

**CITY OF OAKLAND  
COUNCIL AGENDA REPORT**

FILED  
OFFICE OF THE CITY CLERK  
OAKLAND

2003 JUL 10 PM 3: 21

TO: Office of the City Manager  
ATTN: Deborah Edgerly, Interim City Manager  
FROM: Public Works Agency  
DATE: July 22, 2003

RE: **RESOLUTION AUTHORIZING AWARD OF A CONTRACT TO AJW CONSTRUCTION FOR THE CONSTRUCTION OF CURB RAMPS CITYWIDE – PHASE V (PROJECT NO. G166810, FEDERAL PROJECT NO. STPL-5012 (060) FOR THE AMOUNT OF FIVE HUNDRED THIRTY-EIGHT THOUSAND FIVE HUNDRED DOLLARS \$538,500**

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**SUMMARY**

A resolution has been prepared authorizing the City Manager to award a construction contract in the amount of \$538,500 to AJW Construction for the Construction of Curb Ramps Citywide – Phase V (Project No. G166810, Federal Project No. STPL-5012 (060)). The work to be completed under this project is part of the City's ongoing curb ramp construction program. The work will be at various locations throughout the City.

**FISCAL IMPACTS**

Project funding is available from Federal Highway Funds in Fund 2116, Organization 92242, Account 57411, and Project G166810. The engineer's estimate for the work is \$622,300.

**BACKGROUND**

On June 2, 2003, the City Clerk received seven bids for this project. Bids from Vanguard Construction and Professional Construction Services were deemed non-responsive, and were rejected. The bids are shown in *Attachment A*. The lowest responsible bidder, AJW Construction with a bid price of \$538,500, is recommended for award.

The proposed work consists of constructing 320 curb ramps, one median cut walkway, 19,680 square feet of concrete sidewalk repair, 200 linear feet of concrete curb and gutter, and 100 square feet of asphalt concrete pavement repair. This project meets the Mayor/City Council Goals and Citywide Objectives **#3 Improve Oakland Neighborhoods**, and **#6 Maintain & Enhance Oakland's Physical Assets**.

Federal Department of Transportation funding guidelines are used to administer this project, and therefore the City's local programs are not applicable. The City of Oakland Contract Compliance Division has determined that the project has a Disadvantaged Business Enterprise (DBE) goal of 5%. AJW's proposal includes 100% DBE participation, and therefore meets and exceeds this goal.

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The bidders' DBE information has been verified by the Contract Compliance Division of the City Manager's Office and is shown in *Attachment B*.

### **KEY ISSUES AND IMPACTS**

Construction is scheduled to begin in August 2003 and be completed by December 2003. The contract specifies \$250 in liquidated damages per calendar day if the contractor exceeds the contract completion time of 80 working days. The project schedule is shown on *Attachment A*.

Staff has reviewed the submitted bid for this work and determined that the low bid is reasonable.

### **SUSTAINABLE OPPORTUNITIES**

The construction of curb ramps and sidewalk repairs will improve air quality to the extent that pedestrian traffic is encouraged. The contractor will be required to make every effort to reuse clean fill materials and use recyclable concrete and asphalt products.

### **DISABILITY AND SENIOR CITIZEN ACCESS**

Construction of 320 new curb ramps and repair of sidewalks will improve access to City streets and sidewalks for senior citizens, persons with disabilities and all pedestrians in general. Curb ramps will be constructed to current state and federal standards.

### **RECOMMENDATION AND RATIONALE**

It is recommended that the construction contract be awarded to AJW Construction, the lowest responsible bidder, in the amount of \$538,500 for the Construction of Curb Ramps Citywide – Phase V (Project No. G166810, Federal Project No. STPL-5012 (060) in the amount of \$538,500. The contractor, AJW Construction, has met the DBE requirements, and there are sufficient funds in the project account.

**ACTION REQUESTED OF THE CITY COUNCIL**

Staff recommends that the City Council approve the resolution.

Respectfully submitted,

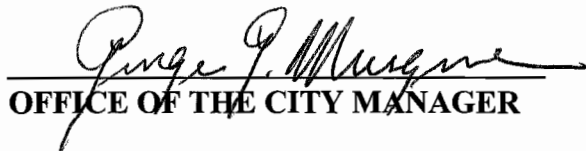


**CLAUDETTE R. FORD**  
Director, Public Works Agency

Reviewed by:  
Raul Godinez II, P.E.  
Assistant Director, Public Works Agency  
Design & Construction Services

Prepared by:  
Wladimir Wlassowsky, P.E.  
Supervising Civil Engineer

APPROVED AND FORWARDED TO  
THE PUBLIC WORKS COMMITTEE:



**OFFICE OF THE CITY MANAGER**



*Attachment A*

**Construction of Curb Ramps Citywide – Phase V  
Project No. G166810,  
Federal Project No. STPL-5012(060)**

**List of Bidders**

Company	Status	Location	Bid Amount
AJW Construction	SLBE	Oakland	\$538,500
Andes Construction	UB	Oakland	\$545,175
Ransom Company	UB	San Leandro	\$665,560
BCI	UB	Berkeley	\$668,100
Sposeto Engineering	UB	Union City	\$685,852

**Project Schedule**

	Task Name	Start	Finish	2002				2003			
				Qtr 1	Qtr 2	Qtr 3	Qtr 4	Qtr 1	Qtr 2	Qtr 3	Qtr 4
1	<b>Project No. G166810</b>	<b>Mon 1/14/02</b>	<b>Mon 12/8/03</b>	[Gantt bar spanning all quarters from 2002 to 2003]							
2	Pre-design	Mon 1/14/02	Mon 3/11/02	[Gantt bar in Q1 2002]							
3	Design	Mon 3/11/02	Fri 3/28/03	[Gantt bar from Q1 2002 to Q2 2003]							
4	Bid-Award	Fri 3/28/03	Fri 7/11/03	[Gantt bar from Q3 2002 to Q1 2003]							
5	Contract Execution	Fri 7/11/03	Mon 8/11/03	[Gantt bar in Q2 2003]							
6	Construction	Mon 8/11/03	Mon 12/8/03	[Gantt bar from Q3 2003 to Q4 2003]							

**Attachment B**  
**Contract Compliance Evaluation**

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7/22/03

**Contract Compliance and  
Employment Services Division  
Office of the City Manager**

# Memorandum

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**Date:** June 9, 2003  
**From:** Deborah Barnes, CC&ES Manager *DB*  
**To:** Stephanie Montgomery, PWA Contract Administration Manager  
**Regarding:** Construction of Curb Ramps Citywide - Phase V

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Contract Compliance & Employment Services reviewed five bids for the above referenced project. Of the total received, two are in compliance with the DBE goal as listed below:

Company Name	DBE
AJW Construction	100%
Andes Construction, Inc.	43%

The following contractor's did not meet the DBE goal.

Ransome	2%
BCI	0%
Sposeto	0%

**CC:** Attachments

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 2003 JUN 10 11:00:15  
 CONTRACT COMPLIANCE & EMPLOYMENT SERVICES DIVISION

CONTRACT COMPLIANCE AND EMPLOYMENT SERVICES DIVISION  
OFFICE OF THE CITY MANAGER



**Contract Compliance Evaluation Form**

Project No.: G166810

Project Name: Construction of Curb Ramps Citywide -- Phase V

Bid Opening Date: 6/2/2003

Engineer Estimate: \$886,600

Contractor: AJW Construction

Contractor's bid amount: \$538,500

1. Did the Contractor meet the DBE goals?  Yes
  - a) % of DBE participation 100%
  
2. If the goals were not met, did the contractor meet the Good Faith Effort (GFE) requirements?  NA  
(If no, explain reasons for failure to meet GFE.)
  
3. Date evaluation completed and forwarded to Contract Admin./Initiating Dept. 6/10/2003
  
4. Is the contractor in compliance with all DBE requirements?  Yes (If no, explain below)

Reviewing Officer: *[Signature]*

Date: 6/10/2003

Approved By: *Deborah L. Barnes*

Date: 6/10/03



**DBE PARTICIPATION**

**Lowest Bidder**

Project Name: Construction of Curb Ramps Citywide – Phase V

Engineer Estimate: \$886,600

Bid Amount: \$538,500.00

Difference: <\$348,100>

Project No.: G166810

TRADE	Line #	Prime and Subs	LOCATION	Cert. Status	DBE	TOTAL DBE	Trucking	TOTAL BID \$ Amount	ETH.	MBE	WBE
Prime	1	AJW Construction	Oakland	CB	\$538,500	\$538,500		\$538,500.00	H	\$538,500	
Cement	2	Central Concrete	Oakland	UB							
<b>Project Subtotals:</b>										\$538,500	\$538,500
									0%	100%	100%
											0%

This project has a 5% DBE goal.....  
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**LEGEND:**

- ALL LBE All certified Local and Small Local Businesses
- LBE Local Business Enterprise
- SLBE Small Local Business Enterprise
- LTRU Local Trucking Businesses
- CB Certified Business
- UB Uncertified Business
- AA African American
- H Hispanic American
- A Asian American
- NA Native American
- C Caucasian
- MBE Minority Business Enterprise
- WBE Woman Business Enterprise

CONTRACT COMPLIANCE AND EMPLOYMENT SERVICES DIVISION  
OFFICE OF THE CITY MANAGER



**Contract Compliance Evaluation Form**

Project No.: G166810

Project Name: Construction of Curb Ramps Citywide -- Phase V

Bid Opening Date: 6/2/2003

Engineer Estimate: \$886,600

Contractor: Andes Construction

Contractor's bid amount: \$545,175

1. Did the Contractor meet the DBE goals?  Yes
  - a) % of DBE participation 43%
2. If the goals were not met, did the contractor meet the Good Faith Effort (GFE) requirements?  NA  
(If no, explain reasons for failure to meet GFE.)
3. Date evaluation completed and forwarded to Contract Admin./Initiating Dept. 6/10/2003
4. Is the contractor in compliance with all DBE requirements?  Yes (If no, explain below)

Reviewing Officer: *D. Memon*

Date: 6/10/2003

Approved By: *Deborah Baran*

Date: 6/10/03

DBE PARTICIPATION

2nd Bidder

Project Name: Construction of Curb Ramps Citywide -- Phase V

Engineer Estimate: \$886,600

Bid Amount: \$545,175.00

Difference: <\$341,425>

Project No.: G166810

TRADE	Line #	Prime and Subs	LOCATION	Cert. Status	DBE	TOTAL DBE	Trucking	TOTAL BID \$ Amount	ETH.	MBE	WBE
Prime	1	Andes Construction	Oakland	UB				\$308,175	H	\$308,175	
Saw Cut / Concrete	2	BayLine Construction	Oakland	CB	\$225,000	\$225,000		\$225,000	H	\$225,000	
Trucking	3	KM Transport	Oakland	CB	\$12,000	\$12,000	\$12,000	\$12,000	A	\$12,000	
Project Subtotals:						\$237,000	\$12,000	\$545,175.00		\$545,175	
This project has a 5% DBE goal.....					0%	43%	0%	100%		100%	0%

LEGEND:

- ALL LBE
- LBE
- SLBE
- LTRU
- All certified Local and Small Local Businesses
- Local Business Enterprise
- Small Local Business Enterprise
- Local Trucking Businesses
- UB Uncertified Business
- AA African American
- H Hispanic American
- A Asian American
- CB Certified Business
- Uncertified Business
- Minority Business Enterprise
- MBE
- WBE
- Native American
- Caucasian
- Minority Business Enterprise
- Woman Business Enterprise

CONTRACT COMPLIANCE AND EMPLOYMENT SERVICES DIVISION  
OFFICE OF THE CITY MANAGER



**Contract Compliance Evaluation Form**

Project No.: G166810

Project Name: Construction of Curb Ramps Citywide -- Phase V

Bid Opening Date: 6/2/2003

Engineer Estimate: \$886,600

Contractor: Ransome company

Contractor's bid amount: \$665,560

1. Did the Contractor meet the DBE goals?  No

a) % of DBE participation 2%

2. If the goals were not met, did the contractor meet the Good Faith Effort (GFE) requirements?  No  
(If no, explain reasons for failure to meet GFE.)

Contractor did not submit a good faith effort.

3. Date evaluation completed and forwarded to Contract Admin./Initiating Dept. 6/10/2003

4. Is the contractor in compliance with all DBE requirements?  No (If no, explain below)

Contractor did not submit a good faith effort.

Reviewing Officer: \_\_\_\_\_

Date: 6/10/2003

Approved By: Deborah Barrow

Date: 6/10/03

DBE PARTICIPATION

3rd Bidder

Project Name: Construction of Curb Ramps Citywide -- Phase V

Project No.: G166810

Engineer Estimate: \$886,600  
 Bid Amount: \$665,560.00  
 Difference: <\$221,040>

TRADE	Line #	Prime and Subs	LOCATION	Cert. Status	DBE	TOTAL DBE	Trucking	TOTAL BID \$ Amount	ETH.	MBE	WBE
Prime	1	Ransome company	San Leandro	UB				\$493,960.00			
Modular Pavers	2	White Cap	San Leandro	UB				\$63,000.00			
Concrete	3	Central Concrete	San Jose	UB				\$93,600.00			
Trucking	4	Williams Trucking	Oakland	CB	\$10,000	\$10,000	\$10,000	\$10,000.00	A	\$10,000	
Trucking	5	Lopes Trucking	Castro Valley	UB			\$5,000	\$5,000.00			
Project Subtotals:					\$10,000	\$10,000	\$15,000	\$665,560.00		\$10,000	0%
					2%	2%	0%	100%		2%	0%

This project has a 5% DBE goal.....  
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LEGEND:  
 ALL LBE  
 LBE  
 SLBE  
 LTRU

All certified Local and Small Local Businesses  
 Local Business Enterprise  
 Small Local Business Enterprise  
 Local Trucking Businesses

CB Certified Business  
 UB Uncertified Business  
 AA African American  
 H Hispanic American  
 A Asian American

NA Native American  
 C Caucasian  
 MBE Minority Business Enterprise  
 WBE Woman Business Enterprise

CONTRACT COMPLIANCE AND EMPLOYMENT SERVICES DIVISION  
OFFICE OF THE CITY MANAGER



**Contract Compliance Evaluation Form**

Project No.: G166810-Cont

Project Name: Construction of Curb Ramps Citywide -- Phase V

Bid Opening Date: 6/2/2003

Engineer Estimate: \$886,600

Contractor: BCI

Contractor's bid amount: \$668,100

1. Did the Contractor meet the DBE goals?  No

a) % of DBE participation 0%

2. If the goals were not met, did the contractor meet the Good Faith Effort (GFE) requirements?  No

(If no, explain reasons for failure to meet GFE.)

Contractor did not submit a subcontractor listing and a good faith effort.

3. Date evaluation completed and forwarded to Contract Admin./Initiating Dept. 6/10/2003

4. Is the contractor in compliance with all DBE requirements?  No (If no, explain below)

Contractor did not submit a subcontractor listing and a good faith effort.

Reviewing Officer: \_\_\_\_\_

Date: 6/10/2003

Approved By: \_\_\_\_\_

Date: 6/10/03

### DBE PARTICIPATION

4th Bidder

Project Name: Construction of Curb Ramps Citywide -- Phase V  
Project No.: G166810-Cont

Engineer Estimate: \$886,600  
Bid Amount: \$668,100.00  
Difference: <\$218,500>

TRADE	Line #	Prime and Subs	LOCATION	Cert. Status	DBE	TOTAL DBE	Trucking	TOTAL BID \$ Amount	ETH.	MBE	WBE
Prime	1	BCI	Berkeley	UB				\$668,100.00			
Project Subtotals:									\$668,100.00	0%	0%
									100%	0%	0%

This project has a 5% DBE goal.....

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**LEGEND:**

- ALL LBE All certified Local and Small Local Businesses
- LBE Local Business Enterprise
- SLBE Small Local Business Enterprise
- LTRU Local Trucking Businesses
- CB Certified Business
- UB Uncertified Business
- AA African American
- H Hispanic American
- A Asian American
- NA Native American
- C Caucasian
- MBE Minority Business Enterprise
- WBE Woman Business Enterprise

CONTRACT COMPLIANCE AND EMPLOYMENT SERVICES DIVISION  
OFFICE OF THE CITY MANAGER



**Contract Compliance Evaluation Form**

Project No.: G166810-Cont

Project Name: Construction of Curb Ramps Citywide -- Phase V

Bid Opening Date: 6/2/2003

Engineer Estimate: \$886,600

Contractor: Sposeto Engineering

Contractor's bid amount: \$685,852

1. Did the Contractor meet the DBE goals?  No

a) % of DBE participation 0%

2. If the goals were not met, did the contractor meet the Good Faith Effort (GFE) requirements?  No  
(If no, explain reasons for failure to meet GFE.)

Contractor did not submit a good faith effort.

3. Date evaluation completed and forwarded to Contract Admin./Initiating Dept. 6/10/2003

4. Is the contractor in compliance with all DBE requirements?  No (If no, explain below)

Contractor did not submit a good faith effort.

Reviewing Officer: \_\_\_\_\_

Date: 6/10/2003

Approved By: Deborah Barnes

Date: 6/10/03



# DBE PARTICIPATION

5th Bidder

Project Name: Construction of Curb Ramps Citywide -- Phase V  
 Project No.: G166810-Cont

Engineer Estimate: \$886,600  
 Bid Amount: \$685,852.00  
 Difference: <\$200,748>

TRADE	Line #	Prime and Subs	LOCATION	Cert. Status	DBE	TOTAL DBE	Trucking	TOTAL BID \$ Amount	ETH.	MBE	WBE
Prime	1	Sposeto Engineering	Union City	UB				\$588,852			
Recycling	2	Specialty Crushing	Oakland	UB				\$10,000			
Concrete	3	Berkeley Ready Mix	Berkeley	UB				\$70,000			
Detectable Precast	4	Hanover Products	Hanover, PA	UB				\$17,000			
Project Subtotals:								\$685,852.00	100%	0%	0%

This project has a 5% DBE goal.....  
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LEGEND:  
 ALL LBE  
 LBE  
 SLBE  
 LTRU

All certified Local and Small Local Businesses  
 Local Business Enterprise  
 Small Local Business Enterprise  
 Local Trucking Businesses

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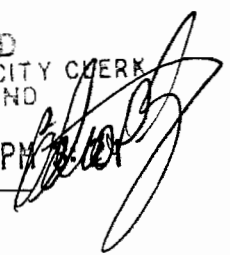


**OAKLAND CITY COUNCIL**

RESOLUTION No. \_\_\_\_\_

FILED  
OFFICE OF THE CITY CLERK  
C. M. S. OAKLAND

2003 JUL 10 PM



INTRODUCED BY COUNCILMEMBER \_\_\_\_\_

Requires two-thirds vote of the Council

**RESOLUTION AUTHORIZING AWARD OF A CONTRACT TO AJW CONSTRUCTION FOR THE CONSTRUCTION OF CURB RAMPS CITYWIDE - PHASE V (PROJECT NO. G166810, FEDERAL PROJECT NO. STPL-5012 (060) FOR THE AMOUNT OF FIVE HUNDRED THIRTY-EIGHT THOUSAND FIVE HUNDRED DOLLARS (\$538,500)**

**WHEREAS**, on June 2, 2003, seven bids were received by the Office of the City Clerk of the City of Oakland for the Construction of Curb Ramps Citywide - Phase V (Project No. G166810, Federal Project No. STPL-5012 (060) of which two were non-responsive; and

**WHEREAS**, AJW Construction has been determined to be the lowest responsible bidder for the project; and

**WHEREAS**, there are sufficient funds in Fund 2116, Organization 92242, Account 57411, and Project G166810, for the contract work; and

**WHEREAS**, the City lacks the equipment and qualified personnel to perform the necessary work; and

**WHEREAS**, the City Council finds and determines that the performance of this contract is in the public interest because of economy or better performance; and

**WHEREAS**, AJW Construction complies with the applicable federal Disadvantaged Business Enterprise (DBE) requirements; and

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

**RESOLVED:** That the contract for the Construction of Curb Ramps Citywide - Phase V (Project No. G166810, Federal Project No. STPL-5012 (060) is hereby awarded to AJW Construction in accordance with the terms of its bid therefore, dated June 2, 2003, for the amount of Five Hundred Thirty-Eight Thousand Five Hundred Dollars (\$538,500); and be it

**FURTHER RESOLVED:** That in the event that bids are not received, or bids are deemed not responsive, the City Manager is authorized to reject bids and negotiate a contract not to exceed \$538,500, without return to Council; and be it

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PUBLIC WORKS CMTE

JUL 22 2003

**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 amount of the bond for faithful performance, \$269,250, 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, \$538,500, with respect to such work are hereby approved; and be it

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

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

**FURTHER RESOLVED:** That the contract shall be reviewed and approved by the City Attorney and placed on file in the Office of the City Clerk; and be it

**FURTHER RESOLVED:** That the approval of this resolution requires a two-thirds vote of the Council members.

IN COUNCIL, OAKLAND, CALIFORNIA, \_\_\_\_\_, 2003

**PASSED BY THE FOLLOWING VOTE:**

AYES- BROOKS, BRUNNER, CHANG, NADEL, QUAN, REID, WAN AND  
PRESIDENT DE LA FUENTE

NOES-

ABSENT-

ABSTENTION-

7

**PUBLIC WORKS CMTE**

**JUL 22 2003**

ATTEST: \_\_\_\_\_

CEDA FLOYD  
City Clerk and Clerk of the Council  
of the City of Oakland, California