

CITY OF OAKLAND
AGENDA REPORT

OFFICE OF THE CITY CLERK
2007 MAY 07 PM 8:41

TO: Office of the City Administrator
ATTN: Deborah A. Edgerly
FROM: Public Works Agency
DATE: May 8, 2007

RE: **Resolution Authorizing Award Of A Construction Contract To AJW Construction For Citywide Sidewalk Repair FY 06-07 (Project No. C269110) For The Amount Of Seven Hundred Seventy One Thousand Five Hundred Seventy Five Dollars (\$771,575.00) And Increasing The Change Order Limit From 20 Percent to 33 Percent**

SUMMARY

A resolution has been prepared authorizing the City Administrator to award a construction contract for the amount of \$771,575.00 to AJW Construction for the Citywide Sidewalk Repair FY 06-07 (Project No. C269110). The resolution also authorizes the City Administrator to increase the change order limit from 20 percent to 33 percent for this contract. The increase in the change order limit is requested to expend available project budget funds to address additional sidewalk repair needs.

This work is part of the City's sidewalk repair program. The work is located in all Council districts and is funded by Measure B Fund (2210), Measure B – ACTIA Fund (2211) and Measure B – Bicycle/Pedestrian Pass-Thru Funds (2212). This project will repair approximately 300 tree damaged sidewalk locations citywide as shown in *Attachment A*.

Staff recommends approval of the resolution.

FISCAL IMPACT

Approval of this resolution will authorize a construction contract for the bid amount of \$771,575.00. The Engineer's Estimate for the work is \$820,300.00. The project budget has sufficient funds for the work. These funds are available in Measure B Fund (2210), Measure B – ACTIA Fund (2211), Measure B - Bicycle/Pedestrian Pass-Thru Fund (2212); Sidewalk Repair Program Organization (92452); Street Construction Account (57411); in Project Numbers C269110, C269120, C78051, C209140. Contract funding was specifically allocated in the following project accounts.

SUMMARY OF PROJECT FUNDING

| FUND | ORG | ACCOUNT | PROJECT | PROGRAM | AMOUNT | PERCENT |
|------|-------|---------|---------|---------|----------------|---------|
| 2210 | 92452 | 57411 | C269110 | IN04 | \$484,000.00 | 47.04% |
| 2212 | 92452 | 57411 | C269120 | IN04 | \$347,000.00 | 33.72% |
| 2212 | 92452 | 57411 | C78051 | IN04 | \$128,000.00 | 12.44% |
| 2211 | 92452 | 57411 | C209140 | IN04 | \$70,000.00 | 6.80% |
| | | | | | \$1,029,000.00 | 100.00% |

The project specifications allow a standard change order limit of 20% (\$154,315.00) of the contract amount (\$771,575.00). The funds available for project contingency total \$257,425.00 due to low bid prices. Since the bid is lower than the Engineer's Estimate and there are sufficient funds available to address additional sidewalk repair needs, it is recommended that the resolution awarding this contract also authorizes an increase of the change order limit from 20% to 33%. This increase will allow additional work to be done using these competitive unit bid prices.

BACKGROUND

On January 8, 2007, the City Clerk received three bids for this project. The bids ranged from \$771,575.00 to \$939,185.00. AJW Construction submitted the lowest responsive and responsible bid in the amount of \$771,575.00 and met the City's Local Business Enterprise (LBE) / Small Local Business Enterprise (SLBE) requirements. *Attachment B* shows the project bid summary.

This project will repair sidewalks in all Council districts throughout the City of Oakland and will enhance pedestrian access and pedestrian safety.

In general, the proposed work consists of repairing approximately 300 tree-related damaged sidewalk locations (63,200 square feet) citywide. All locations were selected from the existing sidewalk repair backlog based upon the severity of damage. Specific locations are shown in *Attachment A*.

AJW Construction's LBE/SLBE participation is \$771,575.00 (100%), which exceeds the City's 20% goal. The contractor shows \$10,000.00 (100%) for local trucking participation, which exceeds the City's 20% goal. The contractor received 5% credit (or \$38,578.75) for LBE/SLBE preference that resulted in an adjusted bid amount of \$732,996.25. The contractor is required to have 50% of the work hours performed by Oakland residents, and 50% of all new hires are to be Oakland residents. The LBE/SLBE information has been verified by the Contract Compliance Division of the City Administrator's Office and is shown in *Attachment C*.

KEY ISSUES AND IMPACTS

Construction is scheduled to begin in June 2007 and should be completed in December 2007. The contract specifies \$1,000.00 in liquidated damages per working day if the contract completion time of 130 working days is exceeded. *Attachment D* shows the project schedule.

SUSTAINABLE OPPORTUNITIES

Economic: All public works contracts require the payment of prevailing wages. Prevailing wages offer a livable wage rate for workers and contribute to an increased quality of life. Project funds should turn over within the community and help to stimulate the City's economic base. The contractor is required to have 50% of the work hours performed by Oakland residents and 50% of all new hires are to be Oakland residents.

Environmental: The contractor will recycle removed concrete and asphalt to the extent possible. Removed trees and spurned tree roots will be taken to a green waste-recycling center.

Social Equity: The sidewalk repair locations have been selected from all of the City's Council districts. The sidewalk repair locations for this project are selected based on severity, pedestrian usage and past history of trip and fall incidents. The project curb ramps will be constructed citywide, based upon request.

DISABILITY AND SENIOR CITIZEN ACCESS

Sidewalk repairs will improve access for all Oakland residents by removing tripping hazards and other obstacles along pedestrian pathways. The sidewalk repair work and curb ramp installations will also facilitate and improve accessibility for senior citizens and persons with disabilities. This project will also eliminate hazards for persons with vision disabilities and for persons with mobility impairments.

RECOMMENDATION(S) AND RATIONALE

It is recommended that the construction contract be awarded to AJW Construction, the lowest responsible bidder, for the amount of \$771,575.00 for Citywide Sidewalk Repair FY 06-07 (Project No. C269110) with an increase of the change order limit from 20% to 33%. AJW Construction has met the LBE/SLBE requirements. Project accounts have sufficient funds.

ACTION REQUESTED OF THE CITY COUNCIL

Staff recommends that the City Council approve the resolution.

Respectfully submitted,

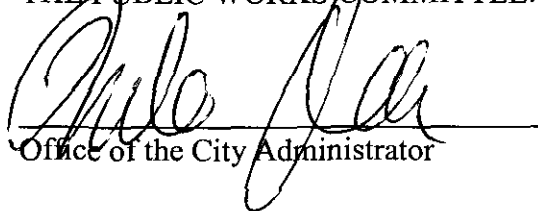


Raul Godinez II, P.E.
Director, Public Works Agency

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

Prepared by:
Yader Bermudez, P.E.
Engineer Division Manager
Engineering Design & Right of Way
Management

APPROVED AND FORWARDED TO
THE PUBLIC WORKS COMMITTEE:


Office of the City Administrator

Attachment A

**Citywide Sidewalk Repair FY 06-07
(Project No. C269110)**

List of Sidewalk Repair Locations

Location Listing
 Citywide Sidewalk Repair for FY 06-07
 Project No. C269110

| District | Address | Street Name |
|----------|---------|-------------|
| 1 | 340 | 038 STREET |
| 1 | 345 | 038 STREET |
| 1 | 348 | 038 STREET |
| 1 | 380 | 038 STREET |
| 1 | 381 | 038 STREET |
| 1 | 386 | 038 STREET |
| 1 | 389 | 038 STREET |
| 1 | 403 | 038 STREET |
| 1 | 407 | 038 STREET |
| 1 | 408 | 038 STREET |
| 1 | 409 | 038 STREET |
| 1 | 410 | 038 STREET |
| 1 | 416 | 038 STREET |
| 1 | 417 | 038 STREET |
| 1 | 418 | 038 STREET |
| 1 | 421 | 038 STREET |
| 1 | 422 | 038 STREET |
| 1 | 424 | 038 STREET |
| 1 | 441 | 038 STREET |
| 1 | 445 | 038 STREET |
| 1 | 452 | 038 STREET |
| 1 | 454 | 038 STREET |
| 1 | 455 | 038 STREET |
| 1 | 457 | 038 STREET |
| 1 | 462-464 | 038 STREET |
| 1 | 465 | 038 STREET |
| 1 | 466 | 038 STREET |
| 1 | 467 | 038 STREET |
| 1 | 473 | 038 STREET |
| 1 | 474 | 038 STREET |
| 1 | 477 | 038 STREET |
| 1 | 480 | 038 STREET |
| 1 | 482 | 038 STREET |
| 1 | 496 | 038 STREET |
| 1 | 400 | 060 STREET |
| 1 | 404 | 060 STREET |
| 1 | 405 | 060 STREET |
| 1 | 408 | 060 STREET |
| 1 | 409 | 060 STREET |
| 1 | 412 | 060 STREET |
| 1 | 413 | 060 STREET |
| 1 | 417 | 060 STREET |
| 1 | 420 | 060 STREET |
| 1 | 429 | 060 STREET |
| 1 | 432 | 060 STREET |
| 1 | 436 | 060 STREET |

| District | Address | Street Name |
|----------|---------|-------------|
| 1 | 462 | 060 STREET |
| 1 | 467 | 060 STREET |
| 1 | 468 | 060 STREET |
| 1 | 698 | 060 STREET |
| 1 | 3809 | SHAFTER |
| 1 | 3815 | SHAFTER |
| 1 | 4123 | SHAFTER |
| 1 | 4151 | SHAFTER |
| 1 | 4174 | SHAFTER |
| 1 | 4841 | SHAFTER |
| 1 | 5095 | SHAFTER |
| 1 | 5160 | SHAFTER |
| 1 | 5169 | SHAFTER |
| 1 | 5256 | SHAFTER |
| 1 | 5300 | SHAFTER |
| 1 | 5309 | SHAFTER |
| 1 | 5314 | SHAFTER |
| 1 | 5320 | SHAFTER |
| 1 | 5327 | SHAFTER |
| 1 | 5332 | SHAFTER |
| 1 | 5333 | SHAFTER |
| 1 | 5336 | SHAFTER |
| 1 | 5336 | SHAFTER |
| 1 | 5337 | SHAFTER |
| 1 | 5344 | SHAFTER |
| 1 | 5345 | SHAFTER |
| 1 | 5345 | SHAFTER |
| 1 | 5354 | SHAFTER |
| 1 | 5359 | SHAFTER |
| 1 | 5362 | SHAFTER |
| 1 | 5363 | SHAFTER |
| 1 | 5363 | SHAFTER |
| 1 | 5363 | SHAFTER |
| 1 | 5366 | SHAFTER |
| 1 | 5366 | SHAFTER |
| 1 | 5367 | SHAFTER |
| 1 | 5367 | SHAFTER |
| 1 | 5370 | SHAFTER |
| 1 | 5370 | SHAFTER |
| 1 | 5373 | SHAFTER |
| 1 | 5373 | SHAFTER |
| 1 | 5374 | SHAFTER |
| 1 | 5417 | SHAFTER |
| 1 | 5417 | SHAFTER |
| 1 | 5418 | SHAFTER |
| 1 | 5422 | SHAFTER |

Location Listing
Citywide Sidewalk Repair for FY 06-07
Project No. C269110

| District | Address | Street Name |
|----------|------------------|-------------|
| 1 | 5430 | SHAFTER |
| 1 | 5430 | SHAFTER |
| 1 | 5430 | SHAFTER |
| 1 | 5434 | SHAFTER |
| 1 | 5441 | SHAFTER |
| 1 | 5449 | SHAFTER |
| 1 | 5449 | SHAFTER |
| 1 | 5460 | SHAFTER |
| 1 | 5460 | SHAFTER |
| 1 | 5462 | SHAFTER |
| 1 | 5463 | SHAFTER |
| 1 | 5466 | SHAFTER |
| 1 | 5466 | SHAFTER |
| 1 | 5467 | SHAFTER |
| 1 | 5467 | SHAFTER |
| 1 | 5468 | SHAFTER |
| 1 | 5468 | SHAFTER |
| 2 | 1935 | 10th Ave |
| 2 | 1946 | 10th Ave |
| 2 | 2049 | 10th Ave |
| 2 | 2236-38 (2 TR) | 10th Ave |
| 2 | 2440 | 10th Ave |
| 2 | 2516 | 10th Ave |
| 2 | 2531 | 10th Ave |
| 2 | 2532-34 | 10th Ave |
| 2 | 2105 | 11th Ave |
| 2 | 2108 | 11th Ave |
| 2 | 2110-14 | 11th Ave |
| 2 | 2134 | 11th Ave |
| 2 | 2139 | 11th Ave |
| 2 | 2141-43 | 11th Ave |
| 2 | 2208 | 11th Ave |
| 2 | 2431 | 11th Ave |
| 2 | 2510 | 11th Ave |
| 2 | 2516 | 11th Ave |
| 2 | 2803 | 11th Ave |
| 2 | 2830 | 11th Ave |
| 2 | 2840 | 11th Ave |
| 2 | 2040 | 12th Ave |
| 2 | 2244 (2 TR) | 12th Ave |
| 2 | 2602 (2 TR) | 13th Ave |
| 2 | 1618 | 37th Ave |
| 2 | 1426-44 (2 TR) | 3rd Ave |
| 2 | 1550 | 5th Ave |
| 2 | 2043 | 7th Ave |
| 2 | 1515 | 8th Ave |

| District | Address | Street Name |
|----------|---------------|----------------|
| 2 | 1931 | 8th Ave |
| 2 | 1942 | 8th Ave |
| 2 | 1945 (3 TR) | 8th Ave |
| 2 | 2024 | 8th Ave |
| 2 | 2040 | 8th Ave |
| 2 | 2108 | 8th Ave |
| 2 | 2125 | 8th Ave |
| 2 | 2130 | 8th Ave |
| 2 | 2300 | 8th Ave |
| 2 | 2517 | 8th Ave |
| 2 | 2700 | 8th Ave |
| 2 | 2000 | 9th Ave |
| 2 | 2021 | 9th Ave |
| 2 | 2049 | 9th Ave |
| 2 | 2106 | 9th Ave |
| 2 | 2109 | 9th Ave |
| 2 | 2126 | 9th Ave |
| 2 | 473 | Haddon Rd |
| 3 | 2200 | 25th Ave |
| 3 | 1454 | 8th St |
| 3 | 1485 | 8th St |
| 3 | 1538 | 8th St |
| 3 | 2050 (2 TR) | E 30th St |
| 3 | 2407 | Rampart St |
| 3 | 2421 | Rampart St |
| 3 | 2439 | Rampart St |
| 3 | 2451 | Rampart St |
| 4 | 2231 | 25th Ave |
| 4 | 2447 | 34th Ave |
| 4 | 2225 | 39th Ave |
| 4 | 2246 | 39th Ave |
| 4 | 2135 | 47th Ave |
| 4 | 2151 | 47th Ave |
| 4 | 2598 | Macarthur Blvd |
| 4 | 2542 | Montecito Ave |
| 4 | 2444 | Rampart St |
| 4 | 2524 | Wilbur St |
| 5 | 2506 | 19th Ave |
| 5 | 2520 | 24th Ave |
| 5 | 2521 | 24th Ave |
| 5 | 2532 | 24th Ave |
| 5 | 2632 | 25th Ave |
| 5 | 2768 | 25th Ave |
| 5 | 1534 | 27th Ave |
| 5 | 2331 | 27th Ave |
| 5 | 1820 | 33rd Ave |

Location Listing
Citywide Sidewalk Repair for FY 06-07
Project No. C269110

| District | Address | Street Name |
|----------|---------------|-------------|
| 5 | 2628 | 34th Ave |
| 5 | 1500 | 37th Ave |
| 5 | 1631 | 37th Ave |
| 5 | 2400 (2 TR) | 38th Ave |
| 5 | 1447 | 39th Ave |
| 5 | 2190 | 39th Ave |
| 5 | 2035 (3 TR) | 40th Ave |
| 5 | 2181 | 40th Ave |
| 5 | 2278 | 40th Ave |
| 5 | 2049 | 41st Ave |
| 5 | 2055 | 41st Ave |
| 5 | 2016 | 42nd Ave |
| 5 | 2122 | 42nd Ave |
| 5 | 2134 | 42nd Ave |
| 5 | 2137 | 42nd Ave |
| 5 | 2149 | 42nd Ave |
| 5 | 2175 | 42nd Ave |
| 5 | 2176 | 42nd Ave |
| 5 | 2182 | 42nd Ave |
| 5 | 2211 | 42nd Ave |
| 5 | 1025 | 44th Ave |
| 6 | 2450 | 62nd Ave |
| 6 | 3000 | 62nd Ave |
| 6 | 2828 | 64th Ave |
| 6 | 2107 | 64th Ave |
| 6 | 2212 | 65th Ave |
| 6 | 2401 | 65th Ave |
| 6 | 2615 | 65th Ave |
| 6 | 1440 | 66th Ave |
| 6 | 1482-84 | 66th Ave |
| 6 | 1494 | 66th Ave |
| 6 | 1800 | 66th Ave |
| 6 | 1825 | 66th Ave |
| 6 | 2697 | 66th Ave |
| 6 | 2692 | 67th Ave |
| 6 | 2706 | 67th Ave |
| 6 | 2710 | 67th Ave |
| 6 | 2400 | 68th Ave |
| 6 | 2455 | 68th Ave |
| 6 | 2675 | 68th Ave |
| 6 | 2693 | 68th Ave |
| 6 | 1443 | 73rd Ave |
| 6 | 1712 | 73rd Ave |
| 6 | 2439 | 75th Ave |
| 6 | 2515 | 76th Ave |
| 6 | 2607 | 76th Ave |

| District | Address | Street Name |
|----------|---------------|---------------|
| 6 | 2662 | 77th Ave |
| 6 | 2727 | 77th Ave |
| 6 | 2731 | 77th Ave |
| 6 | 2737 | 77th Ave |
| 6 | 2741 | 77th Ave |
| 6 | 2759 | 77th Ave |
| 6 | 2748 | 78th Ave |
| 6 | 1512 | 80th Ave |
| 6 | 1521 | 80th Ave |
| 6 | 1530 | 80th Ave |
| 6 | 1533 | 80th Ave |
| 6 | 1536 | 80th Ave |
| 6 | 1551 | 80th Ave |
| 6 | 1557 | 80th Ave |
| 6 | 1563 | 80th Ave |
| 6 | 1566 | 80th Ave |
| 6 | 1612 | 80th Ave |
| 6 | 1624 | 80th Ave |
| 6 | 1631 | 80th Ave |
| 6 | 1648 | 80th Ave |
| 6 | 2007 | 81st Ave |
| 6 | 2240 | 88th Ave |
| 6 | 2601 (2 TR) | Kingsland Ave |
| 6 | 2650 | Kingsland Ave |
| 6 | 5501-03 | Laverne |
| 7 | 1400 (7 TR) | 100th Ave |
| 7 | 1429 | 100th Ave |
| 7 | 1500 | 100th Ave |
| 7 | 1505 | 100th Ave |
| 7 | 1609 (2 TR) | 100th Ave |
| 7 | 1631 | 100th Ave |
| 7 | 1727 | 100th Ave |
| 7 | 1737 | 100th Ave |
| 7 | 1801 | 100th Ave |
| 7 | 1815 | 100th Ave |
| 7 | 1821 | 100th Ave |
| 7 | 1827 | 100th Ave |
| 7 | 2025 | 100th Ave |
| 7 | 1428 | 102nd Ave |
| 7 | 1516 (2 TR) | 102nd Ave |
| 7 | 1706 | 102nd Ave |
| 7 | 1734 | 102nd Ave |
| 7 | 1745 | 102nd Ave |
| 7 | 1750 | 102nd Ave |
| 7 | 1839 | 102nd Ave |
| 7 | 2115 | 102nd Ave |

Location Listing
Citywide Sidewalk Repair for FY 06-07
Project No. C269110

| District | Address | Street Name |
|----------|---------|-------------|
| 7 | 2329 | 106th Ave |
| 7 | 1631 | 80th Ave |
| 7 | 1470 | 87th Ave |
| 7 | 1475 | 87th Ave |
| 7 | 1476 | 87th Ave |
| 7 | 1639 | 87th Ave |
| 7 | 1648 | 87th Ave |
| 7 | 1651 | 87th Ave |
| 7 | 1654 | 87th Ave |
| 7 | 1660 | 87th Ave |
| 7 | 1666 | 87th Ave |
| 7 | 1669 | 87th Ave |
| 7 | 1672 | 87th Ave |
| 7 | 1708 | 87th Ave |
| 7 | 2215 | 87th Ave |

Attachment B

**Citywide Sidewalk Repair FY 06-07
(Project No. C269110)**

List of Bidders

| Company | Status | Location | Bid Amount |
|-----------------------------|---------------|-----------------|-------------------|
| AJW Construction | SLBE | Oakland | \$771,575.00 |
| Rosas Brothers Construction | SLBE | Oakland | \$786,680.00 |
| SpnCon Construction | UB | Foster City | \$939,185.00 |

Attachment C

**Citywide Sidewalk Repair FY 06-07
(Project No. C269110)**

Contract Compliance Report

Memo



Office of the City Administrator
Contract Compliance & Employment Services Division

To: Gwen McCormick, Supervisor, Contract Administration, PWA
From: Vivian Inman, Contract Compliance Officer, CC&ES Division
Through: Deborah Barnes, Manager, CC&ES Division
CC: Jaime Heredia, Supervising Civil Manager, PWA
Date: January 18, 2007
Re: Compliance Analysis: Citywide Sidewalk Repair 06-07

Contract Compliance & Employment Services reviewed three (3) bids received in response to the above referenced project. Below is the outcome of our compliance evaluation for the twenty percent (20%) minimum participation requirement and a preliminary review for compliance with the Equal Benefits Ordinance.

The L/SLBE findings are as follows:

| | Company Name | Bid Amount (If Applicable) | Proposed Participation | | | | Preferences | | | Banked Credits Eligibility? | EBO Compliant? (Y/N) |
|---|-----------------------------|----------------------------|------------------------|--------|--------|-----------|----------------|---------------------|-------------|-----------------------------|----------------------|
| | | | Total L/SLBE | LBE | SLBE | Trucking* | Total Credited | Adjusted Bid Amount | Points or % | | |
| 1 | AJW Construction | \$771,575.00 | 100 | 0% | 100% | 100% | 100% | \$732,996.25 | 5% | 2 | Y |
| 2 | Rosas Brothers Construction | \$786,680.00 | 100% | 0% | 100% | 100% | 100% | \$747,346.00 | 5% | 2 | N |
| 3 | SpemCon Construction | \$939,185.00 | 27.15% | 13.84% | 13.31% | 100% | 27.15% | \$920,401.30 | 2% | 0 | N |

As noted above all firms met or exceeded the City's minimum 20% L/SLBE participation requirement.

Firms that are not EBO compliant will have to come into compliance.

If you have questions or need additional information, please contact Vivian Inman, Contract Compliance Officer, at 238-6261.



CONTRACT COMPLIANCE & EMPLOYMENT SERVICES
PROJECT EVALUATION FORM

PROJECT NO. C269110

PROJECT NAME: Citywide Sidewalk Repair 06-07

CONTRACTOR: AJW Construction

| | | |
|-----------------------------|--------------------------------|---------------------------------------|
| <u>Engineer's Estimate:</u> | <u>Contractors' Bid Amount</u> | <u>Over/Under Engineer's Estimate</u> |
| \$820,300.00 | \$771,575.00 | \$48,725.00 |

| | |
|-------------------------------|-------------------------|
| <u>Bid discounted amount:</u> | <u>Discount Points:</u> |
| \$732,996.25 | 5% |

1. Did the 20% requirements apply? YES

2. Did the contractor meet the 20% requirement YES

a) % of LBE participation 0.00%

b) % of SLBE participation 100.00%

3. Did the contractor meet the Trucking requirement? YES

a) Total trucking participation 100%

4. Did the contractor receive bid discount points? YES

(If yes, list the points received) 5%

5. Additional Comments.

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

1/16/2007

Date

Reviewing
Officer:

Date:

1/16/07

Approved By

Date:

1/17/07

LBE/SLBE Participation AJW Construction

Project Name: Citywide Sidewalk Repair 06-07

| Project No.: C269110 | | Engineers Est: 820,300.00 | | | | Under/Over Engineers Estimate: 48,725.00 | | | | | | |
|---|------------------|---------------------------|--------------|---|-----------------|--|---------------------|----------------|---|-------------------|--------------|--------|
| Discipline | Prime & Subs | Location | Cert. Status | LBE | SLBE | Total LBE/SLBE | S/LBE Trucking | Total Trucking | TOTAL Dollars | For Tracking Only | | |
| | | | | | | | | | | Ethn. | MBE | WBE |
| PRIME Trucking | AJW Construction | Oakland | CB | | \$761,575.00 | \$761,575.00 | | | \$761,575.00 | H | \$761,575.00 | |
| | Royal Trucking | Oakland | CB | | \$10,000.00 | \$10,000.00 | \$10,000.00 | \$10,000.00 | \$10,000.00 | AA | \$10,000.00 | |
| Project Totals | | | | \$0.00 | \$771,575.00 | \$771,575.00 | \$10,000.00 | \$10,000.00 | \$771,575.00 | | \$771,575.00 | \$0.00 |
| | | | | 0.00% | 100.00% | 100.00% | 100.00% | 100.00% | 100.00% | | 100.00% | |
| Requirements: The 20% requirements is a combination of 10% LBE and 10% SLBE participation. An SLBE firm can be counted 100% towards achieving 20% requirements. | | | | LBE 10% | SLBE 10% | TRUCKING 20% | LBE/SLBE 20% | | Ethnicity AA = African American A = Asian C = Caucasian H = Hispanic NA = Native American O = Other NL = Not Listed | | | |
| 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 | | | | | | | | |



**CONTRACT COMPLIANCE & EMPLOYMENT SERVICES
PROJECT EVALUATION FORM**

PROJECT NO. C269110

PROJECT NAME: Citywide Sidewalk Repair 06-07

CONTRACTOR: Rosas Brothers Construction

| | | |
|-----------------------------|--------------------------------|---------------------------------------|
| <u>Engineer's Estimate:</u> | <u>Contractors' Bid Amount</u> | <u>Over/Under Engineer's Estimate</u> |
| \$820,300.00 | \$786,680.00 | \$33,620.00 |

| | |
|-------------------------------|-------------------------|
| <u>Bid discounted amount:</u> | <u>Discount Points:</u> |
| \$747,346.00 | 5% |

1. Did the 20% requirements apply? YES

2. Did the contractor meet the 20% requirement YES

a) % of LBE participation 0.00%

b) % of SLBE participation 100.00%

3. Did the contractor meet the Trucking requirement? YES

a) Total trucking participation 100%

4. Did the contractor receive bid discount points? YES

(If yes, list the points received) 5%

5. Additional Comments.

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

1/16/2007

Date

Reviewing Officer:

Maria Garcia

Date: 11/16/07

Approved By

Deborah Barker

Date: 11/17/07

LBE/SLBE Participation Rosas Brothers Construction

Project Name: Citywide Sidewalk Repair 06-07

| Project No.: C269110 | | Engineers Est: \$20,300.00 | | | | Under/Over Engineers Estimate: 33,620.00 | | | | | | |
|---|-----------------------------|----------------------------|--------------|---|-----------------|--|---------------------|----------------|---------------|---|--------------|--------|
| Discipline | Prime & Subs | Location | Cert. Status | LBE | SLBE | Total LBE/SLBE | S/LBE Trucking | Total Trucking | TOTAL Dollars | For Tracking Only | | |
| | | | | | | | | | | Ethn. | MBE | WBE |
| PRIME Trucking | Rosas Brothers Construction | Oakland | CB | | \$756,680.00 | \$756,680.00 | | | \$756,680.00 | H | \$756,680.00 | |
| | CJC Trucking | Oakland | CB | | \$30,000.00 | \$30,000.00 | \$30,000.00 | \$30,000.00 | \$30,000.00 | H | \$30,000.00 | |
| Project Totals | | | | \$0.00 | \$786,680.00 | \$786,680.00 | \$30,000.00 | \$30,000.00 | \$786,680.00 | | \$786,680.00 | \$0.00 |
| | | | | 0.00% | 100.00% | 100.00% | 100.00% | 100.00% | 100.00% | | 100.00% | |
| Requirements: The 20% requirements is a combination of 10% LBE and 10% SLBE participation. An SLBE firm can be counted 100% towards achieving 20% requirements. | | | | LBE 10% | SLBE 10% | TRUCKING 20% | LBE/SLBE 20% | | | Ethnicity AA = African American A = Asian C = Caucasian H = Hispanic NA = Native American O = Other NL = Not Listed | | |
| 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 | | | | | | | | |



**CONTRACT COMPLIANCE & EMPLOYMENT SERVICES
PROJECT EVALUATION FORM**

PROJECT NO. C269110

PROJECT NAME: Citywide Sidewalk Repair 06-07

CONTRACTOR: SpnCon Construction

| | | |
|-----------------------------|--------------------------------|---------------------------------------|
| <u>Engineer's Estimate:</u> | <u>Contractors' Bid Amount</u> | <u>Over/Under Engineer's Estimate</u> |
| \$820,300.00 | \$939,185.00 | -\$118,885.00 |

| | |
|-------------------------------|-------------------------|
| <u>Bid discounted amount:</u> | <u>Discount Points:</u> |
| \$920,401.30 | 2% |

1. Did the 20% requirements apply? YES

2. Did the contractor meet the 20% requirement YES

a) % of LBE participation 13.84%

b) % of SLBE participation 13.31%

3. Did the contractor meet the Trucking requirement? YES

a) Total trucking participation 100%

4. Did the contractor receive bid discount points? YES

(If yes, list the points received) 2%

5. Additional Comments.

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

1/16/2007

Date

Reviewing
Officer:

Date: 1/16/07

Approved By

Date: 1/17/07

LBE/SLBE Participation SpenCon Construction

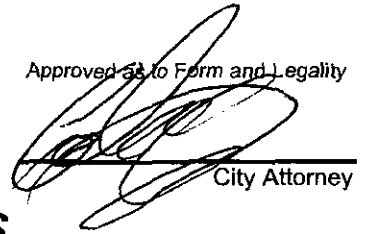
Project Name: Citywide Sidewalk Repair 06-07

| Project No.: C269110 | | Engineers Est: 820,300.00 | | | | Under/Over Engineers Estimate: -118,885.00 | | | | | | |
|---|----------------------|---------------------------|--------------|---|-----------------|--|---------------------|----------------|---------------|---|--------------|--------|
| Discipline | Prime & Subs | Location | Cert. Status | LBE | SLBE | Total LBE/SLBE | S/LBE Trucking | Total Trucking | TOTAL Dollars | For Tracking Only | | |
| | | | | | | | | | | Ethn. | MBE | WBE |
| PRIME | SpenCon Construction | Foster City | UB | | | | | | \$624,185.00 | H | | |
| Supplier | Central Concrete | Oakland | CB | \$130,000.00 | | \$130,000.00 | | | \$130,000.00 | C | | |
| Supplier | Level Supply | Oakland | CB | | \$15,000.00 | \$15,000.00 | | | \$15,000.00 | C | | |
| Sawcutting | Bay Line | Oakland | CB | | \$40,000.00 | \$40,000.00 | | | \$40,000.00 | H | \$40,000.00 | |
| Trucking | S&S Trucking | Oakland | CB | | \$70,000.00 | \$70,000.00 | \$70,000.00 | \$70,000.00 | \$70,000.00 | H | \$70,000.00 | |
| Demo. | Break Away | San Jose | UB | | | | | | \$60,000.00 | | | |
| Project Totals | | | | \$130,000.00 | \$125,000.00 | \$255,000.00 | \$70,000.00 | \$70,000.00 | \$939,185.00 | | \$110,000.00 | \$0.00 |
| | | | | 13.84% | 13.31% | 27.15% | 100.00% | 100.00% | 100.00% | | 11.71% | |
| Requirements: The 20% requirements is a combination of 10% LBE and 10% SLBE participation. An SLBE firm can be counted 100% towards achieving 20% requirements. | | | | LBE 10% | SLBE 10% | TRUCKING 20% | LBE/SLBE 20% | | | Ethnicity AA = African American A = Asian C = Caucasian H = Hispanic NA = Native American O = Other NL = Not Listed | | |
| 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 | | | | | | | | |

2007 APR 26 AM 8:41

OAKLAND CITY COUNCIL

Approved as to Form and Legality



City Attorney

RESOLUTION No. _____ **C.M.S.**

Introduced by Councilmember _____

RESOLUTION AUTHORIZING AWARD OF A CONSTRUCTION CONTRACT TO AJW CONSTRUCTION FOR CITYWIDE SIDEWALK REPAIR FY 06-07 (PROJECT NO. C269110) FOR THE AMOUNT OF SEVEN HUNDRED SEVENTY ONE THOUSAND FIVE HUNDRED SEVENTY FIVE DOLLARS (\$771,575.00) AND INCREASING THE CHANGE ORDER LIMIT FROM 20 PERCENT TO 33 PERCENT

WHEREAS, on January 8, 2007, three bids were received by the Office of the City Clerk of the City of Oakland for Citywide Sidewalk Repair, FY 06-07 (Project No. C269110); and

WHEREAS, AJW Construction is the lowest responsible bidder for the project and met the City's LBE/SLBE and local trucking program requirements; and

WHEREAS, there are sufficient funds in the project budget for the work. Project funding is available in Measure B Fund (2210), Measure B - ACTIA Fund (2211), Measure B - Bicycle/Pedestrian Pass-Thru Fund (2212); Sidewalk Repair Program Organization (92452); Street Construction Account (57411); in Project Numbers C269110, C269120, C78051, C209140; and

WHEREAS, the funding for this project was budgeted for sidewalk repair and curb ramp installation; and

WHEREAS, the Engineer's Estimate for the work is \$820,300.00; 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 safety and economy; 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; and

WHEREAS, the Public Works Agency recommends an increase of the change order limit from 20 percent to 33 percent to utilize previously allocated funds to address additional sidewalk repair needs; now, therefore be it

RESOLVED: That the contract for Citywide Sidewalk Repair, FY 06-07 (Project No. C269110) is hereby awarded to AJW Construction in accordance with the terms of the contractor's bid therefore, dated January 8, 2007, for the amount of seven hundred seventy one thousand five hundred seventy five dollars (\$771,575.00); and be it

FURTHER RESOLVED: That the change order limit be increased from 20 percent to 33 percent, in order to address additional sidewalk repair needs; and be it

FURTHER RESOLVED: That the amount of the bond for faithful performance, \$771,575.00, 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, \$771,575.00, with respect to such work are hereby approved; and be it

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

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

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

FURTHER RESOLVED: That the contract shall be reviewed and approved by the City Attorney for form and legality prior to execution and placed on file in the Office of the City Clerk; and be it

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

IN COUNCIL, OAKLAND, CALIFORNIA, _____, 2007

PASSED BY THE FOLLOWING VOTE:

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

NOES -

ABSENT -

ABSTENTION -

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