

**CITY OF OAKLAND  
COUNCIL AGENDA REPORT**

FILED  
OFFICE OF THE CITY CLERK  
**REVISED**  
2004 SEP 23 PM 5:14  
9-23-04

TO: Office of the City Administrator  
ATTN: Deborah Edgerly  
FROM: Public Works Agency  
DATE: September 28, 2004

RE: RESOLUTION AUTHORIZING AWARD OF A CONSTRUCTION CONTRACT TO THE RESPONSIBLE LOW BIDDER, UNDERGROUND CONSTRUCTION COMPANY, INC., IN THE AMOUNT NOT TO EXCEED \$9,282,964.45 FOR CONSTRUCTION OF UNDERGROUND UTILITY DISTRICT NO. 233, ON MACARTHUR BOULEVARD (FROM 73RD AVENUE TO THE SAN LEANDRO CITY LINE) USING \$1,673,022 IN CITY OF OAKLAND FUNDS OUT OF A BUDGET OF \$2,000,000 FOR THE PROJECT AND PAYMENTS FROM PG&E, SBC AND COMCAST TOTALING \$7,609,942, SUBJECT TO CERTAIN CONDITIONS.

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**SUMMARY**

A resolution has been prepared for Council to authorize award of a construction contract to Underground Construction Company, Inc. in the amount not to exceed \$9,282,964.45 for construction of the Underground Utility District No. 233, on MacArthur Boulevard (from 73rd Avenue to the San Leandro City Line) Project, using \$1,673,022 in City of Oakland's Municipal Capital Improvement funds (Fund 5500) for the City's portion of the work, and using \$4,330,430 in Pacific Gas and Electric 20A funds, \$1,908,754 in SBC funds and \$1,370,758.45 in Comcast funds for their portion of the work. The project is located in Council District 7 and Council District 6.

This is a revised report. The differences from the previous report dated 9/14/04 are as follows:

- Reduction in overall cost of the project, by \$323,914, due to Comcast undertaking to do part of the work themselves.
- Increase in City cost by \$2,000 due to recalculation of the surface restoration work.
- Additional requirements for the utilities to sign off on the contract or to enter into individual agreement with the City. These are being negotiated and staff will provide oral update to the Committee.

These changes are incorporated in the revised resolution submitted to the Committee.

Underground Construction Company, Inc. is the responsible low bidder and has met all the contract requirements.

Funds are available for the City's portion of the contract work.

This project is consistent with the Mayor and City Council Goal to Improve Oakland's Neighborhoods and to Maintain and Enhance Oakland's Physical Assets.

Staff recommends that the resolution be approved.

S-4  
Item #:  
Public Works Committee  
September 28, 2004

**FISCAL IMPACT**

The proposed resolution authorizes a budget for the project that will be comprised of the following contributions:

Funding Source	Fund No.	Project No.	Amount
City of Oakland	5500	C211740	\$1,673,022.00
PG&E 20A Funds	N/A	N/A	\$4,330,430.00
SBC 32A Funds	N/A	N/A	\$1,908,754.00
Comcast Reimbursement Funds per Franchise Agreement	5500	TBD	\$1,370,758.45
Total for Contract			\$9,282,964.45

PG&E wishes to make progress payments directly to the contractor.

SBC wishes to make progress payments directly to the contractor.

Comcast wishes to reimburse the City for its progress payments to the contractor, and PWA will request that Comcast deposit the funds with the City.

The construction contract is in the amount \$9,282,964.45 of which the City's portion is \$1,673,022.00. The City's construction budget is \$2,000,000.00. The City has already procured streetlight materials for installation on this project. The City will erect the streetlights and pull the wires at an estimated labor cost of approximately \$250,000.00 using city forces. These funds are available in Project C211740.

The required allocations for Public Art and Contract Compliance will be set-aside in the appropriate accounts in Project C211740.

The City bid the work by unit pricing. The City's portion of the construction contingency is \$20,000 (1.1% of the contract amount). This construction contingency is included in the construction amount. The City's portion of the contingency is adequate because we do not expect changes to go beyond the City's portion of the contracted amount.

Contract City Portion	\$1,673,022
City Forces Portion	\$251,692
Public Arts (1.5%)	\$25,095
Contract Compliance (3.0%)	\$50,191
<b>Total which is budgeted</b>	<b>\$2,000,000</b>

The City, PG&E, SBC and Comcast have the funds to meet all the project requirements. The project budget has sufficient funds to cover the construction, contingency and construction management costs of the project.

There are no additional ongoing maintenance costs anticipated for the project.

**BACKGROUND**

On May 4, 2004, Notices to Bidders were sent to 535 contractors holding an “A” or “C10” License per the PWA Database & Contract Compliance Database and the Outreach and Builder Exchange. On May 5, 2004, the City placed advertisement in the Oakland Tribune newspaper to solicit bids. On June 21, 2004, the City Clerk received eight bids for the project as follows:

<b>Bidders</b>	<b>Total L/SLBE Participation</b>	<b>Location</b>	<b>Bid Amounts</b>
St. Francis Electric		San Leandro, CA	\$5,869,065.89
Underground Construction		Benicia, CA	\$9,606,878.45
West Valley Construction		Campbell, CA	\$9,888,726.67
A.R.B Inc.		Lake Forest, CA	\$10,101,829.60
Ranger Pipelines		San Francisco, CA	\$10,174,294.60
Mitchell Engineering		San Francisco, CA	\$10,978,070.00
Manuel Brothers Inc.		Green Valley, CA	\$11,188,575.89
Shimmick Brothers, Inc		Hayward, CA	N/A

At the time of the Agenda Report, there are no bidders in Oakland who can do this type of work on a large scale.

The Local and Small Local Business Enterprise Programs (L/SLBE) require City funded projects to aim for a 20% Local and Small Local Business participation.

St. Francis Electric was initially the lowest bidder, with a bid of \$5,869,065.89, but withdrew its bid on June 22, 2004 due to a mathematical error.

Underground Construction Company thus became the lowest bidder at \$9,606,878.45. Underground Construction Co. has 20.25% L/SLBE participation in its bid, which exceeds the 20% L/SLBE goal. Contract Compliance has determined that Underground Construction Co. meets the L/SLBE requirement and is the responsible low bidder.

The project location, MacArthur Boulevard between 73<sup>rd</sup> Avenue and the San Leandro City Line, has businesses and residences along both sides of the street and a high volume of both foot and vehicular traffic. The project seeks to underground the aerial facilities including power, telephone, cable TV, and streetlights. The project will restore the street surface to its existing condition.

The project meets the City Council Budget Priorities to Maintain and Enhance Oakland’s Physical Assets by improving the physical appearance, livability and integrity of this neighborhood, and supports the City Council Budget Priority to Improve Oakland’s Neighborhood by improving pedestrian and public access areas, and the general aesthetics of the commercial and residential neighborhood.

## **KEY ISSUES AND IMPACTS**

### **Design & Specifications**

PWA Electrical took the lead on this project because the City desired that the work be coordinated and performed in conjunction with the MacArthur Streetscape Project. The project was advertised with the MacArthur Streetscape Project and bids received exceeded the funds available. The contract award will not include the MacArthur Streetscape portion of the project. The Streetscape Project will be re-bid and the work done immediately following the Underground Project.

PWA designed the engineering composite drawings, and prepared both the specifications and Form B. The 'engineering composite drawings' are a set of plans that combine and coordinate the City streetlight design, the PG&E power distribution system, the SBC telephone system and the Comcast cable system. The 'Form B' is a document that splits the cost of the joint trenches and common facilities in the project.

All utilities have indicated their approval or acceptance of the design work prepared by the City. In a letter dated April 28, 2004, PG&E approved the engineering composite drawings and specifications, and the Form B. In a letter dated May 4, 2004, SBC approved the final Form B and composite by the City. In a letter dated May 17, 2004, Comcast accepted the Form B by the City. In addition, PWA will request that each utility sign a written agreement to release and hold harmless the City from any claims related to the designs and specifications approved or accepted by the utilities for their portions of the work.

### **Construction Contract**

PWA also elected to issue the notice inviting bids and will issue the project construction agreement. Therefore, the City will enter into a construction contract for the entire project, inclusive of the PG&E, SBC and Comcast work under which the City and each utility will be independently responsible for inspections, acceptance, approval of progress payments and change orders for their portions of the work.

Currently, SBC & Comcast have agreed to enter into the construction agreement. PG&E will consider entering into binding agreement with the City for payment of the portion of the work pending review of the documents by their management.

To lessen City's exposure, the contractor will be required to agree to limit the City's financial obligation to the City's funded portion of the work (\$1,673,022.00) and to release and hold harmless the City from any claims related to work performed for the utilities. The contractor will also be required to name each of the utilities as additional insureds on insurance and bonds.

### **Project Schedule**

The project will break ground in the fall of 2004 and it will consist of two parts: (1) substructure installation by the Contractor and (2) installation of facilities by the Utility Companies and PWA Electrical.

- The Substructure Installation: The Contractor will install the substructure in 440 working days in three phases (areas).

- 1<sup>st</sup> Phase (1<sup>st</sup> Area): San Leandro City Line to 98<sup>th</sup> Avenue
- 2<sup>nd</sup> Phase (2<sup>nd</sup> Area): 98<sup>th</sup> Avenue to 82<sup>nd</sup> Avenue
- 3<sup>rd</sup> Phase (3<sup>rd</sup> Area): 82 Avenue to 73 Avenue

The contract stipulates \$1,000 in liquidated damages for each day that the contract work is delayed.

- The Installation of Facilities: As the Contractor completes installing each phase (area) of the substructure, PG&E and SBC will install their own power and telephone lines. PWA Electrical will then install the streetlights. When the entire substructure is complete in all three phases (areas) Comcast will install their cable. When all the new underground is completed, tested and fully operational, the aerial lines and poles will be removed by SBC and PG&E. This project will be completed by Summer 2008.

## **SUSTAINABLE OPPORTUNITIES**

Economic: This contract will generate jobs in the local economy. The prime contractor and subcontractors are Bay Area companies. They met the requirements of local participation as the City has determined that companies that have domicile in the City provide 20.25% of the contract value. The undergrounding project will help support the local businesses.

Environmental: The project will enhance the general aesthetics of the environment by the removal of overhead power, telephone and cable TV cables and facilities. About 100 wood poles will be removed. The new holiday circuits on the pedestrian lights will provide the opportunity to liven up the area during major festivities

Social Equity: The project elements including the removal of aerial lines, communication splice boxes and power supplies mounted on wood poles will aid in making pedestrian walking a safer and more pleasant experience. The resurfacing of the sidewalk and streets, to restore to its original state, will enhance the aesthetics of the community and thereby encourage residents to shop in their neighborhood. This will improve the local economy and support commercial businesses.

## **DISABILITY AND SENIOR CITIZEN ACCESS**

This project will reconstruct curb ramps that meet the Federal Americans with Disabilities Act, making them safe and usable for senior citizens and persons with disabilities. The new streetlights will improve lighting in this major roadway. The new pedestrian streetlights will add to the security and aesthetics of the street.

## **RECOMMENDATION AND RATIONALE**

Staff recommends that the City Council approve the revised resolution, authorizing award of a construction contract to Underground Construction Company, Inc. in the amount of \$9,282,964.45. Underground Construction Company has met L/SLBE requirements, and the project budget will have sufficient funds to cover the contract work provided PG&E, SBC and Comcast enter into binding agreements with the City to pay for their costs and change orders.

**ACTION REQUESTED OF THE CITY COUNCIL**

Staff recommends approval of the resolution.

Respectfully submitted,



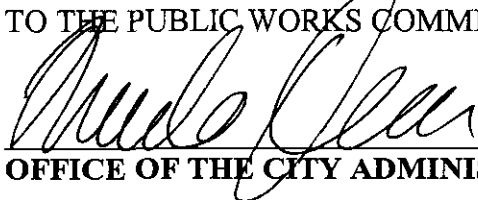
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**RAUL GODINEZ II, P.E.**  
Director, Public Works Agency

Reviewed by:  
Elroy Holtmann  
Electrical Service Division Manager

Prepared by:  
Paul M.A. Chan, P.E.  
Electrical Engineer III  
Electrical Services Division

APPROVED AND FORWARDED  
TO THE PUBLIC WORKS COMMITTEE



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**OFFICE OF THE CITY ADMINISTRATOR**

**Underground Utility District No. 233  
(From 73<sup>rd</sup> Avenue to the San Leandro Line)  
(Project No. C211740)**

Attachment A - Project Schedule, dated 9/21/04

Attachment B - St. Francis Electric's Withdrawal of Bid, dated 6/22/04

Attachment C – SBC Letter approving 1) contractor's bid, and 2) contractor to proceed, and requesting additional and accurate cost information, dated 8/16/04

Attachment D – PG&E Letter agreeing to pay the “electric utility share of the work” with certain limits provided the project is approved by PG&E, dated 8/16/04

Attachment E – Comcast Letter agreeing to reimburse “reasonable costs” in an amount not to exceed “*estimated* costs plus 5%,” dated 8/19/04

Attachment F – Contract Compliance & Employment Services Review, dated 7/29/04







St. Francis Electric

Attachment B

June 22, 2004

City of Oakland  
Office of City Clerk  
1 Frank H. Ogawa Plaza  
First Floor, Suite 101  
Oakland, CA. 94612

Attn: City Clerk

RE: Underground Utility District No. 233 / MacArthur Blvd. Streetscape  
Project # C211710

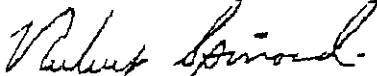
FILED  
OFFICE OF THE CITY CLERK  
OAKLAND  
2004 JUN 22 PM 12:00

Gentlemen,

St. Francis Electric, Inc. respectfully withdraws our bid for the project referenced above,  
due to a mathematical error.

We hereby execute notification with this letter.

Sincerely,  
ST. FRANCIS ELECTRIC



Robert Spinardi  
President



ATTACHMENT C

2600 Camino Ramon, Rm. 2N450W  
San Ramon, CA 94583

August 16, 2004

Mr. Paul Chan, P.E.  
City of Oakland  
7101 Edgewater Drive  
Oakland, CA 94621

RE: Approval of Underground Construction Contractor—Macarthur  
Boulevard—Underground District No. 233

Dear Mr. Chan:

SBC approves the bid from Underground Construction in the amount of \$9,606,878.45 for the underground supporting structures associated with the Macarthur underground district in Oakland. This letter serves as SBC's formal approval for Underground Construction to proceed as the construction contractor for this project.

SBC will also need an accurate Form B with the actual bid item figures used as shown in the winning bid. We are also requesting cost by Phases using the actual bid figures. Phase I figures will suffice initially.

Cordially,

A handwritten signature in cursive script, appearing to read "Karen Boles", is written over a horizontal line.

Karen Boles  
Public Works Coordinator

Cc: Michael Chang

ATTACHMENT D



***Pacific Gas and  
Electric Company***

August 16, 2004  
Paul Chan  
Public Works Department  
City of Oakland

Dear Mr. Chan:

I have reviewed the bid documents from the low bidder for the Macarthur Boulevard underground project. Pending approval for the bid award by the Oakland City Council and subsequent project approval by PG&E for the Macarthur Boulevard Undergrounding, PG&E will be responsible for paying the electric utility share of the work performed by the successful contractor. Payments will be made for work completed and invoiced on a unit cost basis. One note, the city summary sheet, indicates that PG&E is responsible for all of the service panel conversion charges. Per the CPUC provisions for rule 20, PG&E will pay for panels for which the contract charge is \$1,500 or less. For those panels on which the conversion cost is greater than \$1,500, PG&E will pay only \$1,500.

Sincerely,

A handwritten signature in cursive script that reads 'Sterling Pflaum'.

Sterling Pflaum  
Project Manager



Comcast Cable Communications, Inc.  
2800 Technology Court  
Richmond, CA 94806

**ATTACHMENT E**

August 19, 2004

Mr. Paul Chan, P.E.  
City of Oakland - Public Works Agency  
Municipal Service Center  
7101 Edgewater Drive  
Oakland, CA 94621-3001

Re: Notice of Intention to Install Underground Facility  
Location: MacArthur Blvd Underground Utility District No. 233

Dear Mr. Chan:

This letter is written in response to your request for Comcast's Agreement to Reimburse the City of Oakland for the above referenced project.

Comcast is interested in participating in the joint trench with respect to the above referenced project. In agreeing to participate, Comcast agrees to reimburse the City of Oakland for the reasonable costs to construct the trench in an amount not to exceed the *estimated* costs plus 5%.

Please feel free to call me if you have any questions.

Very truly yours,

A handwritten signature in black ink, appearing to read "Bruce Muller", written in a cursive style.

Bruce Muller  
Construction Manager

BM/mka

**Contract Compliance and  
Employment Services Division  
Office of the City Manager**

# Memorandum

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**Date:** July 29, 2004  
**From:** Deborah Barnes, CC&ES Manager *Deborah Barnes*  
**To:** Gwen McCormick, Contract Administration Supervisor  
**Regarding:** Underground Utility District No. 233 / MacArthur Streetscape

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Contract Compliance & Employment Services reviewed six bids for the above referenced project. The listed contractors met the twenty percent requirement.

Company Name	LBE	SLBE	Total
Underground Construction	1.67%	18.58%	20.25%
West Valley Construction	0.00%	28.25%	28.25%
Manuel Brothers, Inc.	2.34%	28.30%	30.65%

The following contractors did not meet the twenty percent requirement.

ARB, Inc.	0.00%	18.37%	18.37%
Ranger Pipelines	0%	19.79%	19.79%
Mitchell Engineering	0.00%	0.00%	0.00%

**CC:**

**Contract Compliance and Employment Services Evaluation Form****Project No.:** C211710**Project Name:** Underground Utility District No.233 / MacArthur Streetscape**Contractor:** Underground Construction Company, Inc.**Engineer's Estimate:** 12,000,000.00**Contractor's Bid Amount:** 9,606,878.45**Over/Under the Engineers Estimate:** 2,393,121.55**Bid Discounted Amount:** \$192,137.57**Discount Points:** 2%**Discounted Bid Price:** \$9,414,740.881. Did the 20% requirements apply? **YES**2. Did the contractor meet the 20% requirement? **YES**

a)	% of LBE	<b>1.67%</b>
b)	% of SLBE	<b>18.58%</b>
c)	Total	<b>20.25%</b>

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

a)	% of Local Trucking	<b>100.00%</b>
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4. Did the contractor receive bid discount points?  
(If yes, list the points received) **YES**  
**2%**

5. Additional Comments.

This contractor met the minimum requirements.

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

**7/29/2004****Reviewing  
Officer:****Date:** 7/29/2004**Approved By:****Date:**

July 29, 2004

# LBE/SLBE Participation Bidder 1

**Project Name:** Underground Utility District No.233 / MacArthur Streetscape

Project No.: C211710		Engineers Estimate: 12,000,000.00				Under/Over Engineers Estimate: 2,393,121.55						
Discipline	Prime & Subs	Location	Cert. Status	LBE	SLBE	LOCAL TRUCKING	TOTAL LBE/SLBE	TOTAL Dollars	For Tracking Only			
									Ethn	MBE	WBE	
PRIME	Underground Construction Company, Inc.	Benicia	UB					7,661,847.45				
Saw cutting	Bayline Concrete	Oakland	CB		170,288.00		170,288.00	170,288.00	H	\$170,288.00		
Import/concrete AC disposal	Specialty Crushing	Oakland	CB		147,840.00		147,840.00	147,840.00				
Trucking	S&S Trucking	Oakland	CB		738,563.00	738,563.00	738,563.00	738,563.00	H	\$738,563.00		
Compact Testing	Consolidated Engineering Laboratories	Oakland	CB	38,200.00			38,200.00	38,200.00				
Concrete	AJW Construction	Oakland	CB		727,870.00		727,870.00	727,870.00	H	\$727,870.00		
Asphalt	Gallgher & Burk	Oakland	CB	78,192.00			78,192.00	78,192.00				
Rebar Cages	Coliseum Steel Products	Oakland	CB	18,720.00			18,720.00	18,720.00				
Concrete for Streetlights Foundations	RMC Pacific Materials	Oakland	CB	25,358.00			25,358.00	25,358.00				
<b>Project Totals</b>				160,470.00	1,784,561.00	738,563.00	1,945,031.00	9,606,878.45		\$1,636,721.00	\$0.00	
				1.67%	18.58%	100%	20.25%					
<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 firms can only be counted up to 10% of the total contract amount.				<b>LBE 10% MAX CREDIT</b>	<b>SLBE 10%</b>	<b>TRUCKING 20%</b>	<b>LBE/SLBE 20%</b>	<b>Ethnicity</b> AA = African American A = Asian C = Caucasian H = Hispanic NA = Native American O = Other				
<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								

**Contract Compliance and Employment Services Evaluation Form****Project No.:** C211710**Project Name:** Underground Utility District No.233 / MacArthur Streetscape**Contractor:** West Valley Construction**Engineer's Estimate:** 12,000,000.00**Contractor's Bid Amount:** 9,783,150.67**Over/Under the Engineers Estimate:** 2,216,849.33**Bid Discounted Amount:** \$195,663.01**Discount Points:** 2%**Discounted Bid Price:** \$9,587,487.661. Did the 20% requirements apply? **YES**2. Did the contractor meet the 20% requirement? **YES**

a)	% of LBE	<u>0.00%</u>
b)	% of SLBE	<u>28.25%</u>
c)	Total	<u>28.25%</u>

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

a)	% of Local Trucking	<u>100.00%</u>
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4. Did the contractor receive bid discount points?  
(If yes, list the points received) **YES**  
**2%**5. *Additional Comments.*

This contractor met the minimum requirements.

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

**7/29/2004****Reviewing  
Officer:****Date:** 7/29/2004**Approved By:****Date:**July 29, 2004



# LBE/SLBE Participation Bidder 2

Project Name: Underground Utility District No.233 / MacArthur Streetscape

Project No.: C211710		Engineers Estimate: 12,000,000.00				Under/Over Engineers Estimate: 2,216,849.33					
Discipline	Prime & Subs	Location	Cert. Status	LBE	SLBE	LOCAL TRUCKING	TOTAL LBE/SLBE	TOTAL Dollars	For Tracking Only		
									Ethn	MBE	WBE
<b>PRIME</b>	West Valley Construction	Cambell	UB					6,346,598.67			
Conduit Supplier	Herning Underground Supply	Hayward	UB					370,000.00			
Saw cutting	Owens Concrete Sawing	Oakland	CB		339,000.00		339,000.00	339,000.00	C		\$339,000
Electrical	Ray's Electric	Oakland	CB		924,479.00		924,479.00	924,479.00			
Vaults	Utility Vault	Pleasanton	UB					303,203.00			
Trucking	William Trucking	Oakland	CB		772,000.00	772,000.00	772,000.00	772,000.00	AA	\$772,000	
Concrete	AJW Construction	Oakland	CB		727,870.00		727,870.00	727,870.00	H	\$727,870	
<b>Project Totals</b>				0.00	2,763,349.00	772,000.00	2,763,349.00	9,783,150.67		\$1,499,870	\$339,000
				0.00%	28.25%	100.00%	28.25%				
<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 firms can only be counted up to 10% of the total contract amount.				<b>LBE 10% MAX CREDIT</b>	<b>SLBE 10%</b>	<b>TRUCKING 20%</b>	<b>LBE/SLBE 20%</b>	<b>Ethnicity</b> AA = African American A = Asian C = Caucasian H = Hispanic NA = Native American O = Other			
<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							

**Contract Compliance and Employment Services Evaluation Form**

**Project No.:** C211710

**Project Name:** Underground Utility District No.233 / MacArthur Streetscape

**Contractor:** Manuel Brothers, Inc.

**Engineer's Estimate:** 12,000,000.00

**Contractor's Bid Amount:** 11,301,364.77

**Over/Under the Engineers Estimate:** 698,635.23

**Bid Discounted Amount:** \$339,040.94

**Discount Points:** 3%

**Discounted Bid Price:** \$10,962,323.83

1. Did the 20% requirements apply? **YES**

2. Did the contractor meet the 20% requirement? **YES**

a)	% of LBE	<u>2.34%</u>
b)	% of SLBE	<u>28.30%</u>
c)	Total	<u>30.65%</u>

3. Did the contractor meet the Trucking requirement? **N/A**

a) % of Local Trucking **0.00%**

4. Did the contractor receive bid discount points?  
(If yes, list the points received) **YES**  
**3%**

5. Additional Comments.  
This contractor met the twenty percent requirement and received a one percent bid discount.

6. Date evaluation completed and returned to Contact Admin./Initiating Dept. **7/29/2004**

**Reviewing Officer:** *[Signature]*

**Date:** 7/29/2004

**Approved By:** *[Signature]*

**Date:** July 29, 2004

# LBE/SLBE Participation Bidder 5

Project Name: Underground Utility District No.233 / MacArthur Streetscape

Project No.: C211710		Engineers Estimate: 12,000,000.00			Under/Over Engineers Estimate: 698,635.23							
Discipline	Prime & Subs	Location	Cert. Status	LBE	SLBE	LOCAL TRUCKING	TOTAL LBE/SLBE	TOTAL Dollars	For Tracking Only			
									Ethn	MBE	WBE	
PRIME	Manuel Brothers, Inc.	Grass Valley	UB					7,837,564.77				
Saw Cut	Owen's	Oakland	CB		120,000.00		120,000.00	120,000.00				
Electrical	Ray's Electric	Oakland	CB		1,046,800.00		1,046,800.00	1,046,800.00				
Trucking	Williams Trucking	Oakland	CB		1,350,000.00	1,350,000.00	1,350,000.00	1,350,000.00	AA	\$1,350,000.00		
Concrete	AJW	Oakland	CB		682,000.00		682,000.00	682,000.00	H	\$682,000.00		
Paving	Gallagher & Burk	Oakland	CB	265,000.00			265,000.00	265,000.00				
<b>Project Totals</b>				265,000.00	3,198,800.00	1,350,000.00	3,463,800.00	11,301,364.77		\$2,032,000.00	\$0.00	
				2.34%	28.30%	100.00%	30.65%					
<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 firms can only be counted up to 10% of the total contract amount.				<b>LBE 10% MAX CREDIT</b>	<b>SLBE 10%</b>	<b>TRUCKING 20%</b>	<b>LBE/SLBE 20%</b>	<b>Ethnicity</b> AA = African American A = Asian C = Caucasian H = Hispanic NA = Native American O = Other				
<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								

**Contract Compliance and Employment Services Evaluation Form**

**Project No.:** C211710

**Project Name:** Underground Utility District No.233 / MacArthur Streetscape

**Contractor:** ARB, Inc

**Engineer's Estimate:** 12,000,000.00

**Contractor's Bid Amount:** 10,479,599.60

**Over/Under the Engineers Estimate:** 1,520,400.40

**Bid Discounted Amount:** \$0.00

**Discount Points:** 0%

**Discounted Bid Price:** \$10,479,599.60

1. Did the 20% requirements apply? **YES**

2. Did the contractor meet the 20% requirement? **NO**

a)	% of LBE	<b><u>0.00%</u></b>
b)	% of SLBE	<b><u>18.37%</u></b>
c)	Total	<b><u>18.37%</u></b>

3. Did the contractor meet the Trucking requirement? **NO**

a)	% of Local Trucking	<b><u>0.00%</u></b>
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4. Did the contractor receive bid discount points?  
(If yes, list the points received) **NO**  
**0%**

5. Additional Comments.  
This contractor did not meet the 20% SLBE/LBE and the 20% trucking requirement. Therefore this bid should be rejected.

6. Date evaluation completed and returned to Contact Admin./Initiating Dept. **7/29/2004**

**Reviewing Officer:** *D. Munn*

**Date:** 7/29/2004

**Approved By:** *Judith E. Beane*

**Date:** *July 29, 2004*

# LBE/SLBE Participation Bidder 3

Project Name: Underground Utility District No.233 / MacArthur Streetscape

Project No.: C211710		Engineers Estimate: 12,000,000.00				Under/Over Engineers Estimate: 1,520,400.40						
Discipline	Prime & Subs	Location	Cert. Status	LBE	SLBE	LOCAL TRUCKING	TOTAL LBE/SLBE	TOTAL Dollars	For Tracking Only			
									Ethn	MBE	WBE	
PRIME	ARB, Inc	Lake Forest	UB					8,215,599.60				
Panel Conv.	Ray's Electric	Oakland	CB		875,000.00		875,000.00	875,000.00				
MTL	Specialty Crushing	Oakland	CB		200,000.00		200,000.00	200,000.00				
Concrete	AJW	Oakland	CB		850,000.00		850,000.00	850,000.00	H	\$850,000.00		
Trucking	Poli Trkss							89,000.00				
Saw Cut	Del Secco	Hayward	UB					250,000.00				
<b>Project Totals</b>				0.00	1,925,000.00	0.00	1,925,000.00	10,479,599.60		\$850,000.00	\$0.00	
				0.00%	18.37%	0.00%	18.37%					
<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 firms can only be counted up to 10% of the total contract amount.				<b>LBE 10% MAX CREDIT</b>	<b>SLBE 10%</b>	<b>TRUCKING 20%</b>	<b>LBE/SLBE 20%</b>	<b>Ethnicity</b> AA = African American A = Asian C = Caucasian H = Hispanic NA = Native American O = Other				
<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								

**Contract Compliance and Employment Services Evaluation Form**

**Project No.:** C211710

**Project Name:** Underground Utility District No.233 / MacArthur Streetscape

**Contractor:** Ranger Pipelines

**Engineer's Estimate:** 12,000,000.00

**Contractor's Bid Amount:** 10,303,464.60

**Over/Under the Engineers Estimate:** 1,696,535.40

**Bid Discounted Amount:** \$0.00

**Discount Points:** 0%

**Discounted Bid Price:** \$10,303,464.60

1. Did the 20% requirements apply? **YES**

2. Did the contractor meet the 20% requirement? **NO**

a)	% of LBE	<b><u>0.00%</u></b>
b)	% of SLBE	<b><u>19.79%</u></b>
c)	Total	<b><u>19.79%</u></b>


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

a)	% of Local Trucking	<b><u>100.00%</u></b>
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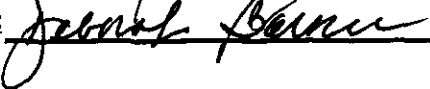
4. Did the contractor receive bid discount points? **NO**  
 (If yes, list the points received) **0%**

5. Additional Comments.  
 This contractor did not meet the 20 percent requirements and should be rejected.

6. Date evaluation completed and returned to Contact Admin./Initiating Dept. **7/29/2004**

**Reviewing Officer:** 

**Date:** 7/29/2004

**Approved By:** 

**Date:** July 29, 2004

# LBE/SLBE Participation Bidder 4

Project Name: Underground Utility District No.233 / MacArthur Streetscape

Project No.: C211710		Engineers Estimate: 12,000,000.00				Under/Over Engineers Estimate: 1,696,535.40					
Discipline	Prime & Subs	Location	Cert. Status	LBE	SLBE	LOCAL TRUCKING	TOTAL LBE/SLBE	TOTAL Dollars	For Tracking Only		
									Ethn	MBE	WBE
PRIME	Ranger Pipelines	SF	UB					8,264,735.60			
Trucking	CJC Trucking	Oakland	CB		150,000.00	150,000.00	150,000.00	150,000.00	AA	\$150,000.00	
Concrete	AJW	Oakland	CB		784,250.00		784,250.00	784,250.00	H	\$784,250.00	
Electrical	Ray's Electric	Oakland	CB		924,479.00		924,479.00	924,479.00			
Saw Cut	Bayline	Oakland	CB		180,000.00		180,000.00	180,000.00	H	\$180,000.00	
<b>Project Totals</b>				0.00	2,038,729.00	150,000.00	2,038,729.00	10,303,464.60		\$1,114,250.00	\$0.00
				0.00%	19.79%	100.00%	19.79%				
<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 firms can only be counted up to 10% of the total contract amount.				<b>LBE 10% MAX CREDIT</b>	<b>SLBE 10%</b>	<b>TRUCKING 20%</b>	<b>LBE/SLBE 20%</b>	<b>Ethnicity</b> AA = African American A = Asian C = Caucasian H = Hispanic NA = Native American O = Other			
<b>Legend</b>				LBE = Local Business Enterprise				UB = Uncertified Business			
				SLBE = Small Local Business Enterprise				CB = Certified Business			
				Total LBE/SLBE = All Certified Local and Small Local Businesses				MBE = Minority Business Enterprise			
				NPLBE = NonProfit Local Business Enterprise				WBE = Women Business Enterprise			
				NPSLBE = NonProfit Small Local Business Enterprise							

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**Contract Compliance and Employment Services Evaluation Form**

**Project No.:** C211710

**Project Name:** Underground Utility District No.233 / MacArthur Streetscape

**Contractor:** Mitchell Engineering

**Engineer's Estimate:** 12,000,000.00

**Contractor's Bid Amount:** 14,795,075.87

**Over/Under the Engineers Estimate:** -2,795,075.87

**Bid Discounted Amount:** \$0.00

**Discount Points:** 0%

**Discounted Bid Price:** \$14,795,075.87

1. Did the 20% requirements apply? **YES**

2. Did the contractor meet the 20% requirement? **NO**

a)	% of LBE	<u>0.00%</u>
b)	% of SLBE	<u>0.00%</u>
c)	Total	<u>0.00%</u>

3. Did the contractor meet the Trucking requirement? **NO**

a) % of Local Trucking 0.00%

4. Did the contractor receive bid discount points? **NO**  
(If yes, list the points received) 0%

5. Additional Comments.  
This bid should be rejected due to none compliance.

6. Date evaluation completed and returned to Contact Admin./Initiating Dept. 7/29/2004

**Reviewing  
Officer:**



**Date:** 7/29/2004

**Approved By:**



**Date:** July 29, 2004



# LBE/SLBE Participation Bidder 6

Project Name: Underground Utility District No.233 / MacArthur Streetscape

Project No.: C211710		Engineers Estimate: 12,000,000.00				Under/Over Engineers Estimate: -2,795,075.87					
Discipline	Prime & Subs	Location	Cert. Status	LBE	SLBE	LOCAL TRUCKING	TOTAL LBE/SLBE	TOTAL Dollars	For Tracking Only		
									Ethn.	MBE	WBE
PRIME	Mitchell Engineering Marinship	SF	UB					12,545,075.87 2,250,000.00	H	\$2,250,000.00	
<b>Project Totals</b>				0.00	0.00	0.00	0.00	14,795,075.87		\$2,250,000.00	\$0.00
				0.00%	0.00%	#REF!	0.00%				
<b>Requirements:</b> The 20% requirements is a combination of 10% LBE and 10% SLBE participation. An SLBE firm can be counted 100% towards achieving 20% requirements. LBE firms can only be counted up to 10% of the total contract amount.				<b>LBE 10% MAX CREDIT</b>		<b>SLBE 10%</b>		<b>TRUCKING 20%</b>		<b>LBE/SLBE 20%</b>	
<b>Legend</b>								<b>Ethnicity</b>			
LBE = Local Business Enterprise				UB = Uncertified Business				AA = African American			
SLBE = Small Local Business Enterprise				CB = Certified Business				A = Asian			
Total LBE/SLBE = All Certified Local and Small Local Businesses				MBE = Minority Business Enterprise				C = Caucasian			
NPLBE = NonProfit Local Business Enterprise				WBE = Women Business Enterprise				H = Hispanic			
NPSLBE = NonProfit Small Local Business Enterprise								NA = Native American			
								O = Other			

SEP 28 2004

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