWEST RESPONSIVE AND RESPONSIBLE BIDDER, FOR THE REHABILITATION OF SANITARY SEWERS IN ROSEDALE AVENUE BOUNDED BY FOOTHILL BOULEVARD AND SANTA RITA STREET (PROJECT NO: C329128), IN ACCORD WITH PLANS AND SPECIFICATIONS FOR THE PROJECT AND CONTRACTOR'S BID IN THE AMOUNT OF THREE HUNDRED NINETY-FIVE THOUSAND SEVENTY-ONE DOLLARS (\$395,071.00)

WHEREAS, on January 31, 2013, four bids were received by the Office of the City Clerk of the City of Oakland for The Rehabilitation of Sanitary Sewers in Rosedale Avenue Bounded by Foothill Boulevard and Santa Rita Street (Project No. C329128); and

WHEREAS, Andes Construction, 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 in the following project account:

- Sewer Service Fund (3100); Capital Projects - Sanitary Sewer Design Organization (92244); Sewers Account (57417); Project No. C329128; \$395,071.00; 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 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 that this contract is of a professional, scientific or technical nature; and

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

WHEREAS, Andes Construction, Inc. complies with all LBE/SLBE and trucking requirements; 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 construction contract for The Rehabilitation of Sanitary Sewers in Rosedale Avenue Bounded by Foothill Boulevard and Santa Rita Street (Project No. C329128) is hereby awarded to Andes Construction, Inc. in accordance with the project plans and specifications and the contractor's bid therefore, dated January 31, 2013, for the amount of Three Hundred Ninety-Five Thousand Seventy- One Dollars; and be it

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

FURTHER RESOLVED: That the amount of the bond for faithful performance, \$395,071.00, 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, \$395,071.00, with respect to such work are hereby approved; and be it

FURTHER RESOLVED: That the City Administrator, or her designee, is hereby authorized to enter into a contract with Andes Construction, Inc. on behalf of the City of Oakland and to execute any amendments or modifications to said contract within the limitations of the project specifications; and be it

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

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

IN COUNCIL, OAKLAND, CALIFORNIA, _____, 20_____

PASSED BY THE FOLLOWING VOTE:

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

NOES -

ABSENT -

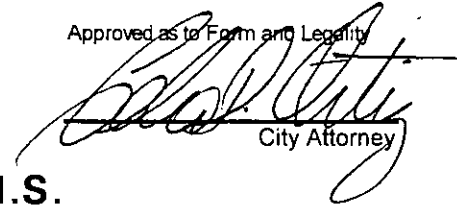
ABSTENTION -

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

FILED
OFFICE OF THE CITY CLERK
OAKLAND

OAKLAND CITY COUNCIL

Approved as to Form and Legality



City Attorney

2013 MAR 27 AM 10: ~~RE~~ RESOLUTION No. _____ C.M.S.

Introduced by Councilmember _____

RESOLUTION AWARDING A CONSTRUCTION CONTRACT TO ANDES CONSTRUCTION, INC., THE LOWEST RESPONSIVE AND RESPONSIBLE BIDDER, FOR THE REHABILITATION OF SANITARY SEWERS IN BRIDGE AVENUE BOUNDED BY FOOTHILL BOULEVARD AND E.16TH STREET, AND IN THE EASEMENT BOUNDED BY CARRINGTON STREET, 42ND AVENUE, SANTA RITA STREET, AND HIGH STREET (PROJECT NO. C329129), IN ACCORD WITH PLANS AND SPECIFICATIONS FOR THE PROJECT AND CONTRACTOR'S BID IN THE AMOUNT OF THREE HUNDRED SEVEN THOUSAND NINE HUNDRED TWENTY-FOUR DOLLARS (\$307,924.00)

WHEREAS, on January 17, 2013, four bids were received by the Office of the City Clerk of the City of Oakland for The Rehabilitation of Sanitary Sewers in Bridge Avenue Bounded by Foothill Boulevard and E.16th Street, and In The Easement Bounded by Carrington Street, 42nd Avenue, Santa Rita Street, and High Street (Project No. C329129); and

WHEREAS, Andes Construction, 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 in the following project account:

- Sewer Service Fund (3100); Capital Projects - Sanitary Sewer Design Organization (92244); Sewers Account (57417); Project No. C329129; \$307,924.00; and these funds were specifically allocated for this project; this project will help reduce the amount of sanitary sewer maintenance requirement; and

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

WHEREAS, the City 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 that this contract is of a professional, scientific or technical nature; and

WHEREAS, Andes Construction, Inc. complies with all LBE/SLBE and trucking requirements; 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 construction contract for The Rehabilitation of Sanitary Sewers in Bridge Avenue Bounded by Foothill Boulevard and E.16th Street, and In The Easement Bounded by Carrington Street, 42nd Avenue, Santa Rita Street, and High Street (Project No. C329129) is hereby awarded to Andes Construction, Inc. in accordance with the project plans and specifications and the contractor's bid therefore, dated January 17, 2013, for the amount of Three Hundred Seven Thousand Nine Hundred Twenty-Four Dollars; and be it

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

FURTHER RESOLVED: That the amount of the bond for faithful performance, \$307,924.00, 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, \$307,924.00, with respect to such work are hereby approved; and be it

FURTHER RESOLVED: That the City Administrator, or her designee, is hereby authorized to enter into a contract with Andes Construction, 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 for form and legality and placed on file in the Office of the City Clerk.

IN COUNCIL, OAKLAND, CALIFORNIA, _____, 20_____

PASSED BY THE FOLLOWING VOTE:

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

NOES -

ABSENT -

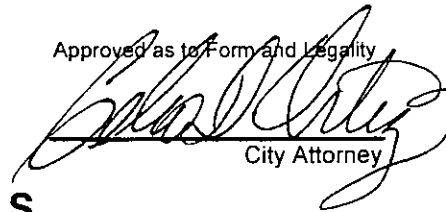
ABSTENTION -

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

FILED
OFFICE OF THE CITY CLERK
OAKLAND

OAKLAND CITY COUNCIL

Approved as to Form and Legality



City Attorney

2013 MAR 27 AM 10:40 RESOLUTION No. _____ C.M.S.

Introduced by Councilmember _____

RESOLUTION AWARDING A CONSTRUCTION CONTRACT TO MOSTO CONSTRUCTION, THE LOWEST RESPONSIVE AND RESPONSIBLE BIDDER, FOR THE REHABILITATION OF SANITARY SEWERS IN THE EASEMENT BY ELINORA AVENUE AND REINHARDT DRIVE (PROJECT NO. C329130), IN ACCORD WITH PLANS AND SPECIFICATIONS FOR THE PROJECT AND CONTRACTOR'S BID IN THE AMOUNT OF TWO HUNDRED SEVENTY-ONE THOUSAND SIX HUNDRED SEVENTY-TWO DOLLARS (\$271,672.00)

WHEREAS, on January 17, 2013, four bids were received by the Office of the City Clerk of the City of Oakland for The Rehabilitation of Sanitary Sewers in the Easement by Elinora Avenue and Reinhardt Drive (Project No. C329130); and

WHEREAS, Mosto Construction, 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 in the following project account:

- Sewer Service Fund (3100); Capital Projects - Sanitary Sewer Design Organization (92244); Sewers Account (57417); Project No. C329130; \$271,672.00; and these funds were specifically allocated for this project; this project will help reduce the amount of sanitary sewer maintenance requirement; and

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

WHEREAS, the City 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 that this contract is of a professional, scientific or technical nature; and

WHEREAS, Mosto Construction complies with all LBE/SLBE and trucking requirements; 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 construction contract for The Rehabilitation of Sanitary Sewers in the Easement by Elinora Avenue and Reinhardt Drive (Project No. C329130) is hereby awarded to Mosto Construction in accordance with the project plans and specifications and the contractor's bid therefore, dated January 17, 2013, for the amount of Two Hundred Seventy-One Thousand Six Hundred Seventy-Two Dollars; and be it

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

FURTHER RESOLVED: That the amount of the bond for faithful performance bond, \$271,672.00, and the bond to guarantee payment of all claims for labor and materials furnished and for the amount under the Unemployment Insurance Act, \$271,672.00, with respect to such work are hereby approved; and be it

FURTHER RESOLVED: That the City Administrator, or her designee, is hereby authorized to enter into a contract with Mosto Construction 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 placed on file in the Office of the City Clerk.

IN COUNCIL, OAKLAND, CALIFORNIA, _____, 20____

PASSED BY THE FOLLOWING VOTE:

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

NOES -

ABSENT -

ABSTENTION -

ATTEST: _____

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