

CITY OF OAKLAND
AGENDA REPORT

OFFICE OF THE CITY CLERK
2005 SEP 29 PM 2: 24

TO: Office of the City Administrator
ATTN: Deborah Edgerly
FROM: Public Works Agency
DATE: October 11, 2005

RE: RESOLUTION AUTHORIZING AWARD OF A CONTRACT TO ANDES CONSTRUCTION, INC. FOR THE REHABILITATION OF SANITARY SEWERS IN THE AREA BOUNDED BY MACARTHUR BLVD., 73RD AVE., SUNKIST AVE. AND 75TH AVE. – SUBBASIN 84-105 (PROJECT NO. C158010) FOR THE AMOUNT OF ONE MILLION FOUR HUNDRED SEVEN THOUSAND TWO HUNDRED EIGHT DOLLARS (\$1,407,208.00)

SUMMARY

A resolution has been prepared authorizing the City Administrator to award a construction contract in the amount of \$1,407,208.00 to Andes Construction, Inc. for the Rehabilitation of Sanitary Sewers in the Area Bounded by MacArthur Blvd., 73rd Ave., Sunkist Ave. and 75th Ave. – Subbasin 84-105 (Project No. C158010). The work to be completed under this project is part of the City’s annual Sanitary Sewer Rehabilitation program. The work is located in Council District 6 as shown on the location map in *Attachment A*.

It is recommended that the resolution be approved.

FISCAL IMPACT

There are sufficient funds in the project budget for the work. Funding for this project is available in the Sewer Service Fund (3100); Capital Project-Sanitary Sewer Design Organization (92244); Sewers Account (57417); Rehabilitation of Sanitary Sewers in the Area Bounded by MacArthur Blvd., 73rd Ave., Sunkist Ave. and 75th Ave. – Subbasin 84-105 (Project No. C158010). These funds were specifically allocated for this project.

BACKGROUND

On May 16, 2005 the City Clerk received one bid for this project in the amount of \$1,407,208.00 as shown in *Attachment B*. Andes Construction, Inc. is deemed responsive and responsible and therefore is recommended for the award. The Engineer’s estimate for the work is \$1,351,375.00.

This project will rehabilitate and upgrade the sanitary sewers within the project area and eliminate the infiltration of rain and groundwater into the sanitary sewer system; and limit the

Item: _____
Public Works Committee
October 11, 2005

overflows and backups during wet weather. This project meets the Mayor/Council Goals and Citywide Objective to **Build Community and Foster Livable Neighborhoods** by providing for clean, well-maintained and accessible streets and sidewalks, facilities, amenities, parks, recreational facilities and trees.

In general, the proposed work consists of rehabilitating/replacing approximately 13,459 linear feet of existing 8” diameter sanitary sewer pipes; rehabilitating or replacing over 91 sewer structures; reconnecting house connection sewers; rehabilitating house connection sewer and other related work as indicated on the plans and specifications.

Under the proposed contract with Andes Construction, Inc. SLBE participation of \$1,407,280.00 (100%) exceeds the City’s 20% LBE/SLBE requirement. The contractor shows \$20,000.00 (100%) for trucking that exceeds the 20% Local Trucking participation requirement. The contractor is required to have 50% of the work hours performed by Oakland residents, and 50% of all new hires are to be Oakland residents. The LBE/SLBE information has been verified by the Contract Compliance Division of the City Administrator’s Office and is shown in *Attachment C*.

KEY ISSUES AND IMPACTS

The engineer’s estimate for this project is \$1,351,375.00. Staff has analyzed Andes Construction’s unit prices and has determined they are reasonable given the current construction climate. Construction is scheduled to begin in November 2005 and should be completed by April 2006. The contract specifies \$1,000.00 in liquidated damages per working day if the contract completion time of 110 working days is exceeded. The project schedule is shown in *Attachment B*.

SUSTAINABLE OPPORTUNITIES

Economic: 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.

Environmental: The replacement of the sanitary sewers will eliminate the possibility of sewer leakage and overflows and thus prevent potential harm to groundwater resources and the bay. The contractor will be required to make every effort to reuse clean fill materials and use recyclable concrete and asphalt products.

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

DISABILITY AND SENIOR CITIZEN ACCESS

There is no direct impact or benefit to seniors or people with disabilities.

RECOMMENDATION AND RATIONALE

It is recommended that the construction contract be awarded to the only responsible and responsive bidder, Andes Construction Inc., in the amount of \$1,407,208.00 for the Rehabilitation of Sanitary Sewers in the Area Bounded by MacArthur Blvd., 73rd Ave., Sunkist Ave. and 75th Ave. – Subbasin 84-105 (Project No. C158010). Andes Construction, Inc. has met the LBE/SLBE requirements, and there are sufficient funds in the project account.

ACTION REQUESTED OF THE CITY COUNCIL

Staff recommends that the City Council approve the resolution.

Respectfully submitted,

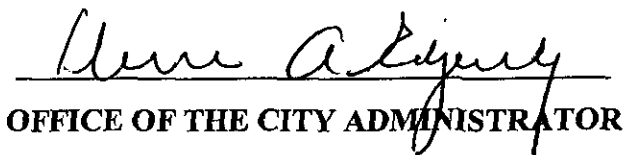


RAUL GODINEZ II, P.E.
Director, Public Works Agency

Reviewed by:
Michael Neary, P.E.
Assistant Director, Public Works Agency
Design & Construction Services Dept.

Prepared by:
Fuad Sweiss, P.E.
Engineering Design & R.O.W. Division Manager

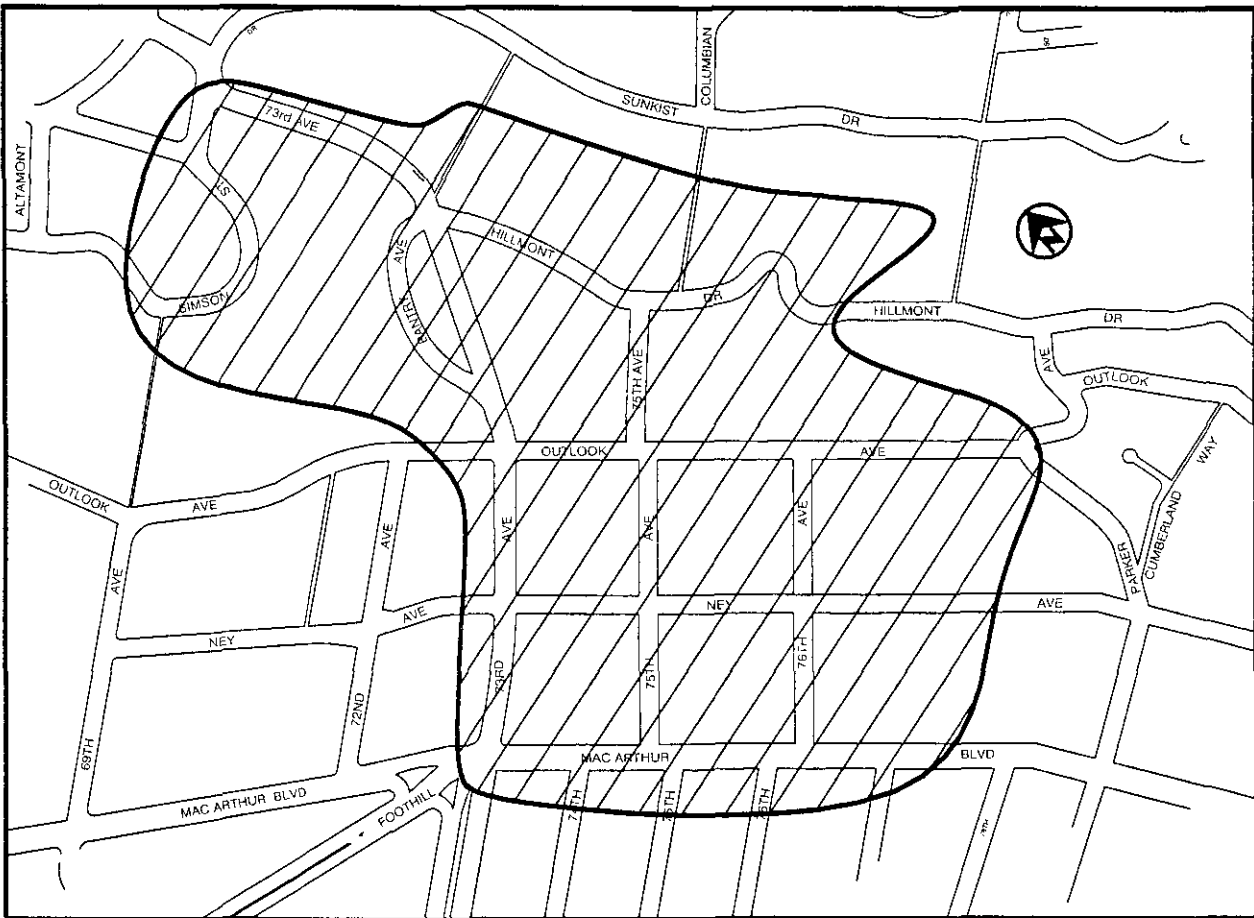
APPROVED AND FORWARDED TO THE
PUBLIC WORKS COMMITTEE:




OFFICE OF THE CITY ADMINISTRATOR

Attachment A

PLANS FOR THE REHABILITATION OF SANITARY SEWERS IN
THE AREA BOUNDED BY MAC ARTHUR BLVD, 73RD AVE,
SUNKIST AVE, AND 75TH AVE
(SUBBASIN 84-105)
CITY PROJECT NO. C158010



LOCATION MAP
NOT TO SCALE
LIMIT OF WORK 

Attachment B

**Rehabilitation of Sanitary Sewers in the Area Bounded by
 MacArthur Blvd., 73rd Ave., Sunkist Ave., and 75th Ave.
 Subbasin 54-105
 (Project No. C158010)**

List of Bidders

Company	Status	Location	Bid Amount
Andes Construction, Inc.	SLBE	Oakland	\$1,407,208.00

Project Schedule

ID	Task Name	Start	Finish	2004				2005				2006			
				Qtr 1	Qtr 2	Qtr 3	Qtr 4	Qtr 1	Qtr 2	Qtr 3	Qtr 4	Qtr 1	Qtr 2		
1	Project No. C158010	Mon 4/12/04	Mon 4/17/06												
2	Pre-Design	Mon 4/12/04	Fri 4/30/04												
3	Design	Mon 5/3/04	Fri 2/25/05												
4	Bid/Award	Mon 4/11/05	Tue 10/11/05												
5	Construction	Tue 11/1/05	Mon 4/17/06												

Attachment C

OFFICE OF THE CITY ADMINISTRATOR
 Contract Compliance & Employment Services Division

Memo

To: Gwen McCormick - Contract Administrator Supervisor
From: Dasco Munoz - Contract Compliance Officer
Through: Deborah Barnes, CC&ES Manager *DBarnes*
Date: June 7, 2005
Re: The Rehabilitation of Sanitary Sewers in the area Bounded by Mac Arthur Blvd. 73rd

Contract Compliance & Employment Services reviewed one (1) bid received in response to the above referenced project. Below is the outcome of our compliance evaluation for the twenty percent (20%) minimum participation requirement and a preliminary review for compliance with the Equal Benefits Ordinance (EBO).

Company Name	Bid Amount (if applicable)	Total L/SLBE	LBE	SLBE	Trucking	Total Credited	Preferences		Banked Credits Eligibility	EBO Compliant ? Y/N
							Bid Discounts	Adjusted Bid Amount		
Andes Construction	\$1,407,208.00	100.00%	0.00%	100.00%	100%	50.00%	5%	\$1,336,848	2%	Y

As noted above, this contractor exceeded the 20% L/SLBE requirement and is in compliance with the Equal Benefit Ordinance (EBO).

Should you have any questions you may contact Dasco Munoz at 238-3970

cc: Contract Compliance File

2005 JUN -8 PM 4:20
 RECEIVED
 CONTRACT COMPLIANCE
 DIVISION

LBE/SLBE Participation Bidder 1

Project Name: The Rehabilitation of Sanitary Sewers in the area Bounded by Mac Arthur Blvd. 73rd Ave. Sunkist Ave. and 75th Ave. (SubBasin 84-105)

Project No.: C158010		Engineers Est: 1,351,375.00				Under/Over Engineers Estimate: 55,833.00				For Tracking Only		
Discipline	Prime & Subs	Location	Cert. Status	LBE	SLBE	Total LBE/SLBE	S/LBE Trucking	Total Trucking	TOTAL Dollars	Ethn.	MBE	WBE
Saw Cutting	Bay Line Construction	Oakland	CB		5,000.00	5,000.00			5,000.00	H	\$5,000.00	
Trucking	Foston Trucking	Oakland	CB		20,000.00	20,000.00	20,000.00	20,000.00	20,000.00	H	\$20,000.00	
Project Totals				0.00	1,407,208.00	1,407,208.00	20,000.00	20,000.00	1,407,208.00		\$25,000.00	
				0.00%	100.00%	100.00%	100%	100%				
Requirements: 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 AI = Asian Indian AP = Asian Pacific C = Caucasian H = Hispanic NA = Native American O = Other NL = Not Listed			
Legend LBE = Local Business Enterprise SLBE = Small Local Business Enterprise Total LBE/SLBE = All Certified Local and Small Local Businesses NPLBE = NonProfit Local Business Enterprise NPSLBE = NonProfit Small Local Business Enterprise UB = Uncertified Business CB = Certified Business MBE = Minority Business Enterprise WBE = Women Business Enterprise												

Contract Compliance and Employment Services Evaluation Form

Project No.: C158010

Project Name: The Rehabilitation of Sanitary Sewers in the area Bounded by Mac Arthur Blvd. 73rd Ave. Sunkist Ave. and 75th Ave. (SubBasin 84-105)

Contractor: Andes Construction

Contractor's Bid Amount: 1,407,208.00

Engineer's Estimate: 1,351,375.00

Over/Under the Engineers Estimate: 55,833.00

Bid Discounted Amount: \$70,360.40

Discount Points: 5%

Discounted Bid Price: \$1,336,847.60

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

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

a) % of LE:E **0.00%**
b) % of SLE:E **100.00%**

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

a) % of Local Trucking **100.00%**

4. Did the contractor received bid discount points? **YES**
(If yes, list the points received) **5%**

5. Additional Comments.

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

6/7/2005

**Reviewing
Officer:**



Date: **6/7/2005**

Approved By:



Date: **6/8/05**

OFFICE OF THE CITY CLERK
OAKLAND

Oakland City Attorney's Office

OAKLAND CITY COUNCIL

2005 SEP 29 PM 2:25
RESOLUTION NO. _____

C. M. S.

INTRODUCED BY COUNCILMEMBER _____

Requires two-thirds vote of the Council

RESOLUTION AUTHORIZING AWARD OF A CONTRACT TO ANDES CONSTRUCTION, INC. FOR THE REHABILITATION OF SANITARY SEWERS IN THE AREA BOUNDED BY MACARTHUR BLVD., 73RD AVE., SUNKIST AVE. AND 75TH AVE. – SUB-BASIN 84-105 (PROJECT NO. C158010) FOR THE AMOUNT OF ONE MILLION FOUR HUNDRED SEVEN THOUSAND TWO HUNDRED EIGHT DOLLARS (\$1,407,208.00)

WHEREAS, on May 16, 2005, one bid was received by the Office of the City Clerk of the City of Oakland for the Rehabilitation of Sanitary Sewers in the Area Bounded by MacArthur Blvd., 73rd Ave., Sunkist Ave. and 75th Ave., – Subbasin 84-105 (Project No. C158010); and

WHEREAS, Andes Construction, Inc. a certified SLBE bidding as a prime with 5% bid discount, is the only responsive and responsible bidder for the project; and

WHEREAS, there are sufficient funds in the project budget for the work. Funding for this project is available in the Sewer Service Fund (3100); Capital Project-Sanitary Sewer Design Organization (92244); Sewers Account (57417); Rehabilitation of Sanitary Sewers in the Area Bounded by MacArthur Blvd., 73rd Ave., Sunkist Ave., and 75th Ave. – Subbasin 84-105 (Project No. C158010) and these funds were specifically allocated for this project; and

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 or better performance; and

WHEREAS, Andes Construction, Inc. 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 Rehabilitation of Sanitary Sewers in the Area Bounded by MacArthur Blvd., 73rd Ave., Sunkist Ave. and 75th Ave. – Subbasin 84-105 (Project No. C158010) is hereby awarded to Andes Construction, Inc. in accordance with the terms of its bid therefore, dated May 16, 2005, for the amount of One Million Four Hundred Seven Thousand Two Hundred Eight Dollars (\$1,407,208.00); and be it

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

FURTHER RESOLVED: That the amount of the bond for faithful performance, \$1,407,208.00, 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, \$1,407,208.00, with respect to such work are hereby approved; and be it

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

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

FURTHER RESOLVED: That the contract shall be reviewed and approved by the City Attorney 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; and be it

FURTHER RESOLVED: That the approval of this resolution requires a two-thirds vote of the Council members.

IN COUNCIL, OAKLAND, CALIFORNIA, _____, 2005

PASSED BY THE FOLLOWING VOTE:

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

NOES-

ABSENT-

ABSTENTION-

ATTEST: _____

LATONDA SIMMONS
City Clerk and Clerk of the Council
of the City of Oakland, California