

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

FILED  
OFFICE OF THE CITY CLERK  
OAKLAND  
2007 DEC 27 PM 12:11

TO: Office of the City Administrator  
ATTN: Deborah Edgerly  
FROM: Community and Economic Development Agency  
DATE: January 8, 2008

RE: **Resolution Awarding A Construction Contract to McGuire and Hester For Phase I of The Leveling the Playing Field Project (City Project No. C290810) To Improve Girl's Softball Fields at Franklin, Golden Gate, McConnell and King Estate Fields In An Amount Not-To-Exceed Six Hundred Sixty-One Thousand Seven Hundred Fifty Dollars (\$661,750.00)**

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**SUMMARY**

A resolution has been prepared authorizing the City Administrator, or her designee, to award a construction contract to McGuire and Hester, the lowest responsive and responsible bidder that met the City's Compliance Program requirements. The Leveling the Playing Field project intends to improve girl's softball fields across the City of Oakland, encompassing seven sites, one site located in each city council district. Phase I of the project includes improvements to four baseball fields, including paving and surfacing, earthwork, baseball field surfacing, irrigation improvements, site furnishings, and landscaping and other related work. The four fields are as shown in *Attachment A, Location Map*: Franklin Park Field at 1010 E. 15<sup>th</sup> St. (Council District 2), Golden Gate/ Bob Mason Field at 1075 62<sup>nd</sup> St. (Council District 1), Arroyo Viejo Park/ McConnell Field at 7921 Olive St. (Council District 6), and King Estates Field (Lower Field) at 8251 Fontaine St. (Council District 7). Improvements to three additional fields are planned as Phase II and include Poplar Field, 3131 Union St. (Council District 3), Brookdale Park Field, 2535 High St. (Council District 4), Central Reservoir Park, 2506 E. 29<sup>th</sup> St. (Council District 5).

The Leveling The Playing Field Project is consistent with the Mayoral and City Council Goal to "Build Community and Foster Livable Neighborhoods," by providing for clean and well-maintained facilities, amenities, parks and recreational facilities.

**FISCAL IMPACT**

Approval of this resolution will award a construction contract to McGuire and Hester for Phase I of the Leveling the Playing Field Project in the amount of \$661,750.00. Sufficient funds, in the amount of \$749,794.00 which includes \$88,044.00 for construction contract contingency, are available to award the contract from the following funding sources:

Item: \_\_\_\_\_  
Public Works Committee  
January 8, 2008

<u>Amount</u>	<u>Funding Description</u>
\$554,774.00	California State Parks & Recreation Grant Fund (2134), Capital Projects – Project Management Organization (92270), Leveling the Playing Field Project (C290810), Landscape Improvement Account (57112), Project Delivery Program (IN06)
\$149,020.00	General Purpose General Fund (1010), Leveling the Playing Field Project (P43310), Capital Projects – Project Management Organization (92270), Landscape Improvement Account (57112), Project Delivery Program (IN06)
\$46,000.00	Oakland Redevelopment Agency Projects Fund (7780), Golden Gate Recreation Center, Bob Mason Field Project (P333710), Redevelopment Projects Organization (88669), Demolition Costs Account (57115), Project Delivery Program(IN06)
<hr/>	
\$749,794.00	Total Construction Budget Available for Contract Award

These fields are currently maintained by the City. These improvements will not result in additional maintenance costs.

## **BACKGROUND**

Leveling the Playing Field is a unique project, a project that is not site-centered, but program and gender centered. The proposed project will spread its benefits across the City of Oakland, encompassing seven sites, with a site located in each city council district. Seven sports fields in seven different parks will be renovated specifically to accommodate girls' softball. This allows the youth who are either too young or lack means of transportation to distant locations to participate in sporting activities. Because girls in Oakland have traditionally had fewer opportunities to be involved in team sports, this project will literally help to "level the playing field" by promoting and providing opportunities for girls sports activities.

Due to the limited total available project budget of \$1,010,000, only four of the seven fields can be completed in Phase I of this project. Based on improvement costs of each site, the frequency of current use and the complexity of improvement scope, staff from the Community and Economic Development Agency and the Office of Parks and Recreation selected Golden Gate, Franklin, McConnell and King Estate fields in order to maximize the girl's softball program with the limited available budget. The three remaining fields have significantly higher improvement costs as shown in the table below.

**PHASE I**

<b>Council District</b>	<b>Field Name</b>	<b>Total Project Costs</b>
District 1	Golden Gate/ Bob Mason Field	\$282,000
District 2	Franklin Field	\$215,000
District 6	Arroyo Viejo/ McConnell Field	\$340,000
District 7	King Estates Field	\$168,000
<b>Total costs</b>		<b>\$1,005,000</b>
<b>Total Available Budget</b>		<b>\$1,010,000</b>

**PHASE II**

<b>Council District</b>	<b>Field Name</b>	<b>Total Project Estimates</b>
District 3	Poplar Field	\$842,000
District 4	Brookdale Field	\$743,000
District 5	Central Reservior Field	\$558,000
<b>Additional Funds Required for Phase II</b>		<b>\$2,143,000</b>

On November 19, 2007 the City Clerk’s Office received five bids for the Leveling the Playing Field Project. McGuire and Hester, Star Construction, Belliveau Construction Engineers, Inc., John Clay Engineers, and Bay Construction, submitted bids of \$661,750.00, \$754,065.00, \$794,565.00, \$ 875,509.00 and \$765,859.00, respectively. Refer to *Attachment B* for the Contract Compliance & Employment Services Bid Analysis Memorandum. The Landscape Architect’s (Engineer’s) estimate for the base bid with Alternate #1 and #2 is a total of \$825,000.00 (\$795,000.00 for the base bid and \$15,000.00 each for Alternate #1 and Alternate #2). The lowest responsive bid of \$661,750.00 was submitted by McGuire and Hester and allows for the two bid alternates to be included in the scope of work. Bay Construction failed to meet the minimum 20% L/SLBE Trucking participation requirement and was found non-responsive.

**KEY ISSUES AND IMPACTS**

The City’s Local/Small Local Business Enterprise (L/SLBE) programs have been met by McGuire and Hester. There will be L/SLBE participation of 91%. 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 L/SLBE information has been verified by the Contract Compliance & Employment Services Division of the City Administrator’s Office and is included as *Attachment B*.

Upon approval of the resolution, a contract will be executed and construction is estimated to begin in March 2008. The project duration is 90 working days from the date of the Notice-to-Proceed and completion is anticipated no later than July 2008.

The construction contract specifies \$500.00 in liquidated damages per calendar day if the contract completion time of 90 working days is exceeded.

Additional funds are required in order to complete design and construction of Phase II which includes the following three additional fields: Poplar Field, 3131 Union St. (Council District 3), Brookdale Park Field, 2535 High St. (Council District 4), and Central Reservoir Park, 2506 E. 29<sup>th</sup> St. (Council District 5).

## **PROJECT DESCRIPTION**

The Leveling the Playing Fields project is intended to improve fields throughout the City to accommodate girls' softball programs so that Oakland's girls and young women may have opportunities to participate in a team sport that promotes self-esteem, team cooperation, and physical health. Phase I of the project includes improvements to four sports fields. This project will have citywide benefits as these fields are used by athletic teams from around the City. The fields slated for improvements are: Franklin Park Field at 1010 E. 15<sup>th</sup> St. (Council District 2), Golden Gate/ Bob Mason Field at 1075 62<sup>nd</sup> St. (Council District 1), Arroyo Viejo Park/ McConnell Field at 7921 Olive St. (Council District 6), and King Estates Field (Lower field) at 8251 Fontaine St. (Council District 7). Completion of Phase I is scheduled for summer of 2008. This project is funded by a grant from the California Department of Parks and Recreation, Youth Soccer and Recreational Development Program; the Raider's Surcharge Fund and the Oakland Redevelopment Agency, Neighborhood Project Initiative.

## **SUSTAINABLE OPPORTUNITIES**

**Economic:** The project will generate jobs for Oakland residents, and business tax, sales tax and other revenues for the City by those who work on the project.

**Environmental:** The contractor will be required to use recyclable construction materials to the extent feasible and is required to recycle construction debris in accordance with City standards.

**Social Equity:** The improvements to the four fields will benefit the neighborhood and the community at large by providing added recreational amenities.

## **DISABILITY AND SENIOR CITIZEN ACCESS**

**RECOMMENDATION AND RATIONALE**

It is recommended that Council award a construction contract to McGuire and Hester, for the project in an amount not-to-exceed Six Hundred Sixty-One Thousand and Seven Hundred Fifty dollars (\$661,750.00). McGuire and Hester is a certified Local Business Enterprise, and they have met the SLBE requirements.

**ACTION REQUESTED OF THE CITY COUNCIL**

Staff recommends that the City Council approve the proposed resolution.

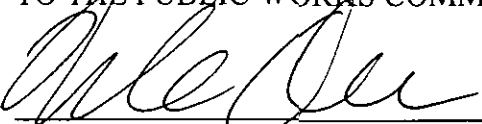
Respectfully submitted,

  
\_\_\_\_\_  
Claudia Cappio  
Director of Development  
Community and Economic Development Agency

Reviewed by:  
Michael Neary, P.E.  
Deputy Director  
Design and Construction Services Department

Prepared by:  
Ali Schwarz  
Project Manager  
Project Delivery Division

APPROVED AND FORWARDED  
TO THE PUBLIC WORKS COMMITTEE:

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

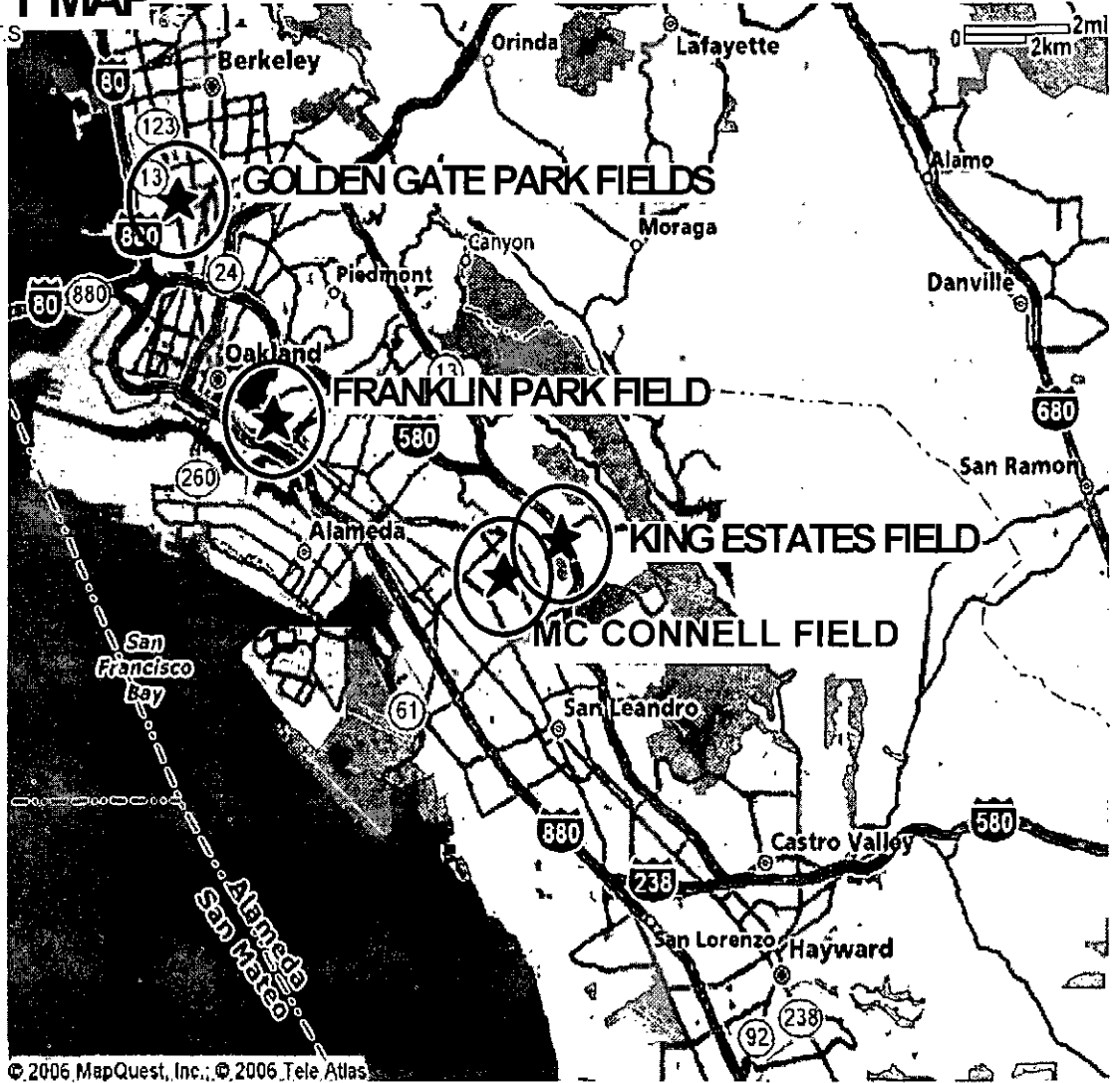
Attachments:

- A. Location Map
- B. Contract Compliance & Employment Services Bid Analysis Memorandum

Item: \_\_\_\_\_  
Public Works Committee  
January 8, 2008

# VICINITY MAP

N.T.S.





## Memo

### Department of Contracting and Purchasing

Division of Social Equity

To: Gwen McCormick - Contract Administrator Supervisor  
 From: Shelley Darensburg, Senior Contract Compliance Officer  
 Through: Deborah Barnes, DC&P, Director *Deborah Barnes*  
 CC: Alison Schwarz  
 Date: December 3, 2007  
 Re: Leveling The Playing Field Project, Including Bid Alts. 2 & 1

The Department of Contracting and Purchasing (DCP), Division of Social Equity, reviewed five (5) bids received in response to the above referenced project. Below is the outcome of our compliance evaluation for the minimum 20% Local and Small Local Business Enterprise (L/SLBE) participation requirement, a preliminary review for compliance with the Equal Benefits Ordinance (EBO), and a brief overview of the lowest responsible bidder's compliance with the 50% Local Employment Program (LEP) and 15% Oakland Apprenticeship Program on the most recently completed City of Oakland project.

RESPONSIVE		Proposed Participation							Banked Credits Eligibility	EBO Compliant? Y/N
Company Name	Proposed Bid Amount	Total L/SLBE	LBE	SLBE	L/SLBE Trucking	Total Credited	Adjusted Bid Amount	Bid Discounts		
McGuire & Hester	\$661,750	91%	73%	18%	100%	36%	\$641,898	3%	0%	YES
Star Construction	\$754,065	24%	0%	24%	100%	24%	\$738,983	2%	0%	YES
Beliveau Engineering	\$794,565	100%	0.43%	99.57%	100%	100%	\$754,837	2%	2%	YES
John Clay Engineering	\$875,509	23%	0%	23%	100%	23%	\$857,999	2%	0%	YES

Comments: As noted above, all bidders exceeded the minimum 20% L/SLBE participation requirement and exceeded the minimum 20% L/SLBE Trucking participation requirement. All bidders are EBO compliant.

NON-RESPONSIVE		Proposed Participation							Banked Credits Eligibility	EBO Compliant? Y/N
Company Name	Proposed Amount	Total L/SLBE	LBE	SLBE	Trucking	Total Credited	Adjusted Bid Amount	Bid Discounts		
Bay Construction	\$765,859	99.61%	0%	99.61%	0%	0.00%	\$765,859	0%	0%	YES

Comments: As noted above, Bay Construction failed to meet the minimum 20% L/SLBE Trucking participation requirement and is non-responsive as it relates to the minimum 20% L/SLBE requirement.

DEPARTMENT OF CONTRACTING AND PURCHASING  
Social Equity Division  
 PROJECT EVALUATION FORM

PROJECT NO. C290810

PROJECT NAME: Leveling The Playing Field, Including Bid Alts. 2 & 1

CONTRACTOR: McGuire & Hester

<u>Engineer's Estimate:</u>	<u>Contractors' Bid Amount</u>	<u>Over/Under Engineer's Estimate</u>
\$825,000	\$661,750	\$163,250
<u>Discounted Bid Amount:</u>	<u>Amt. of Bid Discount</u>	<u>Discount Points:</u>
\$641,898	\$19,853	3%

1. Did the 20% requirements apply? Yes
2. Did the contractor meet the 20% requirement Yes
  - a) % of LBE participation 73%
  - b) % of SLBE participation 18%
3. Did the 20% L/SLBE Trucking requirement apply? Yes
4. Did the contractor meet the 20% L/SLBE Trucking Yes
  - a) Total trucking participation 44%
5. Did the contractor receive bid discounts? Yes

(If yes, list the percentage received) 3%
6. Additional Comments.

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

12/3/2007

Date

Reviewing  
Officer:

Shelley Darenburg

Date: 12/3/07

Approved By

Deborah Baroni

Date: 12/3/07



**DEPARTMENT OF CONTRACTING AND PURCHASING**  
**Social Equity Division**  
**PROJECT EVALUATION FORM**

PROJECT NO. C290810

PROJECT NAME: Leveling The Playing Field, Including Bid Alts. 2 & 1

CONTRACTOR: Star Construction

<u>Engineer's Estimate:</u>	<u>Contractors' Bid Amount</u>	<u>Over/Under Engineer's Estimate</u>
\$825,000	\$754,065	\$70,935
<u>Discounted Bid Amount:</u>	<u>Amt. of Bid Discount</u>	<u>Discount Points:</u>
\$738,983	\$15,081	2%

1. Did the 20% requirements apply? Yes
2. Did the contractor meet the 20% requirement Yes
  - a) % of LBE participation 0%
  - b) % of SLBE participation 24%
3. Did the 20% L/SLBE Trucking requirement apply? Yes
4. Did the contractor meet the 20% L/SLBE Trucking Yes
  - a) Total trucking participation 100%
5. Did the contractor receive bid discounts? Yes  
 (If yes, list the percentage received) 2%

6. Additional Comments.

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

12/3/2007

Date

Reviewing Officer:

Shelley Darenburg

Date: 12/3/07

Approved By

Robert Barron

Date: 12/3/07

**DEPARTMENT OF CONTRACTING AND PURCHASING**  
**Social Equity Division**  
**PROJECT EVALUATION FORM**

PROJECT NO. C290810

PROJECT NAME: Leveling The Playing Field, Including Bid Alts. 2 & 1

**CONTRACTOR:** Beliveau Engineering

<u>Engineer's Estimate:</u>	<u>Contractors' Bid Amount</u>	<u>Over/Under Engineer's Estimate</u>
\$825,000	\$794,565	\$30,435
<u>Discounted Bid Amount:</u>	<u>Amt. of Bid Discount</u>	<u>Discount Points:</u>
\$754,837	\$39,728	5%

1. Did the 20% requirements apply? Yes
2. Did the contractor meet the 20% requirement Yes
  - a) % of LBE participation 0.43%
  - b) % of SLBE participation 99.57%
3. Did the 20% L/SLBE Trucking requirement apply? Yes
4. Did the contractor meet the 20% L/SLBE Trucking Yes
  - a) Total trucking participation 100%
5. Did the contractor receive bid discounts? Yes  
 (If yes, list the percentage received) 5%
6. Additional Comments.

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

12/3/2007  
Date

Reviewing  
Officer:

Shelley Darenburg

Date: 12/3/07

Approved By

Deborah Barnes

Date: 12/3/07

DEPARTMENT OF CONTRACTING AND PURCHASING  
Social Equity Division  
PROJECT EVALUATION FORM

PROJECT NO. C290810

PROJECT NAME: Leveling The Playing Field, Including Bid Alts. 2 & 1

CONTRACTOR: John Clay General Engineering

<u>Engineer's Estimate:</u>	<u>Contractors' Bid Amount</u>	<u>Over/Under Engineer's Estimate</u>
\$825,000	\$875,509	(\$50,509)

<u>Discounted Bid Amount:</u>	<u>Amt. of Bid Discount</u>	<u>Discount Points:</u>
\$857,999	\$17,510	2%

1. Did the 20% requirements apply? Yes
2. Did the contractor meet the 20% requirement Yes
  - a) % of LBE participation 0%
  - b) % of SLBE participation 23%
3. Did the 20% L/SLBE Trucking requirement apply? Yes
4. Did the contractor meet the 20% L/SLBE Trucking Yes
  - a) Total trucking participation 100%
5. Did the contractor receive bid discounts? Yes

(If yes, list the percentage received) 2%
6. Additional Comments.

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

12/3/2007  
Date

Reviewing Officer:

Shelley Darenburg

Date: 12/3/07

Approved By

Patrick Baran

Date: 12/3/07

**DEPARTMENT OF CONTRACTING AND PURCHASING**  
**Social Equity Division**  
**PROJECT EVALUATION FORM**

PROJECT NO. C290810

PROJECT NAME: Leveling The Playing Field, Including Bid Alts. 2 & 1

CONTRACTOR: Bav Construction

<u>Engineer's Estimate:</u>	<u>Contractors' Bid Amount</u>	<u>Over/Under Engineer's Estimate</u>
\$825,000	\$765,859	\$59,141
<u>Discounted Bid Amount:</u>	<u>Amt. of Bid Discount</u>	<u>Discount Points:</u>
\$765,859	\$0	0%

1. Did the 20% requirements apply? Yes
2. Did the contractor meet the 20% requirement Yes
  - a) % of LBE participation 0%
  - b) % of SLBE participation 99.61%
3. Did the 20% L/SLBE Trucking requirement apply? Yes
4. Did the contractor meet the 20% L/SLBE-Trucking No
  - a) Total trucking participation 0%
5. Did the contractor receive bid discounts? No  
 (If yes, list the percentage received) 0%
6. Additional Comments.

Bidder failed to meet the 20% L/SLBE Trucking requirement. Therefore, they are non-responsive.

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

12/3/2007  
Date

Reviewing Officer:

Shelley Darenburg

Date: 12/3/07

Approved By

Deborah Baran

Date: December 3, 2007

# LBE/SLBE Participation Bidder 4

Project Name: Leveling The Playing Field Project, Including Bid Ats. 2 & 1

Project No.: C290810		Engineers Est: \$825,000				Under/Over Engineers Estimate: 59,141.00						
Discipline	Prime & Subs	Location	Cert. Status	LBE	SLBE	Total LBE/SLBE	L/SLBE Trucking	Total Trucking	TOTAL Dollars	For Tracking Only		
										Ethn.	MBE	WBE
PRIME	Bay Construction	Oakland	CB		762,879	762,879			762,879	AP	762,879	
Haz Mat Abatement	Bayview Environmental	Oakland	CB						2,980	C		
Electrical	Bleyco	Castro Valley	UB							NL		
Trucking	Williams Trucking	Oakland	CB							NL		
<b>Project Totals</b>				\$0	\$762,879	\$762,879	\$0	\$0	\$765,859		\$762,879	\$0.00
				0%	99.61%	99.61%	0%	100%	100%		100%	
<b>Requirements:</b> The 20% requirements is a combination of 10% LBE and 10% SLBE participallon. An SLBE firm can be counted 100% towards achieving 20% requirements.				LBE 10%	SLBE 10%	TRUCKING 20%	LBE/SLBE 20%			<b>Ethnicity</b> AA = African American A = Asian C = Caucasian H = Hispanic NA = Native American O = Other NL = Not Listed		
<b>Legend</b>				LBE = Local Business Enterprise SLBE = Small Local Business Enterprise Total LBE/SLBE = All Certified Local and Small Local Businesses NPLBE = NonProfit Local Business Enterprise NPSLBE = NonProfit Small Local Business Enterprise				UB = Uncertified Business CB = Certified Business MBE = Minority Business Enterprise WBE = Women Business Enterprise				

## LBE/SLBE Participation Bidder 5

Project Name:		Leveling The Playing Field Project, Including Bid Ais. 2 & 1										
Project No.: C290810		Engineers Est: \$825,000			Under/Over Engineers Estimate: -50,500.00							
Discipline	Prime & Subs	Location	Cert. Status	LBE	SLBE	Total LBE/SLBE	L/SLBE Trucking	Total Trucking	TOTAL Dollars	For Tracking Only		
										Ethnicity	MBE	WBE
PRIME	John Clay General Engineering	Hayward	UB						675,509	C		
Supplier	General Supply Co.	Oakland	CB		150,000	150,000			150,000	NL		
Trucking	Royal Trucking	Oakland	CB		20,000	20,000	20,000	20,000	20,000	AA	20,000	
Electrical	Delta Electric	Oakland	CB		30,000	30,000			30,000	AI	30,000	
<b>Project Totals</b>				\$0	\$200,000	\$200,000	\$20,000	\$20,000	\$875,509		\$50,000	\$0.00
				0%	23%	23%	100%	100%	100%		6%	
<b>Requirements:</b> The 20% requirements is a combination of 10% LBE and 10% SLBE participation. An SLBE firm can be counted 100% towards achieving 20% requirements.				LBE 10%	SLBE 10%	TRUCKING 20%	LBE/SLBE 20%			Ethnicity AA = African American A = Asian C = Caucasian H = Hispanic NA = Native American O = Other NL = Not Listed		
<b>Legend</b>				LBE = Local Business Enterprise		UB = Uncertified Business						
				SLBE = Small Local Business Enterprise		CB = Certified Business						
				Total LBE/SLBE = All Certified Local and Small Local Business		MBE = Minority Business Enterprise						
				NPLBE = NonProfit Local Business Enterprise		WBE = Women Business Enterprise						
				NPSLBE = NonProfit Small Local Business Enterprise								

## LBE/SLBE Participation Bidder 3

Project Name: Leveling The Playing Field Project, Including Bid Ats. 2 & 1

Project No.: C290810		Engineers Est: \$825,000				Under/Over Engineers Estimate: 30,435.00						
Discipline	Prime & Subs	Location	Cert. Status	LBE	SLBE	Total LBE/SLBE	L/SLBE Trucking	Total Trucking	TOTAL Dollars	For Tracking Only		
										Ethn.	MBE	WBE
PRIME	Bellveau Engineering	Oakland	CB		771,165	771,165			771,165	C		
Trucking	Williams Trucking	Oakland	CB		20,000	20,000	20,000	20,000	20,000	AA	20,000	
Electrical	Ray's Electric	Oakland	CB							C		
Asbestos Abatement	Sterling Environmental	Oakland	CB	3,400		3,400			3,400	C		
<b>Project Totals</b>				\$3,400	\$791,165	\$794,565	\$20,000	\$20,000	\$794,565		\$20,000	\$0.00
				0.43%	99.57%	100%	100%	100%	100%		2.52%	
<b>Requirements:</b> The 20% requirements is a combination of 10% LBE and 10% SLBE participation. An SLBE firm can be counted 100% towards achieving 20% requirements.				LBE 10%	SLBE 10%	TRUCKING 20%	LBE/SLBE 20%			<b>Ethnicity</b> AA = African American A = Asian C = Caucasian H = Hispanic NA = Native American O = Other NL = Not Listed		
<b>Legend</b>				LBE = Local Business Enterprise SLBE = Small Local Business Enterprise Total LBE/SLBE = All Certified Local and Small Local Businesses NPLBE = NonProfit Local Business Enterprise NPSLBE = NonProfit Small Local Business Enterprise				UB = Uncertified Business CB = Certified Business MBE = Minority Business Enterprise WBE = Women Business Enterprise				

## LBE/SLBE Participation Bidder 2

Project Name: **Leveling The Playing Field Project, Including Bid Ats. 2 & 1**

Project No.: C290810		Engineers Est: \$825,000				Under/Over Engineers Estimate: 70,935.28						
Discipline	Prime & Subs	Location	Cert. Status	LBE	SLBE	Total LBE/SLBE	L/SLBE Trucking	Total Trucking	TOTAL Dollars	For Tracking Only		
										Ethn.	MBE	WBE
PRIME Landscape Asbestos/Abatement Trucking Electrical	Star Construction	San Bruno	UB						563,249	H	563,249	
	Ramos Landscaping	Oakland	CB		95,426	95,426			95,426	H	95,426	
	Parc Services	Livermore	UB						13,390	H		
	Monroe Trucking	Oakland	CB		30,000	30,000	30,000	30,000	30,000	AA	30,000	
	Della Electric	Oakland	CB		52,000	52,000			52,000	AI	52,000	
<b>Project Totals</b>				\$0	\$177,426	\$177,426	\$30,000	\$30,000	\$754,065		\$740,675	\$0.00
				0%	24%	24%	100%	100%	100%		98%	
<b>Requirements:</b> The 20% requirements is a combination of 10% LBE and 10% SLBE participation. An SLBE firm can be counted 100% towards achieving 20% requirements.				LBE 10%	SLBE 10%	TRUCKING 20%	LBE/SLBE 20%			<b>Ethnicity</b> AA = African American A = Asian C = Caucasian H = Hispanic IA = Native American O = Other NL = Not Listed		
<b>Legend</b>				LBE = Local Business Enterprise SLBE = Small Local Business Enterprise Total LBE/SLBE = All Certified Local and Small Local Businesses NPLBE = NonProfit Local Business Enterprise NPSLBE = NonProfit Small Local Business Enterprise				UB = Uncertified Business CB = Certified Business MBE = Minority Business Enterprise WBE = Women Business Enterprise				



# LBE/SLBE Participation Bidder 1

Project Name: Leveling The Playing Field Project, including Bid Ats. 2 & 1

Project No.: C290810		Engineers Est: \$825,000				Under/Over Engineers Estimate: 163,250.00						
Discipline	Prime & Subs	Location	Cert. Status	LBE	SLBE	Total LBE/SLBE	L/SLBE Trucking	Total Trucking	TOTAL Dollars	For Tracking Only		
										Ethn.	MBE	WBE
PRIME	McGuire & Hester	Oakland	CB	481,500		481,500			481,500	C		
Trucking	Williams Trucking	Oakland	CB		4,000	4,000	4,000	4,000	4,000	AA	4,000	
Lead & Asbestos	Restec Contractor	Hayward	UB						7,000	NL		
Seed & Sod	West Coast Turf	Livingston, CA	UB						25,000	NL		
Soil Supplier	American Soil & Stone	Berkeley	UB						7,000	NL		
Irrigation	Horizon	San Jose	UB						7,500	NL		
Electric	Ray's Electric	Oakland	CB		117,550	117,550			117,550	C		
Warm Space Casting	Rising Mist Organic Farm	Belevue, KS	UB						4,200	NL		
Asphalt	Hanson Asphalt	Berkeley	UB						3,000	NL		
Trucking	Mag Trucking	Hayward	UB					5,000	5,000	NL		
<b>Project Totals</b>				\$481,500	\$121,550	\$603,050	\$4,000	\$9,000	\$661,750		\$4,000	\$0.00
				73%	18%	91%	44%	100%	100%		1%	
<b>Requirements:</b> The 20% requirements is a combination of 10% LBE and 10% SLBE participation. An SLBE firm can be counted 100% towards achieving 20% requirements.				LBE 10%	SLBE 10%	TRUCKING 20%	LBE/SLBE 20%			<b>Ethnicity</b> AA = African American A = Asian C = Caucasian H = Hispanic NA = Native American O = Other NL = Not Listed		
<b>Legend</b>				LBE = Local Business Enterprise SLBE = Small Local Business Enterprise Total LBE/SLBE = All Certified Local and Small Local Businesses NPLBE = NonProfit Local Business Enterprise NPSLBE = NonProfit Small Local Business Enterprise		UB = Uncertified Business CB = Certified Business MBE = Minority Business Enterprise WBE = Women Business Enterprise						

**Comments:**

**For Informational Purposes:**

**50% Local Employment Program(LEP)/15% Oakland Apprenticeship Program**

The numbers listed below show total project hours; LEP hiring goal; actual resident employment; actual Oakland apprentice work hours; the 15% Apprenticeship utilization goal; and difference between the 15% Apprenticeship utilization goal and actual hours worked by Oakland apprentices for McGuire and Hester, lowest responsible bidder on its most recently completed City project.

Company Name	Total Hours	Resident Hours	LEP Goal Hours	Oakland Apprentice Hours	15% Apprentice Utilization Goal	15% Apprentice Shortfall
McGuire and Hester	1,889	1,058*	944	283.31**	283.3	0

\* Actual employment exceeded Local Employment Program 50% goal with 56% resident employment

\*\* Actual employment met 15% Apprenticeship goal (223.00 hrs. on project and 60.31 hrs.) on non-City funded

If you have any questions or need additional information, please contact Shelley Darensburg at 238-3970.

FILED  
OFFICE OF THE CITY CLERK  
OAKLAND

2007 DEC 27 PM 12:11

Approval as to Form and Legality

  
Oakland City Attorney's Office

## OAKLAND CITY COUNCIL

RESOLUTION No. \_\_\_\_\_ C.M.S.

INTRODUCED BY COUNCILMEMBER \_\_\_\_\_

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**RESOLUTION AWARDED A CONSTRUCTION CONTRACT TO MCGUIRE AND HESTER FOR PHASE I OF THE LEVELING THE PLAYING FIELD PROJECT (CITY PROJECT NO. C290810) TO IMPROVE GIRL'S SOFTBALL FIELDS AT FRANKLIN, GOLDEN GATE, MCCONNELL AND KING ESTATE FIELDS IN AN AMOUNT NOT-TO-EXCEED SIX HUNDRED SIXTY-ONE THOUSAND SEVEN HUNDRED FIFTY DOLLARS (\$661,750.00)**

**WHEREAS**, on November 19, 2007, five bids were received by the Office of the City Clerk of the City of Oakland for the Construction of the Leveling the Playing Field Project (Project No.C290810); and

**WHEREAS**, McGuire and Hester as a certified LBE bidding as a prime is the lowest, responsive, and responsible bidder for the project; and

**WHEREAS**, there are sufficient funds available in State Grant, Fund 2134; Project C290810; Capital Program Organization 92270; Landscape Improvement Account 57112 in the amount of \$554,774.00; Program IN06; Raider's Surcharge, Fund 1010, Project P43310; Capital Program Organization 92270; Landscape Improvement Account 57112 in the amount of \$149,020.00; Program IN06; and Neighborhood Project Initiative Fund 7780; Project P333710; Organization 88669; Demolition Cost Account 57115 in the amount of \$46,000.00; Program IN06 for total funds of \$ 749,794.00. This resolution will authorize a \$661,750.00 construction contract with McGuire and Hester.

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

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

**WHEREAS**, McGuire and Hester complies with all LBE/SLBE requirements; and

**WHEREAS**, the City Council finds and determines that the performance of this contract shall not result in the loss of employment or salary by any person having permanent status in the competitive services; now, therefore, be it

**RESOLVED:** That the contract for the construction of the Leveling the Playing Field Project (Project No.C290810) is hereby awarded to McGuire and Hester in accordance with the project specifications and plans and terms of the contractor's bid therefore, dated November 19, 2007, in the amount of six hundred sixty-one seven hundred fifty dollars (\$661,750.00); and be it

**FURTHER RESOLVED:** That the City Council hereby approves the plans and specification for this project; and be it

**FURTHER RESOLVED:** That the faithful performance bond and a bond to guarantee payment of all claims for labor and materials furnished and for the amount of 100% of the contract price and due under the Unemployment Insurance Act submitted with respect to such work are hereby approved; and be it

**FURTHER RESOLVED:** That the contractor shall be required to meet all City of Oakland contracting policies and programs including, but not limited to, local and small local business enterprise, equal benefits and apprenticeship hiring; and be it

**FURTHER RESOLVED:** That the City Administrator is hereby authorized to enter into a contract with McGuire and Hester on behalf of the City of Oakland and to conduct all negotiations and execute and submit all documents, including, but not limited to, applications, contracts, amendments and payment requests, in compliance with all applicable current city, state and federal laws which may be necessary for the completion of the aforementioned Project; 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; and be it

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

IN COUNCIL, OAKLAND, CALIFORNIA, \_\_\_\_\_, 2008

**PASSED BY THE FOLLOWING VOTE:**

AYES- BROOKS, BRUNNER, CHANG, NADEL, QUAN, REID,  
AND PRESIDENT DE LA FUENTE

NOES-

ABSENT-

ABSTENTION-

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

La Tonda Simmons  
City Clerk and Clerk of the Council  
of the City of Oakland, California