

CITY OF OAKLAND

AGENDA REPORT

OFFICE OF THE CITY CLERK

2007 MAR 15 PM 2:03

TO: Office of the City Administrator
ATTN: Deborah A. Edgerly
FROM: Public Works Agency
DATE: March 27, 2007

RE: **Resolution Authorizing The City Administrator, Or Her Designee, To Award A Construction Contract For The Sheffield Village Recreation Center ADA Improvements Project In Accord With Specification No. C259410 To Rockridge Builders In The Amount Of Four Hundred Ninety-Eight Thousand Three Hundred Fifty-One Dollars (\$498,351.00)**

SUMMARY

A resolution has been prepared authorizing the City Administrator, or her designee, to award a construction contract for the Sheffield Village Recreation Center ADA Improvements Project ("project") to Rockridge Builders in the amount of four hundred ninety-eight thousand three hundred fifty-one dollars (\$498,351.00). Rockridge Builders' bid exceeds the City's Local and Small Local Business Enterprise Program requirement ("L/SLBE") with 74% of the work to be performed by local and small local business enterprises. Funds are available for this contract.

The project is located in Council District 7.

FISCAL IMPACT

The resolution will authorize a \$498,351.00 construction contract with Rockridge Builders. Funding is available for this contract as follows:

1. \$162,450 ADA Transition Plan Municipal Improvement Capital Fund (5500), Project No. C259410, Capital Project Management Organization (92270);
2. \$27,800 Alameda County Waste Management Authority Fund (2160), Project No. C259420, Capital Project Management Organization (92270);
3. \$13,766 General Fund (1010), Project No. C259430, Capital Project Management Organization (92270);
4. \$105,000 Joint Powers Finance Authority Capital Projects Fund (5200), Project No. C259440, Capital Project Management Organization (92270);
5. \$200,000 Municipal Capital Improvement Fund (5500), District 7 Pay-Go Project No. B01130; Capital Project Management Organization (92270); and

Item: _____
Public Works Committee
March 27, 2007

6.	\$6,000	Measure D Recycled Product Purchase Preference Fund (2175), Project No. H636360, Environmental Services Organization (30682)
	\$515,016	TOTAL FUNDING

Public Art and Contract Compliance fees have previously been allocated.

BACKGROUND

The project has been competitively bid twice and Bay Construction was the sole bidder each time. Its first bid of \$542,800.00, received on December 12, 2005, exceeded the City's construction budget of \$311,000.00. Pursuant to City Council Resolution No. 79852 C.M.S., the bid was rejected and the project was re-bid on June 5, 2006. Bay Construction's subsequent bid of \$550,000.00 also exceeded the construction budget. Unable to negotiate a contract within budget with Bay Construction, staff sought to encourage bidder interest by contacting all certified L/SLBE contractors, as well as non-certified contractors, and previous plan holders. Additional pre-bid meetings and site visits were conducted at the convenience and request of contractors to facilitate the bidding process.

Interested contractors were asked to submit non-binding proposals that included a total bid price with clear descriptions of proposed scope modifications to meet the City's budget. Rockridge Builders provided the only proposal that met the requirements out of four proposals received. The final negotiated contract price of \$498,351.00 will provide a complete project without substantive changes to the programmatic requirements of the project. Rockridge Builder's proposal, with local and small local business participation of 74%, exceeds the City's L/SLBE requirement of 20%. The firm is compliant with the Equal Benefits Ordinance. This information has been verified by the Contract Compliance and Employment Services Division of the City Administrator's Office and is shown on Attachment A.

PROJECT DESCRIPTION

The Sheffield Village Recreation Center building is an existing 1,000 square feet 1940s-era single-family residence converted to a recreation center in 1965. The facility has not undergone any significant modernization since that time. The primary goal of the project is to improve accessibility to the site and within the facility. In order to accommodate the Americans With Disabilities Act ("ADA"), state accessibility code requirements, program requirements for activity rooms and storage, and County Health requirements for a commercial-grade kitchen, 420 square feet will be added to the building. The addition will accommodate two accessible restrooms, a new entrance, a small office and janitor closet, while the existing building will be reconfigured to accommodate two activity/program spaces, the kitchen and storage. Other improvements include ADA-compliant exterior signage and pathways, tot lot enhancements, a new roof, and modernization of the electrical, mechanical and plumbing systems.

KEY ISSUES AND IMPACTS

The project has been significantly delayed due to non-responsive bids both times that the project was competitively bid. Approval of this resolution will enable construction to commence as early as May 2007. The duration of the construction work is 120 working days from the date of the Notice to Proceed and anticipated completion is in November 2007. The construction contract specifies \$1,000.00 in liquidated damages per calendar day if the contract completion time is exceeded.

SUSTAINABLE OPPORTUNITIES

Economic: The construction of the project will utilize local businesses in accordance with the City's local business programs, which will generate jobs for Oakland residents, and business tax, sales tax, and other revenues for the City by those contractors and suppliers who work on the project.

Environmental: The project will incorporate "green building" strategies that promote reduction in use of natural resources, incorporate use of recycled-material finishes and products, enhance energy efficiency, improve indoor environmental quality, and increase water conservation. The renovated building and improved site amenities will enhance the neighborhood and the City.

Social Equity: The City will be providing tangible benefit by investing in facilities to support active educational and recreational opportunities and programming for youth and the community. When completed, the facility will once again house the numerous year-round programs and community-serving functions it currently does such as an election voting site, toddler and youth day camps, summer day camp, parent-child/toddler drop-in, Counselor-in-Training Program, summer field trips, community meeting space, and other social programs for seniors.

DISABILITY AND SENIOR CITIZEN ACCESS

The existing facility provides limited access for people with disabilities and senior citizens. For instance, the front and side entrances, the two restrooms and the kitchen are not wheelchair accessible. The renovated facility will comply with California Code of Regulations, Title 24 and ADA Accessibility Guidelines. The site and the building will be made accessible throughout, including physical features such as a disabled parking zone, accessible walkways, and a new entrance with an automatic door opener, restrooms, kitchen and drinking fountains.

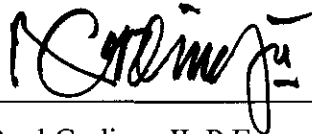
RECOMMENDATION (S) AND RATIONALE

It is recommended that the City Administrator, or her designee, be authorized to award a construction contract for the Sheffield Village Recreation Center ADA Improvements Project to Rockridge Builders in the amount of \$498,351.00.

ACTION REQUESTED OF THE CITY COUNCIL

Staff recommends that the City Council approve the resolution.

Respectfully submitted,

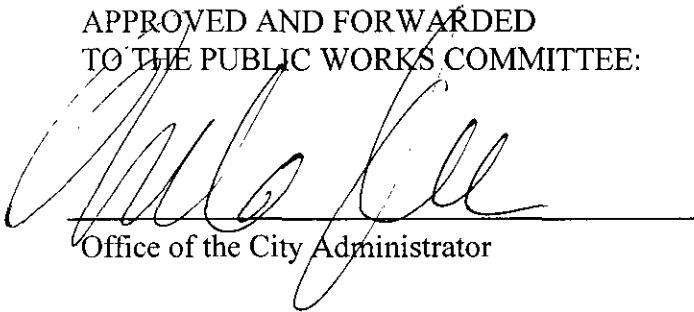


Raul Godinez II, P.E.
Director, Public Works Agency

Reviewed by:
Michael Neary, P.E., Assistant Director

Prepared by:
Calvin Hao, CIP Coordinator
Project Delivery Division

APPROVED AND FORWARDED
TO THE PUBLIC WORKS COMMITTEE:


Office of the City Administrator

Attachment A: Contract Compliance Memo and Evaluation

Memo

2007 MAR -8 PM 4:09



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 *DBarnes*
 CC: Calvin Hao, Project Manager
 Date: March 8, 2007
 Re: Compliance Analysis: Sheffield Village (Negotiated Bid)

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

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		
1	Rockridge Builders	\$498,351	74.09%	.40%	73.69%	100%	74.09%	NA	NA	NA	Y

As noted above Rockridge Builders met the local/small local business participation requirements and is EBO compliant.

Local Employment Program/15% Apprenticeship Program

No Local Employment Program (LEP) or 15% Apprenticeship Program utilization data available for the last two fiscal years.

If you have questions or need additional information, regarding compliance issues you may contact Vivian Inman at 238-6261 or for Local Employment /15% Apprenticeship Program please contact Jonothan H. Dumas at 238-7359.

CONTRACT COMPLIANCE & EMPLOYMENT SERVICES
PROJECT EVALUATION FORM

PROJECT NO. C259410

PROJECT NAME: Sheffield Village Recreation Center ADA Improvements

CONTRACTOR: Rockridge Builders

<u>Engineer's Estimate:</u>	<u>Contractors' Bid Amount</u>	<u>Over/Under Engineer's Estimate</u>
	\$498,351.00	

<u>Bid discounted amount:</u>	<u>Discount Points:</u>
N/A	N/A

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

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

a) % of LBE participation **0.40%**

b) % of SLBE participation **73.69%**

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

a) Total trucking participation **0.00%**

4. Did the contractor receive bid discount points? **NA/ (NEGOTIATED BID)**

(If yes, list the points received)

5. Additional Comments.

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

3/8/2007

Date

Reviewing Officer: 

Date: 3/8/07

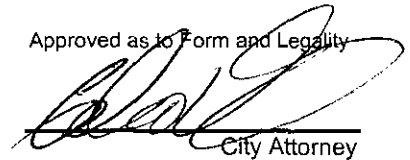
Approved By: 

Date: 3/8/07

LBE/SLBE Participation Rockridge Builders

Project Name: Sheffield Village (Negotiated Bid)

Project No.: C259410		Engineers Est:				Under/Over Engineers Estimate:							
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	Rockridge Builders	Oakland	CB		\$330,641.00	\$330,641.00			\$330,641.00	C			
Plumbing	Paul's Plumbing	Oakland	CB		\$25,000.00	\$25,000.00			\$25,000.00	C			
Grading & Concrete	All Clean & Clear	Oakland	UB						\$44,575.00	C			
Electrical	County Electrical	Concord	UB						\$24,000.00	C			
Framing	Division 6 Construction	Suisun	UB						\$40,535.00	C			
Roofing	Lovett & Lovett	Oakland	CB		\$11,600.00	\$11,600.00			\$11,600.00	C			
Flooring	Andersons Carpet & Linoleum	Oakland	CB	\$2,000.00		\$2,000.00			\$2,000.00	C			
Framing/Doors	Economy Lumber	Oakland	UB						\$20,000.00	C			
Project Totals					\$2,000.00 0.4%	\$367,241.00 73.69%	\$369,241.00 74.09%	\$0.00 0.00%	\$0.00 0.00%	\$498,351.00		\$0.00	\$0.00
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			
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						



City Attorney

2007 MAR 15 PM 2:03 **OAKLAND CITY COUNCIL**

RESOLUTION No. _____ C.M.S.

RESOLUTION AUTHORIZING THE CITY ADMINISTRATOR, OR HER DESIGNEE, TO AWARD A CONSTRUCTION CONTRACT FOR THE SHEFFIELD VILLAGE RECREATION CENTER ADA IMPROVEMENTS PROJECT IN ACCORD WITH SPECIFICATION NO. C259410 TO ROCKRIDGE BUILDERS IN THE AMOUNT OF FOUR HUNDRED NINETY-EIGHT THOUSAND THREE HUNDRED FIFTY-ONE DOLLARS (\$498,351.00)

WHEREAS, the project will bring the recreation center into compliance with the Americans With Disabilities Act ("ADA"), state accessibility code, Parks and Recreation program requirements, and County Health requirements; and

WHEREAS, the project has been competitively bid twice and both times the sole bid exceeded the City's construction budget; and

WHEREAS, the City Council previously waived further competitive bidding for the project and authorized the City Administrator to reject all bids and to negotiate a contract in Resolution No. 79852 C.M.S.; and

WHEREAS, the City was not able to negotiate a contract within budget with the prior sole bidder; and

WHEREAS, staff conducted extensive outreach to local contractors to request non-binding proposals for the project; and

WHEREAS, four proposals were received and the proposal from Rockridge Builders is the most responsive and is within budget; and

WHEREAS, sufficient funds are available in the project budget for this work; and

WHEREAS, Rockridge Builders meets the City's Local Business Program requirements and Equal Benefits Ordinance; and

WHEREAS, the project has been delayed due to non-responsive bids, and approval of this resolution will enable construction to commence as early as May 2007 with completion by November 2007; and

WHEREAS, this contract is of a technical and temporary nature; 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 service; now, therefore, be it

RESOLVED: That the City Administrator, or her designee, is hereby authorized to award a construction contract on behalf of the City of Oakland to Rockridge Builders in the amount of four hundred ninety-eight three hundred fifty-one dollars (\$498,351.00) for Sheffield Village Recreation Center ADA Improvements Project in accord with Specification No. C259410 and contractor's bid dated March 2, 2007, and to execute any amendments or modifications of said contract within the limitations of the project specifications; and, be it

FURTHER RESOLVED: The amount of the bond for faithful performance, \$498,351.00, and the amount for a bond to guarantee payment of all claims for labor and material furnished and for the amount due under the Unemployment Insurance Act, \$498,351.00, with respect to such work are hereby approved; 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.

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