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THE CITY CLERK  
OAKLAND  
2012 MAR 16 AM 9:01  
CITY OF OAKLAND

# AGENDA REPORT

TO: DEANNA J. SANTANA  
CITY ADMINISTRATOR

FROM: VITALY B. TROYAN

SUBJECT: Reallocation of Measure WW Funding  
and Peralta Hacienda Historical Park  
De Anza Trail Project Award

DATE: February 15, 2012

City Administrator  
Approval

Date

3/15/12

COUNCIL DISTRICT: 5

## RECOMMENDATION

Staff recommends approval of a resolution:

- 1) Authorizing The Reallocation Of Up To Two Hundred Forty Thousand Dollars (\$240,000.00) From The East Bay Regional Park District Local Grant Program Of The Open Space, Wildlife, Shoreline And Parks Bond (2008 Measure WW) For The Central Reservoir Field Project (No. C377010) To The Peralta Hacienda Historical Park De Anza Trail Project (No. C284540), And
- 2) Authorizing The City Administrator To Apply For, Accept And Appropriate Up To Two Hundred Forty Thousand Dollars (\$240,000.00) From The East Bay Regional Park District Local Grant Program Of The Open Space, Wildlife, Shoreline And Parks Bond (2008 Measure WW) For The Peralta Hacienda Historical Park De Anza Trail Project (No. C284540), And
- 3) Authorizing The City Administrator To Award A Construction Contract For The Peralta Hacienda Historical Park De Anza Trail Project (No. C284540) To Beliveau Engineering, Inc., The Lowest Responsive And Responsible Bidder, For An Amount Not-To-Exceed Eight Hundred Fourteen Thousand Dollars (\$814,000.00) In Accord With The Project Plans And Specifications And The Contractor's Bid

## OUTCOME

Staff requests City Council approval of the proposed resolution referenced under "RECOMMENDATION" section of this report. Approval of this resolution and subsequent execution of the construction contract will result in the construction of the Peralta Hacienda Historical Park De Anza Trail Project (PHHP Trail Project). With the approval of this

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resolution, it is anticipated that construction will begin in summer 2012 and be completed in spring 2013.

### **BACKGROUND/LEGISLATIVE HISTORY**

Peralta Hacienda Historical Park is a six-acre park that commemorates and interprets the once vast Rancho San Antonio, a 45,000 acre land grant to Luis Peralta made in 1820. The park is rich in historical context, with Peralta Creek located on the lower part of the park site.

The Peralta Hacienda Historical Park Master Plan was developed in 1977. With input from the community and Friends of Peralta Hacienda Historical Park (Friends), the Peralta Hacienda Historical Park Master Plan Update Report was approved by the Planning Commission in November 2002.

This project will complete the improvements to the section of the Juan Bautista de Anza National Historic Trail, a 1,210-mile historic route from Nogales, Arizona to San Francisco, California, that is in the Peralta Hacienda Park. Please see *Attachment A - Project Location Map*.

On February 2, 2012, the City Clerk received seven bids for this project. Bids were submitted for the base bid and six alternates. The City's budget for the construction contract is \$630,000. The base bid of \$615,000.00, submitted by Beliveau Engineering Construction, Inc. of Oakland, CA, was the only bid submitted that was within the City's base bid construction budget. Please see *Attachment B – BID RESULTS* for details. Additional funds are required in order to meet the Master Plan goals and to build the entire project as designed.

### **ANALYSIS**

After bids were received and analyzed, staff has identified an opportunity for funds to supplement the project budget.

The Central Reservoir Field Improvement project, funded by Measure WW Bond, is substantially completed. Due to the very competitive construction bidding environment in recent years and conservative management, savings in construction costs were realized resulting in surplus funds. These surplus funds were confirmed after the bid for the PPHP Trail Project. The reallocation of up to \$240,000 in Measure WW funding from the completed Central Reservoir Field Improvement Project to the PPHP Trail Project, will allow completion of the project as proposed in the grant application and construct most of the bid alternates. The bid alternates will replace the asphalt ramp surface with concrete for durability, reconfigure and continue the second half of the interpretive Alicé, add landscaping and an irrigation system, bollard lights, benches, and complete the second half of the interpretive signage panels along the Alicé and the ramp per the Master Plan. The inclusion of the bid alternates to the project will allow the project to meet the Master Plan goals and greatly enhance the success of the project.

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To fund the project with this level of scope, a resolution authorized by City Council to transfer funds from the Central Reservoir Field Improvement Project to the PHHP De Anza Trail Project is required.

With regard to compliance programs, of the seven bidders, four bidders were responsive to Local/Small Local Enterprise (L/SLBE) policies and Equal Benefits Ordinance (EBO) policies and three bidders were deemed non-responsive. Beliveau Engineering Inc. met EBO compliance and committed to participation for the following: 90.66% L/SLBE and 100% L/SLBE Trucking. Please see *Attachment C – Contracts & Compliance Unit Compliance Evaluation* for details.

The current available project budget allows for award of the construction base bid of \$615,000 without incorporating any of the bid alternates and leaving construction contingency of less than 5% of the construction contract cost. This is substantially lower than the standard construction contingency of 10%. The Measure WW funds will provide the necessary construction contingency and incorporate most of the proposed bid alternates. The bid alternates will be incorporated based on the priorities established at the time of bid opening within available funds.

### PUBLIC OUTREACH/INTEREST

This project has been closely coordinated through the planning and design phases with the Friends of Peralta Hacienda Historical Park (Friends). The Friends Board of Directors and the Executive Director reviewed and commented on the project plans and through the FPHP communication network, the project was presented to the public for feedback.

The project is consistent with the Master Plan for the Peralta Hacienda Historical Park, which was developed in 1977 and the Master Plan Update, which was approved by the City Planning Commission in 2002.

The project meets Measure WW Bond guidelines and parameters for a park and recreational facility.

### COORDINATION

Offices consulted in the preparation of this report are the following:

- Office of the City Attorney
- City Budget Office
- Public Works Agency - Department of Facilities and Environment

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**COST SUMMARY/IMPLICATIONS**

1. AMOUNT OF RECOMMENDATION/COST OF PROJECT:

Construction Contract	\$615,000.00
Add Alternates (Not to exceed)	\$199,000.00
Project Contingency	\$68,989.00
Total Project Costs	\$882,989.00

2. COST ELEMNTS OF AGREEMENT/CONTRACT

Lump-sum base bid construction contract for the accessible recreational trail segment at the Peralta Hacienda Historical Park per contractor's bid	\$615,000.00
Additive alternates for concrete ramp, bollard lights, benches, upper walkway landscaping and irrigations, and interpretive signage.	Not to Exceed \$199,000.00
<b>TOTAL AGREEMENT/CONTRACT AMOUNT</b>	<b>Not to Exceed \$814,000.00</b>

3. SOURCE OF FUNDING:

FUNDING SOURCE	AMOUNT
California Department of Parks and Recreation - Recreational Trail Program Grant Fund (2134), Peralta Hacienda De Anza Trail Project (No. C284540), Capital Improvement Organization (92270), Landscape Improvement Account (57112) Project Delivery Program (IN06)	\$594,253.00
Council District #5 Pay-Go Fund – Peralta Hacienda Trail Project Fund (1010) Peralta Hacienda De Anza Trail Project (No. B00942), Capital Improvement Organization (92270), Landscape Improvement Account (57112) Project Delivery Program (IN06)	\$12,987.58
Community Development Block Grant Fund (2108), Peralta Hacienda De Anza Trail Project (No. C284550), Capital Improvement Organization (92270), Landscape Improvement Account (57112) Project Delivery Program (IN06)	\$35,749.00

Reallocate to a new project number to be established from Measure WW Fund (2260), Central Reservoir Field Improvement Project (No. C377010), Capital Improvement Organization (92270), Landscape Improvement Account (57112), Project Delivery Program (IN06)	\$240,000.00
Total Available Funds	\$882,989.58

#### 4. FISCAL IMPACT:

The additional maintenance cost for this project is estimated at approximately \$6,000.00 annually. No additional funding has been identified to cover this added maintenance cost. If funding were available, the additional maintenance would be funded through Fund 4400 (Facility Maintenance for graffiti and vandalism) and Fund 2310 for landscape maintenance. Given the lack of funds, resources are diminished and custodial service will be significantly reduced. The City will work with community and non-profit partners to encourage stewardship of the park. It should be noted that the base bid project includes one year of plant establishment. If adequate funding is available after construction, two additional years of plant establishment will be added to the project as a bid alternate.

#### FISCAL/POLICY ALIGNMENT

The project supports the City of Oakland priority for sustainable and healthy environment by providing recreational facilities for the enjoyment of the public, and continues the implementation of the Master Plan adopted for this site.

#### PAST PERFORMANCE, EVALUATION AND FOLLOW-UP

Beliveau Engineering Inc. currently has seven evaluations on file and all are rated satisfactory.

#### 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. The use of drought-tolerant and low maintenance landscaping will reduce the amount of resources required for maintenance.

**Social Equity:** The park improvements provide free access to desired amenities not currently available in the neighborhood. The Fruitvale District is an area with one of the lowest

percentages of open space per capita within the City of Oakland and is a low income neighborhood.

This project will improve accessibility to persons with disabilities and senior citizens. All the proposed new facilities will be in compliance with the physical access requirements of the Americans with Disabilities Act (ADA), which will facilitate equal access and opportunity.

### CEQA

The Negative Declaration for the Peralta Hacienda Historical Park Master Plan Update was approved by the Oakland Planning Commission on November 20, 2002. Additionally, as a requirement for the California Department of Parks and Recreation Regional Trails Program Grant for this specific project, a CEQA Compliance Certification Form was approved by the City of Oakland Director of Development, CEDA, on September 26, 2006.

For questions regarding this report, please contact Alison Schwarz, Capital Improvement Project Coordinator, Project Delivery Division, Public Works Agency, at (510) 238-7310.

Respectfully submitted,

  
VITALY B. TROYAN, Director  
Public Works Agency

Reviewed by:  
Michael J. Neary, Assistant Director  
Public Works Agency  
Department of Engineering & Construction

Prepared by:  
Lyle Oehler, CIP Coordinator  
Project Delivery Division

Attachments:

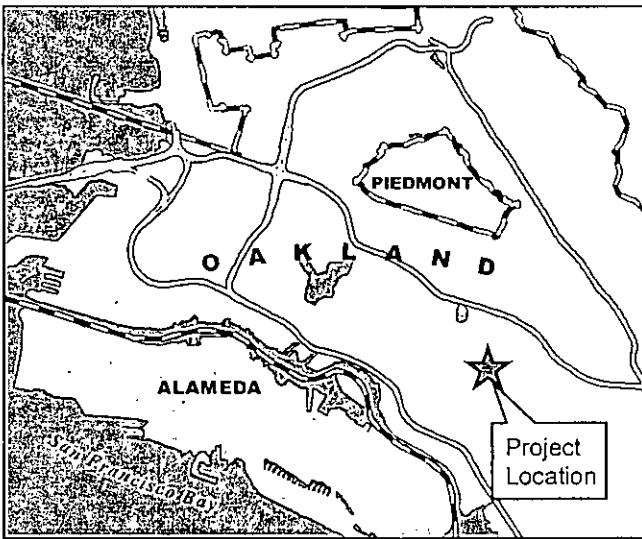
*Attachment A – Project Location Map*

*Attachment B – Bid Results*

*Attachment C – Contracts & Compliance Unit Compliance Evaluation*

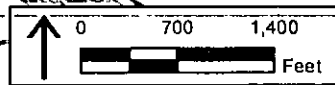
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# Project Location and Transit Connections



**Legend**

- Streets
- Freeways
- ba BART Stations
- BART Rail Line
- AC Transit Bus Stops
- - - AC Transit Bus Routes
- ..... Designated Bikeways



# CITY OF OAKLAND

Public Works Agency - Contract Services

## ATTACHMENT B

<b>BID RESULTS</b>		<b>Bid Documents</b>	<b>Suarez &amp; Munoz Construction Inc.</b>	<b>McGuire and Hester</b>	<b>B-Side Inc.</b>	<b>Rodan Builders Inc.</b>	<b>JH Fitzmaurice Inc.</b>	<b>Star Construction Inc.</b>	<b>Beliveau Engineering Contractors Inc.</b>
<b>PROJECT NAME:</b>	Peralta Hacienda Historical Park De Anza Trail Project	B1 Proposal Form	Y	Y	Y	Y	Y	Y	Y
<b>PROJECT NO:</b>	C284540	B1 Addendum acknowledgement	Y	Y	Y	Y	Y	Y	Y
<b>BID DATE:</b>	Thursday, February 02, 2012	B2a Bid Schedule	Y	Y	Y	Y	Y	Y	Y
<b>ENGINEER'S ESTIMATE:</b>	\$628,000.00	Bid Bond	Y	Y	Y	Y	Y	Y	Y
<b>COMMENTS:</b>		Schedule K	Y	Y	Y	Y	Y	Y	Y
		Schedule O	Y	Y	Y	Y	Y	Y	Y
		Schedule R	Y	Y	Y	Y	Y	Y	Y

**ISSUED TO COMPLIANCE:** Friday, February 03, 2012  
and Rev 1 February 21, 2012

<b>Item Number</b>	<b>Item Description</b>	<b>Engineer's Estimate</b>	<b>Suarez &amp; Munoz Construction Inc.</b>	<b>McGuire and Hester</b>	<b>B-Side Inc.</b>	<b>Rodan Builders Inc.</b>	<b>JH Fitzmaurice Inc.</b>	<b>Star Construction Inc.</b>	<b>Beliveau Engineering Contractors Inc.</b>
		<b>Amount</b>	<b>Amount</b>	<b>Amount</b>	<b>Amount</b>	<b>Amount</b>	<b>Amount</b>	<b>Amount</b>	<b>Amount</b>
	LUMP SUM BASE BID	\$ 625,000.00	\$ 875,000.00	\$ 875,150.00	\$ 709,000.00	\$ 954,000.00	\$ 784,000.00	\$ 750,936.00	\$ 615,000.00
	<b>ALTERNATES IN ORDER OF PRIORITY:</b>								
	Alt. Bid 5	\$ 115,000.00	\$ 24,000.00	\$ 25,800.00	\$ 40,000.00	\$ 64,000.00	\$ 20,000.00	\$ 78,000.00	\$ 36,000.00
	Alt. Bid 1	\$ 31,000.00	\$ 36,000.00	\$ 35,000.00	\$ 25,000.00	\$ 70,000.00	\$ 44,000.00	\$ 76,140.00	\$ 85,000.00
	Alt. Bid 4	\$ 31,000.00	\$ 35,000.00	\$ 16,500.00	\$ 30,000.00	\$ 15,000.00	\$ 24,000.00	\$ 30,500.00	\$ 17,000.00
	Alt. Bid 3	\$ 29,000.00	\$ 11,500.00	\$ 27,080.00	\$ 40,000.00	\$ 47,000.00	\$ 25,000.00	\$ 26,600.00	\$ 24,000.00
	Alt. Bid 2	\$ 25,000.00	\$ 16,000.00	\$ 23,125.00	\$ 24,000.00	\$ 20,000.00	\$ 21,000.00	\$ 20,000.00	\$ 27,000.00
	Alt. Bid 6		\$ 40,000.00	\$ 31,300.00	\$ 87,000.00	\$ 16,000.00	\$ 14,000.00	\$ 70,000.00	\$ 10,000.00
	<b>Total of Base Bid + all Alt. Bids</b>	\$ 659,000.00	\$ 1,037,500.00	\$ 1,033,955.00	\$ 955,000.00	\$ 1,186,000.00	\$ 932,000.00	\$ 1,052,176.00	\$ 814,000.00



**Memo****City Administrator's Office - Contracts & Compliance Unit**

**To:** Allison Schwartz, Project Manager  
**From:** Vivian Inman, Contract Compliance Officer  
**Through:** Deborah Barnes, Contracts and Compliance Director *Deborah Barnes*  
 Shelley Darensburg, Sr. Contract Compliance Officer  
 Calvin Hao, PWA, Contract Services  
**Date:** February 23, 2012  
**Re:** C284540 – Peralta Hacienda Historical Park De Anza Trail Project (includes six (6) alternates)

The City Administrator's Office, Contracts & Compliance Unit, reviewed seven (7) 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.

Below are the results of our findings:

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		
Beliveau Engineering	\$814,000.00	90.66	0%	90.66	100%	90.66	5%	\$773,300.00	2%	Y
B Side, Inc.	\$955,000.00	50.99%	0%	50.99%	100%	50.99%	5%	\$907,250.00	0%	Y
McGuire & Hester	\$1,033,955.00	75.55%	52.67%	22.88%	100%	45.76%	4%	\$992,596.80	0%	Y
Star Construction	\$1,052,176.00	20.29%	0%	20.29%	100%	20.29%	2%	\$1,031,132.48	0%	Y

Comments: As noted above, all firms met or exceeded the minimum 20% L/SLBE participation requirement. All firms are 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	L/SLBE Trucking	Total Credited participation	Earned Bid Discounts	Adjusted Bid Amount		
JH Fitzmaurice	\$932,000.00	45.65%	23.69%	21.96%	0%	0%	0%	NA	NA	Y
Suarez Munoz Construction	\$1,037,500.00	16.42%	2.40%	14.02%	100%	0%	0%	NA	NA	N
Rodan Builders	\$1,186,000.00	0%	0%	0%	0%	0%	0%	NA	NA	N



Comments: JH Fitzmaurice failed to meet the 20% L/SLBE trucking requirement. Suarez Munoz Construction failed to meet the minimum 20% L/SLBE business participation requirement. The firm had a 3.58% SLBE shortfall. Rodan Builders failed to meet the minimum 20% L/SLBE participation requirement as well as the 20% trucking requirement. All firms are deemed non-responsive. JH Fitzmaurice is EBO compliant. Suarez Munoz and Rodan Builders are not EBO compliant

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: Beliveau Engineering  
 Project Name: Emergency Construction of permanent Improvements...2333 Tunnel Road...  
 Project No: C995810

**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?	
Were shortfalls satisfied?	Yes	If no, penalty amount?	

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
670	335	50%	421	100	421	0	0	100	101	15%	101	0

Comments: Beliveau Engineering exceeded the Local Employment Program's 50% resident hiring goal met the 15% Oakland Apprenticeship Program goals with 50.5 on-site hours and 50.5 off-site hours.

Should you have any questions, you may contact Vivian Inman at (510) 238-6261.

# LBE/SLBE PARTICIPATION

## BIDDER 1

Project Name: **Peralta Hacienda Historical Park De Anza Trail Project (includes 6 alternates)**

Project No.: <b>C284540</b>		Engineers Est: <b>859,000.00</b>				Under/Over Engineers Estimate: <b>45,000.00</b>							
Discipline	Prime & Suba	Location	Cer/L Status	LBE	SLBE	Total	L/SLBE	Total	TOTAL	For Tracking Only			
						LBE/SLBE	Track/ag	Trucking	Dollars	Ethn.	MBE	WBE	
PRIME Trucking Electrical Rebar	Beliveau Engineering	Oakland	CB		728,000.00	728,000.00			728,000.00	C			
	Williams Trucking	Oakland	CB		10,000.00	10,000.00	10,000.00	10,000.00	10,000.00	AA	10,000.00		
	Phoenix Electric	San Francisco	UB						55,000.00	AP	55,000.00		
	Delta Rebar	Concord	UB						21,000.00	C			
<b>Project Totals</b>					<b>\$0.00</b>	<b>\$738,000.00</b>	<b>\$738,000.00</b>	<b>\$37,000.00</b>	<b>\$10,000.00</b>		<b>\$65,000.00</b>	<b>\$0.00</b>	
					<b>0.00%</b>	<b>90.66%</b>	<b>90.66%</b>	<b>100.00%</b>	<b>100.00%</b>		<b>7.99%</b>	<b>0.00%</b>	
<b>Requirements:</b> The 20% requirement is a combination of 10% LBE and 10% SLBE participation. An SLBE firm can be counted 100% towards achieving 20% requirements.				<b>LBE 10%</b>	<b>SLBE 10%</b>	<b>TOTAL LBE/SLBE</b>	<b>20% LBE/SLBE TRUCKING</b>			Ethnicity AA = African American N = 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									

OFFICE OF THE CITY ADMINISTRATOR



Contracts & Compliance Unit

PROJECT EVALUATION FORM

PROJECT NO.: C284540

PROJECT NAME: Peralta Hacienda Historical Park De Anza Trail Project (Includes 6 alternates)

CONTRACTOR: Beliveau Engineering

<u>Engineer's Estimate:</u> 859,000.00	<u>Contractors' Bid Amount</u> \$814,000.00	<u>Over/Under Engineer's Estimate</u> 45,000.00
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<u>Discounted Bid Amount:</u> \$773,300.00	<u>Amount of Bid Discount</u> \$40,700.00	<u>Discount Points:</u> 5.00%
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1. Did the 20% local/small local requirements apply? YES
  
2. Did the contractor meet the 20% requirement? YES
  - a) % of LBE participation 0.00%
  - b) % of SLBE participation 90.66%
  
3. Did the contractor meet the Trucking requirement? YES
  - c) 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.

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

2/24/2012

Date

Reviewing  
Officer:

Vivian Juma

Date: 2/24/2012

Approved By:

Shelley Qarandring

Date: 2/24/2012

# LBE/SLBE PARTICIPATION

## BIDDER 2

Project Name: Peralta Hacienda Historical Park De Anza Trail Project (includes 6 alternates)

Project No.: C284540		Engineers Est: \$59,000.00				Under/Over Engineers Estimate: 849,544.00							
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	JH Fitzmaurice	Oakland	CB	220,685.00		220,685.00			220,685.00	C			
Trucking	D&S Trucking	Oakland	UB					12,000.00	12,000.00	NL			
Eanhwork	Water Rock Restoration	Santa Clara	UB						300,000.00	NL			
Paving	AJW Construction	Oakland	CB		204,700.00	204,700.00			204,700.00	H	204,700.00		
Fence	Bannon Fence	San Francisco	UB						111,000.00	NL			
Landscaping	Vic Sotto	Milpitas	UB						74,159.00	NL			
Site Furnishing	Ross Recreation	Santa Rosa	UB						9,456.00	NL			
<b>Project Totals</b>				\$220,685.00	\$204,700.00	\$425,385.00	\$0.00	\$12,000.00	\$932,000.00		\$204,700.00	\$0.00	
				23.68%	21.96%	45.64%	0.00%	100.00%	100.00%		21.96%	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 = Caucasiqn 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 NPLSE = NonProfit Local Business Enterprise NPSLBE = NonProfit Small Local Business Enterprise				UB = Uncertified Business CB = Certified Business MBE = Minority Business Enterprise WBE = Women Business Enterprise									

OFFICE OF THE CITY ADMINISTRATOR



Contracts & Compliance Unit

PROJECT EVALUATION FORM

PROJECT NO.: C284540

PROJECT NAME: Peralta Hacienda Historical Park De Anza Trail Project (includes 6 alternates)

CONTRACTOR: JH Fitzmaurice

<u>Engineer's Estimate:</u> 859,000.00	<u>Contractors' Bid Amount</u> \$932,000.00	<u>Over/Under Engineer's Estimate</u> -73,000.00
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<u>Discounted Bid Amount:</u>	<u>Amount of Bid Discount</u> \$0.00	<u>Percent discount</u> 0.00%
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1. Did the 20% local/small local requirements apply? YES
  
2. Did the contractor meet the 20% requirement? YES
  - a) % of LBE participation 23.68%
  - b) % of SLBE participation 21.96%
  
3. Did the contractor meet the Trucking requirement? NO
  - c) Total SLBE/LBE trucking participation 0.00%
  
4. Did the contractor receive bid discounts? NO

(If yes, list the percentage received) 0.00%

5. Additional Comments.

Firm failed to meet the minimum 20% L/SLBE trucking requirement. Therefore, the firm is deemed non-responsive.

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

2/24/2012

Date

Reviewing Officer:

Vivian Janna

Date: 2/24/2012

Approved By:

Shelley Darenburg

Date: 2/24/2012

# LBE/SLBE PARTICIPATION

## BIDDER 3

Project Name: **Peralta Hacienda Historical Park De Anza Trail Project (includes B alternates)**

Project No.: <b>C284640</b>		Engineers Est. <b>\$88,000.00</b>				Under/Over Engineers Estimate: <b>899,000.00</b>						
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 Asphalt/Concrete Trucking Landscape Handrail	B Side, Inc.	Oakland	CB		452,000.00	452,000.00			452,000.00	C		
	Dauids Construction	Aliso	UB						195,000.00	H	195,000.00	
	All City Trucking	Oakland	CB		35,000.00	35,000.00	35,000.00	35,000.00	35,000.00	AI		35,000.00
	Green Vista	Unknown	UB						158,000.00	NL		
	Bannon Construction	San Francisco	UB						115,000.00	NL		
<b>Project Totals</b>				\$0.00	\$487,000.00	\$487,000.00	\$35,000.00	\$35,000.00	\$955,000.00		\$195,000.00	\$35,000.00
				0.00%	50.99%	50.99%	100.00%	100.00%	100.00%		20.42%	3.66%
<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		
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				OB = Uncertified Business CB = Certified Business MBE = Minority Business Enterprise WBE = Women Business Enterprise								

OFFICE OF THE CITY ADMINISTRATOR



Contracts & Compliance Unit

PROJECT EVALUATION FORM

PROJECT NO.: C284540

PROJECT NAME: Peralta Hacienda Historical Park De Anza Trail Project (includes 6 alternates)

CONTRACTOR: B Side, Inc.

<u>Engineer's Estimate:</u> 859,000.00	<u>Contractors' Bid Amount</u> \$955,000.00	<u>Over/Under Engineer's Estimate</u> -98,000.00
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<u>Discounted Bid Amount:</u> \$907,250.00	<u>Amount of Bid Discount</u> \$47,750.00	<u>Percent discount</u> 5.00%
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1. Did the 20% local/small local requirements apply? YES
2. Did the contractor meet the 20% requirement? YES
- a) % of LBE participation 0.00%
- b) % of SLBE participation 50.99%
3. Did the contractor meet the Trucking requirement? YES
- c) 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.

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

2/24/2012

Date

Reviewing  
Officer:

*Michelle Smith*

Date: 2/24/2012

Approved By:

*Shelley Darenburg*

Date: 2/24/2012



# LBE/SLBE PARTICIPATION

## BIDDER 4

Project Name: Peralta Hacienda Historical Park De Anza Trail Project (includes 6 alternates)

Project No.: C284S40		Engineers Est: \$59,000.00				Under/Over Engineers Estimate: 799,100.00							
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 & Hester	Oakland	CB	544,601.00		544,601.00			544,601.00	C			
Clear & Grub	Mountain F. Enterprises	Lotus	UB						15,876.00	C			
Site Furnishings	Forms & Surfaces	Pittsburg	UB						5,924.00	C			
Site Furnishings	Ross Recreation	Santa Rosa	UB						8,455.00	C			
Geo Web Wall	Reed & Graham	Sacramento	UB						47,899.00	NL			
Trucking	S&S Trucking	Oakland	CB		65,000.00	65,000.00	65,000.00	65,000.00	65,000.00	H	65,000.00		
Electrical	Phoenix Electric	San Francisco	UB						59,900.00	AP	46,400.00		
Handrails/Fencing	Bay Area Welding	Richmond	UB						114,700.00	H	114,700.00		
Concrete & Asphalt	AJW Construction	Oakland	CB		171,600.00	171,600.00			171,600.00	H	171,600.00		
<b>Project Totals</b>				\$544,601.00	\$236,600.00	\$781,201.00	\$37,000.00	\$37,000.00	\$1,033,955.00		\$397,700.00	\$0.00	
				52.67%	22.88%	75.55%	100.00%	100.00%	100.00%		38.46%	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 = Aain Indian AP = Asian Pacific C = Caucasian N = 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									

**OFFICE OF THE CITY ADMINISTRATOR**



**Contracts & Compliance Unit**

**PROJECT EVALUATION FORM**

**PROJECT NO.:** C284540

**PROJECT NAME:** Peralta Hacienda Historical Park De Anza Trail Project (includes 6 alternates)

**CONTRACTOR:** McGuire & Hester

<b><u>Engineer's Estimate:</u></b> 859,000.00	<b><u>Contractors' Bid Amount</u></b> \$1,033,955.00	<b><u>Over/Under Engineer's Estimate</u></b> -174,955.00
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<b><u>Discounted Bid Amount:</u></b> \$992,596.80	<b><u>Amount of Bid Discount</u></b> \$41,358.20	<b><u>Percent discount</u></b> 4.00%
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- 1. Did the 20% local/small local requirements apply? **YES**
  
- 2. Did the contractor meet the 20% requirement? **YES**
  - a) % of LBE participation **52.67%**
  - b) % of SLBE participation **22.88%**
  
- 3. Did the contractor meet the Trucking requirement? **YES**
  - c) Total SLBE/LBE trucking participation **100.00%**
  
- 4. Did the contractor receive bid discounts? **YES**
  - (If yes, list the percentage received) **4.00%**
  
- 5. Additional Comments.

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

2/24/2012

Date

**Reviewing  
Officer:**

*Nina Juma*

**Date:** 2/24/2012

**Approved By:**

*Shelley Dorensburg*

**Date:** 2/24/2012

# LBE/SLBE PARTICIPATION

## BIDDER 5

Project Name: Peralta Hacienda Historical Park De Anza Trail Project (includes 6 alternates)

Project No.: C284540		Engineers Est: 859,000.00			Under/Over Engineers Estimate: 854,400.00								
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	Suarez & Munoz Constr.,	Hayward	UB						539,990.00	NL			
Concrete	Central Concrete	Oakland	CB	19,090.00		19,090.00			19,090.00	C			
Aggregates (Partial)	Inner City Recycling	Oakland	UB		3,094.00	3,094.00			3,094.00	C			
Asphalt Material	Gallagher & Burk, Inc	Oakland	CB	5,815.00		5,815.00			5,815.00	C			
Trucking	All City Trucking	Oakland	CB		40,000.00	40,000.00	40,000	40,000	40,000.00	AI		40,000.00	
Erosion Control	Reed & Graham	Sacramento	UB						47,900.00	NL			
Hydroseed	Greenscape	Roseville	UB						4,600.00	NL			
Survey	Construcion Survey, Inc.	Berkeley	UB						6,810.00	NL			
Site Furnishing	Ross Recreation	Santa Rosa	UB						7,500.00	NL			
Site Furnishing	Forms & Surfaces	Pittsburg	UB						5,500.00	NL			
Fencing	Tom's Metal Spec. Inc.	San Francisco	UB						211,270.00	NL			
Electrical	Ray's Electric	Oakland	CB		102,400.00	102,400.00			102,400.00	C			
Aggregates (Partial)	Central Concrete	Oakland	CB	43,531.00		43,531.00			43,531.00	C			
<b>Project Totals</b>				\$24,905.00	\$145,494.00	\$170,399.00	\$40,000.00	\$40,000.00	\$1,037,500.00		\$0.00	\$40,000.00	
				2.40%	14.02%	16.42%	100.00%	100.00%	100.00%		0.00%	3.86%	
<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			
LBE = Local Business Enterprise SLBE = Small Local Business Enterprise Total LBE/SLBE = All Certified Local and Small Local Businesses HPLBE = NonProfit Local Business Enterprise NPSLBE = NonProfit Small Local Business Enterprise				UB = Uncertified Business CB = Certified Business MBE = Minority Business Enterprise WBE = Women Business Enterprise									

OFFICE OF THE CITY ADMINISTRATOR



Contracts & Compliance Unit

PROJECT EVALUATION FORM

PROJECT NO.: C284540

PROJECT NAME: Peralta Hacienda Historical Park De Anza Trail Project (includes 6 alternates)

CONTRACTOR: Suarez & Munoz Constr., Inc.

<u>Engineer's Estimate:</u> 859,000.00	<u>Contractors' Bid Amount</u> \$1,037,500.00	<u>Over/Under Engineer's Estimate</u> -178,500.00
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<u>Discounted Bid Amount:</u> \$0.00	<u>Amount of Bid Discount</u> \$0.00	<u>Percent discount</u> 0.00%
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1. Did the 20% local/small local requirements apply? YES
2. Did the contractor meet the 20% requirement? NO
- a) % of LBE participation 2.40%  
    b) % of SLBE participation 14.02%
3. Did the contractor meet the Trucking requirement? YES
- c) Total SLBE/LBE trucking participation 100.00%
4. Did the contractor receive bid discounts? YES
- (if yes, list the percentage received) 0.00%

5. Additional Comments.

Firm failed to meet the minimum 20% L/SLBE participation requirement. The firm had a 3.58% L/SLBE shortfall. Therefore, the firm is deemed non-responsive.

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

2/24/2012

Date

Reviewing  
Officer:

*Vincent*

Date: 2/24/2012

Approved By:

*Shelley Darenburg*

Date: 2/24/2012

# LBE/SLBE PARTICIPATION

## BIDDER 6

Project Name: Peralta Hacienda Historical Park De Anza Trail Project (includes 6 alternates)

Project No.: C284540		Engineers Est: 859,000.00				Under/Over Engineers Estimate: 855,045.78							
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	Star Construction	San Rafael	UB						727,601.79	C			
Site Furnishings	Ross Recreation	Santa Rosa	UB						9,455.99	C			
Site Furnishings	Forms & Surface	Pittsburg	UB						5,924.00	C			
Geo Wall Mat.	Reed Graham	San Jose	UB						47,899.00	C			
Cable Assembly	Feeney	Oakland	UB						26,325.00	H	26,325.00		
Grading	Focon, Inc.	Oakland	CB		140,000.00	140,000.00			140,000.00	AA	140,000.00		
Hydroseed	Superior	Watsonville	UB						3,954.22	C			
Trucking	Monroe Trucking	Oakland	CB		15,000.00	15,000.00	15,000.00	15,000.00	15,000.00	AA	15,000.00		
Electrical	Summerhill Electric	Oakland	CB		58,435.00	58,435.00			58,435.00	AA	58,435.00		
Tree Removal	AtlasTree	Santa Rosa	UB						10,751.00	C			
Survey	Const. Survey, Inc.	Berkeley	UB						5,550.00	C		5,550.00	
SWPPP	Stormwater Specialist	Elk Grove	UB						1,280.00	C		1,280.00	
<b>Project Totals</b>				\$0.00	\$213,435.00	\$213,435.00	\$15,000.00	\$15,000.00	\$1,052,176.00		\$239,760.00	\$6,830.00	
				0.00%	20.29%	20.29%	100.00%	100.00%	100.00%		22.79%	0.65%	
<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%	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			
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													

OFFICE OF THE CITY ADMINISTRATOR



Contracts & Compliance Unit

PROJECT EVALUATION FORM

PROJECT NO.: C284540

PROJECT NAME: Peralta Hacienda Historical Park De Anza Trail Project (includes 6 alternates)

CONTRACTOR: Star Construction

<u>Engineer's Estimate:</u> 859,000.00	<u>Contractors' Bid Amount</u> \$1,052,176.00	<u>Over/Under Engineer's Estimate</u> -193,176.00
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<u>Discounted Bid Amount:</u> \$1,031,132.48	<u>Amount of Bid Discount</u> \$21,043.52	<u>Percent discount</u> 2.00%
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1. Did the 20% local/small local requirements apply? YES
2. Did the contractor meet the 20% requirement? NO
- a) % of LBE participation 0.00%
- b) % of SLBE participation 20.29%
3. Did the contractor meet the Trucking requirement? YES
- c) Total SLBE/LBE trucking participation 100.00%
4. Did the contractor receive bid discounts? YES
- (If yes, list the percentage received) 2.00%
5. Additional Comments.

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

2/24/2012

Date

Reviewing  
Officer:

*Nina Puma*

Date: 2/24/2012

Approved By:

*Shelley Darenburg*

Date: 2/24/2012

# LBE/SLBE PARTICIPATION

## BIDDER 7

Project Name: **Peraña Hacienda Historical Park De Anza Trail Project (includes 6 alternates)**

Project No.: <b>C284540</b>		Engineers Est: <b>\$60,000.00</b>				Under/Over Engineers Estimate: <b>\$69,000.00</b>							
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 Landscape & Irrigation Concrete & Asphalt Fence Metal Fab Electrical	Rodan Builders, Inc.	Burlingame	UB						787,607.00	C			
	Echo Landscape	Castro Valley	UB						18,692.00	C			
	B&M Builders	Rancho Cordova	UB						69,690.00	C			
	Golden Bay Fence	Stockton	UB						161,261.00	C			
	Bannon Construction	San Francisco	UB						112,500.00	C			
	Cirimele Electric Work	Richmond	UB						36,250.00	C			
<b>Project Totals</b>				\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$1,186,000.00		\$0.00	\$0.00	
				0.00%	0.00%	0.00%	0.00%	0.00%	100.00%		0.00%	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			
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									

OFFICE OF THE CITY ADMINISTRATOR



Contracts & Compliance Unit

PROJECT EVALUATION FORM

PROJECT NO.: C284540

PROJECT NAME: Peralta Hacienda Historical Park De Anza Trail Project (includes 6 alternates)

CONTRACTOR: Rodan Builders, Inc.

<u>Engineer's Estimate:</u> 859,000.00	<u>Contractors' Bid Amount</u> \$1,186,000.00	<u>Over/Under Engineer's Estimate</u> -327,000.00
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<u>Discounted Bid Amount:</u> \$0.00	<u>Amount of Bid Discount</u> \$0.00	<u>Percent discount</u> 0.00%
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- 1. Did the 20% local/small local requirements apply? YES
- 2. Did the contractor meet the 20% requirement? NO
  - a) % of LBE participation 0.00%
  - b) % of SLBE participation 0.00%
- 3. Did the contractor meet the Trucking requirement? NO
  - c) Total SLBE/LBE trucking participation 0.00%
- 4. Did the contractor receive bid discounts? NO
  - (If yes, list the percentage received) 0.00%

5. Additional Comments.

Firm failed to meet the minimum 20% L/SLBE participation requirement. The firm had a 20% L/SLBE shortfall. Therefore, the firm is deemed non-responsive.

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

2/24/2012

Date

Reviewing Officer:

*Nina Janner*

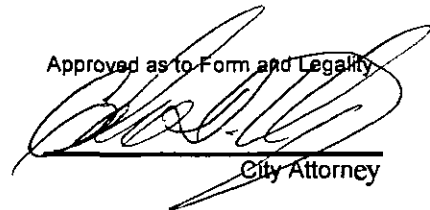
Date: 2/24/2012

Approved By:

*Shelley Darenburg*

Date: 2/24/2012





City Attorney

2012 MAR 16 AM 9:00 **OAKLAND CITY COUNCIL**

**RESOLUTION NO. \_\_\_\_\_ C.M.S.**

**RESOLUTION:**

- 1) **AUTHORIZING THE REALLOCATION OF UP TO TWO HUNDRED FORTY THOUSAND DOLLARS (\$240,000.00) FROM THE EAST BAY REGIONAL PARK DISTRICT LOCAL GRANT PROGRAM OF THE OPEN SPACE, WILDLIFE, SHORELINE AND PARKS BOND (2008 MEASURE WW) FOR THE CENTRAL RESERVOIR FIELD PROJECT (NO. C377010) TO THE PERALTA HACIENDA HISTORICAL PARK DE ANZA TRAIL PROJECT (NO. C284540), AND**
- 2) **AUTHORIZING THE CITY ADMINISTRATOR TO APPLY FOR, ACCEPT AND APPROPRIATE UP TO TWO HUNDRED FORTY THOUSAND DOLLARS (\$240,000.00) FROM THE EAST BAY REGIONAL PARK DISTRICT LOCAL GRANT PROGRAM OF THE OPEN SPACE, WILDLIFE, SHORELINE AND PARKS BOND (2008 MEASURE WW) FOR THE PERALTA HACIENDA HISTORICAL PARK DE ANZA TRAIL PROJECT (NO. C284540), AND**
- 3) **AUTHORIZING THE CITY ADMINISTRATOR TO AWARD A CONSTRUCTION CONTRACT FOR THE PERALTA HACIENDA HISTORICAL PARK DE ANZA TRAIL PROJECT (NO. C284540) TO BELIVEAU ENGINEERING, INC., THE LOWEST RESPONSIVE AND RESPONSIBLE BIDDER, FOR AN AMOUNT NOT-TO-EXCEED EIGHT HUNDRED FOURTEEN THOUSAND DOLLARS (\$814,000.00) IN ACCORD WITH THE PROJECT PLANS AND SPECIFICATIONS AND THE CONTRACTOR'S BID**

**WHEREAS**, Peralta Hacienda Historical Park is an existing 6 acre park located at 2465 34<sup>th</sup> Avenue in the Fruitvale District and the City wishes to make improvements in accordance with community supported master plan; and

**WHEREAS**, the City competed for and received the Recreational Trails Program Grant from California Department of Parks and Recreation and the grant has a construction completion deadline of March 31, 2013, to implement the Peralta Hacienda Historical Park De Anza Trail Project; and

**WHEREAS**, the people of the East Bay Regional District have enacted the Measure WW Park Bond Extension that provides funds for the acquisition and development of neighborhood, community, regional parks and recreation lands and facilities; and

**WHEREAS**, the East Bay Regional Park District Board of Directors has the responsibility for the administration of the grant program; the procedures require the applicant's governing body to certify by resolution the approval of the applicant to apply for the local grant allocation of funds; and

**WHEREAS**, the City has designated 16 projects to receive the grant fund under Resolution 81777 C.M.S. adopted in February 2009, including the Central Reservoir Field Improvement project and the City has enter into a master grant contract with the East Bay Regional Park District; and

**WHEREAS**, the Central Reservoir Field Improvement Project (No. C377010) has fund remaining that is proposed to be reallocated to the Peralta Hacienda Historic Park De Anza Trail Project (C284540); and

**WHEREAS**, the Peralta Hacienda Historical Park De Anza Trail Project received bid on February 2, 2012, in which seven bids were received by the Office of the City Clerk; and

**WHEREAS**, Beliveau Engineering Construction, Inc., a certified small local business, is the lowest responsible, responsive bidder for the bid; and

**WHEREAS**, upon approval of this resolution, funds for the Peralta Hacienda Historical Park De Anza Trail Project construction contract are available for the base bid and additive alternates from the following sources:

- California Department of Parks and Recreation Regional Trails Program Grant, Fund 2134, Project No. C284540, Capital Improvement Organization 92270.
- Council District 5 Pay-Go Fund 5200, Peralta Hacienda Trail Project No. B00492, Capital Improvement Organization 92270.
- Community Development Block Grant Fund 2108, Peralta Hacienda Trail Project No. C284550, Capital Improvement Organization 92270.
- Measure WW Bond Fund 2260, Central Reservoir Field Improvement Project No. C377010, Capital Improvement Organization 92270

**WHEREAS**, the City Council finds and determines based on the representations set forth in the City Administrator's report accompanying this Resolution that the constmction contract approved hereunder is temporary in nature; 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 shall not result in the loss of employment or salary by any person having permanent status in the competitive service; now, therefore, be it