



INTER OFFICE MEMORANDUM

TO: Sarah Fine,
Complete Streets, Paving and
Sidewalk Program Manager

FROM: Deborah Barnes, Director, *DLB*
Department of WES

THROUGH: Shelley Darenburg, *Shelley Darenburg*
Contract Compliance Supervisor

PREPARED BY: *Vivian Inman*
Vivian Inman,
Senior Contract Compliance Officer

SUBJECT: Compliance Analysis
RFQ for On Call Citywide Paving 2020

DATE: August 31, 2020

At the request of the Public Works Department, the designated Compliance Officer conducted a compliance analysis of four (4) bids submitted to the City in response to the above RFP. Below are the results of the compliance evaluation for the minimum 50% Local and Small Local Business Enterprise (L/SLBE) participation requirement; and a preliminary review for compliance with the Equal Benefits Ordinance (EBO)

Compliant with L/SLBE and/or EBO Policies		Proposed Participation					Earned Credits and Discounts			EBO Compliant? Y/N
Company Name	Original Bid Amount	Total LBE/SLBE	LBE	SLBE	*VSLBE/LPG	L/SLBE /VSLBE Trucking	Total Credited participation	Earned Preference Points	Adjusted Bid Amount	
Gallagher & Burk	\$12,686,200	74.00%	32.00%	27.00%	15.00% *30.00%	57.00%	89.00%	5 pts.	NA	Y
McGuire & Hester	\$12,867,000	79.60%	37.93%	21.17%	20.50% *41.00%	100.00%	100.10%	5 pts.	NA	Y
A Teichert & Son, Inc.	\$14,120,250	31.90%	1.90%	10.20%	19.80% *37.60%	100.00%	51.70%	2 pts.	NA	N
O.C. Jones	\$14,824,775	38.10%	0.00%	21.10%	17.00 *34.00%	100.00%	55.10%	2 pts.	NA	N

***Double Counted Value for Very Small Local Business Enterprise (VSLBE).**

Comments: As noted above, all firms met or exceeded the minimum 50% L/SLBE program participation requirement. A. Teichert & Sons, Inc., and OC Jones are not EBO compliant. They must come into compliance prior to full contract execution.

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

CITY ADMINISTRATOR'S OFFICE

Contracts and Compliance Unit



PROJECT COMPLIANCE EVALUATION FOR :

Project No. _____

RE: On Call Citywide Paving 2020

CONTRACTOR: Gallagher & Burk

<u>Engineer's Estimate:</u> \$12,954,700.00	<u>Contractors' Bid Amount</u> \$12,686,200.00	<u>Over/Under Engineer's Estimate</u> \$268,500.00
<u>Discounted Bid Amount:</u> NA	<u>Amt. of Bid Discount</u> NA	<u>Discount Points:</u> 2.00%
1. Did the 50% local/small local requirement apply:		<u>YES</u>
2. Did the contractor meet the 50% requirement?		<u>YES</u>
a) % of LBE participation	<u>32.00%</u>	
b) % of SLBE participation	<u>27.00%</u>	
c) % of VSLBE/LPG participation	<u>15.00%</u>	(Double counted percentage is 30%)
3. Did the contractor meet the L/SLBE Trucking requirement?		<u>YES</u>
a) Total L/SLBE trucking participation	<u>57.00%</u>	
a) Total VSLBE trucking participation	<u>0.00%</u>	
4. Did the contractor receive bid discount points?		<u>YES</u>
(If yes, list the points received)		<u>2 points</u>
5. Additional Comments.		
** Proposed VSLBE/LPG participation is valued at 15%, however per the L/SLBE Program a VSLBE/LPG's participation is double counted towards meeting the requirement. Therefore, the double counted percentage is 30.00%.		
6. Date evaluation completed and returned to Contract Admin./Initiating Dept.		

8/28/2020

Date

Reviewing
Officer:

Vivian Anman

Date: 8/28/2020

Approved By:

Shelley Darenburg

Date: 8/28/2020

LBE/SLBE Participation Bidder 1

Project Name:		On-Call Citywide Paving 2020		Engineer's Estimate		Under/Over Engineers Estimate:						
Project No.:				\$12,954,700.00								
Discipline	Prime & Subs	Location	Cert. Status	LBE	SLBE	*VSLBE/LPG	L/SMSLBE Trucking	Total Trucking	TOTAL Percentages	Ethn.	MBE	WBE
PRIME	Gallagher & Burk	Oakland	CB	32.00%					32.00%	C		
Tree Root Pruning	Rosas Brothers Construction	Oakland	CB		18.00%				18.00%	H	18.00%	
Crack Sealing	Pavement Coatings Company	Jurupa Valley	UB						3.00%	NL		
Landscaping & Related	Ray's Electric	Oakland	CB		5.00%				5.00%	C		
Striping, Pavement	Chrisp Company	Fremont	UB						20.00%	C		
Trucking	S&S Trucking	Oakland	CB		4.00%		4.00%	4.00%	4.00%	H	4.00%	
Trucking	Double D	Dublin	UB					3.00%	3.00%	C		
Asphalt Material	Gallagher & Burk	Oakland	CB			15.00%			15.00%	C		
Project Totals				32.00%	27.00%	15.00%	57.00%	100.00%	100.00%		22.00%	0.00%

Requirements:

The 50% requirements is a combination of 25% LBE and 25% SLBE participation. An SLBE firm can be counted 100% towards achieving 50% requirements and aVSLBE/LPP firm can be counted double towards achieving the 50% requirement.

Legend

- LBE = Local Business Enterprise
- SLBE = Small Local Business Enterprise
- VSLBE-Very Small Local Business Enterprise
- LPG = Locally Produced Goods
- 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

Ethnicity

- AA = African American
- A = Asian
- AI = Asian Indian
- AP = Asian Pacific
- C = Caucasian
- AP - Asian Pacific
- H = Hispanic
- NA = Native American
- O = Other
- NL = Not Listed.

**** Proposed VSLBE/LPG participation is valued at 15%, however per the L/SLBE Program a VSLBE/LPG's participation is double counted towards meeting the requirement. Double counted percentage is reflected on the evaluation form and cover memo.**

CITY ADMINISTRATOR'S OFFICE

Contracts and Compliance Unit



PROJECT COMPLIANCE EVALUATION FOR :

Project No.

RE: On Call Citywide Paving 2020

CONTRACTOR: McGuire & Hester

<u>Engineer's Estimate:</u> \$12,954,700.00	<u>Contractors' Bid Amount</u> \$12,867,000.00	<u>Over/Under</u> <u>Engineer's Estimate</u> \$87,700.00
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<u>Discounted Bid Amount:</u> NA	<u>Amt. of Bid Discount</u> NA	<u>Discount Points:</u> 5 points
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- 1. Did the 50% local/small local requirement apply? YES
- 2. Did the contractor meet the 50% requirement YES
 - a) % of LBE participation 32.00%
 - b) % of SLBE participation 21.17%
 - c) % of VSLBE participation 20.50%
- 3. Did the contractor meet the L/SLBE Trucking requirement? YES
 - a) Total L/SLBE trucking participation 100.00%
 - a) Total VSLBE trucking participation 100.00%
- 4. Did the contractor receive bid discount points? YES
(If yes, list the points received) 5 points

5. Additional Comments.
**** Proposed VSLBE/LPG participation is valued at 20.50%, however per the L/SLBE Program a VSLBE/LPG's participation is double counted towards meeting the requirement. Therefore, the double counted percentage is 41.00%.**

6. Date evaluation completed and returned to Contract Admin./Initiating Dept.
8/28/2020

Date

Reviewing Officer: Vivian Inman **Date:** 8/28/2020

Approved By: Shelley Darsenburg **Date:** 8/28/2020

LBE/SLBE Participation Bidder 2

Project Name:		O_n-Cell Citywide Paving 2020											
Project No.:		Engineer's Estimate											
		\$12,954,700.00											
		Under/Over Engineers Estimate:											
Discipline	Prime & Subs	Location	Cert. Status	LBE	SLBE	*VSLBE/LPG	LBE/SLBE Total	L/S/SLBE Trucking	Total Trucking	TOTAL Percentages	Ethn.	MBE	WBE
PRIME													
Crack & Micro Seal	McGuire & Hester	Oakland	CB	32.00%			37.93%			37.93%	C		
Asphalt Material	Pavement Coatings	Sacramento	UB							3.76%			
Trucking	Gallagher & Burk	Oakland	CB			20.50%	20.50%			20.50%	C		
Striping	All City Trucking	Oakland	CB		2.00%		2.00%	2.00%	2.00%	2.00%	AI	2.00%	
Concrete	Sierra Traffic Markings	Roseville	UB		19.17%		19.17%			16.64%	C		
	Rosas Brothers	Oakland	CB		19.17%		19.17%			19.17%	H	19.17%	
Project Totals							79.60%	100.00%	100.00%	100.00%		21.17%	0.00%
Requirements:				The 50% requirements is a combination of 25% LBE and 25% SLBE participation. An SLBE firm can be counted 100% towards achieving 50% requirements and aVSLBE/LPP firm can be counted double towards achieving the 50% requirement.									
Legend				LBE = Local Business Enterprise SLBE = Small Local Business Enterprise VSLBE-Very Small Local Business Enterprise LPG = Locally Produced Goods 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									
				Ethnicity AA = African American A = Asian AI = Asian Indian AP = Asian Pacific C = Caucasian AP - Asian Pacific H = Hispanic NA = Native American O = Other NL = Not Listed									

**** Proposed VSLBE/LPG participation is valued at 20.50%, however per the L/SLBE Program a VSLBE/LPG's participation is double counted towards meeting the requirement. Double counted percentage is reflected on the evaluation form and cover memo.**

CITY ADMINISTRATOR'S OFFICE

Contracts and Compliance Unit



PROJECT COMPLIANCE EVALUATION FOR :

Project No.

RE:

On Call Citywide Paving 2020

CONTRACTOR: A. Teichert & Son Inc.

<u>Engineer's Estimate:</u> \$12,954,700.00	<u>Contractors' Bid Amount</u> \$14,120,250.00	<u>Over/Under</u> <u>Engineer's Estimate</u> (\$1,165,550.00)
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<u>Discounted Bid Amount:</u> NA	<u>Amt. of Bid Discount</u> NA	<u>Discount Points:</u> 2 points
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1. Did the 50% local/small local requirement apply: **YES**

2. Did the contractor meet the 50% requirement? **YES**

a) % of LBE participation **33.90%**

b) % of SLBE participation **10.20%**

c) % of VSLBE/LPG participation **19.80%** (Double counted percentage is 39.60%)

3. Did the contractor meet the L/SLBE Trucking requirement? **YES**

a) Total L/SLBE trucking participation **75.00%**

a) Total VSLBE trucking participation **0.00%**

4. Did the contractor receive bid discount points? **YES**

(If yes, list the points received) **2 points**

5. Additional Comments.

**** Proposed VSLBE/LPG participation is valued at 19.80%, however per the L/SLBE Program a VSLBE/LPG's participation is double counted towards meeting the requirement. Therefore, the double counted percentage is 39.60%.**

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

8/28/2020

Date

Reviewing Officer:

Vivian Inman

Date: 8/28/2020

Approved By:

Shelley Darsenburg

Date: 8/28/2020

LBE/SLBE Participation Bidder 3

Project Name:		On-Call Citywide Paving 2020		Engineer's Estimate		\$12,954,700.00		Under/Over					
Project No.:													
Discipline	Prime & Subs	Location	Cert. Status	LBE	SLBE	VSLBE/LPG	LBE/SLBE Total	L/S/SLBE Trucking	Total Trucking	TOTAL Percentages	Ethn.	MBE	WBE
PRIME Trucking	A. Teichert & Son Inc.	Pleasanton	UB	32.00%	10.20%		10.20%	10.20%	10.20%	52.27%	C		
	All City Trucking	Oakland	CB							10.20%	AI	10.20%	
Ready Mix Supp	Central Concrete Supply Co., Inc.	Oakland	CB			2.70%	2.70%			2.70%	NL		
Surveying	Sandis Civil Engineers	Oakland	CB	1.90%			1.90%			1.90%	C		
Aggregate & Asphalt	Gallagher & Burk	Oakland	CB							17.10%	C		
Striping	Sierra Traffic Markings	Roseville	UB							12.90%	NL		
Microsurfacing	Bond Blacktop Inc.	Union City	UB							1.10%	NL		
Grinding	Anrak Corporation	Sacramento	UB							1.60%	NL		
Crack Seal	Bond Blacktop Inc.	Union City	UB							0.09%	NL		
Demolition	DeKay Demolition and Clearing, Inc.	Oakland	UB							0.07%			
Tack Oil	Kent's Oil Service dba pacific Northwest Oil	Stockton	UB							0.07%			
Project Totals				33.90%	10.20%	19.80%	31.90%	100.00%	100.00%	100.00%		10.20%	0.00%
<p>Requirements: The 50% requirements is a combination of 25% LBE and 25% SLBE participation. An SLBE firm can be counted 100% towards achieving 50% requirements and a VSLBE/LPG firm can be counted double towards achieving the 50% requirement.</p> <p>Legend LBE = Local Business Enterprise SLBE = Small Local Business Enterprise VSLBE-Very Small Local Business Enterprise LPG = Locally Produced Goods Total LBE/SLBE = All Certified Local and Small Local Businesses NPLBE = NonProfit Local Business Enterprise NPSLBE = NonProfit Small Local Business Enterprise</p> <p style="text-align: center;">0</p> <p style="text-align: center;">UB = Uncertified Business CB = Certified Business MBE = Minority Business Enterprise WBE = Women Business Enterprise</p> <p style="text-align: center;">Ethnicity AA = African American A = Asian AI = Asian Indian AP = Asian Pacific C = Caucasian AP - Asian Pacific H = Hispanic NA = Native American O = Other NL = Not Listed</p>													

**** Proposed VSLBE/LPG participation is valued at 19.80%, however per the L/SLBE Program a VSLBE/LPG's participation is double counted towards meeting the requirement. Double counted percentage is reflected on the evaluation form and cover memo.**