

**CITY OF OAKLAND**  
**AGENDA REPORT**

2011 FEB -3 PH 4:59

TO: Office of the City Administrator  
ATTN: Dan Lindheim  
FROM: City Council  
DATE: February 15, 2011

RE: **Resolution Awarding A Construction Contract To R. M. Harris Company, The Lowest, Responsive, Responsible Bidder, For The Seismic Retrofit Of Park Boulevard Viaducts (Project No. C346910), In The Amount Of One Million Six Hundred Nineteen Thousand One Hundred Eighty-Four Dollars (\$1,619,184.00)**

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**SUMMARY**

A resolution has been prepared awarding a construction contract in the amount of \$1,619,184.00 to R. M. Harris Company for the Seismic Retrofit of Park Boulevard Viaducts (Project No. C346910). The proposed work consists of the seismic retrofit of three viaducts along Park Blvd. between Estates Drive and Monterey Blvd. The work includes the repair of joints, footings, columns in addition to column casing, infill walls, reinforcing steel, traffic control, and environmental protection. The project is located in Council District 4 as shown in *Attachment A*.

This project is funded by a federal and state grant that requires construction contract award by February 28, 2011.

**FISCAL IMPACT**

The Engineer's Estimate for the work is \$1,880,000.00. The City of Oakland has received federal and state Proposition 1B funds in the amount of \$2,489,612.00 for the retrofit work of this project. The federal portion of this grant is 88.53% and the state portion is 11.47%. The state portion will serve as a local match for the federal allocation of the grant and the reimbursement will be based on actual cost. Approval of this resolution will authorize the City Administrator to award a construction contract to R. M. Harris Company in the amount of \$1,619,184.00.

Funding for this contract is available in the following project account:

- Department of Transportation Fund (2116); Capital Improvement Projects-Streets & Structures Organization (92242); Construction Contract Account (57411); Project C346910; \$1,880,000.00.

These are existing bridges for which the City is responsible. The maintenance responsibility will continue, but costs should be reduced by the rehabilitation under this contract.

Item: \_\_\_\_\_  
City Council  
February 15, 2011

## BACKGROUND

On November 4, 2010, the City Clerk received three bids for this project. These bids were rejected due to a clerical error and the project was rebid.

On January 20, 2011, the City Clerk received four bids for this project in the amounts of \$1,619,184.00, \$2,058,253.40, \$2,061,171.75 and \$2,127,423.00. A summary is shown in **Attachment B**. R. M. Harris Company is deemed the lowest responsive and responsible bidder, and therefore is recommended for the award.

This project is funded by federal funds and state Proposition 1B funds. Therefore, the federal Race Conscious Underutilized Disadvantaged Business Enterprise (UDBE) Program must be used in lieu of the City's Local/Small Local Business Enterprise (LBE/SLBE) Program in determining qualified bidders. Under the proposed contract with R. M. Harris Company, the UDBE participation will be 6.58%, which exceeds the 3.54% UDBE requirement. The UDBE information has been verified by the Social Equity Division of the Department of Contracting and Purchasing and is shown in **Attachment C**. Staff has reviewed the submitted bid for this work and has determined that the bid is reasonable for the current construction climate.

## KEY ISSUES AND IMPACTS

The improvements to these viaducts are funded by federal and state Proposition 1B funds as part of the Seismic Safety Retrofit Program. The retrofit work is intended to strengthen these bridges and viaducts to resist future earthquakes, a likely event. The California Department of Transportation (Caltrans) requires that the contract be awarded by February 28, 2011.

This project was first bid in November 2010. However due to a clerical error, the project was rebid in January 2011. The City was just notified by Caltrans that the original deadline for award of this construction contract had not changed. Therefore the construction contract has to be awarded by February 28, 2011.

Construction is scheduled to begin in May 2011 and should be completed by December 2011. The contract specifies \$1,800.00 in liquidated damages per calendar day if the contract is not completed within 175 working days. The project schedule is shown in **Attachment B**.

## PROJECT DESCRIPTION

In general, the proposed work consists of the seismic retrofit of three viaducts along Park Blvd. between Estates Drive and Monterey Blvd. The work includes the repair of joints, footings, columns in addition to column casing, infill walls, reinforcing steel, traffic control, environmental protection, and other ancillary work as indicated on the plans and specifications.

Item: \_\_\_\_\_  
City Council  
February 15, 2011

## **EVALUATION OF PAST PERFORMANCE**

There is no past performance evaluation on file for R. M. Harris Company.

## **SUSTAINABLE OPPORTUNITIES**

*Economic:* This project will improve bridge seismic reliability ensuring continued safe use of the viaducts and the roadways they support.

*Environmental:* Environmental factors and opportunities will be considered and incorporated to the extent feasible. The projects will consider the use of recycled materials in the products specified and integrate other environmental opportunities, waste reduction and energy conservation to the extent possible.

*Social Equity:* The seismic retrofit of these bridges will enhance pedestrian and vehicular safety in the neighborhoods.

## **DISABILITY AND SENIOR CITIZEN ACCESS**

During construction, the contractor will be required to provide safe and accessible travel through the construction area. Temporary access that is in full compliance with the Americans with Disabilities Act (ADA) will be provided for seniors and persons with disabilities during construction.

## **RECOMMENDATION AND RATIONALE**


It is recommended that the construction contract be awarded to R. M. Harris Company, the lowest responsive responsible bidder, in the amount of \$1,619,184.00 for the Seismic Retrofit of Park Blvd. Viaducts (Project No. C346910). R. M. Harris Company has met the DBE and UDBE requirements, and there are sufficient funds in the project account.

In order to meet the funding deadline this construction contract has to be awarded by the City Council by February 28, 2011.

**ACTION REQUESTED OF THE CITY COUNCIL**

Staff recommends that the City Council approve the resolution.

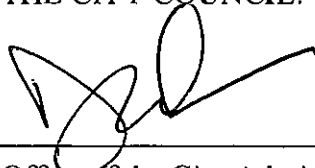
Respectfully submitted,

  
Vitaly B. Troyan, P.E., Director  
Public Works Agency

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

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

**APPROVED AND FORWARDED TO  
THE CITY COUNCIL:**



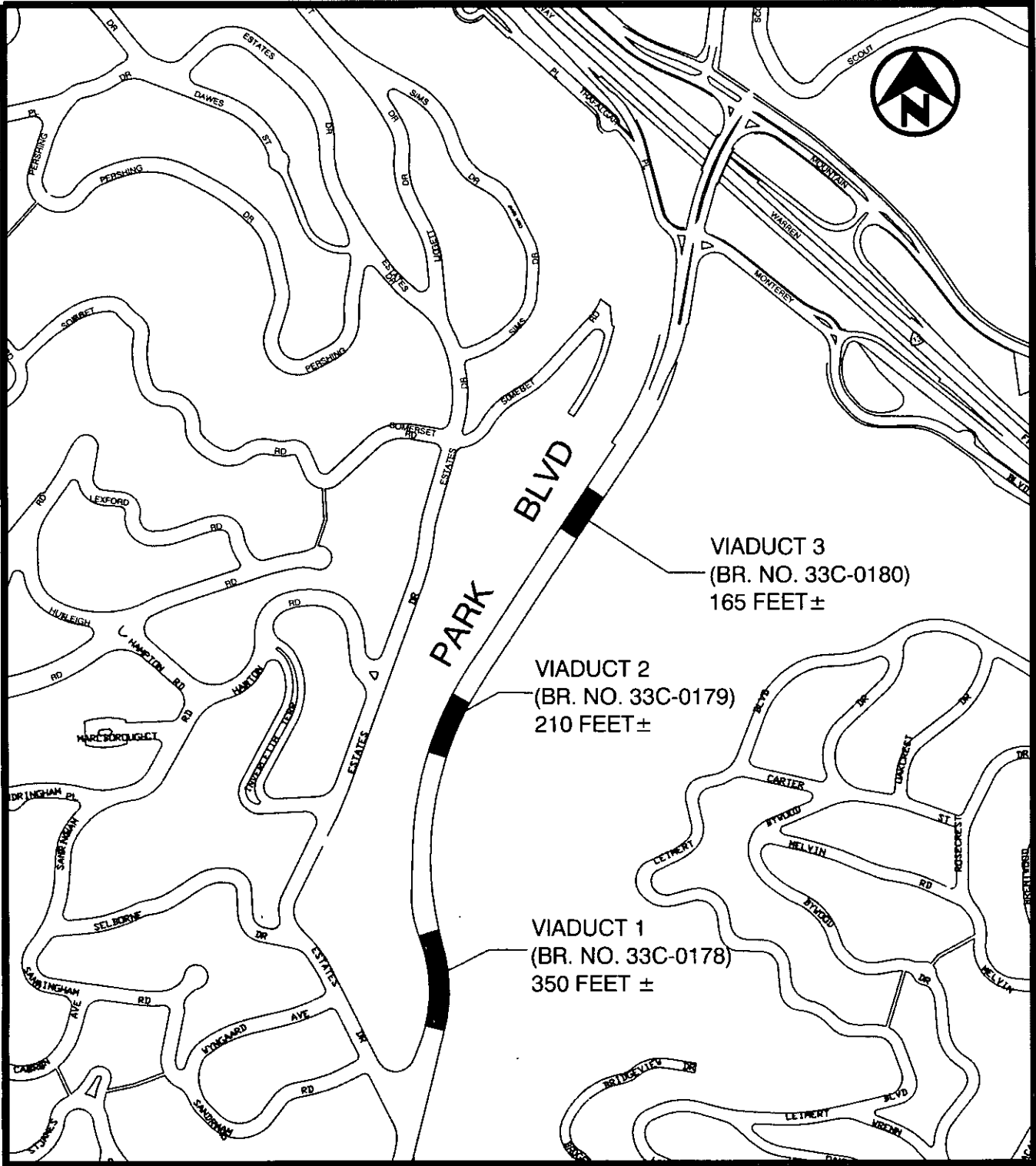
Office of the City Administrator

Item: \_\_\_\_\_  
City Council  
February 15, 2011

# Attachment A

## The Seismic Retrofit of Park Blvd Viaducts (Project No. C34910)

### Location Map



## Attachment B

### The Seismic Retrofit of Park Blvd Viaducts (Project No. C346910)




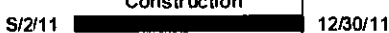
#### Bid Results:

| Company                      | Bid Amount     |
|------------------------------|----------------|
| 1) R.M. Harris Company, Inc. | \$1,619,184.00 |
| 2) McGuire and Hester        | \$2,058,253.40 |
| 3) Ashron Construction       | \$2,061,171.75 |
| 4) Joseph J. Albanese        | \$2,127,423.00 |

\* *Engineer's Estimate:*

*\$1,880,000.00*

#### Project Schedule:

| ID | Task Name   | Start   | Finish   | 10   | 2011 |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |  |
|----|---|---------|----------|--|------|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|--|
|    |   |         |          | J  | A    | S | O | N | D | J | F | M | A | M | J | J | A | S | O | N | D | J | F | M | A |  |
| 1  | C346910 - The Seismic Retrofit of Park Blvd. Viaducts | 11/4/10 | 12/30/11 | C346910 - The Seismic Retrofit of Park Blvd. Viaducts<br>11/4/10  12/30/11 |      |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |  |
| 2  | 1st Bid Opening                                       | 11/4/10 | 11/4/10  | 1st Bid Opening<br>◆ 11/4/10   |      |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |  |
| 3  | 2nd Bid Opening                                       | 1/20/11 | 1/20/11  | 2nd Bid Opening<br>◆ 1/20/11   |      |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |  |
| 4  | Contract Award  | 1/21/11 | 2/15/11  | Contract Award<br>1/21/11  2/15/11   |      |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |  |
| 5  | Contract Execution                                    | 2/21/11 | 4/29/11  | Contract Execution<br>2/21/11  4/29/11                                     |      |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |  |
| 6  | Construction  | 5/2/11  | 12/30/11 | Construction<br>S/2/11  12/30/11  |      |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |  |

## **Attachment C**

The Seismic Retrofit of Park Blvd Viaducts  
(Project No. C346910)

**UDBE Compliance Evaluation:**





Comments: As noted, the above firms failed to meet the RC UDBE 3.54% participation goal. McGuire and Hester and Joseph J. Albanese Inc. submitted Good Faith Effort (GFE). Good faith Effort (GFE) was insufficient. Therefore, all firms are deemed non-responsive. Asluron Construction and Joseph J. Albanese Inc. are not EBO compliant. They have to come into compliant 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: NA  
 Project Name: NA  
 Project No. NA

50% Local Employment Program (LEP)

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

15% Oakland Apprenticeship Program

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

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

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

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

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

DEPARTMENT OF CONTRACTING AND PURCHASING

Social Equity Division

PROJECT COMPLIANCE EVALUATION FOR :

Construction Services Disadvantaged Business Enterprise (DBE)

PROJECT NO.: C346910

PROJECT NAME: Seismic Retrofit of Park Blvd. Viaducts

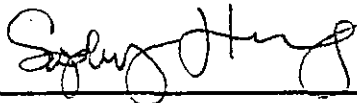
CONTRACTOR: R. M. Harris Company

|                             |                                |                                       |
|-----------------------------|--------------------------------|---------------------------------------|
| <u>Engineer's Estimate:</u> | <u>Contractors' Bid Amount</u> | <u>Over/Under Engineer's Estimate</u> |
| \$1,880,000.00              | \$1,619,184.00                 | \$260,816.00                          |

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

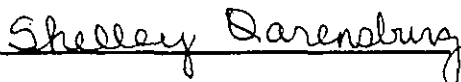
1. Did the RC UDBE Program apply? YES
  - a) Race Conscious? YES
  - b) Race Neutral? YES
2. Did the contractor meet the RC UDBE goal of 3.54% YES
  - a) % of UDBE participation 6.58%
  - b) % of LBE participation 0%
  - c) % of SLBE participation 0%
3. Was Good Faith Effort (GFE) Documentation submitted? YES
4. Did the contractor meet the Trucking requirement? NA
  - a) Total RC UDBE trucking participation 0%
5. Did the contractor receive bid discounts? N/A  
(If yes, list the percentage received) N/A
6. Additional Comments.
7. Date evaluation completed and returned to Contract Admin./Initiating Dept. 2/2/2011

Reviewing Officer:



Date: 2/2/2011

Approved By:



Date: 2/2/2011

# UDBE Participation Bidder 1

Project Name: Rebid-Seismic Retrofit of Park Blvd. Viaducts

| Project No.: C346910  |                               |            |              |        |        |                      |              |              |                | Certified DBE/WBE   |        |             |             |
|---|-------------------------------|------------|--------------|--------|--------|----------------------|--------------|--------------|----------------|---|--------|-------------|-------------|
| Discipline  | Prime & Subs                  | Location   | Cert. Status | LBE    | SLBE   | Total L/SLBE Dollars | DBE%         | RC UDBE      | Total Dollars  | Ethn.   | DBE    | RC UDBE     | WBE         |
|   |                               |            |              |        |        |                      |              |              |                |   |        |             |             |
| PRIME   | R.M. Harris Company Co., Inc. | Martinez   | UB           |        |        |                      |              |              | 1,236,245.00   | C   |        |             |             |
| Biologist/Arborist  | Toure Assoc.                  | Fresno     | CB           |        |        |                      | 12,150.00    | 12,150.00    | 12,150.00      | AA  |        | 12,150.00   |             |
| Concrete  | Central Conc.                 | San Jose   | UB           |        |        |                      |              |              | 9,923.00       | NL  |        |             |             |
| Paint   | Jeffco Paint                  | Vallejo    | UB           |        |        |                      |              |              | 17,956.00      | NL  |        |             |             |
| Trucking  | Arroyo Trucking               | Livermore  | CB           |        |        |                      | 11,680.00    | 13,680.00    | 13,680.00      | C   |        |             | 13680.00    |
| Water Truck Rent  | All American Rent             | Newark     | CB           |        |        |                      | 30,190.00    | 30,190.00    | 30,190.00      | H   |        |             | 30190.00    |
| Steel Erection & Welding  | Ba-Retro, Inc.                | Sacramento | CB           |        |        |                      | 26,996.00    | 26,996.00    | 26,996.00      | C   |        |             | 26,995.00   |
| Struct. Steel   | RBJ-Steel                     | Richmont   | UB           |        |        |                      |              |              | 42,500.00      | NL  |        |             |             |
| Signs   | KRC Safety                    | Visalia    | CB           |        |        |                      | 7,230.00     | 7,230.00     | 7,230.00       | NA  |        | 7,230.00    |             |
| Tree Trim/Remove  | Labats Tree                   | Martinez   | CB           |        |        |                      | 14,325.00    | 14,325.00    | 14,325.00      | C   |        |             | 14,325.00   |
| Striping  | Chrisp Company                | Fremont    | UB           |        |        |                      |              |              | 15,500.00      | NL  |        |             |             |
| Shotcrete   | Conco                         | Concord    | UB           |        |        |                      |              |              | 109,892.00     | NL  |        |             |             |
| Rebar   | Harris-Salinas                | Livermore  | UB           |        |        |                      |              |              | 67,252.00      | NL  |        |             |             |
| PCMS  | Road Tech                     | Elk Grove  | UB           |        |        |                      |              |              | 13,345.00      | NL  |        |             |             |
| Prepare SWPPP   | Comrock Co.                   | Sacramento | CB           |        |        |                      | 2,000.00     | 2,000.00     | 2,000.00       | AA  |        |             | 2000.00     |
| <b>Project Totals</b>   |                               |            |              | \$0.00 | \$0.00 | \$0.00               | \$104,571.00 | \$106,571.00 | \$1,619,184.00 |   | \$0.00 | \$19,380.00 | \$87,191.00 |
|   |                               |            |              | 0.00%  | 0.00%  | 0.00%                | 6.46%        | 6.58%        | 100.00%        |   |        | 1.20%       | 5.38%       |
| <b>Legend</b>   |                               |            |              |        |        |                      |              |              |                | <b>Ethnicity</b><br>AA = African American<br>AI = Asian Indian<br>AP = Asian Pacific<br>C = Caucasian<br>H = Hispanic<br>NA = Native American<br>O = Other<br>NL = Not Listed |        |             |             |
| UB = Uncertified Business<br>CB = Certified Business<br>DBE = Disadvantage Business Enterprise<br>WBE = Women Business Enterprise |                               |            |              |        |        |                      |              |              |                |   |        |             |             |

DEPARTMENT OF CONTRACTING AND PURCHASING

Social Equity Division

PROJECT COMPLIANCE EVALUATION FOR :

Construction Services Disadvantaged Business Enterprise (DBE)

PROJECT NO.: C346910

PROJECT NAME: Rebid-Seismic Retrofit of Park Blvd. Viaducts

CONTRACTOR: McGuire & Hester

| <u>Engineer's Estimate:</u> | <u>Contractors' Bid Amount</u> | <u>Over/Under Engineer's Estimate</u> |
|-----------------------------|--------------------------------|---------------------------------------|
| \$1,880,000.00              | \$2,058,253.40                 | (\$178,253.40)                        |

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

- |   |              |
|---|--------------|
| 1. Did the RC UDBE Program apply?                       | <u>YES</u>   |
| a) Race Conscious?                                      | <u>YES</u>   |
| a) Race Neutral?  | <u>YES</u>   |
| 2. Did the contractor meet the RC UDBE goal of 3.54%    | <u>NO</u>    |
| a) % of DBE participation                               | <u>3.16%</u> |
| b) % of LBE participation                               | <u>83%</u>   |
| c) % of SLBE participation                              | <u>0.63%</u> |
| 3. Was Good Faith Effort (GFE) Documentation submitted? | <u>YES</u>   |
| 4. Did the contractor meet the Trucking requirement?    | <u>NA</u>    |
| a) Total RC UDBE trucking participation                 | <u>0%</u>    |
| 5. Did the contractor receive bid discounts?            | <u>N/A</u>   |
| (If yes, list the percentage received)                  | <u>N/A</u>   |

6. Additional Comments.

Firm failed to meet the RC UDBE goal of 3.54%. Firm submitted GFE, GFE was insufficient. Therefore, firm is deemed non-responsive.

7. Date evaluation completed and returned to Contract Admin./Initiating Dept. 2/2/2011

Reviewing Officer:

Sydney Hing

Date: 2/2/2011

Approved By:

Shelley Darenburg

Date: 2/2/2011

## UDBE Participation Bidder 2

Project Name: Rebid-Seismic Retrofit of Park Blvd. Viaducts

Project No.: C346910

| Discipline            | Prime & Subs               | Location      | Cert. Status | LBE   | SLBE        | Total L/SLBE Dollars | DBE%  | RC UDBE     | Total Dollars  | Certified DBE/WBE   |       |           |           |
|-----------------------|----------------------------|---------------|--------------|---|-------------|----------------------|-------|-------------|----------------|---|-------|-----------|-----------|
|                       |                            |               |              |   |             |                      |       |             |                | Ethn.   | DBE   | RC UDBE   | WBE       |
| PRIME                 | McGuire and Hester         | Oakland       | UB           | 1,707,165.00  |             | 1,707,165.00         |       |             | 1,707,165.40   | C   |       |           |           |
| Rebar                 | Harris Salinas             | Livennore     | UB           |   |             |                      |       |             | 78,934.00      | NL  |       |           |           |
| Shotcrete             | Conco                      | Concord       | UB           |   |             |                      |       |             | 116,697.00     | NL  |       |           |           |
| Striping              | Lineaton Marking           | Oakland       | UB           |   | 13,000.00   | 13,000.00            |       |             | 13,000.00      | C   |       |           |           |
| Trucking              | Economy Trucking           | Oakland       | CB           |   |             |                      |       | 25,500.00   | 25,500.00      | AI  |       |           | 25,000.00 |
| Welding               | B.A. Retro                 | Sacramento    | CB           |   |             |                      |       | 25,500.00   | 25,500.00      | C   |       |           | 25,000.00 |
| Painting              | Jeffco Painting & Coting   | Vellejo       | UB           |   |             |                      |       |             | 17,957.00      | C   |       |           |           |
| Column Casing         | RBJ Steel Fab              | Richmond      | UB           |   |             |                      |       |             | 42,500.00      | C   |       |           |           |
| Concrete              | Central Concrete           | San Jose      | UB           |   |             |                      |       |             | 17,000.00      | C   |       |           |           |
| Concrete Pump         | Statewide Concrete Pumping | San Francisco | CB           |   |             |                      |       | 14,000.00   | 14,000.00      | AA  |       | 14,000.00 |           |
| <b>Project Totals</b> |                            |               |              | \$1,707,165.00  | \$13,000.00 | \$1,720,165.00       | 0.00% | \$65,000.00 | \$2,058,253.40 |   | 0.00  | 14,000.00 | 50,000.00 |
|                       |                            |               |              | 82.94%  | 0.63%       | 0.00%                |       | 3.16%       | 100%           |   | 0.00% | 28.00%    | 2.43%     |
|                       |                            |               |              |   |             |                      | DBE%  | RC UDBE     | Total Dollars  | <b>Ethnicity</b><br>AA = African American<br>AI = Asian Indian<br>AP = Asian Pacific<br>C = Caucasian<br>H = Hispanic<br>NA = Native American<br>O = Other<br>NL = Not Listed |       |           |           |
| <b>Legend</b>         |                            |               |              | UB = uncertified Business<br>CB = Certified Business<br>DBE = Disadvantage Business Enterprise<br>WBE = Women Business Enterprise |             |                      |       |             |                |   |       |           |           |

DEPARTMENT OF CONTRACTING AND PURCHASING

Social Equity Division

PROJECT COMPLIANCE EVALUATION FOR :

Construction Services Under Utilize Disadvantaged Business Enterprise (UDBE)

PROJECT NO.: C346910

PROJECT NAME: Rebid-Seismic Retrofit of Park Blvd. Viaducts

CONTRACTOR: Ashron Construction

| <u>Engineer's Estimate:</u> | <u>Contractors' Bid Amount</u> | <u>Over/Under Engineer's Estimate</u> |
|-----------------------------|--------------------------------|---------------------------------------|
| \$1,880,000.00              | \$2,061,171.75                 | (\$181,171.75)                        |

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

1. Did the RC UDBE Program apply? YES
  - b) Race Conscious? YES
  - a) Race Neutral? YES
2. Did the contractor meet the RC UDBE goal of 3.54% NO
  - a) % of UDBE participation 0.00%
  - b) % of LBE participation N/A
  - c) % of SLBE participation N/A
3. Was Good Faith Effort (GFE) Documentation submitted? NO
4. Did the contractor meet the Trucking requirement? N/A
  - a) Total RC UDBE trucking participation 0%
5. Did the contractor receive bid discounts? N/A

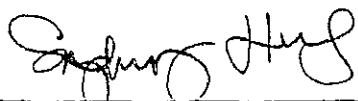
(If yes, list the percentage received) N/A

6. Additional Comments.

Firm failed to meet the RC UDBE goal of 3.54% and no GFE was submitted.  
Therefore, the firm is deemed non-responsive.

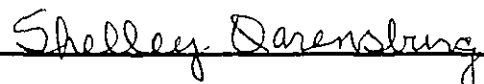
7. Date evaluation completed and returned to Contract Admin./Initiating Dept. 2/2/2011

Reviewing Officer:



Date: 2/2/2011

Approved By:



Date: 2/2/2011

## UDBE Participation Bidder 3

Project Name: Rebid-Seismic Retrofit of Park Blvd. Viaducts

Project No.: C346910

| Discipline            | Prime & Subs            | Location    | Cert. Status | LBE   | SLBE      | Total L/SLBE Dollars | DBE Dollars | RC UDBE Dollars | Total Dollars  | Certified DBE/WBE  |       |         |
|-----------------------|-------------------------|-------------|--------------|---|-----------|----------------------|-------------|-----------------|----------------|--|-------|---------|
|                       |                         |             |              |   |           |                      |             |                 |                | Ethn.  | DBE   | RC UDBE |
| PRIME                 | Ashron Construction     | Sunnyvale   | UB           |   |           |                      |             |                 | 1,501,171.75   | C  |       |         |
| Traffic Mngement      | Traffic Management Inc. | Signal Hill | UB           |   |           |                      |             |                 | 400,000.00     | H  |       |         |
| Excavation            | Als Construction        | Carpinteria | UB           |   |           |                      |             |                 | 40,000.00      | C  |       |         |
| Tree Pruning          | Professional Tree Care  | Berkeley    | UB           |   |           |                      |             |                 | 20,000.00      | C  |       |         |
| Concrete              | Conco                   | Concord     | UB           |   |           |                      |             |                 | 100,000.00     | NL   |       |         |
| <b>Project Totals</b> |                         |             |              | \$0.00  | \$0.00    | \$0.00               | \$0.00      | \$0.00          | \$2,061,171.75 |  | 0.00% | 0.00%   |
|                       |                         |             |              | 0.00%   | 0.00%     | 0.00%                | 0.00%       | 0.00%           | 100%           |  |       |         |
|                       |                         |             |              | DBE %   | RC UDBE % | Total %              | DBE Dollars | RC UDBE Dollars | Total Dollars  | Ethnicity<br>AA = African American<br>AI = Asian Indian<br>AP = Asian Pacific<br>C = Caucasian<br>H = Hispanic<br>NA = Native American<br>O = Other<br>NL = Not Listed |       |         |
| <b>Legend</b>         |                         |             |              | UB = Uncertified Business<br>CB = Certified Business<br>DBE = Disadvantage Business Enterprise<br>WBE = Women Business Enterprise |           |                      |             |                 |                |  |       |         |



DEPARTMENT OF CONTRACTING AND PURCHASING

Social Equity Division

PROJECT COMPLIANCE EVALUATION FOR :

Construction Services Under Utilize Disadvantaged Business Enterprise (UDBE)

PROJECT NO.: C346910

PROJECT NAME: Rebid-Seismic Retrofit of Park Blvd. Viaducts

CONTRACTOR: Joseph J. Albanese

|                             |                                |                                       |
|-----------------------------|--------------------------------|---------------------------------------|
| <u>Engineer's Estimate:</u> | <u>Contractors' Bid Amount</u> | <u>Over/Under Engineer's Estimate</u> |
| \$1,880,000.00              | \$2,127,423.00                 | (\$247,423.00)                        |

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

- 1. Did the RC UDBE Program apply? YES
  - b) Race Conscious? YES
  - a) Race Neutral? YES
- 2. Did the contractor meet the RC UDBE goal of 3.54% NO
  - a) % of UDBE participation 0.00%
  - b) % of LBE participation 0.00%
  - c) % of SLBE participation 0.00%
- 3. Was Good Faith Effort (GFE) Documentation submitted? NO
- 4. Did the contractor meet the Trucking requirement? NA
  - a) Total RC UDBE trucking participation 0.00%
- 5. Did the contractor receive bid discounts? N/A  
(If yes, list the percentage received) N/A

6. Additional Comments.  
Firm failed to meet the RC UDBE goal of 3.54%. Firm submitted GFE, however GFE was insufficient. Firm deemed non-responsive.

7. Date evaluation completed and returned to Contract Admin./Initiating Dept. 2/2/2011

Reviewing Officer:

*Shelley Darenburg*

Date: 2/2/2011

Approved By:

*Shelley Darenburg*

Date: 2/2/2011



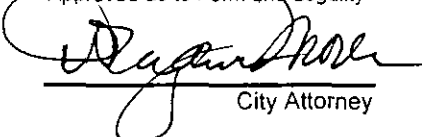
# UDBE Participation Bidder 4

Project Name: Rebid-Seismic Retrofit of Park Blvd. Viaducts

| Project No.: C346910  |                          |             |              |   |         |                      |             |                 |                | Certified DBE/WBE   |       |         |     |
|-----------------------|--------------------------|-------------|--------------|---|---------|----------------------|-------------|-----------------|----------------|---|-------|---------|-----|
| Discipline            | Prime & Subs             | Location    | Cert. Status | LBE   | SLBE    | Total L/SLBE Dollars | DBE Dollars | RC UDBE Dollars | Total Dollars  | Ethn.   | DBE   | RC UDBE | WBE |
|                       |                          |             |              |   |         |                      |             |                 |                |   |       |         |     |
| PRIME                 | Joseph J. Albanese, Inc. | Santa Clara | UB           |   |         |                      |             |                 | 1,734,487.00   | C   |       |         |     |
| Rebar                 | Harr's Salinas Rebar     | Livermore   | UB           |   |         |                      |             |                 | 78,934.00      | NL  |       |         |     |
| Concrete              | Centra Cone              | Stockton    | UB           |   |         |                      |             |                 | 57,000.00      | NL  |       |         |     |
| Scaffold              | Brand                    | Richmont    | UB           |   |         |                      |             |                 | 18,000.00      | NL  |       |         |     |
| Steel Fab             | RBJ Steel                | Richmond    | UB           |   |         |                      |             |                 | 42,500.00      | NL  |       |         |     |
| Trucking              | Mag                      | Hayward     | UB           |   |         |                      |             |                 | 40,000.00      |   |       |         |     |
| Tree prune            | Allast Tree              | Santa Rosa  | UB           |   |         |                      |             |                 | 21100          | NL  |       |         |     |
| Grating               | Geo Grout                | S.San Fran  | UB           |   |         |                      |             |                 | 46,900.00      | NL  |       |         |     |
| Clean +Paint          | Jeffco Painting          | Vallejo     | UB           |   |         |                      |             |                 | 17,957.00      | NL  |       |         |     |
| Welding               | ArcLyfe Weld             | Sacramento  | UB           |   |         |                      |             |                 | 46,244.00      | NL  |       |         |     |
| Striping              | Cornpass Engineering     | San Cados   | UB           |   |         |                      |             |                 | 22,301.00      | NL  |       |         |     |
| Trucking              | Pine Valley Trucking     | Benicia     | UB           |   |         |                      |             |                 | 0.00           |   |       |         |     |
| Trucking              | Balles Chils             | Tracy       | UB           |   |         |                      |             |                 | 2,000.00       | NL  |       |         |     |
| <b>Project Totals</b> |                          |             |              | 0.00  | 0.00    | 0.00                 | 0.00        | 0.00            | \$2,127,423.00 |   | 0.00% | 0.00%   |     |
|                       |                          |             |              | DBE%  | RC UDBE | Total%               | DBE Dollars | RC UDBE Dollars | Total Dollars  | <b>Ethnicity</b><br>AA = African American<br>AI = Asian Indian<br>AP = Asian Pacific<br>C = Caucasian<br>H = Hispanic<br>IA = Native American<br>O = Other<br>NL = Not Listed |       |         |     |
| <b>Legend</b>         |                          |             |              | UB = Uncertified Business<br>CB = Certified Business<br>DBE = Disadvantage Business Enterprise<br>WBE = Women Business Enterprise |         |                      |             |                 |                |   |       |         |     |

FILED  
OFFICE OF THE CITY CLERK  
OAKLAND  
2011 FEB -3 PM 4:59

Approved as to Form and Legality

  
City Attorney

# OAKLAND CITY COUNCIL

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

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

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**RESOLUTION AWARDDING A CONSTRUCTION CONTRACT TO R. M. HARRIS COMPANY, THE LOWEST, RESPONSIVE, RESPONSIBLE BIDDER, FOR THE SEISMIC RETROFIT OF PARK BOULEVARD VIADUCTS (PROJECT NO. C346910), IN THE AMOUNT OF ONE MILLION SIX HUNDRED NINETEEN THOUSAND ONE HUNDRED EIGHTY-FOUR DOLLARS (\$1,619,184.00)**

**WHEREAS**, on November 4, 2010, three bids were received by the Office of the City Clerk of the City of Oakland for the Seismic Retrofit of Park Boulevard Viaducts (Project No. C346910); and

**WHEREAS**, the November 4, 2010 bids were rejected due to a clerical error and the project was rebid; and

**WHEREAS**, on January 20, 2011, four bids were received by the Office of the City Clerk of the City of Oakland for this project; and

**WHEREAS**, R. M. Harris Company 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:

- Department of Transportation Fund (2116); Capital Improvement Projects-Streets & Structures Organization (92242); Construction Contract Account (57411); Project C346910; \$1,880,000.00

**WHEREAS**, R. M. Harris Company complies with the federal Underutilized Disadvantaged Business Enterprise (UDBE) Program requirements; and

**WHEREAS**, the City Council finds that 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 and temporary nature; 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 Seismic Retrofit of Park Boulevard Viaducts (Project No. C346910) is hereby awarded to R. M. Harris Company in accordance with the project plans and specifications and the contractor's bid therefore, dated January 20, 2011, in the amount of **One Million Six Hundred Nineteen Thousand One Hundred Eighty-Four Dollars** (\$1,619,184.00); and be it

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

**FURTHER RESOLVED:** That the amount of the bond for faithful performance, \$1,619,184.00, 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, \$1,619,184.00, with respect to such work are hereby approved; and be it

**FURTHER RESOLVED:** That the City Administrator, or his designee, is hereby authorized to enter into a contract with **R. M. Harris Company** 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, BRUNNER, DE LA FUENTE, KAPLAN, KERNIGHAN, NADEL, SCHAAF and  
PRESIDENT REID**

**NOES -**

**ABSENT -**

**ABSTENTION -**

**ATTEST:** \_\_\_\_\_  
**LaTonda Simmons**  
City Clerk and Clerk of the Council  
of the City of Oakland, California