

CITY OF OAKLAND

AGENDA REPORT

2009 DEC 22 PM 5:46

TO: Office of the City Administrator
ATTN: Dan Lindheim
FROM: Community and Economic Development Agency
DATE: January 12, 2010

RE: **Resolution Awarding A Contract To The Lowest, Responsible, Responsive Bidder, McGuire and Hester, In An Amount Not-To-Exceed Four Hundred Thirty Seven Thousand, Seven Hundred Five Dollars (\$437,705.00) For The Construction Of The Jefferson Square Park Improvement Project In Accord With Plans And Specifications For The Project (No. P338310) And Contractor's Bid Therefor**

SUMMARY

A resolution has been prepared authorizing the award of a construction contract to McGuire and Hester, the lowest responsive and responsible bidder who has met the City's Compliance Program requirements. The project involves demolition of an existing building, installation of a new dog run area, tot-lot and safety surfacing for children ages two to five years old, new plants and trees and other related work. The project is located in Council District 3, as shown in *Attachment A*, the Site Location Map.

FISCAL IMPACT

Approval of the attached resolution will authorize the award of a construction contract to McGuire and Hester in the amount of \$437,705.00. City Council approval is required for construction contracts in excess of \$15,000.00 when redevelopment funds are used. Sufficient funds in the amount of \$487,025.00, which includes \$43,000.00 for construction contract contingency, are available to award the contract from the following funding sources.

<u>Amount</u>	<u>Funding Description</u>
\$412,750.00	Redevelopment Agency Fund (7780), Capital Projects – Project Management Organization (92270), Jefferson Square Park Improvement Project (P338310), Landscape Improvement Account (57112), Project Delivery Program (IN06)
\$29,275.00	Redevelopment Agency Fund (7780), Capital Projects – Project Management Organization (92270), Jefferson Square Park Improvement Project (P338310), Construction Contingency Account (54011), Project Delivery Program (IN06)

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<u>Amount</u>	<u>Funding Description</u>
\$30,000.00	Redevelopment Agency Fund (7780), Capital Projects – Project Management Organization (92270), Jefferson Square Park Improvement Project (P338320), Landscape Improvement Account (57112), Project Delivery Program (IN06)
\$15,000.00	Redevelopment Agency Fund (7780), Capital Projects – Project Management Organization (92270), Jefferson Square Park Improvement Project (P338320), Construction Contingency Account (54011), Project Delivery Program (IN06)

The Jefferson Square Park Improvement Project is one of the Park Prioritization Projects approved by the City Council in December 2007, with an estimated project cost of \$2,131,500.00. In December 2007 Council accepted and appropriated \$557,000.00 of Redevelopment Agency funds for the Project (Resolution No. 80960 C.M.S.). An additional \$88,000.00 from Redevelopment Agency Funds were appropriated and accepted in September 2009 for a total project current budget of \$645,250.00. The available project funds will allow the implementation of the first phase of the park improvement project addressing the top priorities of the stakeholder's list.

Over time there will be an increase in maintenance requirements due to a new irrigation system, trees, plants and dog park area. While the dog park will be kept clean by dog park users, the fence, and water tap will eventually require maintenance. Existing resources and staffing are limited such that the level of maintenance will be impacted.

BACKGROUND

The Jefferson Square Park Improvement project scope was developed as a result of collaboration with various stakeholders, including community input from the Old Oakland Neighbors group, Council office outreach efforts, and inter-department reviews. The project was reviewed by the Park and Recreation Advisory Commission and the Landmark Preservation Advisory Board. The first phase of the overall park improvement will provide recreational amenities to meet user's needs in an urban square park.

On November 19, 2009, the City Clerk received thirteen bids for the Jefferson Square Park Improvement Project. Of the thirteen bids submitted, five were found to be responsive, while eight were found non-responsive. Refer to the Contract Compliance & Employment Services Division of the City Administrator's Office Bid Canvass, **Attachment B** for a complete summary of bids. The five responsive bidders are as follows:

McGuire and Hester	\$437,705.00
Bay Construction	\$474,000.00
Beliveau Engineering Contractors	\$482,000.00
B-Side, Inc.	\$515,500.00
Yes Construction	\$518,000.00

The engineer's estimate is \$424,000.00. The lowest responsive and responsible bid of \$437,705.00 was submitted by McGuire and Hester and is within the project budget. The Jefferson Square Park Improvement Project will improve the recreational area by removing the existing seismically unsound building and installing a new dog run, landscaping, tot-lot and lighting as well as improving the basketball court.

KEY ISSUES AND IMPACTS

Of the thirteen bids received, five bids met and exceeded City Local / Small Local Business Enterprise (L/SLBE) requirements. Eight bids failed to meet L/SLBE requirements and were deemed non-responsive. The lowest responsive and responsible bid submitted by McGuire and Hester meets L/SLBE requirements with participation of 28.1%. The L/SLBE information has been verified by the Social Equity Division of the Department of Contracting and Purchasing and is included as *Attachment C*.

Upon approval of the resolution, a contract will be awarded and construction is estimated to begin in March 2010. The project duration is 90 working days from the date of the Notice to Proceed, and completion is anticipated no later than July 2010. The construction contract specifies \$500.00 in liquidated damages per calendar day if the contract completion time of 90 working days is exceeded.

PROJECT DESCRIPTION

This project addresses community requests for improvements to the substandard recreational facilities at Jefferson Square Park. The project involves demolition of an existing building, installation of a new dog run, tot-lot and safety surfacing for children ages two to five years old, new plants and trees, new lighting, improvements to the basketball court and other related work. The project is located in Council District 3.

EVALUATION OF PAST PERFORMANCE

McGuire and Hester has performed effectively in past projects. It ranked "Satisfactory" overall for the Relief Sewer project completed in fall 2009. See *Attachment D* for a copy of the evaluation.

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 Jefferson Square Park will benefit the neighborhood and the community at large by providing added recreational amenities for users of all ages in an area with limited open space and recreational opportunities.

DISABILITY AND SENIOR CITIZEN ACCESS

The improvement project will maintain and improve accessibility to persons with disabilities and senior citizens. All construction will meet the requirements of the Americans with Disabilities Act.

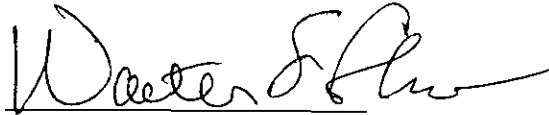
RECOMMENDATION AND RATIONALE

It is recommended that City Council authorize the City Administrator, or his designee, to award a construction contract to McGuire and Hester, for the project in an amount not-to-exceed four hundred thirty seven thousand, seven hundred five dollars (\$437,705.00). McGuire and Hester, is a certified Local Business Enterprise, and it has met the SLBE requirements. Sufficient funds are available to construct this project.

ACTION REQUESTED OF THE CITY COUNCIL

Staff recommends that the City Council approve the proposed resolution.

Respectfully submitted,

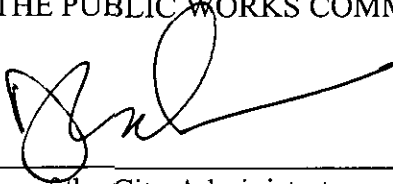


Walter S. Cohen, Director
Community and Economic Development Agency

Reviewed by:
Michael Neary, P.E.
Deputy Director
Department of Engineering & Construction

Prepared by:
Ali Schwarz
C. I. P. Coordinator
Project Delivery Division

APPROVED AND FORWARDED
TO THE PUBLIC WORKS COMMITTEE:



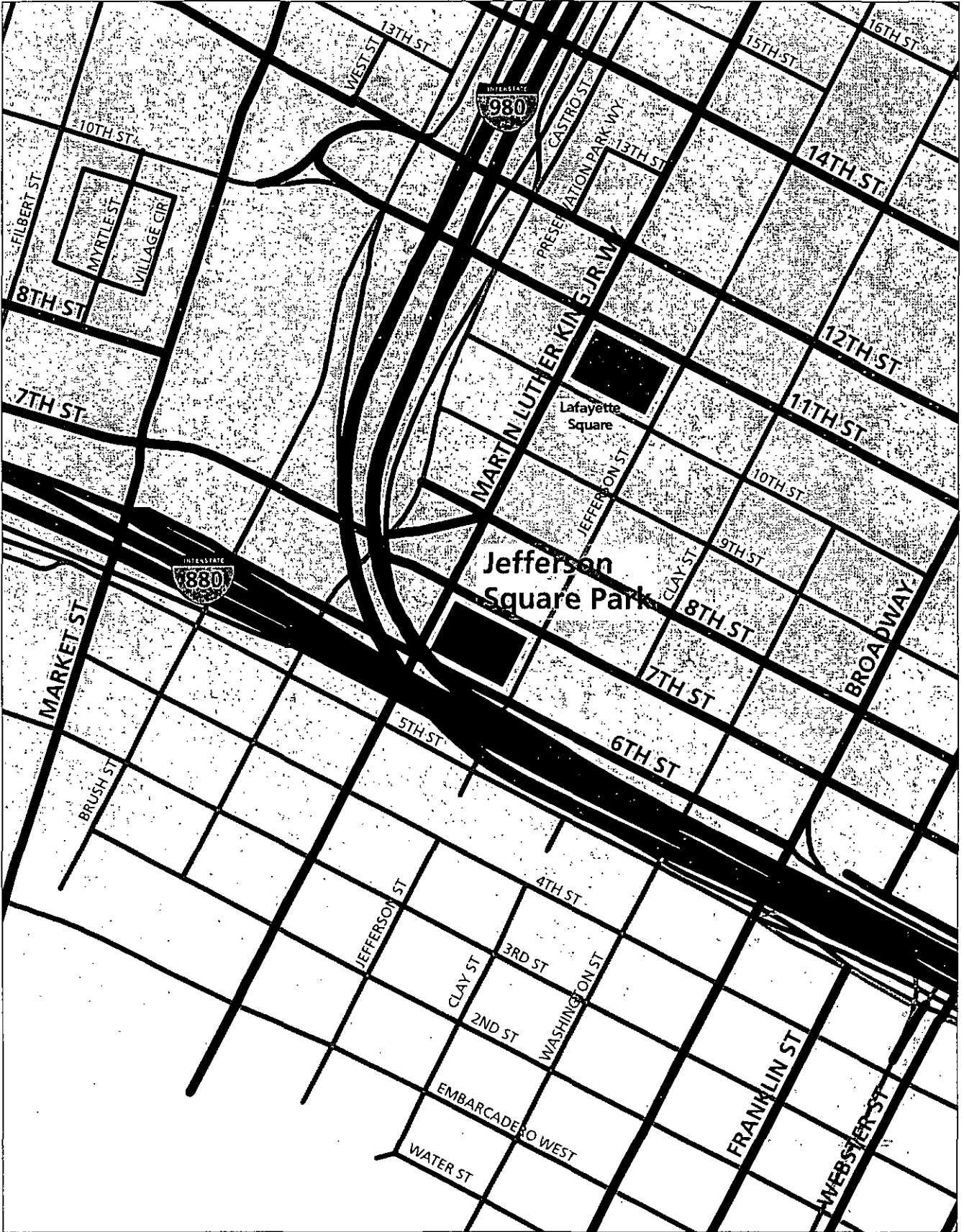
Office of the City Administrator

Attachments:

- A. Location Map
- B. Bid Canvas
- C. Contract Compliance & Employment Services Compliance Analysis
- D. Contract Compliance & Employment Services Performance Evaluation

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Location Map:



ATTACHMENT B

CITY OF OAKLAND
DEPARTMENT OF CONTRACTING PURCHASING - CONTRACT ADMINISTRATION
CANVASS OF BIDS

PROJECT: Jefferson Square Park Improvements
 BID DATE: November 12, 2009
 PROJECT: P338310
 WORKING DAYS: 90
 ENGINEERS EST: \$429,000

ENGINEER'S ESTIMATE	Price	Price	Price	Price	Price	Price	Price	Price	Price
Base Bid	\$ 429,000.00	\$ 419,000.00	\$ 420,000.00	\$ 442,226.00	\$ 373,130.00	\$ 368,970.00	\$ 526,000.00	\$ 420,000.00	\$ 426,500.00
Alternate 1	\$ 11,234.00	\$ 3,000.00	\$ 22,000.00	\$ 28,727.00	\$ 17,175.00	\$ 14,700.00	\$ 15,500.00	\$ 48,000.00	\$ 18,720.00
Alternate 2	\$ 49,968.00	\$ 52,000.00	\$ 40,000.00	\$ 69,671.00	\$ 47,400.00	\$ 42,000.00	\$ 11,000.00	\$ 52,000.00	\$ 54,149.00
Total	\$ 490,202.00	\$ 474,000.00	\$ 482,000.00	\$ 540,624.00	\$ 337,705.00	\$ 425,670.00	\$ 552,500.00	\$ 451,000.00	\$ 499,369.00

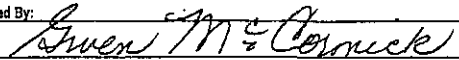
Comments:

2. Rodan - Submitted the JSWR Plan form, but did not enter any information.
3. Elite - Submitted Schedule R, but did not sign it.
4. PARC - Submitted Schedule D, but did not sign it.
5. A&E - Signature form submitted unsigned.
6. A&E - Bond was unnotarized, unsigned copy.
7. Rodan and A&E are not responsive. All other bidders deemed responsive and responsible.

CITY OF OAKLAND
 DEPARTMENT OF CONTRACTING PURCHASING - CONTRACT ADMINISTRATION
 CANVASS OF BIDS

PROJECT: Jefferson Square Park
 BID DATE: November 12, 2009
 PROJECT: P338310
 WORKING DAYS: 90
 ENGINEERS EST: \$429,000

ENGINEER'S ESTIMATE		<small> AHI 105 Edgewater Drive #200 Oakland, CA 94612 (510) 868-7520 </small>	<small> PARC Services, Inc. 253 Rickenbacker Circle #B-24 Livermore, CA 94551 (925) 377-6100 </small>	<small> Joseph Albanese Inc. 1734 Julian Drive San Jose, CA 95090 (415) 276-5700 </small>	<small> GENERAL Construction 519 Willard Avenue Richmond, CA 94801 (510) 830-3855 </small>	<small> A&E Emergent 727 San Pablo Avenue #220 Albany, CA 94706 (510) 253-6337 </small>
	Total Price	Price	Total Price	Total Price	Total Price	Total Price
Base Bid	\$ 429,000.00	\$ 407,500.00	\$ 463,148.00	\$ 397,750.00	\$ 369,900.00	\$ 333,000.00
Alternate 1	\$ 11,234.00	\$ 90,000.00	\$ 28,400.00	\$ 21,000.00	\$ 11,500.00	\$ 29,000.00
Alternate 2	\$ 49,968.00	\$ 18,000.00	\$ 48,500.00	\$ 49,000.00	\$ 19,000.00	\$ 44,000.00
Grand Total	\$490,202.00	\$515,500.00	\$540,048.00	\$467,750.00	\$400,400.00	\$346,000.00

Approved By: 

Date: 11-19-2009

- Comments:
1. AHI - Signature form
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DEPARTMENT OF CONTRACTING PURCHASING - CONTRACT ADMINISTRATION
CANVASS OF BIDS

PROJECT: Jefferson Square Park Improvements
 BID DATE: November 12, 2009
 PROJECT: P338310
 WORKING DAYS: 90
 ENGINEERS EST: \$429,000

Contractors	Bay Construction		Beliveau Engineering		AHI		McGuire & Hester		McNabb Const	
	Submitted	Not Submitted	Submitted	Not Submitted	Submitted	Not Submitted	Submitted	Not Submitted	Submitted	Not Submitted
Proposal Form	X		X		X		X		X	
Signature Form	X		X		X ¹		X		X	
Bid Schedule	X		X		X		X		X	
Security Deposit	X		X		X		X		X	
Combined Form: Declaration of Compliance with the ADA; Nuclear Free Zone Disclosure Form; Compliance Commitment Agreement; Affidavit of Non-Disciplinary Investigatory Action	X		X		X		X		X	
Ownership, Ethnicity and Gender Questionnaire	X		X		X		X		X	
Equal Benefits	X		X		X		X		X	
Campaign Contribution	X		X		X		X		X	
Subcontractor/Supplier/Trucker	X		X		X		X		X	
Job Site Waste Reduction & Recycling Plan Form	X		X		X		X		X	
Acknowledgement of all Addendum 1 (on Contractor's Bid Form)*	X		X		X		X		X	
Acknowledgement of all Addendum 2 (on Contractor's Bid Form)*	X		X		X		X		X	
Schedule L, Performance Evaluation	On File		On File		On File		On File		On File	

Prepared by: Marlena Hanlon
 Date: November 13, 2009

Comments:

1. AHI - Signature form submitted unsigned.
2. Rodan - Submitted the JSWR Plan form, but did not enter any information.
3. Elite - Submitted Schedule R, but did not sign it.
4. PARC - Submitted Schedule D, but did not sign it.
5. A&E - Signature form submitted unsigned.
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7. Rodan and A&E are not responsive. All other bidders deemed responsive and responsible.

DEPARTMENT OF CONTRACTING PURCHASING - CONTRACT ADMINISTRATION
CANVASS OF BIDS

Rodan Builders		Yes/Const/Grp		Elite Landscaping		B-Side/Inc		PARC Services		Joseph Albanese		ERA Construction		A&E/Emara	
Submitted	Not Submitted	Submitted	Not Submitted	Submitted	Not Submitted	Submitted	Not Submitted	Submitted	Not Submitted	Submitted	Not Submitted	Submitted	Not Submitted	Submitted	Not Submitted
X		X		X		X		X		X		X		X	
X		X		X		X		X		X		X		X	
X		X		X		X		X		X		X		X	
X		X		X		X		X		X		X		X	
X		X		X		X		X		X		X		X	
X		X		X		X		X		X		X		X	
X		X		X		X		X		X		X		X	
X		X		X		X		X		X		X		X	
X		X		X		X		X		X		X		X	
X ²		X		X		X		X		X		X		X	
X		X		X		X			X	X		X			X
X		X		X		X			X	X		X			X
On File		On File		On File		On File		On File		On File		On File		On File	

ATTACHMENT C



Memo

Department of Contracting and Purchasing
Social Equity Division

To: Alison Schwarz - Project Manager
 From: Sophany Hang - Acting Contract Compliance Officer
 Through: Deborah Barnes - DC & P Director
 Shelley Darensburg - Sr. Contract Compliance Officer *S. Darensburg*
 CC: Gwen McCormick - Contract Administrator Supervisor
 Date: November 19, 2009
 Re: P338310- Jefferson Square Park Improvement Project

The Department of Contracting and Purchasing (DC&P), Division of Social Equity, reviewed thirteen (13) bids in response to the above referenced project. Below is the outcome of the 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 the 15% Oakland Apprenticeship Program on the bidder's most recently completed City of Oakland project. Included in the analysis is two (2) bid alternates.

Responsive		Proposed Participation				Earned Credits and Discounts			Banked Credits Eligibility	EBO Compliant? Y/N
Company Name	Original Bid Amount	Total LBE/SLBE	LBE	SLBE	Trucking	Total Credited participation	Earned Bid Discounts	Adjusted Bid Amount		
McGuire and Hester	\$437,705	69.26%	55.2%	14.05%	100%	28.1%	2%	\$428,950	0%	Y
Bay Construction Company	\$474,000	62.46%	1.47%	60.99%	100%	62.46%	5%	\$450,300	2%	Y
Beliveau Engineering Contractors	\$482,000	82.39%	1.56%	80.83%	100%	82.39%	5%	\$457,900	2%	Y
B-Side	\$515,500	53.44%	0%	53.44%	100%	53.44%	5%	\$489,725	0%	Y
Yes Construction	\$518,000	92.28%	.58%	86.49%	100%	92.28%	5%	\$492,100	2%	N

Comments: As noted above, all firms exceeded the City's minimum 20% L/SLBE participation requirement. All firms are EBO compliant except Yes Construction. They will have to come into compliance prior to execution of a contract.

Non-Responsive		Proposed Participation				Earned Credits and Discounts			Banked Credits Eligibility	EBO Compliant? Y/N
Company Name	Original Bid Amount	Total LBE/SLBE	LBE	SLBE	Trucking	Total Credited participation	Earned Bid Discounts	Adjusted Bid Amount		
ERA Construction, Inc.	\$400,400	6.02%	0%	6.02%	0%	0%	0%	\$0	0%	N
A&E Emaar	\$406,000	7.14%	0%	7.14%	0%	0%	0%	\$0	0%	N
McNabb Construction	\$425,670	12.27%	0%	12.27%	0%	0%	0%	\$0	0%	N
Joseph Albanese	\$467,750	9.19%	9.19%	0%	0%	0%	0%	\$0	0%	N
Elite Landscaping, Inc.	\$499,369	0%	0%	0%	0%	0%	0%	\$0	0%	N
PARC Services, Inc.	\$540,046	7.93%	7.93%	0%	0%	0%	0%	\$0	0%	N
Ashbury Homes, Inc.	\$540,624	12.37%	12.372%	0%	0%	0%	0%	\$0	0%	N
Rodan Builders, Inc.	\$552,000	28.17%	28.17%	0%	0%	0%	0%	\$0	0%	N

Comments: As noted above, all of the above firms failed to meet the minimum 20% L/SLBE participation requirement. Therefore, they are deemed non-responsive.

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: McGuire and Hester
Project Name: Leveling the Playing Fields
Project No: C290810

50% Local Employment Program (LEP)

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

15% Oakland Apprenticeship Program

Was the 15% Apprenticeship Goal achieved?	Yes	If no, shortfall hours?	
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The spreadsheet below provides details of the 50% LEP and 15% Apprenticeship Programs. Information provided includes the following data: A) total project hours, B) core workforce hours deducted, C) LEP project employment and work hour goal; D) LEP employment and work hours achieved; E)# resident new hires; F) shortfall hours; G) percent LEP compliance; H) total apprentice hours; I) apprenticeship goal and hours achieved; and J) Apprentice shortfall hours

Total Project Hours	50% Local Employment Program (LEP)							15% Apprenticeship Program				
	Core Workforce Hours Deducted	LEP Project Employment and Work Hours Goal		LEP Employment and Work Hours Achieved		# Resident New Hires	Shortfall Hours	% LEP Compliance	Total Oakland Apprenticeship Hours Achieved	Apprenticeship Goal and Hours		Apprentice Shortfall Hours
		Goal	Hours	Goal	Hours					Goal	Hours	
A	B	C		D		E	F	G	H	I		J
3728	1864	50%	1864	100%	1864	0	0	100%	520	15%	520	0

Comments: McGuire & Hester met the Local Employment Program's 50% resident hiring goal with 100% resident employment and met the 15% Oakland Apprenticeship Program goals with 260 on-site hours and 260 off-site hours.

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

DEPARTMENT OF CONTRACTING AND PURCHASING



Social Equity Division

PROJECT EVALUATION FORM

PROJECT NO.: P338310

PROJECT NAME: Jefferson Square Park Improvement Project

CONTRACTOR: McGuire and Hester

<u>Engineer's Estimate:</u> \$490,202	<u>Contractors' Bid Amount</u> \$437,705	<u>Over/Under Engineer's Estimate</u> \$52,497
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<u>Discounted Bid Amount:</u> \$428,950	<u>Amount of Bid Discount</u> \$8,754	<u>Discount Points:</u> 2%
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1. Did the 20% requirements apply? YES
2. Did the contractor meet the 20% requirement? Yes
 - b) % of LBE participation 55.20%
 - c) % of SLBE participation 14.05%
3. Did the contractor meet the Trucking requirement? NA
 - a) Total SLBE/LBE trucking participation 100%
4. Did the contractor receive bid discounts? YES

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

Trucking is minimal on this project. However, the contractor listed trucking dollars.

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

11/19/2009

Date

Reviewing Officer:

[Signature]

Date:

11/19/09

Approved By:

[Signature]
Ju Shelley Klavichy

Date:

11/19/09

LBE/SLBE PARTICIPATION BIDDER 4

Project Name: Jefferson Square Park Improvement Project

Project No.: P338310		Engineers Est: 490,202			Under/Over Engineers Estimate: 52,497							
Discipline	Prime & Subs	Location	Cert. Status	LBE	SLBE	Total	L/SLBE	Total	TOTAL	For Tracking Only		
						LBE/SLBE	Trucking	Trucking	Dollars	Ethn.	MBE	WBE
Prime	McGuire and Hester	Oakland	CB	241,633		241,633			241,633	C		
Play Equipment	California Sports & Recreation	Novato	UB						4,565	C		
Irrigation	John Deere Landscape	Pacheco	UB						11,000	C		
Asphalt	Hanson Aggregates	Berkeley	UB						9,000	C		
Play Equipment	Ross Recreation	Santa Rosa	UB						14,371	C		
Electrical	Ray's Electric	Oakland	CB		58,000	58,000			58,000	C		
Play Surfacing	Tot Turf	Pleasant Hill	UB						27,986	C		
Building Demolition	Thomas D. Eychner	San Pablo	UB						18,000	C		
Play Equipment Install	Playgrounds Unlimited	Sunny Vale	UB						7,855	C		
Fencing	Calco	Livermore	UB						43,295	C		
Trucking	S & S Trucking	Oakland	CB		2,000	2,000	2,000	2,000	2,000	H	2000	
Trucking	Williams Trucking	Oakland	CB		1,500	1,500	1,500	1,500	1,500	AA	1,500	
Project Totals				\$241,633	\$61,500	\$303,133	\$3,500	\$3,500	\$437,705		\$2,000	\$0
				55.20%	14.05%	69.26%	100%	100%	100%		0.46%	0%
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%	TOTAL LBE/SLBE	20% LBE/SLBE TRUCKING			Ethnicity AA = African American AI = Asian Indian AP = Asian Pacific C = Caucasian H = Hispanic NA = Native American O = Other NL = Not Listed MO = Multiple Ownership		
Legend				LBE = Local Business Enterprise SLBE = Small Local Business Enterprise Total LBE/SLBE = All Certified Local and Small Local Businesses NPLBE = NonProfit Local Business Enterprise NPSLBE = NonProfit Small Local Business Enterprise				UB = Uncertified Business CB = Certified Business MBE = Minority Business Enterprise WBE = Women Business Enterprise				

DEPARTMENT OF CONTRACTING AND PURCHASING



Social Equity Division

PROJECT EVALUATION FORM

PROJECT NO.: P338310

PROJECT NAME: Jefferson Square Park Improvement Project

CONTRACTOR: Bay Construction

<u>Engineer's Estimate:</u> \$490,202	<u>Contractors' Bid Amount</u> \$474,000	<u>Over/Under Engineer's Estimate</u> \$16,202
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<u>Discounted Bid Amount:</u> \$450,300.00	<u>Amount of Bid Discount</u> \$23,700.00	<u>Discount Points:</u> 5%
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1. Did the 20% requirements apply? **YES**

2. Did the contractor meet the 20% requirement? **YES**
 - b) % of LBE participation **1.47%**
 - c) % of SLBE participation **60.99%**

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

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

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

5. Additional Comments.

Trucking is minimal on this project, however, the contractor listed trucking dollars.

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

11/19/2009

Date

**Reviewing
Officer:**

Suzanne Hug

Date: 11/19/09

Approved By

Shelley Dorensky

Date: 11/19/09

LBE/SLBE PARTICIPATION BIDDER 6

Project Name: Jefferson Square Park Improvement Project

Project No.: P338310		Engineers Est: 490,202				Under/Over Engineers Estimate: 16,202				For Tracking Only		
Discipline	Prime & Subs	Location	Cert. Status	LBE	SLBE	Total LBE/SLBE	L/SLBE Trucking	Total Trucking	TOTAL Dollars	Ethn.	MBE	WBE
PRIME	Bay Construction	Oakland	CB		282,092	282,092			282,092	AP	282,092	
Abatement	Bayview Environmental	Oakland	CB	6,950		6,950			6,950	C		
Trucking	Williams Trucking	Oakland	UB		7,000	7,000	7,000	7,000	7,000	AA	7,000	
Electrical	Columbia Electrical	San Leandro	UB						56,000			
Playground Equipment	Playgrounds Unlimited	Sunnyvale	UB						940	NL		
Safety Surfacing	Sport Surface Specialties	Sacramento	UB						34,588	NL		
Fencing	Arrow Fence	Rocklin	UB						41,000	NL		
Asphalt Concrete	Ransome Company	San Leandro	UB						20,000	NL		
Demolition	Demo Masters, Inc.	Oakland	UB						19,930	NL		
Striping	Striping Graphics	Petaluma	UB						1,500	NL		
Misc Steel	Umo Steel, Inc.	Hayward	UB						4,000			
Project Totals				\$6,950	\$289,092	\$296,042	\$7,000	\$7,000	\$474,000		\$289,092	\$0
				1.47%	60.99%	62.46%	100%	100%	100%		60.99%	0%
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%	TOTAL LBE/SLBE	20% LBE/SLBE TRUCKING			Ethnicity AA = African American AI = Asian Indian AP = Asian Pacific C = Caucasian H = Hispanic NA = Native American O = Other NL = Not Listed MO = Multiple Ownership		
Legend	LBE = Local Business Enterprise SLBE = Small Local Business Enterprise Total LBE/SLBE = All Certified Local and Small Local Businesses NPLBE = NonProfit Local Business Enterprise NPSLBE = NonProfit Small Local Business Enterprise			UB = Uncertified Business CB = Certified Business MBE = Minority Business Enterprise WBE = Women Business Enterprise								

DEPARTMENT OF CONTRACTING AND PURCHASING



Social Equity Division

PROJECT EVALUATION FORM

PROJECT NO.: P338310

PROJECT NAME: Jefferson Square Park Improvement Project

CONTRACTOR: Beliveau Engineering

Engineer's Estimate:
\$490,202.00

Contractors' Bid Amount
\$482,000

Over/Under Engineer's Estimate
\$8,202

Discounted Bid Amount:
\$457,900.00

Amount of Bid Discount
\$24,100.00

Discount Points:
5%

1. Did the 20% requirements apply? **YES**
2. Did the contractor meet the 20% requirement? **YES**
- b) % of LBE participation **1.56%**
c) % of SLBE participation **80.83%**
3. Did the contractor meet the Trucking requirement? **NA**
- a) Total SLBE/LBE trucking participation **100%**
4. Did the contractor receive bid discounts? **YES**
- (If yes, list the percentage received) **5%**

5. Additional Comments.

Trucking is minimal on this project, however, the contractor listed trucking dollars.

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

11/19/2009

Date

**Reviewing
Officer:**

Shelley Dorensky

Date:

11/19/09

Approved By:

Shelley Dorensky

Date:

11/19/09

LBE/SLBE PARTICIPATION BIDDER 7

Project Name: Jefferson Square Park Improvement Project

Project No.: P338310		Engineers Est: 490,202				Under/Over Engineers Estimate: 8,202							
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	Beliveau Engineering	Oakland	CB		376,600	376,600			376,600	C			
Trucking	Williams Trucking	Oakland	CB		13,000	13,000	13,000	13,000	13,000	AA	13,000		
Electrical	Columbia Electrical	San Leandro	UB						56,900	C			
Abatement	Sterling Environmental	Oakland	CB	7,500		7,500			7,500	C			
Rubber Surface	Tot Turf	Pleasant Hill	UB						28,000	C			
Project Totals					\$7,500	\$389,600	\$397,100	\$13,000	\$13,000	\$482,000		\$13,000	\$0
					1.56%	80.83%	82.39%	100%	100%	100%		2.70%	0%
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%	TOTAL LBE/SLBE	20% LBE/SLBE TRUCKING			Ethnicity AA = African American AI = Asian Indian AP = Asian Pacific C = Caucasian H = Hispanic NA = Native American O = Other NL = Not Listed MO = Multiple Ownership			
Legend				LBE = Local Business Enterprise		SLBE = Small Local Business Enterprise		Total LBE/SLBE = All Certified Local and Small Local Businesses		NPLBE = NonProfit Local Business Enterprise		NPSLBE = NonProfit Small Local Business Enterprise	
				UB = Uncertified Business		CB = Certified Business		MBE = Minority Business Enterprise		WBE = Women Business Enterprise			

DEPARTMENT OF CONTRACTING AND PURCHASING



Social Equity Division

PROJECT EVALUATION FORM

PROJECT NO.: P338310

PROJECT NAME: Jefferson Square Park Improvement Project

CONTRACTOR: B Side

<u>Engineer's Estimate:</u> \$490,202.00	<u>Contractors' Bid Amount:</u> \$515,500	<u>Over/Under Engineer's Estimate</u> -\$25,298
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<u>Discounted Bid Amount:</u> \$489,725	<u>Amount of Bid Discount</u> \$25,775	<u>Discount Points:</u> 5%
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1. Did the 20% requirements apply? YES
2. Did the contractor meet the 20% requirement? YES
b) % of LBE participation 0%
c) % of SLBE participation 53.44%
3. Did the contractor meet the Trucking requirement? YES
a) Total SLBE/LBE trucking participation 100%
4. Did the contractor receive bid discounts? YES
(If yes, list the percentage received) 5%
5. Additional Comments.

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

11/19/2009
Date

Reviewing
Officer:

Stephen Hing

Date: 11/19/09

Approved By:

Shelley Qarensky

Date: 11/19/09

LBE/SLBE PARTICIPATION

Bidder 9

Project Name: Jefferson Square Park Improvement Project

Project No.: P338310		Engineers Est: 490,202				Under/Over Engineers Estimate: 490,202				For Tracking Only			
Discipline	Prime & Subs	Location	Cert. Status	LBE	SLBE	Total LBE/SLBE	L/SLBE Trucking	Total Trucking	TOTAL Dollars	Ethn.	MBE	WBE	
PRIME	B Side	Oakland	CB		270,500	270,500			270,500	AA	270,500		
Electrical	Prestige Electric	Hayward	UB						25,000	C		25000	
Landscaping	Valle Green Landscaping	Oakland	UB						90,000	O			
Demo	USA Hauling	San Francisco	UB						40,000	H	40,000		
Hauling	USA Hauling	San Francisco	UB						10,000	H	10,000		
Trucking	Foston Trucking	Oakland	CB		5,000	5,000	5,000	5,000	5,000	AA	5,000.00		
General	Eugene Bachmanov	San Francisco	UB						40,000	C			
Plumbing	Chavez Construction	San Francisco	UB						35,000	H	35,000.00		
Project Totals					\$0	\$275,500	\$275,500	\$5,000	\$5,000	\$515,500		\$360,500	\$0
				0%	53.44%	53.44%	100%	100%	100%		70%	0%	
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%	TOTAL LBE/SLBE	20% LBE/SLBE TRUCKING			Ethnicity AA = African American AI = Asian Indian AP = Asian Pacific C = Caucasian H = Hispanic NA = Native American O = Other NL = Not Listed MO = Multiple Ownership			
Legend				LBE = Local Business Enterprise				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									

DEPARTMENT OF CONTRACTING AND PURCHASING



Social Equity Division

PROJECT EVALUATION FORM

PROJECT NO.: P338310

PROJECT NAME: Jefferson Square Park Improvement Project

CONTRACTOR: Yes Construction Group, Inc.

<u>Engineer's Estimate:</u> \$490,202	<u>Contractors' Bid Amount</u> \$518,000	<u>Over/Under Engineer's Estimate</u> -\$27,798
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<u>Discounted Bid Amount:</u> \$492,100	<u>Amount of Bid Discount</u> \$25,900.00	<u>Discount Points:</u> 5%
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1. Did the 20% requirements apply? **YES**

2. Did the contractor meet the 20% requirement? **YES**
 - b) % of LBE participation **0.58%**
 - c) % of SLBE participation **86.49%**

3. Did the contractor meet the Trucking requirement? **NA**
 - a) Total SLBE/LBE trucking participation **0%**

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

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

5. Additional Comments.

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

11/19/2009

Date

**Reviewing
Officer:**

Stephen Hung

Date:

11/19/09

Approved By:

Shelley Darenahy

Date:

11/19/09

LBE/SLBE PARTICIPATION Bidder 10

Project Name: **Jefferson Square Park Improvement Project**

Project No.: P338310		Engineers Est: 490,202				Under/Over Engineers Estimate: -27,798				For Tracking Only		
Discipline	Prime & Subs	Location	Cert. Status	LBE	SLBE	Total LBE/SLBE	L/SLBE Trucking	Total Trucking	TOTAL Dollars	Ethn.	MBE	WBE
PRIME Electrical Trucking Paint Concrete	Yes Construction Group, Inc.	Oakland	CB		448,000	448,000			448,000	AP	448,000	
	American Emperor	Oakland	CB	3,000		30,000			30,000	AP	30,000	
	A&J Trucking	Oakland	UB						25,000	NL		
	Kelly Moore	Oakland	UB						5,000			
	Right Away	Oakland	UB						10,000	NL		
Project Totals				\$3,000	\$448,000	\$478,000	\$0	\$0	\$518,000		\$478,000	\$0
				0.58%	86.49%	92.28%	0%	0%	100%		92.28%	0%
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%	TOTAL LBE/SLBE	20% LBE/SLBE TRUCKING			Ethnicity AA = African American AI = Asian Indian AP = Asian Pacific C = Caucasian H = Hispanic NA = Native American O = Other NL = Not Listed MO = Multiple Ownership		
Legend	LBE = Local Business Enterprise		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											

DEPARTMENT OF CONTRACTING AND PURCHASING



Social Equity Division

PROJECT EVALUATION FORM

PROJECT NO.: P338310

PROJECT NAME: Jefferson Square Park Improvement Project

CONTRACTOR: ERA Construction, Inc.

Engineer's Estimate:
\$490,202

Contractors' Bid Amount
\$400,400

Over/Under Engineer's Estimate
\$89,802

Discounted Bid Amount:
\$0

Amount of Bid Discount
\$0

Discount Points:
0%

1. Did the 20% requirements apply? YES

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

b) % of LBE participation 0%
c) % of SLBE participation 6.02%

3. Did the contractor meet the Trucking requirement? NA

a) Total SLBE/LBE trucking participation 0%

4. Did the contractor receive bid discounts? NO

(If yes, list the percentage received) 0%

5. Additional Comments.

Contractor failed to meet the minimum 20% L/SLBE participation requirement. Therefore, they are deemed non-responsive.

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

11/19/2009

Date

Reviewing Officer:

Stephany Hing

Date:

11/19/09

Approved By

Shelley Dorensky

Date:

11/19/09

LBE/SLBE PARTICIPATION Bidder 1

Project Name: Jefferson Square Park Improvement Project

Project No.: P338310		Engineers Est: 490,202				Under/Over Engineers Estimate: 89,802				For Tracking Only		
Discipline	Prime & Subs	Location	Cert. Status	LBE	SLBE	Total LBE/SLBE	L/SLBE Trucking	Total Trucking	TOTAL Dollars	Ethn.	MBE	WBE
PRIME	ERA Construction, Inc.	San Francisco	UB						307,777	C		
Trucking	Economy Trucking	Union City	UB						18,500	C		18,500
Electric	Angel Electric	San Pablo	UB						35,000	H	35,000	
Concrete	Gurierrez Const	Oakland	UB						15,000	H	15,000	
Landscape	Ramos Happy Yards Landscape	Oakland	CB		24,123	24,123			24,123	H	24,123	
Project Totals				\$0	\$24,123	\$24,123	\$0	\$0	400,400		\$74,123	\$18,500
				0%	6.02%	6.02%	0%	0%	100%		19%	0%
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%	TOTAL LBE/SLBE	20% LBE/SLBE TRUCKING			Ethnicity AA = African American AI = Asian Indian AP = Asian Pacific C = Caucasian H = Hispanic NA = Native American O = Other NL = Not Listed MO = Multiple Ownership		
Legend				LBE = Local Business Enterprise SLBE = Small Local Business Enterprise Total LBE/SLBE = All Certified Local and Small Local Businesses NPLBE = NonProfit Local Business Enterprise NPSLBE = NonProfit Small Local Business Enterprise				UB = Uncertified Business CB = Certified Business MBE = Minority Business Enterprise WBE = Women Business Enterprise				

DEPARTMENT OF CONTRACTING AND PURCHASING



Social Equity Division

PROJECT EVALUATION FORM

PROJECT NO.: P338310

PROJECT NAME: Jefferson Square Park Improvement Project

CONTRACTOR: A&E Emaar

<u>Engineer's Estimate:</u> \$490,202	<u>Contractors' Bid Amount</u> \$406,000	<u>Over/Under Engineer's Estimate</u> \$84,202.00
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<u>Discounted Bid Amount:</u> \$0	<u>Amount of Bid Discount</u> \$0	<u>Discount Points:</u> 0%
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1. Did the 20% requirements apply? **YES**

2. Did the contractor meet the 20% requirement? **NO**
 - b) % of LBE participation **0%**
 - c) % of SLBE participation **7.14%**

3. Did the contractor meet the Trucking requirement? **NA**
 - a) Total SLBE/LBE trucking participation **0%**

4. Did the contractor receive bid discounts? **NO**

(If yes, list the percentage received) **0%**

5. Additional Comments.

Contractor failed to meet the minimum 20% participation requirement. Therefore, they are deemed non-responsive.

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

11/19/2009

Date

**Reviewing
Officer:**

Spring Hing

Date:

11/19/09

Approved By:

Shelley Qarensky

Date:

11/19/09

LBE/SLBE PARTICIPATION Bidder 2

Project Name: Jefferson Square Park Improvement Project		Engineers Est: 490,202				Under/Over Engineers Estimate: 84,202						
Project No.: P338310										For Tracking Only		
Discipline	Prime & Subs	Location	Cert. Status	LBE	SLBE	Total LBE/SLBE	L/SLBE Trucking	Total Trucking	TOTAL Dollars	Ethn.	MBE	WBE
PRIME	A&E Emaar	Alabany	UB						150,407	C		
Surfacing	Playgrounds	Sunnyvale	UB						39,300	NL		
Play	Ross Recreation	Santa Rosa	UB						40,483	NL		
Equipment	California Sport	Novato	UB						4,564	NL		
Play	Digital Electric	Oakland	CB		29,000	29,000			29,000	AA	29,000	
Equipment	N. American Fence	Oakland	UB						52,246	C		
Electrical	A1 Planet	Richmond	UB						28,000	NL		
Fencing	Marfield Company	Richmond	UB						4,000	NL		
Demo	Green Team											
Abatement	Landscape	Pacheco	UB						58,000	NL		
Irrig Plant												
Project Totals				\$0	\$29,000	\$29,000	\$0	\$0	\$406,000		\$29,000	\$0
				0%	7.14%	7.14%	0%	0%	100%		7.14%	0%
Requirements:				LBE	SLBE	TOTAL	20% LBE/SLBE			Ethnicity		
The 20% requirements is a combination of 10% LBE and 10% SLBE participation. An SLBE firm can be counted 100% towards achieving 20% requirements.				10%	10%	LBE/SLBE	TRUCKING			AA = African American AI = Asian Indian AP = Asian Pacific		
Legend										C = Caucasian H = Hispanic NA = Native American O = Other NL = Not Listed MO = Multiple Ownership		
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												

DEPARTMENT OF CONTRACTING AND PURCHASING



Social Equity Division

PROJECT EVALUATION FORM

PROJECT NO.: P338310

PROJECT NAME: Jefferson Square Park Improvement Project

CONTRACTOR: McNabb Construction

<u>Engineer's Estimate:</u> \$490,202	<u>Contractors' Bid Amount</u> \$425,670	<u>Over/Under Engineer's Estimate</u> \$64,532
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<u>Discounted Bid Amount:</u> \$0	<u>Amount of Bid Discount</u> \$0	<u>Discount Points:</u> 0%
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1. Did the 20% requirements apply? **YES**
2. Did the contractor meet the 20% requirement? **NO**
 - b) % of LBE participation **0%**
 - c) % of SLBE participation **12.27%**
3. Did the contractor meet the Trucking requirement? **NA**
 - a) Total SLBE/LBE trucking participation **0%**
4. Did the contractor receive bid discounts? **NO**

(If yes, list the percentage received) **0%**
5. Additional Comments.

Contractor failed to meet the minimum 20% L/SLBE participation requirement. Therefore, they are deemed non-responsive.

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

11/19/2009

Date

Reviewing Officer:

Sophy Hung

Date:

11/19/09

Approved By

Shelley Darenaly

Date:

11/19/09

LBE/SLBE PARTICIPATION BIDDER 3

Project Name: Jefferson Square Park Improvement Project

Project No.: P338310		Engineers Est: 490,202				Under/Over Engineers Estimate: 64,532				For Tracking Only		
Discipline	Prime & Subs	Location	Cert. Status	LBE	SLBE	Total LBE/SLBE	L/SLBE Trucking	Total Trucking	TOTAL Dollars	Ethn.	MBE	WBE
PRIME	McNabb Construction	Laffayette	UB						348,424	C		
Demo	DeKay Demolition & Clearing, Inc.	Oakland	CB			No dollar amount listed			0	O		
Asphalt	G & S Paving	Oakley	UB						20,000	NL		
Electrical	Megaelectric	Alameda	UB						5,000	NL		
Fence	North American Fence	Oakland	CB		52,246	52,246			52,246	C		
Project Totals				\$0	\$52,246	\$52,246	\$0	\$0	\$425,670		\$0	\$0
				0%	12.27%	12.27%	0%	0%	100%		0%	0%
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%	TOTAL LBE/SLBE	20% LBE/SLBE TRUCKING			Ethnicity AA = African American AI = Asian Indian AP = Asian Pacific C = Caucasian H = Hispanic NA = Native American O = Other NL = Not Listed MO = Multiple Ownership		
Legend				LBE = Local Business Enterprise				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								

DEPARTMENT OF CONTRACTING AND PURCHASING



Social Equity Division

PROJECT EVALUATION FORM

PROJECT NO.: P338310

PROJECT NAME: Jefferson Square Park Improvement Project

CONTRACTOR: Joseph J. Albanese

<u>Engineer's Estimate:</u> \$490,202	<u>Contractors' Bid Amount</u> \$467,750	<u>Over/Under Engineer's Estimate</u> \$22,452
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<u>Discounted Bid Amount:</u> \$0	<u>Amount of Bid Discount</u> \$0	<u>Discount Points:</u> 0%
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1. Did the 20% requirements apply? YES
2. Did the contractor meet the 20% requirement? NO
 - b) % of LBE participation 9.19%
 - c) % of SLBE participation 0%
3. Did the contractor meet the Trucking requirement? NA
 - a) Total SLBE/LBE trucking participation 0%
4. Did the contractor receive bid discounts? NO
 - (If yes, list the percentage received) 0%

5. Additional Comments.

Contractor failed to meet the minimum 20% L/SLBE participation requirement. Therefore, they are deemed non-responsive.

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

11/19/2009

Date

Reviewing Officer:

[Signature]

Date:

11/19/09

Approved By

Shelley Darenburg

Date:

11/19/09

LBE/SLBE PARTICIPATION

Bidder 5

Project Name: Jefferson Square Park Improvement Project

Project No.: P338310		Engineers Est: 490,202				Under/Over Engineers Estimate: 490,202				For Tracking Only		
Discipline	Prime & Subs	Location	Cert. Status	LBE	SLBE	Total LBE/SLBE	L/SLBE Trucking	Total Trucking	TOTAL Dollars	Ethn.	MBE	WBE
Prime	Joseph J. Albanese	Oakland	UB						267,950	C		
Landscaping	RMT Landscaping	Oakland	CB	43,000		43,000			43,000	H	43,000	
Fencing	Calco Fence	Livermore	UB						43,500	NL		43,500
Striping	Chrisp Company	Fremont	UB						1,800	NL		
Playground Surfa	Sport Surface Specialities	Sacramento	UB						35,000	NL		
Electrical	Columbia Electric	San Leandro	UB						58,000	NL		
Playground Equip	Community Playgrounds, Inc.	Novato	UB						13,500	NL		
Abatement	CST Environmental	San Leandro	UB						5,000			
Project Totals				\$43,000	\$0	\$43,000	\$0	\$0	\$467,750		\$43,000	\$43,500
				9.19%	0%	9.19%	0%	0%	100%		9.19%	9.30%
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%	TOTAL LBE/SLBE	20% LBE/SLBE TRUCKING			Ethnicity AA = African American AI = Asian Indian AP = Asian Pacific C = Caucasian H = Hispanic NA = Native American O = Other NL = Not Listed MO = Multiple Ownership		
Legend				LBE = Local Business Enterprise				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								

DEPARTMENT OF CONTRACTING AND PURCHASING



Social Equity Division

PROJECT EVALUATION FORM

PROJECT NO.: P338310

PROJECT NAME: Jefferson Square Park Improvement Project

CONTRACTOR: Elite Landscaping, Inc.

<u>Engineer's Estimate:</u> \$490,202	<u>Contractors' Bid Amount</u> \$499,369	<u>Over/Under Engineer's Estimate</u> -\$9,167
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<u>Discounted Bid Amount:</u>	<u>Amount of Bid Discount</u>	<u>Discount Points:</u>
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1. Did the 20% requirements apply? YES

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

b) % of LBE participation 0%

c) % of SLBE participation 0%

3. Did the contractor meet the Trucking requirement? NA

a) Total SLBE/LBE trucking participation 0%

4. Did the contractor receive bid discounts? NO

(If yes, list the percentage received)

5. Additional Comments.

Contractor failed to meet the minimum 20% L/SLBE participation requirement. Therefore, they are deemed non-responsive.

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

11/19/2009

Date

Reviewing
Officer:

Spencer Hays

Date: 11/19/09

Approved By:

Shelley Davensley

Date: 11/19/09

LBE/SLBE PARTICIPATION BIDDER 8

Project Name: **Jefferson Square Park Improvement Project**

Project No.: P338310		Engineers Est: 490,202				Under/Over Engineers Estimate: -9,167				For Tracking Only								
Discipline	Prime & Subs	Location	Cert. Status	LBE	SLBE	Total LBE/SLBE	L/SLBE Trucking	Total Trucking	TOTAL Dollars	Ethn.	MBE	WBE						
PRIME	Elite Landscaping, Inc.	Clovis	UB						227,106	C								
Electrical	Columbia Electric	San Leandro	UB						56,900	C								
Poured in Place Surfacing	Sports Surface Specialities	Aurora	UB						34,588	NL								
Fencing	Calco Fence Inc.	Livermore	UB						43,275	NL								
Landscape Grading/Underground Demo	SDI	Clovis	UB						97,000	NL								
Play Equipment	Ross Recreation	Santa Rosa	UB						40,500	NL								
Project Totals				\$0	\$0	\$0	\$0	\$0	\$499,369		\$0	\$0						
				0%	0%	0%	0%	0%	100%		0%	0%						
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%	TOTAL LBE/SLBE	20% LBE/SLBE TRUCKING			Ethnicity AA = African American AI = Asian Indian AP = Asian Pacific C = Caucasian H = Hispanic NA = Native American O = Other NL = Not Listed MO = Multiple Ownership								
Legend	LBE = Local Business Enterprise		SLBE = Small Local Business Enterprise		Total LBE/SLBE = All Certified Local and Small Local Businesses		NPLBE = NonProfit Local Business Enterprise		NPSLBE = NonProfit Small Local Business Enterprise		UB = Uncertified Business		CB = Certified Business		MBE = Minority Business Enterprise		WBE = Women Business Enterprise	

DEPARTMENT OF CONTRACTING AND PURCHASING



Social Equity Division

PROJECT EVALUATION FORM

PROJECT NO.: C284510

PROJECT NAME: Jefferson Square Park Improvement Project

CONTRACTOR: PARC Services, Inc.

<u>Engineer's Estimate:</u> \$490,202	<u>Contractors' Bid Amount</u> \$540,046	<u>Over/Under Engineer's Estimate</u> -\$49,844
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<u>Discounted Bid Amount:</u> \$0	<u>Amount of Bid Discount</u> \$0	<u>Discount Points:</u> 0%
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1. Did the 20% requirements apply? YES
2. Did the contractor meet the 20% requirement? NO
 b) % of LBE participation 7.93%
 c) % of SLBE participation 0%
3. Did the contractor meet the Trucking requirement? NA
 a) Total SLBE/LBE trucking participation 0%
4. Did the contractor receive bid discounts? NO
 (If yes, list the percentage received) 0%
5. Additional Comments.

Contractor failed to meet the minimum 20% L/SLBE participation requirement. Therefore, they are deemed non-responsive.

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

11/19/2009

Date

Reviewing
Officer:

[Signature]

Date:

11/19/09

Approved By:

[Signature]

Date:

11/19/09

LBE/SLBE PARTICIPATION

BIDDER 11

Project Name: Jefferson Square Park Improvement Project

Project No.: P338310		Engineers Est: 490,202				Under/Over Engineers Estimate: -49,844				For Tracking Only		
Discipline	Prime & Subs	Location	Cert. Status	LBE	SLBE	Total LBE/SLBE	L/SLBE Trucking	Total Trucking	TOTAL Dollars	Ethn.	MBE	WBE
										PRIME	PARC Services, Inc.	Livermore
Play Surface	Sport Surface Spec.	Aurora	UB						34,588	NL		
Landscape	RMT Landscape Contractors	Oakland	CB	42,805		42,805			42,805	H	42,805	
Fencing	CALCO Fence	Livermore	UB						43,295	NL		
Surveying	Kier & Wright	Pleasanton	UB						7,500	NL		
Electrical	GRC Electric	Tracy	UB						48,500	NL		
Project Totals				\$42,805	\$0	\$42,805	\$0	\$0	\$540,046		\$42,805	\$0
				7.93%	0%	7.93%	0%	0%	100%		7.93%	0%
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%	TOTAL LBE/SLBE	20% LBE/SLBE TRUCKING			Ethnicity AA = African American AI = Asian Indian AP = Asian Pacific C = Caucasian H = Hispanic NA = Native American O = Other NL = Not Listed MO = Multiple Ownership		
Legend				LBE = Local Business Enterprise SLBE = Small Local Business Enterprise Total LBE/SLBE = All Certified Local and Small Local Businesses NPLBE = NonProfit Local Business Enterprise NPSLBE = NonProfit Small Local Business Enterprise				UB = Uncertified Business CB = Certified Business MBE = Minority Business Enterprise WBE = Women Business Enterprise				

DEPARTMENT OF CONTRACTING AND PURCHASING



Social Equity Division

PROJECT EVALUATION FORM

PROJECT NO.: P338310

PROJECT NAME: Jefferson Square Park Improvement Project

CONTRACTOR: Ashbury Homes, Inc.

<u>Engineer's Estimate:</u> \$490,202	<u>Contractors' Bid Amount</u> \$540,624	<u>Over/Under Engineer's Estimate</u> -\$50,422
--	---	--

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

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

- 2. Did the contractor meet the 20% requirement? **NO**
 - b) % of LBE participation **12.37%**
 - c) % of SLBE participation **0%**

- 3. Did the contractor meet the Trucking requirement? **NA**
 - a) Total SLBE/LBE trucking participation **0%**

- 4. Did the contractor receive bid discounts? **NO**
 - (If yes, list the percentage received) **0%**

5. Additional Comments.
Contractor failed to meet the minimum 20% L/SLBE participation requirement. Therefore, they are deemed non-responsive.

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

11/19/2009
Date

Reviewing Officer:

[Signature]

Date: 11/19/09

Approved By:

Shelley Darsenky

Date: 11/19/09

LBE/SLBE PARTICIPATION Bidder 12

Project Name: Jefferson Square Park Improvement Project

Project No.: P338310		Engineers Est: 490,202				Under/Over Engineers Estimate: -50,422				For Tracking Only		
Discipline	Prime & Subs	Location	Cert. Status	LBE	SLBE	Total LBE/SLBE	L/SLBE Trucking	Total Trucking	TOTAL Dollars	Ethn.	MBE	WBE
PRIME	Ashbury Homes, Inc.	San Francisco	UB						221,284	C		
Abatement	ASG	Oakland	UB						9,800	NL		
Demo/Paving	Kingsday Pipeline	San Francisco	UB						79,130	NL		
Surfacing	Sport Surface Specialties	Sacramento	UB						34,588	NL		
Fence	Tepa Ironwood	Oakland	UB						48,000	NL		
Play Equipment	Community Playground	Novato	UB						23,922	NL		
Electrical	All Area	San Francisco	UB						57,000	NL		
Landscape	RMT Landscape	Oakland	CB	66,900		66,900			66,900	H	66,900	
Project Totals				\$66,900	\$0	\$66,900	\$0	\$0	\$540,624		\$66,900	\$0
				12.37%	0%	12.37%	0%	0%	100%		12.37%	0%
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%	TOTAL LBE/SLBE	20% LBE/SLBE TRUCKING			Ethnicity AA = African American AI = Asian Indian AP = Asian Pacific C = Caucasian H = Hispanic NA = Native American O = Other NL = Not Listed MO = Multiple Ownership		
Legend				LBE = Local Business Enterprise SLBE = Small Local Business Enterprise Total LBE/SLBE = All Certified Local and Small Local Businesses NPLBE = NonProfit Local Business Enterprise NPSLBE = NonProfit Small Local Business Enterprise				UB = Uncertified Business CB = Certified Business MBE = Minority Business Enterprise WBE = Women Business Enterprise				



DEPARTMENT OF CONTRACTING AND PURCHASING

Social Equity Division

PROJECT EVALUATION FORM

PROJECT NO.: P338310

PROJECT NAME: Jefferson Square Park Improvement Project

CONTRACTOR: Rodan Builders, Inc.

<u>Engineer's Estimate:</u> \$490,202	<u>Contractors' Bid Amount</u> \$142,000	<u>Over/Under Engineer's Estimate</u> \$348,202
<u>Discounted Bid Amount:</u> \$134,900	<u>Amount of Bid Discount</u> \$7,100	<u>Discount Points:</u> 5%

- 1. Did the 20% requirements apply? **YES**
- 2. Did the contractor meet the 20% requirement? **NO**
 - b) % of LBE participation **28.17%**
 - c) % of SLBE participation **0%**
- 3. Did the contractor meet the Trucking requirement? **NA**
 - a) Total SLBE/LBE trucking participation **0%**
- 4. Did the contractor receive bid discounts? **NO**
(If yes, list the percentage received) **0%**
- 5. Additional Comments.

Contractor failed to meet the minimum 20% L/SLBE participation requirement. Therefore, they are deemed non-responsive.

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

11/19/09
Date

**Reviewing
Officer:**

[Signature]

Date: 11/19/09

Approved By:

[Signature]

Date: 11/19/09

LBE/SLBE PARTICIPATION BIDDER 13

Project Name: Jefferson Square Park Improvement Project

Project No.: P338310		Engineers Est: 490,202				Under/Over Engineers Estimate: 348,202				For Tracking Only			
Discipline		Location	Cert. Status	LBE	SLBE	Total LBE/SLBE	L/SLBE Trucking	Total Trucking	TOTAL Dollars	Ethn.	MBE	WBE	
Prime	Rodan Builders, Inc.	Burlingame	UB							C			
Irrigation	RMT Landscape	Oakland	CB	40,000		40,000			40,000	H	40,000		
Safety Surfaces	Robertson Industries	Pleasant Hill	UB						25,000	NL			
Site Furnishings	Community Play Grounds	Novato	UB						15,000	NL			
Electrical	Columbia Electric	San Leandro	UB						56,000	NL			
Abatement	Janus Corp	Concord	UB						6,000	NL			
Project Totals				\$40,000	\$0	\$40,000	\$0	\$0	\$142,000		\$40,000	\$0	
				28%	0.00%	28.17%	0%	100%	100%		28.17%	0%	
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%	TOTAL LBE/SLBE	20% LBE/SLBE TRUCKING			Ethnicity AA = African American AI = Asian Indian AP = Asian Pacific C = Caucasian H = Hispanic NA = Native American O = Other NL = Not Listed MO = Multiple Ownership			
LBE = Local Business Enterprise SLBE = Small Local Business Enterprise Total LBE/SLBE = All Certified Local and Small Local Businesses NPLBE = NonProfit Local Business Enterprise NPSLBE = NonProfit Small Local Business Enterprise				UB = Uncertified Business CB = Certified Business MBE = Minority Business Enterprise WBE = Women Business Enterprise									

ATTACHMENT D

Schedule L-2 City of Oakland Community & Economic Development Agency CONTRACTOR PERFORMANCE EVALUATION

Project Number/Title: C79710-Construction of a Relief Sewer Along 29th Avenue, International Boulevard, 28th Avenue, East 16th Street, and 27th Avenue.

Work Order Number (if applicable): _____

Contractor: McGuire & Hester

Date of Notice to Proceed: 3/30/2009

Date of Notice of Completion: 9/29/2009

Date of Notice of Final Completion: 9/29/2009

Contract Amount: \$2,448,949.00

Evaluator Name and Title: David Ng, Resident Engineer

The City's Resident Engineer most familiar with the Contractor's performance must complete this evaluation and submit it to Manager, CEDA Project Delivery Division, within 30 calendar days of the issuance of the Final Payment.

Whenever the Resident Engineer finds the Contractor is performing below Satisfactory for any category of the Evaluation, the Resident Engineer shall discuss the perceived performance shortfall at the periodic site meetings with the Contractor. An Interim Evaluation will be performed if at any time the Resident Engineer finds that the overall performance of a Contractor is Marginal or Unsatisfactory. An Interim Evaluation is required prior to issuance of a Final Evaluation Rating of Unsatisfactory. The Final Evaluation upon Final Completion of the project will supersede interim ratings.

The following list provides a basic set of evaluation criteria that will be applicable to all construction projects awarded by the City of Oakland that are greater than \$50,000. Narrative responses are required to support any evaluation criteria that are rated as Marginal or Unsatisfactory, and must be attached to this evaluation. If a narrative response is required, indicate before each narrative the number of the question for which the response is being provided. Any available supporting documentation to justify any Marginal or Unsatisfactory ratings must also be attached.

If a criterion is rated Marginal or Unsatisfactory and the rating is caused by the performance of a subcontractor, the narrative will note this. The narrative will also note the General Contractor's effort to improve the subcontractor's performance.

ASSESSMENT GUIDELINES:

Outstanding (3 points)	Performance among the best level of achievement the City has experienced.
Satisfactory (2 points)	Performance met contractual requirements.
Marginal (1 point)	Performance barely met the lower range of the contractual requirements or performance only met contractual requirements after extensive corrective action was taken.
Unsatisfactory (0 points)	Performance did not meet contractual requirements. The contractual performance being assessed reflected serious problems for which corrective actions were ineffective.

WORK PERFORMANCE

		Unsatisfactory	Marginal	Satisfactory	Outstanding	Not Applicable
1	Did the Contractor perform all of the work with acceptable Quality and Workmanship?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
1a	If problems arose, did the Contractor provide solutions/coordinate with the designers and work proactively with the City to minimize impacts? If "Marginal or Unsatisfactory", explain on the attachment. Provide documentation.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
2	Was the work performed by the Contractor accurate and complete? If "Marginal or Unsatisfactory", explain on the attachment and provide documentation. Complete (2a) and (2b) below.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
2a	Were corrections requested? If "Yes", specify the date(s) and reason(s) for the correction(s). Provide documentation.			Yes <input type="checkbox"/>	No <input type="checkbox"/>	N/A <input type="checkbox"/>
2b	If corrections were requested, did the Contractor make the corrections requested? If "Marginal or Unsatisfactory", explain on the attachment. Provide documentation.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
3	Was the Contractor responsive to City staff's comments and concerns regarding the work performed or the work product delivered? If "Marginal or Unsatisfactory", explain on the attachment. Provide documentation.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
4	Were there other significant issues related to "Work Performance"? If Yes, explain on the attachment. Provide documentation.				Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>
5	Did the Contractor cooperate with on-site or adjacent tenants, business owners and residents and work in such a manner as to minimize disruptions to the public. If "Marginal or Unsatisfactory", explain on the attachment.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
6	Did the personnel assigned by the Contractor have the expertise and skills required to satisfactorily perform under the contract? If "Marginal or Unsatisfactory", explain on the attachment.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
7	Overall, how did the Contractor rate on work performance? The score for this category must be consistent with the responses to the questions given above regarding work performance and the assessment guidelines. Check 0, 1, 2, or 3.	0 <input type="checkbox"/>	1 <input type="checkbox"/>	2 <input checked="" type="checkbox"/>	3 <input type="checkbox"/>	

TIMELINESS

		Unsatisfactory	Marginal	Satisfactory	Outstanding	Not Applicable
8	Did the Contractor complete the work within the time required by the contract (including time extensions or amendments)? If "Marginal or Unsatisfactory", explain on the attachment why the work was not completed according to schedule. Provide documentation.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
9	Was the Contractor required to provide a service in accordance with an established schedule (such as for security, maintenance, custodial, etc.)? If "No", or "N/A", go to Question #10. If "Yes", complete (9a) below.			Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>	N/A <input type="checkbox"/>
9a	Were the services provided within the days and times scheduled? If "Marginal or Unsatisfactory", explain on the attachment and specify the dates the Contractor failed to comply with this requirement (such as tardiness, failure to report, etc.). Provide documentation.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
10	Did the Contractor provide timely baseline schedules and revisions to its construction schedule when changes occurred? If "Marginal or Unsatisfactory", explain on the attachment. Provide documentation.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
11	Did the Contractor furnish submittals in a timely manner to allow review by the City so as to not delay the work? If "Marginal or Unsatisfactory", explain on the attachment. Provide documentation.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
12	Were there other significant issues related to timeliness? If yes, explain on the attachment. Provide documentation.			Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>	
13	Overall, how did the Contractor rate on timeliness? The score for this category must be consistent with the responses to the questions given above regarding timeliness and the assessment guidelines. Check 0, 1, 2, or 3.	0 <input type="checkbox"/>	1 <input type="checkbox"/>	2 <input checked="" type="checkbox"/>	3 <input type="checkbox"/>	

FINANCIAL

		Unsatisfactory	Marginal	Satisfactory	Outstanding	Not Applicable
14	Were the Contractor's billings accurate and reflective of the contract payment terms? If "Marginal or Unsatisfactory", explain on the attachment. Provide documentation of occurrences and amounts (such as corrected invoices).	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
15	Were there any claims to increase the contract amount? If "Yes", list the claim amount. Were the Contractor's claims resolved in a manner reasonable to the City? Number of Claims: _____ Claim amounts: \$ _____ Settlement amount: \$ _____				Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>
16	Were the Contractor's price quotes for changed or additional work reasonable? If "Marginal or Unsatisfactory", explain on the attachment. Provide documentation of occurrences and amounts (such as corrected price quotes).	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
17	Were there any other significant issues related to financial issues? If Yes, explain on the attachment and provide documentation.				Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>
18	Overall, how did the Contractor rate on financial issues? The score for this category must be consistent with the responses to the questions given above regarding financial issues and the assessment guidelines. Check 0, 1, 2, or 3.	0 <input type="checkbox"/>	1 <input type="checkbox"/>	2 <input checked="" type="checkbox"/>	3 <input type="checkbox"/>	

COMMUNICATION

Unsatisfactory
Marginal
Satisfactory
Outstanding
Not Applicable

19	Was the Contractor responsive to the City's questions, requests for proposal, etc.? If "Marginal or Unsatisfactory", explain on the attachment.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
20	Did the Contractor communicate with City staff clearly and in a timely manner regarding:					
20a	Notification of any significant issues that arose? If "Marginal or Unsatisfactory", explain on the attachment.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
20b	Staffing issues (changes, replacements, additions, etc.)? If "Marginal or Unsatisfactory", explain on the attachment.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
20c	Periodic progress reports as required by the contract (both verbal and written)? If "Marginal or Unsatisfactory", explain on the attachment.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
20d	Were there any billing disputes? If "Yes", explain on the attachment.				Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>
21	Were there any other significant issues related to communication issues? Explain on the attachment. Provide documentation.				Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>
22	Overall, how did the Contractor rate on communication issues? The score for this category must be consistent with the responses to the questions given above regarding communication issues and the assessment guidelines. Check 0, 1, 2, or 3.	0 <input type="checkbox"/>	1 <input type="checkbox"/>	2 <input checked="" type="checkbox"/>	3 <input type="checkbox"/>	

SAFETY

		Unsatisfactory	Marginal	Satisfactory	Outstanding	Not Applicable
23	Did the Contractor's staff consistently wear personal protective equipment as appropriate? If "No", explain on the attachment.				Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>
24	Did the Contractor follow City and OSHA safety standards? If "Marginal or Unsatisfactory", explain on the attachment.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
25	Was the Contractor warned or cited by OSHA for violations? If Yes, explain on the attachment.				Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>
26	Was there an inordinate number or severity of injuries? Explain on the attachment. If Yes, explain on the attachment.				Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>
27	Was the Contractor officially warned or cited for breach of U.S. Transportation Security Administration's standards or regulations? If "Yes", explain on the attachment.				Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>
28	Overall, how did the Contractor rate on safety issues? The score for this category must be consistent with the responses to the questions given above regarding safety issues and the assessment guidelines. Check 0, 1, 2, or 3.	0 <input type="checkbox"/>	1 <input type="checkbox"/>	2 <input checked="" type="checkbox"/>	3 <input type="checkbox"/>	

OVERALL RATING

Based on the weighting factors below, calculate the Contractor's overall score using the scores from the four categories above.

1. Enter Overall score from Question 7 2 X 0.25 = 0.5
2. Enter Overall score from Question 13 2 X 0.25 = 0.5
3. Enter Overall score from Question 18 2 X 0.20 = 0.4
4. Enter Overall score from Question 22 2 X 0.15 = 0.3
5. Enter Overall score from Question 28 2 X 0.15 = 0.3

TOTAL SCORE (Sum of 1 through 5): 2

OVERALL RATING: Satisfactory

Outstanding: Greater than 2.5
Satisfactory: Greater than 1.5 & less than or equal to 2.5
Marginal: Between 1.0 & 1.5
Unsatisfactory: Less than 1.0

PROCEDURE:

The Resident Engineer will prepare the Contractor Performance Evaluation and submit it to the Supervising Civil Engineer. The Supervising Civil Engineer will review the Contractor Performance Evaluation to ensure adequate documentation is included, the Resident Engineer has followed the process correctly, the Contractor Performance Evaluation has been prepared in a fair and unbiased manner, and the ratings assigned by the Resident Engineer are consistent with all other Resident Engineers using consistent performance expectations and similar rating scales.

The Resident Engineer will transmit a copy of the Contractor Performance Evaluation to the Contractor. Overall Ratings of Outstanding or Satisfactory are final and cannot be protested or appealed. If the Overall Rating is Marginal or Unsatisfactory, the Contractor will have 10 calendar days in which they may file a protest of the rating. The Public Works Agency Assistant Director, Design & Construction Services Department, will consider a Contractor's protest and render his/her determination of the validity of the Contractor's protest. If the Overall Rating is Marginal, the Assistant Director's determination will be final and not subject to further appeal. If the Overall Rating is Unsatisfactory and the protest is denied (in whole or in part) by the Assistant Director, the Contractor may appeal the Evaluation to the City Administrator, or his/her designee. The appeal must be filed within 14 calendar days of the Assistant Director's ruling on the protest. The City Administrator, or his/her designee, will hold a hearing with the Contractor within 21 calendar days of the filing of the appeal. The decision of the City Administrator regarding the appeal will be final.

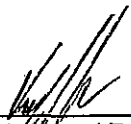
Contractors who receive an Unsatisfactory Overall Rating (i.e., Total Score less than 1.0) will be allowed the option of voluntarily refraining from bidding on any City of Oakland projects within one year from the date of the Unsatisfactory Overall Rating, or of being categorized as non-responsible for any projects the Contractor bids on for a period of one year from the date of the Unsatisfactory Overall Rating. Two Unsatisfactory Overall Ratings within any five year period will result in the Contractor being categorized by the City Administrator as non-

responsible for any bids they submit for future City of Oakland projects within three years of the date of the last Unsatisfactory overall rating.

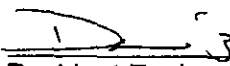
Any Contractor that receives an Unsatisfactory Overall Rating is required to attend a meeting with the City Administrator, or his/her designee, prior to returning to bidding on City projects. The Contractor is required to demonstrate improvements made in areas deemed Unsatisfactory in prior City of Oakland contracts.

The Public Works Agency Contract Administration Section will retain the final evaluation and any response from the Contractor for a period of five years. The City shall treat the evaluation as confidential, to the extent permitted by law.

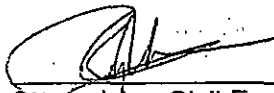
COMMUNICATING THE EVALUATION: *The Contractor's Performance Evaluation has been communicated to the Contractor. Signature does not signify consent or agreement.*

 10/6/09

Contractor / Date

 9/29/2009

Resident Engineer / Date

 9/30/09

Supervising Civil Engineer / Date

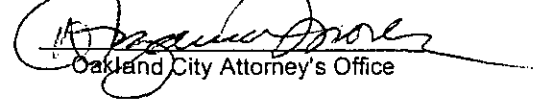
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FILED
OFFICE OF THE CITY CLERK
OAKLAND

2009 DEC 22 PM 5:47

Approved as to Form and Legality


Oakland City Attorney's Office

OAKLAND CITY COUNCIL

Resolution No. _____ C.M.S.

Introduced by Councilmember _____

RESOLUTION AWARDING A CONTRACT TO THE LOWEST, RESPONSIBLE, RESPONSIVE BIDDER, MCGUIRE AND HESTER, IN AN AMOUNT NOT-TO-EXCEED FOUR HUNDRED THIRTY SEVEN THOUSAND SEVEN HUNDRED FIVE DOLLARS (\$437,705.00) FOR THE CONSTRUCTION OF THE JEFFERSON SQUARE PARK IMPROVEMENT PROJECT IN ACCORD WITH PLANS AND SPECIFICATIONS FOR THE PROJECT (NO. P338310) AND CONTRACTOR'S BID THEREFOR

WHEREAS, on November 12, 2009, thirteen bids were received by the Office of the City Clerk of the City of Oakland for the Construction of the Jefferson Square Park Improvement Project (No. P338310); and

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

WHEREAS, the Redevelopment Agency Board has authorized a transfer of funds to the City of Oakland to pay for this contract; and

WHEREAS, Oakland Municipal Code 2.04.020.B requires Council approval of construction contracts in excess of \$50,000.00 when Redevelopment Agency funds will be used to pay for the contract; and

WHEREAS, there are sufficient funds in Fund 7780, Project Nos. P338310 and P338320, for the contract work; 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; 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 Jefferson Square Park Improvement Project (Project No.P338310) is hereby awarded to McGuire and Hester in accordance with the terms of its bid therefore, dated November 12, 2009, for the amount of four hundred thirty seven thousand, seven hundred five dollars (\$437,705.00) to be paid for with Redevelopment Agency funds; and be it

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

FURTHER RESOLVED: That the Council hereby approves the plans and specifications 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 City Council authorizes the City Administrator, or his designee, to enter into a contract, execute any amendments or modifications to said agreement within the limitations of the project specifications; 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, _____, 2009

PASSED BY THE FOLLOWING VOTE:

AYES- BROOKS, DE LA FUENTE, KAPLAN, KERNIGHAN, NADEL, QUAN, REID, and
PRESIDENT BRUNNER

NOES-

ABSENT-

ABSTENTION-

ATTEST: _____

La Tonda Simmo
City Clerk and Clerk of t
of the City of Oakland,