

2011 OCT 13 PM 2: 26

TO: Office of the City Administrator
ATTN: Deanna J. Santana
FROM: Public Works Agency
DATE: October 25, 2011

RE: A Resolution Awarding A Construction Contract To West Bay Builders, Inc., The Lowest, Responsive, Responsible Bidder, For The Seismic Retrofit Of Coliseum Way Bridge (Project No. C346810), In Accord With The Project Plans And Specifications And The Contractor's Bid In The Amount Of Two Million Four Hundred Forty-Nine Thousand Three Hundred Sixty-Two Dollars and Eighty-Four Cents (\$2,449,362.84)

SUMMARY

A resolution has been prepared awarding a construction contract in the amount of \$2,449,362.84 to West Bay Builders, Inc. for the Seismic Retrofit of Coliseum Way Bridge (Project No. C346810). The retrofit work is required to upgrade this bridge to improve its resistance to future earthquakes. The project location is shown in *Attachment A*.

Construction of this project has been coordinated with the Oakland-Alameda County Coliseum Authority and Oakland Police Department (OPD) to minimize construction impacts. The project is funded by a federal and state grant that requires construction contract-award by January 13, 2012.

FISCAL IMPACT

The Engineer's Estimate for the work is \$2,729,948.00. The City successfully sought and obtained federal and state Proposition 1B funds in the amount of \$3,610,356.00 for this project. The federal portion of this grant is 88.53% and the state portion is 11.47%. The state portion will serve as a local match for the federal allocation of the grant and the reimbursement will be based on actual cost. Funding for this contract is available in the following project account:

- Department of Transportation Fund (2116); Capital Improvement Projects-Streets & Structures Organization (92242); Construction Contract Account (57411); Project C346810; \$2,729,948.00.

The City is currently responsible for maintenance of this bridge. The maintenance responsibility will continue, but maintenance costs should be reduced after the rehabilitation under this contract.

hem: _____
Public Works Committee
October 25, 2011

BACKGROUND

On August 25, 2011, the City Clerk received six bids for this project as shown in the Table 1 below:

Table 1 – Bid Results

Company	Bid Amount
1) Reyes Construction, Inc.	\$2,299,999.00
2) West Bay Builders	\$2,449,362.84
3) ProVen Management, Inc.	\$2,880,847.00
4) Valentine Corporation	\$2,898,267.00
5) Flatiron Construction Corp.	\$2,907,103.00
6) Golden State Bridge, Inc.	\$3,853,087.00

Because this project is funded by federal funds, the federal Race Conscious Underutilized Disadvantaged Business Enterprise (RC UDBE) Program must be used in lieu of the City's Local/Small Local Business Enterprise (LBE/SLBE) Program in determining qualified bidders.

The apparent low bidder, Reyes Construction, Inc., failed to meet the minimum 2.9% RC UDBE participation goal. Therefore, their bid was deemed non-responsive. West Bay Builders, Inc., the second lowest bidder, met the minimum RC UDBE participation goal and is the lowest responsible and responsive bidder for this project.

Under the proposed contract with West Bay Builders, Inc., the UDBE participation will be 4.29%, which exceeds the 2.90% UDBE requirement. The UDBE information has been verified by the Contracts and Compliance Unit of the Office of the City Administrator and is shown in *Attachment B*. Staff has reviewed the submitted bid for this work and has determined that the bid is reasonable for the current construction climate. For information purposes, the LBE/SLBE participation is 3.67%.

KEY ISSUES AND IMPACTS

The retrofit work is needed to strengthen this bridge and improve its structural resistance to future earthquakes. The improvements to this bridge are funded by federal and state funds under the Seismic Safety Retrofit Program. The California Department of Transportation (Caltrans) requires that the contract be awarded by January 13, 2012, to remain eligible for reimbursement.

The City has coordinated this project with the Oakland-Alameda County Coliseum Authority and Oakland Police Department to minimize impacts to Coliseum events and traffic during construction. Also, construction in the Damon Slough Creek and on the bridge will be limited to the period from June 15th to October 15th to comply with environmental requirements. This restriction will also minimize the impact to the Coliseum events.

Upon approval of this contract, the Notice to Proceed is scheduled to be issued to the contractor in April 2012 to allow for construction submittal approvals, ordering of material, and minor construction work outside the bridge limits. Construction within the bridge limits is scheduled to begin in June 2012 and should be completed by December 2012. The contract specifies \$2,400.00 in liquidated damages per calendar day if the contract is not completed within 175 working days. The project schedule is shown in *Attachment C*.

PROJECT DESCRIPTION

The proposed work consists of the seismic retrofit of Coliseum Way Bridge over Damon Slough. The work includes pile driving, excavation and backfill, joint sealing, structural concrete and reinforcement steel work, traffic control, environmental protection, and other ancillary work as indicated on the plans and specifications.

EVALUATION OF PAST PERFORMANCE

There is no past performance evaluation on file for West Bay Builders, Inc.

SUSTAINABLE OPPORTUNITIES

Economic: This project will improve bridge seismic reliability, ensuring continued safe use of the structure and allowing traffic to continue to use the bridge following an earthquake, which is critical to rapid recovery. The rehabilitation of the bridge will also reduce maintenance costs.

Environmental: The contractor will be required to make every effort to reuse clean fill materials and use recyclable concrete product. Best Management Practices for the protection of storm water runoff during construction will be required. The project will comply with environmental requirements to protect the creek and habitats by restricting the duration of work occurring in and above the creek.

Social Equity: The seismic retrofit of this bridge will enhance pedestrian and vehicular safety, thereby benefiting all Oakland residents and visitors to Coliseum events.

DISABILITY AND SENIOR CITIZEN ACCESS

The seismic retrofit of this bridge will enhance safety to pedestrians including senior citizens. During construction, the contractor will be required to provide and maintain safe access to pedestrians. Temporary access in full compliance with the Americans with Disabilities Act (ADA) will be provided for seniors and persons with disabilities during construction.

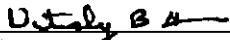
RECOMMENDATION AND RATIONALE

It is recommended that the construction contract be awarded to West Bay Builders, Inc., the lowest responsive responsible bidder, in the amount of \$2,449,362.84 for the Seismic Retrofit of Coliseum Way Bridge (Project No. C346810). West Bay Builders, Inc. has met the DBE and UDBE requirements, and there are sufficient funds in the project account. In order to meet the funding deadline, this construction contract has to be awarded by the City Council by January 13, 2012.

ACTION REQUESTED OF THE CITY COUNCIL

Staff recommends that the City Council approve the resolution.

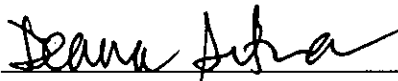
Respectfully submitted,


Vitaly B. Troyan, P.E., Director
Public Works Agency

Reviewed by:
Michael Neary, P.E., Assistant Director
PWA, Department of Engineering and Construction

Prepared by:
Jaime Heredia, P.E., Supervising Civil Engineer
Engineering Design & R.O.W. Management Division

**APPROVED AND FORWARDED TO
THE PUBLIC WORKS COMMITTEE:**

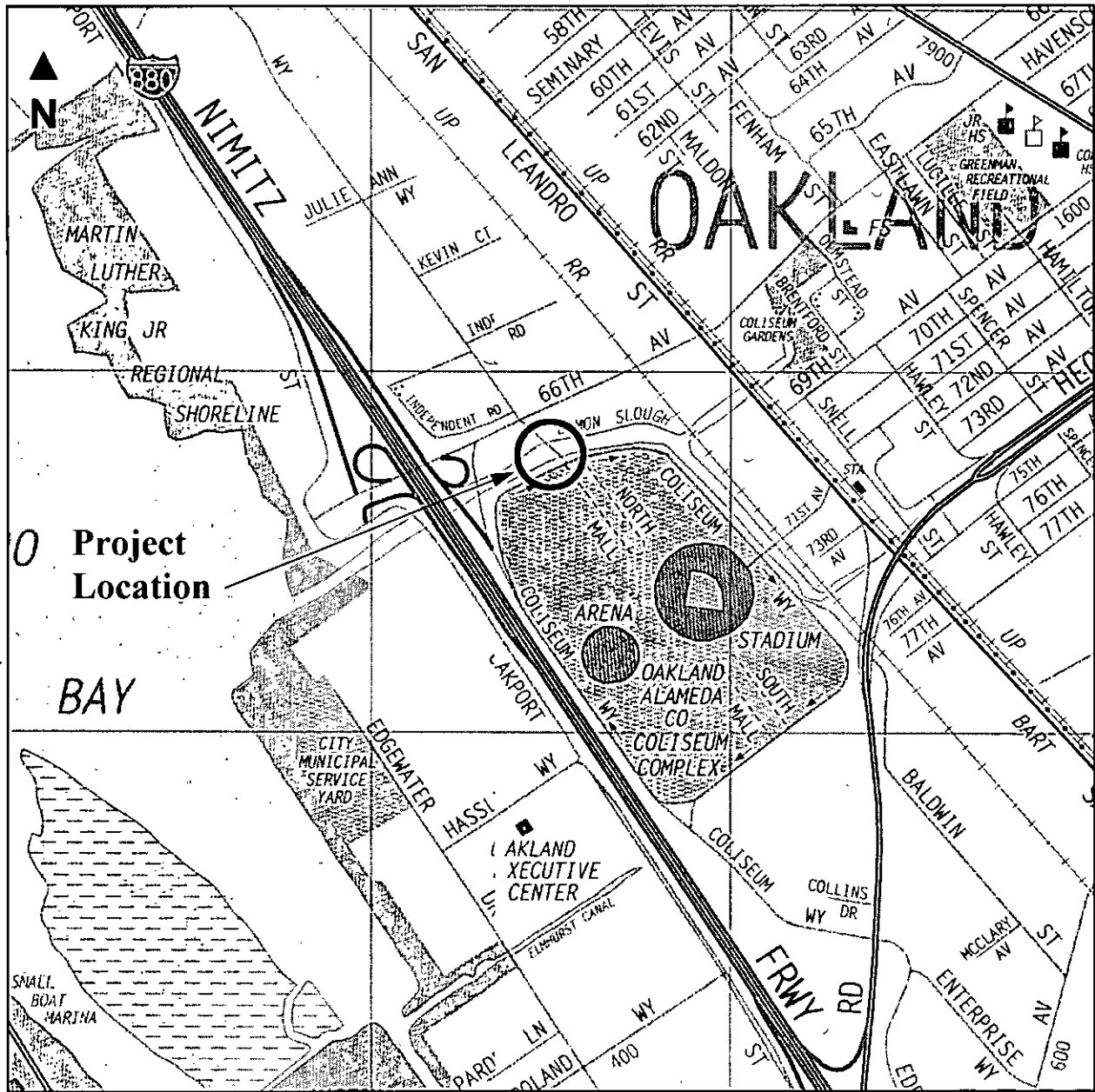

Office of the City Administrator

Attachment A

The Seismic Retrofit of Coliseum Way Bridge (Project No. C346810)

Location Map

Not To Scale



Attachment B

Memo

City Administrator's Office

Contracts and Compliance Unit

To: Nader Rabahat- Project Manager
From: Sophany Hang - Assistant Contract Compliance Officer
Through: Deborah Barnes – Contracts and Compliance Director *Deborah Barnes*
 Shelley Darensburg - Sr. Contract Compliance Officer
CC: Calvin Hao – PWA-- Contract Services
Date: September 14, 2011
Re: C346810 – Seismic Retrofit of Coliseum Way Bridge

City Administrator's Office, Contracts and Compliance Unit, reviewed six (6) bids in response to the above referenced project. At the request of the using agency, this memo was revised due to a bidder's mathematical error. Below is the outcome of the compliance evaluation for the Race Conscious Underutilized Disadvantaged Business Enterprise (UDBE) program and a preliminary review for compliance with the Equal Benefits Ordinance (EBO). There is a race conscious UDBE goal of 2.90% for this project.

Responsive		Proposed Participation				Earned Credits and Discounts			Banked Credits Eligibility	EBO Compliant? Y/N
Company Name	Original Bid Amount	RC UDBE Total	LBE	SLBE	L/SLBE Trucking	Total Credited participation	Earned Bid Discounts	Adjusted Bid Amount		
West Bay Builders, Inc.	\$2,449,362.84	4.29%	0.00%	3.67%	NA	NA	NA	NA	NA	Y
Proven Management, Inc.	\$2,880,847.00	9.63%	0.00%	0.00%	NA	NA	NA	NA	NA	Y

Comments: As noted above, both firms met the minimum 2.90% RC UDBE participation goals. Both firms are EBO compliant.

Non-Responsive		Proposed Participation				Earned Credits and Discounts			Banked Credits Eligibility	EBO Compliant? Y/N
Company Name	Original Bid Amount	RC UDBE Total	LBE	SLBE	Trucking	Total Credited participation	Earned Bid Discounts	Adjusted Bid Amount		
Reyes Constnction, Inc.	\$2,299,999.00	0.54%	5.12%	0.00%	NA	NA	NA	NA	NA	N
Valentine Corporation	\$2,898,267.00	1.15%	0.00%	0.00%	NA	NA	NA	NA	NA	Y
Flatiron West, Inc.	\$2,907,103.00	2.66%	3.50%	0.17%	NA	NA	NA	NA	NA	N
Golden State Bridge, Inc.	\$3,853,087.00	0.00%	0.00%	0.00%	NA	NA	NA	NA	NA	N

Comments: As noted above, Reyes Construction, Valentine Corporation, Flatiron West, Inc., and Golden State Bridge, Inc. failed to meet the RC UDBE participation goal of 2.90%. Therefore, the above firms are deemed non-responsive.

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 last completed City of Oakland project.

Contractor Name: West Bay Builders, Inc.
 Project Name: NA
 Project No: NA

50% Local Employment Program (LEP)

Was the 50% LEP Goal achieved?	NA	If no, shortfall hours?	
Were all shortfalls satisfied?	NA	If no, penalty amount	

15% Oakland Apprenticeship Program

Was the 15% Apprenticeship Goal achieved?	NA	If no, shortfall hours?	
Were shortfalls satisfied?	NA	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
NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA

Comments: Local Employment Program (LEP) or Apprenticeship Program is not applicable. This is UDBE project.

Should you have any questions, you may contact Sophany Hang at (510) 238-7325.



City Administrator's Office
Contracts and Compliance

PROJECT COMPLIANCE EVALUATION FOR :

Construction Services Under-Utilized Disadvantaged Business Enterprise (UDBE)

PROJECT NO.: C3968 i0

PROJECT NAME: Seismic Retrofit of Coliseum Way Bridge

CONTRACTOR: West Bay Builders, Inc

Engineer's Estimate:	Contractors' Bid Amount	Over/Under Engineer's Estimate
\$2,729,943.00	\$2,449,362.84	\$280,585.16

Discounted Bid Amount:	Amt. of Bid Discount	Discount Points:
N/A	N/A	N/A

- | | |
|---|------------------|
| 1. Did the RC UDBE Program apply? | YES |
| a) Race Conscious? | YES |
| b) Race Neutral | YES |
| 2. Did the contractor meet the RC UDBE goal of 2.90% | YES |
| a) % of RC UDBE participation | 4.29% |
| b) % of RN DBE participation | 4.29% |
| c) % of LBE participation | 0.00% |
| d) % of SLBE participation | 3.67% |
| 3. Was Good Faith Effort (GFE) Documentation submitted? | YES |
| 4. Did the contractor meet the Trucking requirement? | N/A |
| a) Total trucking participation | 0.00% |
| 5. Did the contractor receive bid discounts? | N/A |
| (If yes, list the percentage received) | N/A |
| 6. Additional Comments. | |
| 7. Date evaluation completed and returned to Contract | 9/13/2011 |

Reviewing Officer:

Sofia Hung

Date: 9/13/2011

Approved By:

Shelley Narensburg

Date: 9/13/2011

UDBE Participation

Bidder 2

Project Name:

Seismic Retrofit of Coliseum Way Bridge

Project No.: C146810		Engineer's Est. \$2,729,945.00				Under/Over Engineer's Est. \$280,685.16													
Discipline	Prime & Subs	Location	Cert. Status	LBE Dollars	SLBE Dollars	Total LBE/SLBE Dollars	DBE Dollars	RC UDBE Dollars	Total Dollars	Certified DBE/WBE									
										Ethn.	DBE	RC UDBE	WBE						
PRIME	West Bay Builders, Inc	Novato	UB						1,137,362.84	C									
Drilling	Penhal Co.	San Leandro	UB						28,000.00	C									
Oriling	Hillside	Richmond	UB						215,000.00	C									
Piles	Dutra	San Rafael	UB						660,000.00	C									
Rebar	Pacific Coast	Fairfield	UB						249,000.00	C									
Demo/Excavation Haz	Focon	Oakland	CB		90,000.00	90,000.00	90,000.00	90,000.00	90,000.00	AA	90,000.00	90,000.00							
Concrete/Pumping	Cal Con Pumping	San Francisco	UB						55,000.00	C									
Fencing	Oliveira Fence	Santa Clara	CB				15,000.00	15,000.00	15,000.00	C	15,000.00	15,000.00	15,000.00						
Project Totals				\$0.00 0.00%	\$90,000.00 3.67%	\$90,000.00 3.67%	\$105,000.00 4.29%	\$105,000.00 4.29%	\$2,449,362.84 100.00%		\$105,000.00 4.29%	\$105,000.00 4.29%	\$15,000.00 0.61%						
<table border="1" style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th>DBE Dollars</th> <th>RC UDBE Dollars</th> <th>Total Dollars</th> </tr> </thead> <tbody> <tr> <td></td> <td></td> <td></td> </tr> </tbody> </table>										DBE Dollars	RC UDBE Dollars	Total Dollars				Ethnicity AA = African American AI = Asian Indian AP = Asian Pacific C = Caucasian H = Hispanic NA = Native American O = Other NL = Not Listed			
DBE Dollars	RC UDBE Dollars	Total Dollars																	
Legend UB = Uncertified Business CB = Certified Business DBE = Disadvantaged Business Enterprise WBE = Women Business Enterprise IDBE = Diverse/Small Disadvantaged Business Enterprise																			



City Administrator's Office

Contracts and Compliance Unit

PROJECT COMPLIANCE EVALUATION FOR:

Construction Services Under-Utilized Disadvantaged Business Enterprise (UDBE)

PROJECT NO.: C396810

PROJECT NAME: Seismic Retrofit of Coliseum Way Bridge

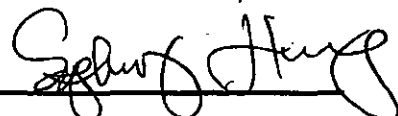
CONTRACTOR: Proven Management, Inc.

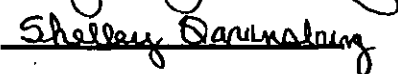
<u>Engineer's Estimate:</u>	<u>Contractors' Bid Amount</u>	<u>Over/Under Engineer's Estimate</u>
\$2,729,948.00	\$2,880,847.00	-\$160,899.00

<u>Discounted Bid Amount:</u>	<u>Amt of Bid Discount</u>	<u>Discount Points:</u>
N/A	N/A	N/A

1. Did the RC UDBE Program apply? YES
 - a) Race Conscious? YES
 - b) Race Neutral YES
2. Did the contractor meet the RC UDBE goal of 2.90% YES
 - a) % of RC UDBE participation 9.63%
 - b) % of RN DBE participation 9.63%
 - c) % of LBE participation 0.00%
 - d) % of SLBE participation 0.00%
3. Was Good Faith Effort (GFE) Documentation submitted? NO
4. Did the contractor meet the Trucking requirement? N/A
 - a) Total trucking participation 0.00%
5. Did the contractor receive bid discounts? N/A
(If yes, list the percentage received) N/A
6. Additional Comments.

7. Date evaluation completed and returned to Contract 9/8/2011

Reviewing Officer:  Date: 9/8/2011

Approved By:  Date: 9/8/2011

UDBE Participation Bidder 3

Project Name: Seismic Retrofit of Coliseum Way Bridge

Project No.: C346S10		Engineer's Est. \$2,729,948.00						Under/Over Engineer's Est. -\$150,898.00					
Discipline	Prime & Subs	Location	Cert. Status	LBE Dollars	SLBE Dollars	Total LBE/SLBE Dollars	DBE Dollars	RC UDBE Dollars	Total Dollars	Certified DBE/WBE			
										Ethn.	DBE	RC UDBE	WBE
PRIME	Proven Management, Inc.	San Francisco	UB						1,538,347.00	C			
Rebar	Conco	Concord	UB						288,000.00	C			
Painting	Jeffco	Vallejo	UB						12,000.00	C			
Dowels	Azul Works	San Francisco	CB				37,500.00	37,500.00	37,500.00	H	37,500.00	37,500.00	37,500.00
Ciss Drilling	Pacific Coast Drilling	Petsluma	UB						30,000.00	NL			
Ciss Drilling	Foundation	Oakley	UB						644,000.00	NL			
Bridge Removal	Penhall Co.	San Leandro	UB						91,000.00	C			
Pec Furnish & Pump	Cal-Con Pumping	San Francisco	CB				90,000.00	90,000.00	90,000.00	C	90,000.00	90,000.00	90,000.00
Bridge Concrete	Azul Works	San Francisco	CB				150,000.00	150,000.00	150,000.00	H	150,000.00	150,000.00	150,000.00
Project Totals				\$0.00 0.00%	\$0.00 0.00%	\$0.00 0.00%	\$277,500.00 9.63%	\$277,500.00 9.63%	\$2,880,847.00 100.00%		\$277,500.00 9.63%	\$277,500.00 9.63%	\$277,500.00 9.63%
							DBE Dollars	RC UDBE Dollars	Total Dollars	Ethnicity AA - African American AI - Asian Indian AP - Asian Pacific C - Caucasian H - Hispanic NA - Native American O - Other NL - Not Listed			
Legend	UB - Uncertified Business CB - Certified Business DBE - Disadvantaged Business Enterprise WBE - Women Business Enterprise UDBE - Underutilized Disadvantaged Business Enterprise												



City Administrator's Office

Contracts and Compliance Unit

PROJECT COMPLIANCE EVALUATION FOR:

Construction Services Under-Utilized Disadvantaged Business Enterprise (UDBE)

PROJECT NO.: C346810

PROJECT NAME: Seismic Retrofit of Coliseum Way Bridge

CONTRACTOR: Reyes Construction, Inc.

Engineer's Estimate:

\$2,729,940.00

Contractors' Bid Amount

\$2,299,999.00

Ovor/Under Engineer's Estimate

\$429,949.00

Discounted Bid Amount:

N/A

Amt. of Bid Discount

N/A

Discount Points:

N/A

- 1. Did the RC UDBE Program apply? **YES**
 - a) Race Conscious? **YES**
 - b) Race Neutral **YES**
- 2. Did the contractor meet the RC UDBE goal of 2.90% **NO**
 - a) % of RC UDBE participation **0.54%**
 - b) % of RN DBE participation **0.54%**
 - c) % of LBE participation **5.12%**
 - d) % of SLBE participation **0.00%**
- 3. Was Good Faith Effort (GFE) Documentation submitted? **YES**
- 4. Did the contractor meet the Trucking requirement? **N/A**
 - a) Total trucking participation **100.00%**
- 5. Old the contractor receive bid discounts? **N/A**
(If yes, list the percentage received) **N/A**

8. Additional Comments.

The Bidder failed to meet the RC UDBE goal of 2.90%. The bidder submitted GFE, however the GFE was deemed insufficient.

7. Date evaluation completed and returned to Contract 9/8/2011

Reviewing Officer:

[Signature]

Date: 9/8/2011

Approved By:

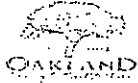
[Signature]

Date: 9/8/2011

UDBE Participation

Bidder 1

Project Name: Seismic Retrofit of Coliseum Way Bridge													
Project No.: CS46810		Engineer's Est. \$2,729,948.00						Under/Over Engineer's Est. \$429,949.00					
Discipline	Prime & Subs	Location	Cert. status	LBE Dollars	SLBE Dollars	Total LBE/SLBE Dollars	DSE Dollars	RC UDBE Dollars	Total Dollars	Certified DBE/WBE			
										Ethn.	DBE	RC UDBE	WBE
PRIME	Reyes Construction, Inc	Pamona	UB						1,425,590.00	H			
Trucking	R & S Trmcking	Fulton	CB				1,000.00	1,000.00	1,000.00	C	1,000.00	1,000.00	1,000.00
Rebar	Pacific Coast Steel	Fairfield	UB						297,462.00	C			
Steel Pipe Piling	Spartan Steel Products	Fallbrook	UB						308,451.00	C			
Ready Mix Concrete	Right Away Ready Mix	Oaldand	UB	117,702.00		117,702.00			117,702.00	C			
Dema Drilling	Pennall Co.	San Leandro	UB						138,344.00	C			
Erosion Control, SWPP, Etc.	Water Components	San Rafael	CB				11,450.00	11,450.00	11,450.00	C	11,450.00	11,450.00	11,450.00
Project Totals				\$117,702.00	\$0.00	\$117,702.00	\$12,450.00	\$12,450.00	\$2,299,999.00		\$12,450.00	\$12,450.00	\$12,450.00
				5.12%	0.00%	5.12%	0.54%	0.54%	100.00%		0.54%	0.54%	0.54%
								DBE Dollars	RC UDBE Dollars	Total Dollars	Ethnicity AA = African American AI = Asian Indian AP = Asian Pacific C = Ca casian H = Hispanic NA = Native American O = Other NL = Not Listed		
Legend UB = Uncertified Business CB = Certified Business DSE = Disadvantaged Business Enterprise WBE = Woman Business Enterprise UDBE = Underutilized Disadvantaged Business Enterprise													



City Administrator's Office

Contracts and Compliance Unit

PROJECT COMPLIANCE EVALUATION FOR :

Construction Services Under-Utilized Disadvantaged Business Enterprise (UDBE)

PROJECT NO.: C396810

PROJECT NAME: Seismic Retrofit of Coliseum Way Bridge

CONTRACTOR: Valentine Corporation

<u>Engineer's Estimate:</u>	<u>Contractors' Bid Amount</u>	<u>Over/Under Engineer's Estimate</u>
\$2,729,948.00	\$2,898,267.00	-\$168,319.00

<u>Discounted Bid Amount:</u>	<u>Amt of Bid Discount</u>	<u>Discount Points:</u>
N/A	N/A	N/A

- 1. Did the RC UDBE Program apply? YES
 - a) Race Conscious? YES
 - b) Race Neutral YES
- 2. Did the contractor meet the RC UDBE goal of 2.90% NO
 - a) % of RC UDBE participation 1.15%
 - b) % of RN DBE participation 1.15%
 - c) % of LBE participation 0.00%
 - d) % of SLBE participation 0.00%
- 3. Was Good Faith Effort (GFE) Documentation submitted? NO
- 4. Did the contractor meet the Trucking requirement? N/A
 - a) Total trucking participation 100.00%
- 5. Did the contractor receive bid discounts? N/A
(If yes, list the percentage received) N/A

6. Additional Comments.
The Bidder failed to meet the RC UDBE goal of 2.90%. The Bidder did not submit GFE, therefore, they are deemed non-responsible.

7. Date evaluation completed and returned to Contract 9/8/2011

Reviewing Officer:

Date: 9/8/2011

Approved By:

Date: 9/8/2011

UDBE Participation Bidder 4

Project Name: **Seismic Retrofit of Coliseum Way Bridge**

Project No.: C346810		Engineer's Est. \$2,729,948.00					Under/Over Engineer's Est. -\$168,319.00						
Discipline	Location	Cert. Status	LBE Dollars	SLBE Dollars	Total LBE/SLBE Dollars	DBE Dollars	RC UDBE Dollars	Total DoUars	Certified DBE/WBE				
									Estim.	DBE	RC UDBE	WBE	
PRIME	Valentioe Corporalio	San Rafael	UB					1,526,452.00	C				
Trucking	Economy Trucking	Uoion City	CB			18,000.00	18,000.00	18,000.00	AP	18,000.00	18,000.00	18,000.00	
Vibroton	Municon Consoltants	San Francisco	CB			5,000.00	5,000.00	5,000.00	C			5,000.00	
Monitoring	Hanis Salinas	Livennore	UB					282,093.00	NL				
Rebar	Penhall Co.	San Leandro	UB					35,762.00	C				
Joint Seal & Drilling/Sowels	PCDC	Petaluma	UB					31,230.00	NL				
Drill & Clean	Statewide Safety	Fairfield	UB					2,400.00	NL				
Ciss Piles	Oliveira Feneing	Santa Clara	CB			10,425.00	10,425.00	10,425.00	C	10,425.00	10,425.00	10,425.00	
Construction	Jeffco	Vallejo	UB					12,365.00	NL				
Signs	Stroer & Graph	Antioch	UB					974,540.00	NL				
Fence	Painting												
Pile Driving													
Project Totals				\$0.00	\$0.00	\$0.00	\$33,425.00	\$33,425.00	\$2,898,267.00		\$38,850.00	\$28,425.00	\$33,425.00
				0.00%	0.0%	0.00%	1.15%	1.15%	100.00%		1.34%	0.98%	1.15%
									Ethnicity AA = African American AI = Asian Indian AP = Asian Pacific C = Caucasian H = Hispanic NA = Native American O = Other NL = Not Listed				
Legend UB = Uncertified Business CB = Certified Busiaess DBE = Disadvaataged Business Enterprise WBE = Women Busiaess Enterprise UDBE = Underutilized Disadvantaged Business Enterprise													



City Administrator's Office

Contracts and Compliance Unit

PROJECT COMPLIANCE EVALUATION FOR :

Construction Services Under-Utilized Disadvantaged Business Enterprise (UDBE)

PROJECT NO.: C346810

PROJECT NAME: Seismic Retrofit of Coliseum Way Bridge

CONTRACTOR: Flatiron West, Inc.

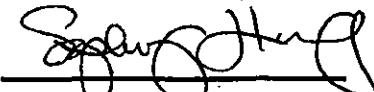
<u>Engineer's Estimate:</u>	<u>Contractors' Bid Amount</u>	<u>Over/Under Engineer's Estimate</u>
\$2,729,948.00	\$2,907,103.00	-\$177,156.00
<u>Discounted Bid Amount:</u>	<u>Amt of Bid Discount</u>	<u>Discount Points:</u>
N/A	N/A	N/A

1. Did the RC UDBE Program apply? YES
 - a) Race Conscious? YES
 - b) Race Neutral YES
2. Did the contractor meet the RC UDBE goal of 2.90% YES
 - a) % of RC UDBE participation 2.65%
 - b) % of RN DBE participation 2.66%
 - c) % of LBE participation 3.50%
 - d) % of SLBE participation 0.17%
3. Was Good Faith Effort (GFE) Documentation submitted? NO
4. Did the contractor meet the Trucking requirement? N/A
 - a) Total trucking participation 100.00%
5. Did the contractor receive bid discounts? N/A
(If yes, list the percentage received) N/A

6. Additional Comments.

The Bidder failed to meet the RC UDBE goal of 2.90%. The Bidder did not submit GFE, therefore, they are deemed non-responsive.

7. Date evaluation completed and returned to Contract 9/8/2011

Reviewing Officer:  Date: 9/8/2011

Approved By: Shelley Danensburg Date: 9/8/2011

UDBE Participation

Bidder 5

Project Name: **Seismic Retrofit of Coliseum Way Bridge**

Project No.: C346810		Engineer's Est \$2,729,948.00				Under/Over Engineer's Est. -\$177,155.00													
Discipline	Prime & Subs	Location	Cert. Status	LBE Dollars	SLBE Dollars	Total LBE/SLBE Dollars	DBE Dollars	RC UDBE Dollars	Total Dollars	Certified DBE/WBE									
										Ethn.	DBE	RC UDBE	WBE						
PRIME	Flatiron West, Inc.	Benicia	UB						2,258,837.76	C									
Tree Pruning	Labat's Tree Care	Martinez	CB				15,000.00	15,000.00	15,000.00	C	15,000.00	15,000.00	15,000.00						
Vibration Monitoring	Municon Consultants	San Francisco	CB				20,000.00	20,000.00	20,000.00	C	20,000.00	20,000.00	20,000.00						
General Concrete	Ready Mix Concrete	Oakland	UB	101,650.00		101,650.00			101,650.00	C									
Trucking	Dillard Environmental	Bryon	CB				28,410.00	28,410.00	28,410.00	C	28,410.00	28,410.00	28,410.00						
Painting	Jeffco Painting	Vallejo	UB						17,838.00	NL									
Fencing	Olivers Fencing	Santa Clara	UB				13,825.12	13,825.12	13,825.12	C	13,825.12	13,825.12	13,825.12						
Drilling	Anderson Drilling	Concord	UB						68,250.00	NL									
Joint Seal	Penhall Co.	San Leandro	UB						21,296.59	C									
Rebar	Pacific Coast Steel	Fairfield	UB						29,806.53	NL									
Striping	Lineation Markings Co.	Oakland	UB		4,800.00	4,800.00			4,800.00	C									
Pumping	KNG Concrete	Roseville	UB						19,110.00	AA									
Piling	LB Foster		UB						308,279.00	NL									
Project Totals				\$101,650.00 3.50%	\$4,800.00 0.17%	\$106,450.00 3.66%	\$77,235.12 2.66%	\$77,235.12 2.66%	\$2,907,103.00 100.00%		\$77,235.12 2.66%	\$77,235.12 2.66%	\$77,235.12 2.66%						
<table border="1" style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th>DBE Dollars</th> <th>RC UDBE Dollars</th> <th>Total Dollars</th> </tr> </thead> <tbody> <tr> <td></td> <td></td> <td></td> </tr> </tbody> </table>										DBE Dollars	RC UDBE Dollars	Total Dollars				Ethnicity AA - African American AI - Asian Indian AP - Asian Pacific C - Caucasian R - Hispanic NA - Native American O - Other NL - Not Listed			
DBE Dollars	RC UDBE Dollars	Total Dollars																	
Legend UB - Uncertified Business CB - Certified Business DBE - Disadvantaged Business Enterprise WBE - Women Business Enterprise UDBE - Underutilized Disadvantaged Business Enterprise																			



City Administrator's Office

Contracts and Compliance Unit

PROJECT COMPLIANCE EVALUATION FOR :

Construction Services Under-Utilized Disadvantaged Business Enterprise (UDBE)

PROJECT NO.: C346810

PROJECT NAME: Seismic Retrofit of Coliseum Way Bridge

CONTRACTOR: Golden State Bridge, Inc.

<u>Engineer's Estimate:</u>	<u>Contractors' Bid Amount</u>	<u>Over/Under Engineer's Estimate</u>
\$2,729,948.00	\$3,863,087.00	-\$1,123,139.00
<u>Accounted Bid Amount:</u>	<u>Amt. of Bid Discount</u>	<u>Discount Points:</u>
N/A	N/A	N/A

- 1. Did the RC UDBE Program apply? YES
 - a) Race Conscious? YES
 - b) Race Neutral YES
- 2. Did the contractor meet the RC UDBE goal of 2.90% NO
 - a) % of RC UDBE participation 0.00%
 - b) % of RN DBE participation 0.00%
 - c) % of LBE participation 0.00%
 - d) % of SLBE participation 0.00%
- 3. Was Good Faith Effort (GFE) Documentation submitted? NO
- 4. Did the contractor meet the Trucking requirement? N/A
 - a) Total trucking participation 0.00%
- 5. Did the contractor receive bid discounts? N/A
(If yes, list the percentage received) N/A

6. Additional Comments.
The Bidder failed to meet the RC UDBE goal of 2.90%. The Bidder did not submit GFE, therefore, they are deemed non-responsive.

7. Date evaluation completed and returned to Contract 9/8/2011

Reviewing Officer:  Date: 9/8/2011

Approved By:  Date: 9/8/2011

UDBE Participation

Bidder 6

Project Name: Seismic Retrofit of Coliseum Way Bridge

Project No.: C346810		Engineer's Est. \$2,729,948.00				Under/Over Engineer's Est. -\$1,123,139.00							
Discipline	Prime & Subs	Location	Cert. Status	LBE Dollars	SLBE Dollars	Total LBE/SLBE Dollars	DBE Dollars	RC UDBE Dollars	Total Dollars	Certified DBE/WBE			
										Ethn.	DBE	RC UDBE	WBE
PRIME	Golden State Bridge, Inc.	Martinez	UB						3,242,194.00	C			
Rebar	Harris Salinas	Livermore	UB						271,893.00	O			
Pile Supply	Skyline Sted	Sacramento	UB						339,000.00	O			
Project Totals				\$0.00 0.00%	\$0.00 0.00%	\$0.00 0.00%	\$0.00 0.00%	\$0.00 0.00%	\$3,853,087.00 100.00%		\$0.00 0.0%	\$0.00 0.0%	\$0.00 0.00%
										Ethnicity AA = African American AI = Asian Indian AP = Asian Pacific C = Caucasian H = Hispanic NA = Native American O = Other NL = Not Listed			
Legend UB = Uncertified Business CB = Certified Business DBE = Disadvantaged Business Enterprise WBE = Women Business Enterprise UDBE = Underutilized Disadvantaged Business Enterprise													

Attachment C

The Seismic Retrofit of Coliseum Way Bridge (Project No. C346810)

Project Schedule:

ID	Task Name	Start	Finish	2011												2012											
				M	J	J	A	S	O	N	D	J	F	M	A	M	J	J	A	S	O	N	D	J	F	M	A
1	C346810 - The Seismic Retrofit of Coliseum Way Bridge	8/25/11	12/14/12																								
2	Bid Opening	8/25/11	8/25/11																								
3	Contract Award	8/26/11	11/1/11																								
4	Contract Execution	11/2/11	12/30/11																								
5	Construction	4/16/12	12/14/12																								

FILED
OFFICE OF THE CITY CLERK
OAKLAND

2011 OCT 13 PM 2:21

OAKLAND CITY COUNCIL

RESOLUTION No. _____ C.M.S.

Introduced by Councilmember _____

Approved as to Form and Legality


City Attorney

A RESOLUTION AWARDED A CONSTRUCTION CONTRACT TO WEST BAY BUILDERS, INC., THE LOWEST, RESPONSIVE, RESPONSIBLE BIDDER, FOR THE SEISMIC RETROFIT OF COLISEUM WAY BRIDGE (PROJECT NO. C346810), IN ACCORD WITH THE PROJECT PLANS AND SPECIFICATIONS AND THE CONTRACTOR'S BID IN THE AMOUNT OF TWO MILLION FOUR HUNDRED FORTY-NINE THOUSAND THREE HUNDRED SIXTY-TWO DOLLARS AND EIGHTY-FOUR CENTS (\$2,449,362.84)

WHEREAS, on August 25, 2011, six bids were received by the Office of the City Clerk of the City of Oakland for the Seismic Retrofit of Coliseum Way Bridge (Project No. C346810); and

WHEREAS, Reyes Construction, Inc., the apparent low bidder, did not meet the minimum 2.9% federal Race Conscious Underutilized Disadvantaged Business Enterprise (RC UDBE) participation goal; and

WHEREAS, West Bay Builders, Inc., the second lowest bidder, met all bidding requirements and is deemed the lowest responsive and responsible bidder for the project; and

WHEREAS, there are sufficient funds in the project budget for the work in the following project account:

- Department of Transportation Fund (2116); Capital Improvement Projects-Streets & Structures Organization (92242); Construction Contract Account (57411); Project C346810; \$2,729,948.00

WHEREAS, West Bay Builders, Inc. complies with the federal Underutilized Disadvantaged Business Enterprise (UDBE) Program requirements; and

WHEREAS, the City Council finds that the City lacks the equipment and qualified personnel to perform the necessary work, that the performance of this contract is in the public interest because of economy or better performance and that this contract is of a professional, scientific or technical and temporary nature; and

WHEREAS, the City Administrator has determined 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 construction contract for the Seismic Retrofit of Coliseum Way Bridge (Project No. C346810) is hereby awarded to West Bay Builders, Inc. in accordance with the project plans and specifications and the contractor's bid therefore, dated August 25, 2011, in the amount of Two Million Four Hundred Forty-Nine Thousand Three Hundred Sixty-Two Dollars and Eighty-Four Cents (\$2,449,362.84); and be it

FURTHER RESOLVED: That the plans and specifications prepared by the Assistant Director of the Public Works Agency for this project are hereby approved; and be it

FURTHER RESOLVED: That the amount of the bond for faithful performance, \$2,449,362.84, 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, \$2,449,362.84, with respect to such work are hereby approved; and be it

FURTHER RESOLVED: That the City Administrator, or her designee, is hereby authorized to enter into a contract with West Bay Builders, Inc. on behalf of the City of Oakland and to execute any amendments or modifications to said contract 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 for form and legality and placed on file in the Office of the City Clerk.

IN COUNCIL, OAKLAND, CALIFORNIA, _____, 20_____

PASSED BY THE FOLLOWING VOTE:

AYES - BROOKS, BRUNNER, DE LA FUENTE, KAPLAN, KERNIGHAN, NADEL, SCHAAF and
PRESIDENT REID

NOES -

ABSENT -

ABSTENTION -

ATTEST: _____
LaTonda Simmons
City Clerk and Clerk of the Council
of the City of Oakland, California