

CITY OF OAKLAND
AGENDA REPORT

FILED
OFFICE OF THE CITY CLERK
OAKLAND

2004 JAN 29 PM 1:01

TO: Office of the City Manager
ATTN: Deborah Edgerly
FROM: Public Works Agency
DATE: February 10, 2004

RE: RESOLUTION AUTHORIZING THE CITY MANAGER TO AWARD A CONSTRUCTION CONTRACT FOR THE MOSSWOOD, F.M. SMITH AND DIMOND RECREATION CENTER KITCHEN RENOVATIONS TO WAH MEI CONSTRUCTION COMPANY IN THE AMOUNT OF TWO HUNDRED NINETY-FIVE THOUSAND DOLLARS (\$295,000)

SUMMARY

A resolution has been prepared authorizing the City Manager, or her designee, to award a construction contract for the kitchen renovations at Mosswood, F.M. Smith and Dimond recreation centers to Wah Mei Construction Company (Oakland) in the amount of \$295,000. Wah Mei Construction Company is the lowest responsible bidder and has met the City's Local Business Program goals. Funds are available for this contract.

This project is consistent with the Mayoral and City Council Goal to "Maintain and Enhance Oakland's Physical Assets" by renovating and upgrading the kitchen facilities at three recreation centers. The project sites are located in Council Districts 2 and 3.

FISCAL IMPACT

This resolution will authorize a \$295,000 construction contract with Wah Mei Construction Company. Funding for the project is currently available from the Capital Improvement Fund (Project No. C195410, Fund 5500, Organization 92270, Account 78811). In fiscal year 2003, the Contract Compliance fee and Public Art fee were assessed within Project No. C195410. There will be no additional operation and maintenance costs as a result of this project.

BACKGROUND

On December 15, 2003, the City Clerk received five bids for the project. R&S Overhead Garage, Inc., Wah Mei Construction Company, Bay Construction Company, Sierra Bay Contractors, and M.A. Linquist Company, Inc., submitted bids (base work and alternate bid item No. 1) in the amount of \$226,000, \$295,000, \$459,000, 468,926, and \$536,978, respectively. The bid from R&S Overhead Garage, Inc., was deemed non-responsive because they did not submit the required bid bond with their bid. The second bidder, Wah Mei Construction Company, did submit a responsive bid that meets the City's LBE/SLBE program goals, and its bid amount of \$295,000 is within the project budget. Wah Mei Construction Company is recommended for award of the construction contract.

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Public Works Committee
02-10-04

There will be SLBE participation of \$272,000 (92%), which exceeds the 35% SLBE goal and the total LBE goal of 50%. The contractor is required to have 50% of the work hours performed by Oakland residents and 50% of all new hires are to be Oakland residents. The LBE/SLBE information has been verified by the Contract Compliance Division of the City Manager's Office and is shown on *Attachment A*.

The project scope of work involves the renovation of the kitchens at the Mosswood, F.M. Smith, and Dimond recreation centers. The work is necessary to bring the kitchens into compliance with County Health food service code requirements and to upgrade the facilities. Work includes installation of new cabinets, counters, flooring, finishes, appliances, and ventilation systems. In addition, the work at the Mosswood recreation center includes restroom and entry area reconstruction to bring the facility in compliance with the Americans with Disabilities Act (ADA).

KEY ISSUES AND IMPACTS

The renovation work is necessary for health and safety reasons, and to bring the kitchens into compliance with current County Health code requirements. Failure to complete the work may result in the closure of the facilities and the assessment of fines by the County.

The project completion duration is 80 working days from the date of the Notice to Proceed and completion is anticipated by July 2004. The construction contract specifies \$1,000 in liquidated damages per calendar day if the contract completion time of 80 working days is exceeded.

SUSTAINABLE OPPORTUNITIES

Economic: The project will generate business tax, sales tax, and other revenues for the City for work on the project.

Environmental: The project will take into consideration green building technologies, and to the extent feasible, will recycle materials and debris. All new appliances and equipment for the project will be energy efficient.

Social Equity: The project will provide upgraded facilities that can be used by residents and groups for various types of community functions and social activities.

DISABILITY AND SENIOR CITIZEN ACCESS

The project will improve accessibility to persons with disabilities and to senior citizens at the Mosswood recreation center. All new improvements at each recreation center will comply with the Americans with Disabilities Act (ADA).

RECOMMENDATION (S) AND RATIONALE

It is recommended that the City Manager, or her designee, be authorized to award a construction contract for the Mosswood, F.M. Smith, Dimond recreation center kitchen renovations project to Wah Mei Construction Company in the amount of Two Hundred Ninety-Five Thousand Dollars (\$295,000). Wah Mei Construction Company has met the City's local business program goals, 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,

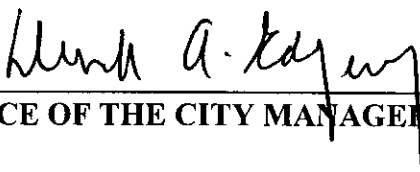


CLAUDETTE R. FORD
Director, Public Works Agency

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

Prepared by:
Calvin Hao, AIA
CIP Coordinator
Project Delivery Division

APPROVED AND FORWARDED
TO THE PUBLIC WORKS COMMITTEE:

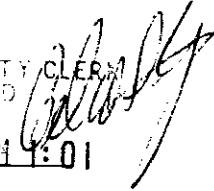


OFFICE OF THE CITY MANAGER

OAKLAND CITY COUNCIL

RESOLUTION No. _____

C.M.S.

OFFICE OF THE CITY CLERK
OAKLAND
2004 JAN 29 PM 4:01


INTRODUCED BY COUNCILMEMBER _____

2004 JAN 29 PM 4:01

Requires the two-thirds vote of the Council

RESOLUTION AUTHORIZING THE CITY MANAGER TO AWARD A CONSTRUCTION CONTRACT FOR THE MOSSWOOD, F.M. SMITH AND DIMOND RECREATION CENTER KITCHEN RENOVATIONS TO WAH MEI CONSTRUCTION COMPANY IN THE AMOUNT OF TWO HUNDRED NINETY-FIVE THOUSAND DOLLARS (\$295,000)

WHEREAS, on December 15, 2003, five bids were received by the Office of the City Clerk for the Mosswood, F.M. Smith, and Dimond Recreation Center Kitchen Renovations project; and

WHEREAS, the lowest bid from R&S Overhead Garage, Inc., should be rejected because the bidder was deemed non-responsive by their failure to submit a bid bond; and

WHEREAS, the second low bidder, Wah Mei Construction Company, is the lowest responsible bidder and has met the City's LBE/SLBE program requirements; and

WHEREAS, there are sufficient funds of \$295,000 in the project budget for the 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; and

WHEREAS, the City Council finds that services under this contract will be temporary; 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 Manager, or her designee, is hereby authorized to award a construction contract on behalf of the City of Oakland for the Mosswood, F.M. Smith, and Dimond Recreation Center Kitchen Renovations project to Wah Mei Construction Company in the amount of Two Hundred Ninety-Five Thousand Dollars (\$295,000) and to execute any amendments or modifications of said contract within the limitations of the project specifications; and be it

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**PUBLIC WORKS CMTE.
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FURTHER RESOLVED: That the City Manager is hereby authorized to reject all other bids; and be it

FURTHER RESOLVED: The amount of the bond for faithful performance, \$295,000, 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, \$295,000, 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 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, _____, 2004

PASSED BY THE FOLLOWING VOTE:

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

NOES-

ABSENT-

ABSTENTION-

ATTEST: _____

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

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PUBLIC WORKS CMTE.

FEB 10 2004