

# CITY OF OAKLAND

## AGENDA REPORT

2011 OCT 27 PM 1:04

TO: Office of the City Administrator  
ATTN: Deanna J. Santana  
FROM: Public Works Agency  
DATE: October 17, 2011

RE: **Resolution Awarding A Construction Contract To B-Side, Inc. the Lowest Responsive and Responsible Bidder, For The Rehabilitation of Sanitary Sewers in the Easement Between Mastlands Drive and Ascot Drive (Project No. C329124), In Accord With Plans and Specifications For The Project and Contractor's Bid In The Amount Of Two Hundred Thirty-Two Thousand Thirty-Seven Dollars (\$232,037.00)**

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### SUMMARY

A resolution has been prepared awarding a construction contract in the amount of \$232,037.00 to B-Side, inc. the Lowest Responsive and Responsible Bidder, for the Rehabilitation of Sanitary Sewers in the Easement Between Mastlands Drive and Ascot Drive (Project No. C329124). The work to be completed under this project is part of the City's annual Sanitary Sewer Rehabilitation program. The location of work is shown in *Attachment A*.

### FISCAL IMPACT

Approval of this resolution will authorize the City Administrator to award a construction contract to B-Side, Inc. in the amount of \$232,037.00. Funding for this project is available in:

- Sewer Service Fund (3100); Capital Project – Sanitary Sewer Design Organization (92244); Sewers Account (57417); Project C329124; \$232,037.00.

This project will rehabilitate existing sewer pipes, reducing rain-related sewer overflows and minimizing the demand for sanitary sewer maintenance.

### BACKGROUND

On September 15, 2011, the City Clerk received five bids for this project in the amounts of \$232,037.00, \$248,592.00, \$257,492.00, \$272,700.00 and \$286,881.00. A summary is shown below and in *Attachment B*. B-Side, Inc. is deemed the lowest responsive and responsible bidder, and therefore is recommended for the award. The Engineer's estimate for the work is \$232,140.00.

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Public Works Committee  
November 8, 2011

**List of Bidders**

Company	Bid Amount
B-Side, Inc.	\$232,037.00
Pacific Trenchless, Inc.	\$248,592.00
Andes Construction	\$257,492.00
Mosto Construction	\$272,700.00
J. Howard Engineering, Inc.	\$286,881.00

Under the proposed contract with B-Side, Inc. the Local Business Enterprise and Small Local Business Enterprise (LBE/SLBE) participation will be 56.90%, which exceeds the City's 20% LBE/SLBE requirement. The contractor shows a 100% participation for trucking. 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 Social Equity Division of the Department of Contracting and Purchasing and is shown in **Attachment C**. Staff has reviewed the submitted bid for this work and has determined that the bid is reasonable and reflects the current construction climate.

**KEY ISSUES AND IMPACTS**

The Environmental Protection Agency (EPA) mandates the reduction of sanitary sewer overflows. This project is part of the Citywide program to eliminate wastewater overflows. Construction is scheduled to begin in February 2012 and should be completed by April 2012. The contract specifies \$1,000.00 in liquidated damages per calendar day if the contract is not completed within 60 working days. The project schedule is shown in **Attachment B**.

**PROJECT DESCRIPTION**

In general, the proposed work consists of replacing 1,163 linear feet of existing sanitary sewers pipes by pipe-expanding method; rehabilitating sewer structures; reconnecting house connecting sewers; and other work specifically shown on the project plans or included in the Special Provisions.

**EVALUATION OF PAST PERFORMANCE**

B-Side, Inc. has not completed a project with City of Oakland, therefore the Contractor's Performance Evaluation is not available.

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## SUSTAINABLE OPPORTUNITIES

**Economic:** The contractor will have 50% of the work hours performed by Oakland residents and 50% of all new hires are to be Oakland residents, which will result in local dollars being spent locally.

**Environmental:** The replacement of the sanitary sewers will minimize sewer leakage and overflows, thus preventing potential harm to property, groundwater resources and the Bay. Best Management Practices for the protection of storm water runoff during construction will be required.

**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. During construction, the contractor will be required to provide safe and accessible travel through the construction area.


## RECOMMENDATION AND RATIONALE

It is recommended that the construction contract be awarded to B-Side, Inc. the lowest responsive and responsible bidder, in the amount of \$232,037.00 for the Rehabilitation of Sanitary Sewers in the Easement Between Mastlands Drive and Ascot Drive (Project No. C329124). B-Side, 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,

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

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

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

APPROVED AND FORWARDED TO  
THE PUBLIC WORKS COMMITTEE:

  
Office of the City Administrator

Item: \_\_\_\_\_  
Public Works Committee  
November 8, 2011

ATTACHMENT A

REHABILITATION OF SANITARY SEWERS  
IN THE EASEMENT BETWEEN  
MASTLANDS DRIVE AND ASCOT DRIVE

CITY PROJECT NO. C329124



LOCATION MAP

NOT TO SCALE

LIMIT OF WORK 



*Attachment C*

**Memo**

**City Administrator's Office – Contracts & Compliance Unit**

**To:** Gunawan Santoso - Project Manager  
**From:** Sophany Hang - Assistant Contract Compliance Officer  
**Through:** Deborah Barnes – Contracts and Compliance Director *Deborah Barnes*  
 Shelley Darensburg - Sr. Contract Compliance Officer  
**CC:** Calvin Hao – PWA – Contract Services  
**Date:** September 27, 2011  
**Re:** C329124- The Rehabilitation of Sanitary Sewers in the Easement Between Mastland Drive and Ascot Drive

The City Administrator's Office, Contracts and Compliance Unit, reviewed five (5) 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

Responsive to L/SLBE and/or EBO Policies		Proposed Participation				Earned Credits and Discounts			Banked Credits Eligibility	EBO Compliant? Y/N
Company Name	Original Bid Amount	Total LBE/SLBE	LBE	SLBE	L/SLBE Trucking	Total Credited participation	Earned Bid Discounts	Adjusted Bid Amount		
B-Side, Inc.	\$232,037.00	56.90%	0%	56.90%	NA	56.90%	5%	\$220,435.15	0%	Y
Pacific Trenchless	\$248,592.00	95.27%	0%	95.27%	NA	95.27%	5%	\$236,162.40	2%	Y
Andes Construction	\$257,492.00	99.61%	0%	99.61%	NA	99.61%	5%	\$244,617.40	2%	Y
J. Howard Engineering	\$286,881.00	20.22%	0%	20.22%	NA	20.22%	2%	\$281,143.38	0%	N
Mosto Construction	\$299,795.00	100%	0%	100%	NA	100%	5%	\$284,805.25	2%	Y

**Comments:** As noted above, all firms met and/or exceeded the minimum 20% Local/Small Local Business Enterprise participation requirement. J. Howard Engineering is not EBO compliant.

Non-Responsive to L/SLBE and/or EBO Policies		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		
NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA

**Comments:** There were no non-responsive bidders.





For Informational Purposes

No Local Employment Program (LEP) or Apprenticeship Program Utilization data is available for B-Side, Inc. They have not completed a project for the City of Oakland in the last fiscal year.

Contractor Name: B-side, Inc  
 Project Name: NA  
 Project No. NA

**50% Local Employment Program (LEP)**

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

**15% Oakland Apprenticeship Program**

Was the 15% Apprenticeship Goal achieved?	NA	If no, shortfall hours?	NA
Were shortfalls satisfied?	NA	If no, penalty amount?	NA

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 work force 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
NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA

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

**CONTRACTS AND COMPLIANCE UNIT**



**Contract Compliance Division**

**PROJECT EVALUATION FORM**

**PROJECT NO.:** C329124

**PROJECT NAME:** The Rehabilitation of Sanitary Sewers in the Easement Between Mastland Drive and Ascot Drive

**CONTRACTOR:** B-Side, Inc.

<b><u>Engineer's Estimate:</u></b> \$232,140.00	<b><u>Contractors' Bid Amount</u></b> \$232,037.00	<b><u>Over/Under Engineer's Estimate</u></b> \$103.00
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<b><u>Discounted Bid Amount:</u></b> \$220,435.15	<b><u>Amount of Bid Discount</u></b> \$11,601.85	<b><u>Discount Points:</u></b> 5.00%
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1. Did the 20% requirements apply? **YES**
  
2. Did the contractor meet the 20% requirement? **YES**
  - b) % of LBE participation **0.00%**
  - c) % of SLBE participation **56.90%**
  
3. Did the contractor meet the Trucking requirement? **NA**
  - a) Total SLBE/LBE trucking participation **100.00%**
  
4. Did the contractor receive bid discounts? **YES**

(If yes, list the percentage received) **5.00%**

5. Additional Comments.

**Per the project manager, trucking is minimal.**

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

**9/27/2011**  
Date

**Reviewing Officer:**

*Stephen H. [Signature]*

**Date:** 9/27/2011

**Approved By:**

*Shelley Darnsburg*

**Date:** 9/27/2011

# LBE/SLBE PARTICIPATION

## BIDDER 1

Project Name: **The Rehabilitation of Sanitary Sewers in the Easement Between Mastland Drive and Ascot Drive**

Project No.: C329124		Engineers Est: \$232,140.00				Under/Over Engineers Estimate: \$103.00				For Tracking Only		
Discipline	Prime & Subs	Location	Cert Status	LBE	SLBE	Total kBE/SLBE	L/SLBE Trucking	Total Trucking	TOTAL Dollars	Ethn.	MBE	WBE
PRIME	B-Side, Inc.	Oakland	CB		122,037.00	122,037.00			122,037.00	AA	122,037.00	
Plumbing	AM PM Plumbing	Concord	UB						100,000.00	NL		
Trucking	CJC Trucking	Oakland	CB		10,000.00	10,000.00	10,000.00	10,000.00	10,000.00	AA	10,000.00	
<b>Project Totals</b>				\$0.00	\$132,037.00	\$132,037.00	\$10,000.00	\$10,000.00	\$232,037.00		\$132,037.00	\$0
				0.00%	56.90%	56.90%	100.00%	100.00%	100.00%		56.90%	0.00%
<b>Requirements:</b> The 20% requirements is a combination of 10% LBE and 10% SLBE participation. An SLBE firm can be counted 100% towards achieving 20% requirements.				LBE 10%	SLBE 10%	TOTAL LBE/SLBE	20% LBE/SLBE TRUCKING			<b>Ethnicity</b> AA = African American AJ = Asian Int #1 AP = Asian Pacific C = Caucasian H = Hispanic NA = Native American O = Other NL = Not Listed MO = Multiple Ownership		
<b>Legend</b>				LBE = Local Business Enterprise	SLBE = Small Local Business Enterprise	Total LBE/SLBE = All Certified Local and Small Local Businesses	NPLSE = Non-Profit Local Business Enterprise	NPSLBE = Non-Profit Small Local Business Enterprise	UB = Uncertified Business	CB = Certified Business	MBE = Minority Business Enterprise	WBE = Woman Business Enterprise

CONTRACTS AND COMPLIANCE UNIT



Contract Compliance Division

PROJECT EVALUATION FORM

PROJECT NO.: C329124

PROJECT NAME: The Rehabilitation of Sanitary Sewers in the Easement Between Mastland Drive and Ascot Drive

CONTRACTOR: Pacific Trenchless Inc.

<u>Engineer's Estimate:</u> \$232,140.00	<u>Contractors' Bid Amount</u> \$248,592.00	<u>Over/Under Engineer's Estimate</u> -\$16,452.00
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<u>Discounted Bid Amount:</u> \$236,162.40	<u>Amount of Bid Discount</u> \$12,429.60	<u>Discount Points:</u> 5.00%
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- 1. Did the 20% requirements apply? YES
  
- 2. Did the contractor meet the 20% requirement? YES
  - b) % of LBE participation 0.00%
  - c) % of SLBE participation 95.27%
  
- 3. Did the contractor meet the Trucking requirement? NA
  - a) Total SLBE/LBE trucking participation 100.00%
  
- 4. Did the contractor receive bid discounts? NA  
(If yes, list the percentage received) 5.00%

5. Additional Comments.

Per the project manager, trucking is minimal.

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

9/27/2011

Date

Reviewing  
Officer:

*Shelley Darenberg*

Date: 9/27/2011

Approved By:

*Shelley Darenberg*

Date: 9/27/2011

## LBE/SLBE PARTICIPATION

### BIDDER 2

Project Name: The Rehabilitation of Sanitary Sewers in the Easement Between Mastland Drive and Ascot Drive

Project No.: C389010		Engineers Est: \$232,140.00				Under/Over Engineers Estimate: -\$16,452.00				For Tracking Only		
Discipline	Prime S Subs	Location	Cert. Status	LBE	SLBE	Total LBE/SLBE	L/SLBE Trucking	Total Trucking	TOTAL Dollars	Ethn.	MBE	WBE
PRIME Trucking HDPE Pipe	Pacific Trenchless Inc.	Oakland	CB		236,343.00	236,343.00			236,343.00	C		
	Williams Trucking	Oakland	CB		500.00	500.00	500.00	500.00	500.00	AA	500.00	
	P&F Distributors	Brisbane	UB						11,749.00	C		
<b>Project Totals</b>				\$0.00	\$236,843.00	\$236,843.00	\$500.00	\$500.00	\$248,592.00		\$500.00	\$0.00
				0.00%	95.27%	95.27%	100.00%	100.00%	100.00%		0.20%	0.00%
<b>Requirements:</b> The 20% requirements is a combination of 10% LBE and 10% SLBE participation. An SLBE firm can be counted 100% towards achieving 20% requirements.				LBE:10%	SLBE:20%	TOTAL LBE/SLBE	20% LBE/SLBE TRUCKING			<b>Ethnicity</b> AA = African American AI = Asian Indian AP = Asian Pacific C = Caucasian H = Hispanic NA = Native American O = Other NL = Not Listed MO = Multiple Ownership		
<b>Legend</b>				LBE = Local Business Enterprise SLBE = Small Local Business Enterprise Total LBE/SLBE = All Certified Local and Small Local Businesses NPLBE = NonProfit Local Business Enterprise NPSLBE = NonProfit Small Local Business Enterprise		UB = Uncertified Business CB = Certified Business MBE = Minority Business Enterprise WBE = Women Business Enterprise						

**CONTRACTS AND COMPLIANCE UNIT**



**Contract Compliance Division**

**PROJECT EVALUATION FORM**

**PROJECT NO.:** C329124

**PROJECT NAME:** The Rehabilitation of Sanitary Sewers in the Easement Between Mastland Drive and Ascot Drive

**CONTRACTOR:** Andes Construction

**Engineer's Estimate:**  
\$232,140.00

**Contractors' Bid Amount**  
\$257,492.00

**Over/Under Engineer's Estimate:**  
-\$25,352.00

**Discounted Bid Amount:**  
\$244,617.40

**Amount of Bid Discount**  
\$12,874.60

**Discount Points:**  
5.00%

1. Did the 20% requirements apply? **YES**
2. Did the contractor meet the 20% requirement? **YES**
- b) % of LBE participation **0.00%**
- c) % of SLBE participation **99.61%**
3. Did the contractor meet the Trucking requirement? **NA**
- a) Total SLBE/LBE trucking participation **0.00%**
4. Did the contractor receive bid discounts? **NA**
- (If yes, list the percentage received) **5.00%**
5. Additional Comments.

**Per the project manager, trucking is minimal.**

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

**9/27/2011**  
Date

**Reviewing Officer:**

*Stephen Hays*

**Date:** 9/27/2011

**Approved By:**

*Shelley Sarenburg*

**Date:** 9/27/2011

# LBE/SLBE PARTICIPATION

## BIDDER 3

Project Name: The Rehabilitation of Sanitary Sewers in the Easement Between Mastland Drive and Ascot Drive

Project No.: C329124		Engineers Est: \$232,140.00				Under/Dver Engineers Estimate: -\$25,352.00				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 Trucking	Andes Construction	Oakland	CB		256,492.00	256,492.00			256,492.00	H	256,492.00	
	Foston Trucking	Oakland	UB					1,000.00	1,000.00	AA	1,000.00	
<b>Project Totals</b>				\$0.00	\$256,492.00	\$256,492.00	\$0.00	\$1,000.00	\$257,492.00		\$257,492.00	\$0.00
				0.00%	99.61%	99.61%	0.00%	100.00%	100.00%		100.00%	0.00%
<b>Requirements:</b> The 20% requirements is a combination of 10% LBE and 10% SLBE participation. An SLBE firm can be counted 100% towards achieving 20% requirements.				LBE 15%	SLBE 25%	TOTAL LBE/SLBE	35% LBE/SLBE TRUCKING		<b>Ethnicity</b> AA = African American AI = Asian Indian AP = Asian Pacific C = Caucasian H = Hispanic NA = Native American O = Other NL = Not Listed MO = Multiple Ownership			
<b>Legend</b>	LBE = Local Business Enterprise SLBE = Small Local Business Enterprise Total LBE/SLBE = All Certified Local and Small Local Businesses NPLBE = NonProfit Local Business Enterprise NPSLBE = NonProfit Small Local Business Enterprise			UB = Uncertified Business CB = Certified Business MBE = Minority Business Enterprise WBE = Women Business Enterprise								

**CONTRACTS AND COMPLIANCE UNIT**



**Contract Compliance Division**

**PROJECT EVALUATION FORM**

**PROJECT NO.:** C329124

**PROJECT NAME:** The Rehabilitation of Sanitary Sewers in the Easement Between Mastland Drive and Ascot Drive

**CONTRACTOR:** J. Howard Engineering, Inc.

<b><u>Engineer's Estimate:</u></b> \$232,140.00	<b><u>Contractors' Bid Amount</u></b> \$286,881.00	<b><u>Over/Under Engineer's Estimate</u></b> -\$54,741.00
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<b><u>Discounted Bid Amount:</u></b> \$281,143.38	<b><u>Amount of Bid Discount</u></b> \$5,737.62	<b><u>Discount Points:</u></b> 2.00%
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1. Did the 20% requirements apply? **YES**
  
2. Did the contractor meet the 20% requirement? **YES**
  - b) % of LBE participation **0.00%**
  - c) % of SLBE participation **20.22%**
  
3. Did the contractor meet the Trucking requirement? **NA**
  - a) Total SLBE/LBE trucking participation **0.00%**
  
4. Did the contractor receive bid discounts? **YES**

(If yes, list the percentage received) **2.00%**

5. Additional Comments.

**Per the project manager, trucking is minimal.**

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

**9/27/2011**  
Date

**Reviewing Officer:**

*Shelley Sarenburg*

**Date:** 9/27/2011

**Approved 1**

*Shelley Sarenburg*

**Date:** 9/27/2011



# LBE/SLBE PARTICIPATION

## BIDDER 4

Project Name: The Rehabilitation of Sanitary Sewers in the Easement Between Mastland Drive and Ascot Drive

Project No.: C329124		Engineers Est: \$232,140.00		Under/Over Engineers Estimate: -\$54,741.00								
Discipline	Prime & Subs	Location	Cert. Status	LBE	SLBE	Total LBE/SLBE	L/SLBE Trucking	Total Trucking	TOTAL Dollars	For Tracking Only		
										Ethn.	MBE	WBE
PRIME	J. Howard Engineering, Inc.	Oakland	UB						243,381.00			
Trucking	All City Trucking	Oakland	CB		24,500.00	24,500.00	24,500.00	24,500.00	24,500.00	AI	24,500.00	
	Rosas Construction	Oakland	CB		19,000.00	19,000.00			19,000.00	H	19,000.00	
Paving	Rosas Construction	Oakland	CB		6,500.00	6,500.00			6,500.00	H	6,500.00	
CCTU	Albjon Plumbing	Oakland	CB		4,500.00	4,500.00			4,500.00	AA	4,500.00	
Saw Cutting	Bay Line Concrete Cutting & Coring	Oakland	CB		3,500.00	3,500.00			3,500.00	H	3,500.00	
<b>Project Totals</b>				\$0	\$58,000.00	\$58,000.00	\$24,500.00	\$24,500.00	\$286,881.00		\$58,000.00	\$0
				0.00%	20.22%	20.22%	0.00%	0.00%	100.00%		20.22%	0.00%
<b>Requirements:</b> The 20% requirements is a combination of 10% LBE and 10% SLBE participation. An SLBE firm can be counted 100% towards achieving 20% requirements.				LBE 10%	SLBE 10%	TOTAL LBE/SLBE	20% LBE/SLBE TRUCKING			<b>Ethnicity</b> AA = African American AI = Asian Indian AP = Asian Pacific C = Caucasian H = Hispanic NA = Native American O = Other NL = Not Listed MO = Multiple Ownership		
<b>Legend</b>	LBE = Local Business Enterprise		UB = Uncertified Business		SLBE = Small Local Business Enterprise		CB = Certified Business		Total LBE/SLBE = All Certified Local and Small Local Businesses		MBE = Minority Business Enterprise	
	NPLBE = NonProfit Local Business Enterprise		WBE = Women Business Enterprise		NPSLBE = NonProfit Small Local Business Enterprise							

**CONTRACTS AND COMPLIANCE UNIT**



**Contract Compliance Division**

**PROJECT EVALUATION FORM**

**PROJECT NO.:** C329124

**PROJECT NAME:** The Rehabilitation of Sanitary Sewers in the Easement Between Mastland Drive and Ascot Drive

**CONTRACTOR:** Mosto Construction

<b><u>Engineer's Estimate:</u></b> \$232,140.00	<b><u>Contractors' Bid Amount</u></b> \$299,795.00	<b><u>Over/Under Engineer's Estimate</u></b> -\$67,655.00
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<b><u>Discounted Bid Amount:</u></b> \$284,805.25	<b><u>Amount of Bid Discount</u></b> \$14,989.75	<b><u>Discount Points:</u></b> 5.00%
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- 1. Did the 20% requirements apply? **YES**
  
- 2. Did the contractor meet the 20% requirement? **YES**
  - b) % of LBE participation **0.00%**
  - c) % of SLBE participation **100.00%**
  
- 3. Did the contractor meet the Trucking requirement? **NA**
  - a) Total SLBE/LBE trucking participation **100.00%**
  
- 4. Did the contractor receive bid discounts? **YES**
  - (If yes, list the percentage received) **5.00%**

5. Additional Comments.

**Per the project manager, trucking is minimal.**

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

**9/27/2011**

Date

**Reviewing Officer:**

Shelley Hartz

**Date:** 9/27/2011

**Approved By**

Shelley Sorenson

**Date:** 9/27/2011

## LBE/SLBE PARTICIPATION BIDDER 5

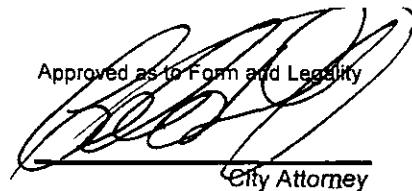
Project Name: **The Rehabilitation of Sanitary Sewers in the Easement Between Mastland Drive and Ascot Drive**

Project No.: C329124		Engineers Est: \$232,140.00			Under/Over Engineers Estimate:					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 Trucking	Mosto Construction	Oakland	CB		294,295.00	294,295.00			294,295.00	H	294,295.00	
	Monroe Trucking	Oakland	CB		5,500.00	5,500.00	5,500.00	5,500.00	5,500.00	AA	5,500.00	
<b>Project Totals</b>				\$0	\$299,795.00	\$299,795.00	\$5,500.00	\$5,500.00	\$299,795.00		\$299,795.00	\$0.00
				0.00%	100.00%	100.00%	100.00%	100.00%	100.00%		100.00%	\$0.00
<b>Requirements:</b> The 20% requirements is a combination of 10% LBE and 10% SLBE participation. An SLBE firm can be counted 100% towards achieving 20% requirements.				LBE 10%	SLBE 10%	TOTAL LBE/SLBE	20% LBE/SLBE TRUCKING			<b>Ethnicity</b> AA = African American AI = Asian Indian AP = Asian Pacific C = Caucasian H = Hispanic NA = Native American O = Other NL = Not Listed MO = Multiple Ownership		
<b>Legend</b>	LBE = Local Business Enterprise SLBE = Small Local Business Enterprise Total LBE/SLBE = All Certified Local and Small Local Businesses NPLBE = NonProfit Local Business Enterprise NPSLBE = NonProfit Small Local Business Enterprise			UB = Uncertified Business CB = Certified Business MBE = Minority Business Enterprise WBE = Woman Business Enterprise								

FILED  
OFFICE OF THE CITY CLERK  
OAKLAND

# OAKLAND CITY COUNCIL

Approved as to Form and Legality



City Attorney

2011 OCT 27 PM 4:50 **RESOLUTION No. \_\_\_\_\_ C.M.S.**

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

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**RESOLUTION AWARDING A CONSTRUCTION CONTRACT TO B-SIDE, INC. THE LOWEST RESPONSIVE AND RESPONSIBLE BIDDER, FOR THE REHABILITATION OF SANITARY SEWERS IN THE EASEMENT BETWEEN MASTLAND DRIVE AND ASCOT DRIVE (PROJECT NO. C329124) IN ACCORD WITH PLANS AND SPECIFICATIONS FOR THE PROJECT AND CONTRACTOR'S BID IN THE AMOUNT OF TWO HUNDRED THIRTY-TWO THOUSAND THIRTY-SEVEN DOLLARS (\$232,037.00)**

**WHEREAS**, on September 15, 2011, five bids were received by the Office of the City Clerk of the City of Oakland for The Rehabilitation of Sanitary Sewers in the Easement Between Mastlands Drive and Ascot Drive (Project No. C329124); and

**WHEREAS**, B-Side, Inc. a certified SLBE bidding as a prime, is deemed the lowest responsive and responsible bidder for the project; and

**WHEREAS**, there are sufficient funds in the project budget for the work in the following project account:

- Sewer Service Fund (3100); Capital Projects - Sanitary Sewer Design Organization (92244); Sewers Account (57417); Project No. C329124; \$232,037.00; and these funds were specifically allocated for this project; this project will help reduce the amount of sanitary sewer maintenance requirement; and

**WHEREAS**, the City Council finds that the City lacks the equipment and qualified personnel to perform the necessary work, and that the performance of this contract is in the public interest because of economy or better performance and that this contract is of a professional, scientific or technical nature; and

**WHEREAS**, B-Side, Inc. complies with all LBE/SLBE requirements; and

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

**RESOLVED:** That the construction contract for The Rehabilitation of Sanitary Sewers in the Easement Between Mastlands Drive and Ascot Drive (Project No. C329124) is hereby awarded to B-Side, Inc. the Lowest Responsive and Responsible Bidder, in accordance with the project plans and specifications and the contractor's bid therefore, dated September 15, 2011, for the amount of Two Hundred Thirty-Two Thousand Thirty-Seven Dollars (\$232,037.00); and be it

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

**FURTHER RESOLVED:** That the amount of the bond for faithful performance, \$232,037.00, 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, \$232,037.00, with respect to such work are hereby approved; and be it

**FURTHER RESOLVED:** That the City Administrator, or her designee, is hereby authorized to enter into a contract with B-Side, 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 City Council finds that the City lacks the equipment and qualified personnel to perform the necessary work, that the performance of this contract is in the public interest because of economy or better performance and that this contract is of a professional, scientific or technical nature; and be it

**FURTHER RESOLVED:** That the contract shall be reviewed and approved by the City Attorney for form and legality and placed on file in the Office of the City Clerk.

IN COUNCIL, OAKLAND, CALIFORNIA, \_\_\_\_\_, 20\_\_\_\_\_

PASSED BY THE FOLLOWING VOTE:

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

NOES -

ABSENT -

ABSTENTION -

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