



CITY OF OAKLAND

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OFFICE OF THE CITY CLERK
OAKLAND

2016 MAR 10 PM 12: 37

AGENDA REPORT

TO: Sabrina B. Landreth
City Administrator

FROM: Brooke A. Levin
Director, Public Works

SUBJECT: Highway Safety Improvement
Program Cycle 5 (HSIP5): Contract
Award for Two Projects

DATE: February 23, 2016

City Administrator Approval

Date:

3/9/16

RECOMMENDATION

Staff Recommends That The City Council Adopt the Following Legislation:

1. **Resolution Awarding A Construction Contract To Ray's Electric For Highway Safety Improvement Program Cycle 5 (HSIP5): West MacArthur Boulevard, Project No. C468210 and C468211, The Lowest, Responsible, Responsive Bidder In Accordance With Project Plans, Specifications, State Requirements, And With Contractor's Bid In The Amount Of One Million Thirty-Four Thousand And Seventy-One Dollars (\$1,034,071)**
2. **Resolution Awarding A Construction Contract To Beliveau Engineering Contractors, Inc. For Highway Safety Improvement Program Cycle 5 (HSIP5): Market Street, Project No. C468230 and C468231, The Lowest, Responsible, Responsive Bidder In Accordance With Project Plans, Specifications, State Requirements, and With Contractor's Bid In The Amount Of Eight Hundred Ninety-Five Thousand Three Hundred and Ten Dollars (\$895,310)**

EXECUTIVE SUMMARY

Approval of the two resolutions will reject bids received on October 22, 2015 and award contracts totaling \$1,929,381 to the lowest, responsible, responsive bidders, Ray's Electric and Beliveau Engineering Contractors, Inc. for two Highway Safety Improvement Program, Cycle 5 (HSIP5) projects to improve safety and access for pedestrians, bicyclists and motorists on West MacArthur Boulevard and Market Street in Oakland.

BACKGROUND / LEGISLATIVE HISTORY

The scope of each project is as follows:

- *West MacArthur Boulevard*
The project will install Class II bicycle lanes (striped bicycle travel lanes) on West MacArthur Boulevard from Market Street to Telegraph Avenue. The project will also modify traffic

Item: _____
Public Works Committee
March 22, 2016

striping and signals to provide for protected left-turn lanes and protected left-turn signal phases on West MacArthur Boulevard from Market Street to MLK Jr. Way. This requires modifications to striping and removal of median islands. The project is located in Council Districts 1 and 3, as shown in **Attachment A1**.

- *Market Street*

The project will install Class II bicycle lanes (striped bicycle travel lanes) and on Market Street from Arlington Avenue to 45th Street. The project will also install short pedestrian crosswalks on Market Street at 57th Street and Adeline Street. This requires the extensions of curbs and gutters on Market Street from 57th Street to Aileen Street. The project is located in Council District 1, as shown in **Attachment B1**.

ANALYSIS AND POLICY ALTERNATIVES

West MacArthur Boulevard - On October 22, 2015, the City received two bids, from Ray's Electric and Redgwick Construction. Ray's Electric is compliant with the City's Equal Benefits Ordinance (EBO). Redgwick Construction is not EBO compliant. Ray's Electric's bid of \$1,059,871 did not meet the Federal Disadvantaged Business Enterprise (DBE) goal of 46.88% and was deemed non-responsive. Redgwick Construction's bid of \$1,347,509 met Federal DBE goal but its bid exceeded the Engineer's Estimate of \$744,206 by 81%, and the project did not have sufficient funds to award a contract. Federally funded project guidelines do not allow bid negotiation with contractors. As a result, TSD staff rejected both bids, revised the Engineer's Estimate, worked with Contract Compliance Division to re-calculate the Federal DBE goal, and re-advertised the project to invite re-bids.

The re-bid package has a Federal DBE goal of 11 percent. On December 29, 2015, the City received two bids in the amount of \$1,034,071 and \$1,126,589.25 from Ray's Electric and Redgwick Construction, respectively as shown in **Attachment A2**. Contract Compliance Division determined that Ray's Electric met the Federal DBE goal, and is the lowest responsive and responsible bidder as shown in **Attachment A3**. Ray's Electric bid of \$1,034,071 is 14 percent above the Engineer's Estimate of \$903,837, and the project has sufficient funds. Staff has determined that Ray's Electric's bid is reasonable and reflects current market conditions. Hence, Ray's Electric is recommended to be awarded a contract.

Market Street - On December 29, 2015, the City received four bids in the amount of \$907,028, \$895,310, \$873,915, and \$1,285,239 from Bay Construction Company, Beliveau Engineering Contractors, Inc., Ray's Electric, and Sposeto Engineering, Inc., respectively as shown in **Attachment B2**. All four bidders are EBO compliant. Ray's Electric is the apparent lowest bidder. However, Contract Compliance Division determined that Ray's Electric did not meet the Federal DBE goal of 19.19%, and is deemed non-responsive. The next bidder, Beliveau Engineering Contractors, is deemed the lowest responsive and responsible bidder as shown in **Attachment B3**. Beliveau's bid of \$895,310 is 15% above the Engineer's Estimate of \$779,658, and the project has sufficient funds. Staff has determined that Beliveau's bid is reasonable and reflects current market conditions. Hence, Beliveau Engineering Contractors, Inc. is recommended to be awarded a contract.

FISCAL IMPACT

Approval of these resolutions will authorize the City Administrator to execute a construction contract with Ray's Electric and a construction contract with Beliveau Engineering Contractors Inc. as follows:

AMOUNT OF RECOMMENDATION/COST OF PROJECT:

- *West MacArthur Boulevard* (C468210 and C468211): Total Construction Contract: \$1,034,071
Contract to be awarded to Ray's Electric.
- *Market Street* (C468230 and C468231): Total Construction Contract: \$895,310
Contract to be awarded to Beliveau Engineering Contractor, Inc.

SOURCES OF FUNDING:

- *West MacArthur Boulevard*
Highway Safety Improvement Program Cycle 5 (HSIP5), Federal grant \$574,500. State of California, Department of Transportation, Fund 2116; Transportation Services Division Organization 30264 and 92246, Project C468210, Bicycle and Pedestrian Program NB33; and

Measure B Local Match \$675,500, Fund 2211, Transportation Services Division Organization 30264 and 92246, Project C468211, Bicycle and Pedestrian Program NB33. A portion of the local match in the amount of \$262,000 will come from Project C370010 in Fiscal Year 2016-2017.
- *Market Street*
Highway Safety Improvement Program Cycle 5 (HSIP5), Federal grant \$540,400. State of California, Department of Transportation, Fund 2116; Transportation Services Division Organization 30264 and 92246, Project C468230, Bicycle and Pedestrian Program NB33; and

Measure B Local Match \$519,600, Fund 2211, Transportation Services Division Organization 30264 and 92246, Project C468231, Bicycle and Pedestrian Program NB33. A portion of the local match in the amount of \$78,000 will come from Project C370010 in Fiscal Year 2016-2017.

The project-by-project breakdown of award bid, federal grant, and local match are shown below:

HSIP5 Projects	Award Bid	Project No.	Federal Grant	Local Match	Total Available
West MacArthur Blvd	\$1,034,071	C468210	\$574,500		\$1,250,000
		C468211		\$675,500	
Market Street	\$895,310	C468230	\$540,400		\$1,060,000
		C468231		\$519,600	

The Resolution No. 84370 C.M.S. authorizing the acceptance and appropriation of HSIP Federal fund of Two Million Dollars (\$2,000,000.00) which included a total of \$1,343,100 for the two projects listed above are shown in **Attachments A4 and B4**.

PUBLIC OUTREACH / INTEREST

The City presented the two projects to the Bicyclist and Pedestrian Advisory Commission (BPAC) and solicited their input. BPAC gave positive feedback to and supported both projects. City staff also reached out to AC Transit. AC Transit supported both projects.

COORDINATION

Staff coordinated with other City’s Department and Divisions during the design phase. The Office of the City Attorney and the Controller’s Bureau reviewed this report and resolutions.

PAST PERFORMANCE, EVALUATION AND FOLLOW-UP

- West MacArthur Boulevard: Contractor Performance Evaluations on Ray’s Electric from previously completed projects are satisfactory, and are noted on **Attachment A5**.
- Market Street: Contractor Performance Evaluations on Beliveau Engineering Contractors, Inc. from previously completed projects are satisfactory, and are noted on **Attachment B5**.

SUSTAINABLE OPPORTUNITIES

Economic: Improvements to pedestrian, bicycle and street facilities contributes to local economic activities. Bicycle related improvements promote bicycling, one of the most cost-effective forms of transportation. Bicycle trips tend to be local and contribute to local economic activity.

Environmental: Walking and bicycling are energy efficient forms of transportation and creates no emissions. Accessible pedestrian and bicycle infrastructure promotes physical activity and good health. The enhancements to Oakland’s bikeway network are a key strategy in the City’s

efforts to reduce greenhouse gas emissions. Traffic signal upgrades improve traffic flow, reduce stops and emissions, and improve air quality.

Social Equity. Improving pedestrian facilities is key in promoting walking as a viable mode of transportation. Bicycling is an inexpensive and broadly accessible form of transportation. Bikeways provide added freedom and independence for youth and parents (who are otherwise shuttling their children) as well as for some people who cannot drive and those who have chosen not to drive. Road diets are a proven low-cost measure that enhances safety, most notably for pedestrians.

CEQA

In 2013, both projects were determined to have no significant impacts on the environment, and were determined to be categorically exempt under the National Environmental Policy Act (NEPA) requirements.

ACTION REQUESTED OF THE CITY COUNCIL

Staff recommends that City Council adopt two resolutions awarding two construction contracts under Highway Safety Improvement Program Cycle 5 (HSIP5) totaling \$1,929,381 to implement safety improvements for pedestrian, bicycle and motorists in the City of Oakland.

For questions regarding this report, please contact Wladimir Wlassowsky, Transportation Services Division Manager, at (510) 238-6383.

Respectfully submitted,



BROOKE A. LEVIN
Director, Oakland Public Works

Reviewed by:
Michael J. Neary, P.E., Assistant Director
OPW, Bureau of Engineering and Construction

Prepared by:
Wladimir Wlassowsky, P.E., Manager
Transportation Services Division

Prepared by:
Ade Oluwasogo, P.E.
Supervising Transportation Engineer
Transportation Services Division

Attachments (10):

A1 to A5: HSIP5 West MacArthur Boulevard (C468210 and C468211)
B1 to B5: HSIP5 Market Street (C468230 and C468231)

ATTACHMENTS A1 to A5

For

HSIP CYCLE 5

WEST MACARTHUR BOULEVARD

FEDERAL PROJECT NO. HSIPL-5012 (117)

CITY PROJECT NO. C468210

Attachment A1. Location Map

Attachment A2. List of Bidders

Attachment A3. Contract Compliance Report

Attachment A4. Resolution to Accept HSIP Cycle 5 Grant

Attachment A5. Contractor Performance Evaluation

ATTACHMENT A1

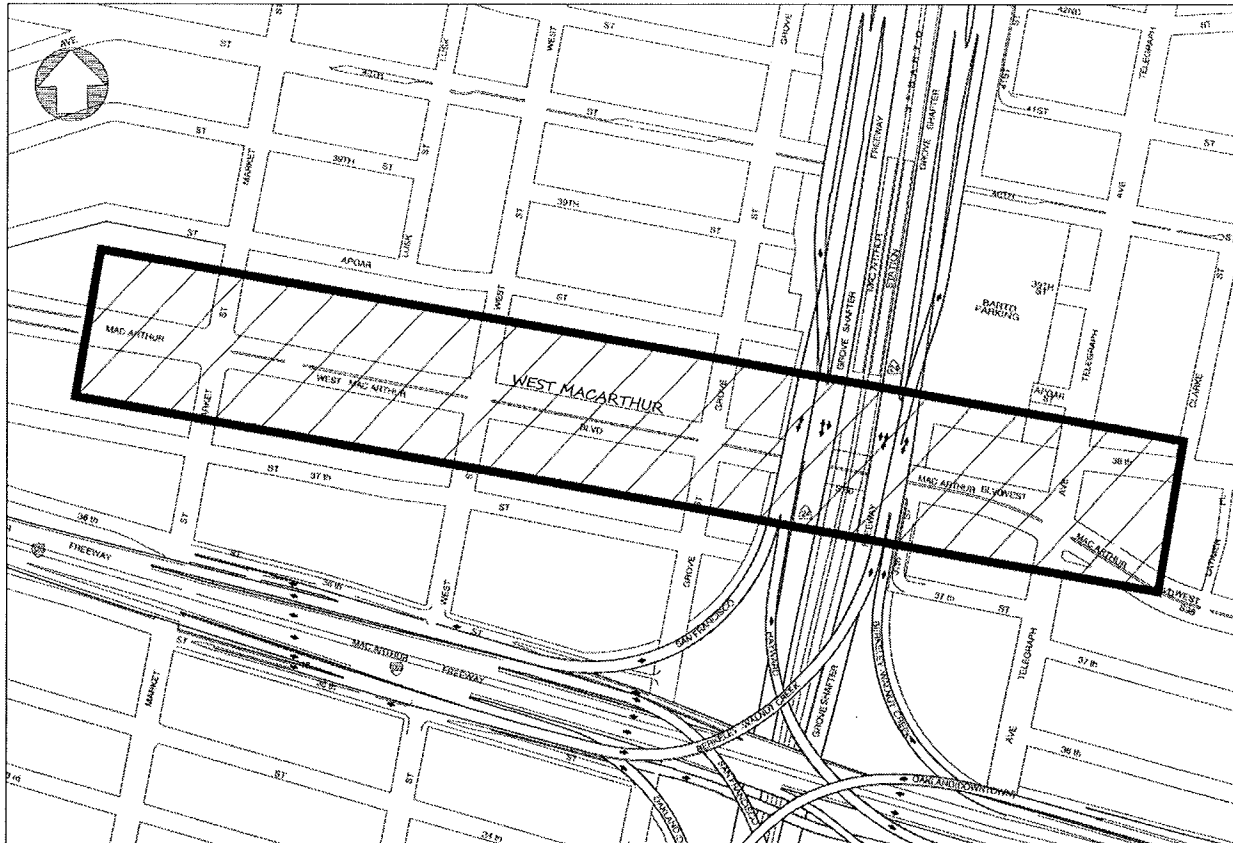
LOCATION MAP

HIGHWAY SAFETY IMPORVEMENT PROGRAM (HSIP) CYCLE 5

WEST MACARTHUR BOULEVARD


FEDERAL PROJECT NO. HSIPL-5012 (117)

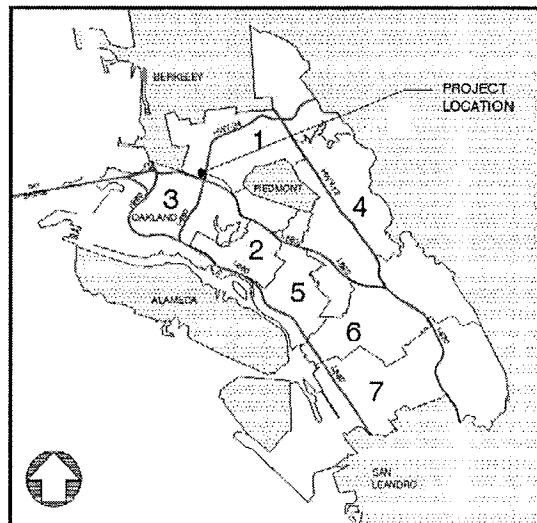
CITY PROJECT NO. C468210



LOCATION MAPS

NOT TO SCALE

LIMITS OF WORK 



ATTACHMENT A2

LIST OF BIDDERS

HSIP CYCLE 5
WEST MACARTHUR BOULEVARD
FEDERAL PROJECT NO. HSIPL-5012 (117)
CITY PROJECT NO. C468210

Contractors	Re-Bid Amount
Ray's Electric	\$1,034,071.00
Redgwick Construction Company	\$1,126,589.25

Note: Re-Bids were received by City Clerk on December 29, 2015.

ATTACHMENT A3
CONTRACT COMPLIANCE REPORT



INTER OFFICE MEMORANDUM

TO: Philip Ho, Transportation Engineer

FROM: Deborah Barnes, *DB*
Director, Contracts and Compliance

SUBJECT: Compliance Analysis

DATE: January 6, 2016

**Rebid--Highway Safety Improvement Program (HSIP) Cycle 5 West MacArthur Blvd
Market Street to Telegraph Avenue
Project No. C468210**

The City Administrator's Office, Contracts & Compliance, reviewed two (2) bids in response to the above referenced project. Below is the outcome of the compliance evaluation for the Disadvantaged Business Enterprise (DBE) program and a preliminary review for compliance with the Equal Benefits Ordinance (EBO). There is a DBE goal of 11.00% for this project.

Below are the results of our findings:

Responsive with DBE and/or EBO Policies		Proposed Participation				Earned Credits and Discounts			EBO Compliant? Y/N
Company Name	Original Bid Amount	DBE Total	LBE	SLBE	Trucking	Total Credited participation	Earned Bid Discounts	Adjusted Bid Amount	
Ray's Electric	\$1,034,071.00	17.37%	0%	67.93%	NA	NA	NA	NA	Y
Redgwick Construction Company	\$1,126,589.25	18.89%	0%	11.54%	NA	NA	NA	NA	N

Comments: As noted above, Ray's Electric and Redgwick Construction Company exceeded the minimum 11.00% DBE participation goals. Redgwick is not EBO compliant. They will have to come into compliance prior to contract execution.



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: Ray's Electric
Project Name: Fruitvale Avenue controller Upgrade Modifications at Webster Street
Project No. C427920

50% Local Employment Program (LEP)

Was the 50% LEP Goal achieved?	Yes	If no, shortfall hours?	N/A
Were all shortfalls satisfied?	Yes	If no, penalty amount	N/A

15% Oakland Apprenticeship Program

Was the 15% Apprenticeship Goal achieved?	Yes	If no, shortfall hours?	N/A
Were shortfalls satisfied?	Yes	If no, penalty amount	N/A

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 Apprenticeship Hours	Apprenticeship Goal and Hours		Apprentice Shortfall Hours
		Goal	Hours	Goal	Hours					Goal	Hours	
A	B	C		D		E	F	G	H	I		J
3164	0	50%	1582	100%	1582	NA	0	100%	475	15%	475	0

Should you have any questions, you may contact Sophany Hang, Contract Compliance Officer at (510) 238-3723.



OFFICE OF THE CITY ADMINISTRATOR

Contracts & Compliance Unit

PROJECT COMPLIANCE EVALUATION FOR :

Construction Services Disadvantaged Business Enterprise (DBE)

PROJECT NO.: C468210

**PROJECT NAME: Rebid-Highway Safety Improvement Program (HSIP) Cycle 5 West MacArthur Blvd
(Market Street to Telegraph Avenue)**

CONTRACTOR: Ray's Electric

Engineer's Estimate:

\$903,837.00

Contractors' Bid Amount

\$1,034,071.00

Over/Under Engineer's Estimate

-\$130,234.00

Discounted Bid Amount:

N/A

Amt. of Bid Discount

N/A

Discount Points:

N/A

- 1. Did the DBE Program apply? **YES**
- 2. Did the contractor meet the DBE goal of 11.00% **YES**
 - b) % of DBE participation **17.37%**
 - c) % of LBE participation **0.00%**
 - d) % of SLBE participation **67.93%**
- 3. Was Good Faith Effort (GFE) Documentation submitted? **Yes**
- 4. Additional Comments.

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

1/6/2016

Reviewing Officer:

Date: 1/6/2016

Approved By: Shelley Darenburg

Date: 1/6/2016

DBE Participation Bidder 1

Project Name: Rebid-Highway Safety Improvement Program (HSIP) Cycle 5 West MacArthur Blvd (Market Street to Telegraph Avenue)											
Project No.: C468210		Engineer's Est. \$903,837.00				Over/Under Engineers Estimate -\$130,234.00					
Discipline	Prime & Subs	Location	Cert. Status	LBE Dollars	SLBE/SLBE/ LPG Dollars	Total LBE/SLBE Dollars	DBE Dollars	Total Dollars	Certified DBE/WBE		
									Ethn.	DBE	WBE
PRIME	Ray's Electric	Oakland	UB		680,954.85	680,954.85		680,954.85	C		
Striping	Striping Graphics	Cotati	UB					24,995.10	O		
Traffic Control	Traffic Control Pros	Concord	CB				14,500.00	14,500.00	NA	14,500.00	
Traffic Signal Materials	Logistical Enterprises	Fresno	CB				157,152.63	261,921.05	H		261,921.05
Concrete Materials	Central Concrete	San Jose	UB					30,200.00	O		
Asphalt Concrete	Gallagher & Burk	Oakland	UB		13,500.00	13,500.00		13,500.00	C		
Trucking	S & S Trucking	Oakland	CB		8,000.00	8,000.00	8,000.00	8,000.00	H	8,000.00	
Project Totals				\$0.00	\$702,454.85	\$702,454.85	\$179,652.63	\$1,034,071.00		\$22,500.00	\$261,921.05
				0.00%	67.93%	67.93%	17.37%	100.00%		2.18%	25.33%
Legend									<u>DBE Ethnicity</u> AA=African American AI=Asian Subcontinent AP=Asian Pacific Islander; NA = Native American; H=Hispanic/Latino; W=Women <u>WBE Ethnicity</u> AA=African American; AP=Asian Pacific Islander; NA=Native American; W=Women		
UB = Uncertified Business CB = Certified Business DBE = Disadvantaged Business Enterprise WBE = Women Business Enterprise											



OFFICE OF THE CITY ADMINISTRATOR

Contracts & Compliance Unit

PROJECT COMPLIANCE EVALUATION FOR :

Construction Services Disadvantaged Business Enterprise (DBE)

PROJECT NO.: C468210

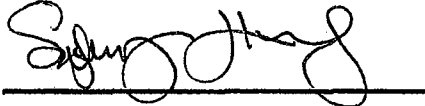
**PROJECT NAME: Rebid-Highway Safety Improvement Program (HSIP) Cycle 5 West MacArthur Blvd
(Market Street to Telegraph Avenue**

CONTRACTOR: Redwick Construction Company

<u>Engineer's Estimate:</u>	<u>Contractors' Bid Amount</u>	<u>Over/Under Engineer's Estimate</u>
\$903,837.00	\$1,126,589.25	-\$222,752.25

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

- 1. Did the DBE Program apply? **YES**
- 2. Did the contractor meet the DBE goal of 11.00%
 - b) % of DBE participation **18.89%**
 - c) % of LBE participation **0.00%**
 - d) % of SLBE participation **11.54%**
- 3. Was Good Faith Effort (GFE) Documentation submitted? **YES**
- 4. Additional Comments.
- 5. Date evaluation completed and returned to Contract Admin./Initiating Dept. **1/6/2016**

Reviewing Officer: 

Date: 1/6/2016

Approved By: Shelley Darenburg

Date: 1/6/2016

DBE Participation Bidder 2

Project Name: **Rebid-Highway Safety Improvement Program (HSIP) Cycle 5 West MacArthur Blvd (Market Street to Telegraph Avenue)**

Project No.: C468210		Engineer's Est. \$903,837.00				Over/Under Engineers Estimate -\$222,752.25					
Discipline	Prime & Subs	Location	Cert. Status	LBE Dollars	SLBE/VSLBE/ LPG Dollars	Total LBE/SLBE Dollars	DBE Dollars	Total Dollars	Certified DBE/WBE		
									Ethn.	DBE	WBE
PRIME	Redgwick Construction Company	Oakland	UB					299,320.25	C		
Electrical	Columbia Electric	San Leandro	UB					389,700.00	NL		
Concrete	AJW Construction	Oakland	UB		105,000.00	105,000.00		105,000.00	H	105,000.00	
Striping	Super Seal and Strip	Filmore	CB				42,569.00	42,569.00	C		42,569.00
Trucking	S&S Trucking	Oakland	CB		10,000.00	10,000.00	10,000.00	10,000.00	H	10,000.00	
AC Material	Gallagher and Burk	Oakland	UB		15,000.00	15,000.00		15,000.00	C		
Grading	ABSL Construction	Hayward	CB				3,200.00	3,200.00	H	32,000.00	
Electrical Supply	Logistical Enterprises	Fresno	CB				157,080.00	261,800.00	H	261,800.00	
Project Totals				\$0.00	\$130,000.00	\$130,000.00	\$212,849.00	\$1,126,589.25		\$408,800.00	\$42,569.00
				0.00%	11.54%	11.54%	18.89%	100.00%		36.29%	3.78%
Legend									DBE Ethnicity		
UB = Uncertified Business CB = Certified Business DBE = Disadvantaged Business Enterprise WBE = Women Business Enterprise									AA=African American AP=Asian Subcontinent AP=Asian Pacific Islander; NA = Native American; H=Hispanic/Latino; W=Women UDBE Ethnicity AA=African American; AP=Asian Pacific Islander; NA=Native American; W=Women		

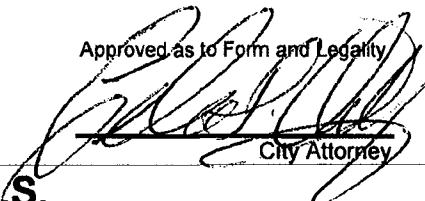
ATTACHMENT A4

RESOLUTION TO ACCEPT HSIP CYCLE 5 GRANT

Approved as to Form and Legality

FILED
CITY CLERK
OAKLAND

OAKLAND CITY COUNCIL



City Attorney

13 MAY -2 PM 1:57
RESOLUTION No. 84370 C.M.S.
Introduced by Councilmember _____

RESOLUTION AUTHORIZING THE CITY ADMINISTRATOR OR HER DESIGNEE, THE DIRECTOR OF PUBLIC WORKS, TO ACCEPT AND APPROPRIATE TWO MILLION DOLLARS (\$2,000,000.00) IN HIGHWAY SAFETY IMPROVEMENT PROGRAM CYCLE 5 (HSIP-5) GRANT FUNDS, FOR ROADWAY SAFETY IMPROVEMENTS ON WEST MACARTHUR BOULEVARD, 98TH AVENUE, AND AT MARKET STREET/ADELINE STREET

WHEREAS, the State of California Department of Transportation (Caltrans) disburses federal Highway Safety Improvement Program Cycle 5 (HSIP-5) funds on a competitive basis to eligible jurisdictions for projects that improve roadway safety for vehicles, pedestrians and bicycles; and

WHEREAS, the City of Oakland, Transportation Services Division submitted proposals for grant funding for roadway safety improvements along three of its highest-collision roadway corridors:

- West MacArthur Boulevard-Market Street to Telegraph Avenue**
- 98th Avenue-MacArthur Boulevard to Edes Avenue**
- Market Street-45th St. to Arlington Ave., including Adeline Street intersection**

WHEREAS, the Transportation Services Division was notified recently that its proposals were granted the maximum amount of HSIP-5 grant funds eligible to a single jurisdiction, **\$2,000,000**; and

WHEREAS, the City of Oakland City of Oakland desires to accept and appropriate the **\$2,000,000.00** in Federal Cycle 5 HSIP funds to Federal Highway Funds (2116), Public Works Agency, Transportation Services Division Organization (30264), to address eligible traffic safety issues; and

WHEREAS, **\$699,400.00** of said funding will be used to modify and upgrade traffic signals; construct left-turn lane, install protected left-turn phasing, and modify traffic lanes to accommodate new bike lanes at West MacArthur Blvd between Market Street and Telegraph Avenue; and

WHEREAS, **\$656,900.00** of said funding will be used to upgrade traffic signals; install advance detection system; widen sidewalks and install speed feed-back signs at 98th Avenue between MacArthur Boulevard and Edes Avenue; and

WHEREAS, **\$643,700.00** of said funding will be used to modify intersection geometry to improve safety and operation for pedestrians, bicycle and vehicles, install new bike lanes; construct sidewalks with curb and gutter at Market Street between 45th Street and Arlington Avenue; and

WHEREAS, a local match of **\$948,500.00** is required as a condition of the grant and said local match will be provided by Measure B funds allocated specifically as local match for federally funded projects, in the current 2012-13 budget and in the proposed 2013-15 policy budget; and

WHEREAS, the Public Works Agency requests a waiver of the 1.5% public art fee for this project because HSIP guidelines restrict funding uses to traffic safety improvements and prohibit the use of grant funds for public art; now, therefore, be it

RESOLVED: That the City Council hereby authorizes acceptance and appropriation of the Federal Cycle 5 Highway Safety Improvement Program funds in the total amount of **\$2,000,000.00** for the aforementioned eligible traffic safety improvements; and be it

FURTHER RESOLVED: That these grant funds will be deposited and appropriated to Federal Highway Funds (2116), Transportation Services Division Organization (30264) in a project number to be established; and be it

FURTHER RESOLVED: That for this project the 1.5% public art fee is waived because HSIP guidelines prohibit the use of grant funds for public art; and be it

FURTHER RESOLVED: That the City Administrator, or her designee, is authorized, on behalf of the City of Oakland, to execute and submit all documents, payment requests, and related actions, as well as to appropriate any additional grant funds received for the completion of this project.

MAY 21 2013

IN COUNCIL, OAKLAND, CALIFORNIA, _____

PASSED BY THE FOLLOWING VOTE:

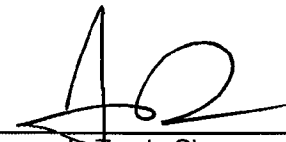
AYES – BROOKS, GALLO, GIBSON-MCELHANEY, KALB, KAPLAN, REID, SCHAAF and PRESIDENT KERNIGHAN — 8

NOES - 0

ABSENT - 0

ABSTENTION - 0

ATTEST: _____



LaTonda Simmons
City Clerk and Clerk of the Council
of the City of Oakland, California

ATTACHMENT A5

Schedule L-2
City of Oakland
Community & Economic Development Agency
CONTRACTOR PERFORMANCE EVALUATION

Project Number/Title: C398910-Construction of Traffic Signal and Curb Ramp Improvements at Foothill Boulevard and 64th Avenue.

Work Order Number (if applicable): _____

Contractor: Ray's Electric

Date of Notice to Proceed: 8/4/2010

Date of Notice of Completion: 10/20/2010

Date of Notice of Final Completion: 10/20/2010

Contract Amount: \$200,000.00

Evaluator Name and Title: David Ng, Resident Engineer

The City's Resident Engineer most familiar with the Contractor's performance must complete this evaluation and submit it to Manager, CEDA Project Delivery Division, within 30 calendar days of the issuance of the Final Payment.

Whenever the Resident Engineer finds the Contractor is performing below Satisfactory for any category of the Evaluation, the Resident Engineer shall discuss the perceived performance shortfall at the periodic site meetings with the Contractor. An Interim Evaluation will be performed if at any time the Resident Engineer finds that the overall performance of a Contractor is Marginal or Unsatisfactory. An Interim Evaluation is required prior to issuance of a Final Evaluation Rating of Unsatisfactory. The Final Evaluation upon Final Completion of the project will supersede interim ratings.

The following list provides a basic set of evaluation criteria that will be applicable to all construction projects awarded by the City of Oakland that are greater than \$50,000. Narrative responses are required to support any evaluation criteria that are rated as Marginal or Unsatisfactory, and must be attached to this evaluation. If a narrative response is required, indicate before each narrative the number of the question for which the response is being provided. Any available supporting documentation to justify any Marginal or Unsatisfactory ratings must also be attached.

If a criterion is rated Marginal or Unsatisfactory and the rating is caused by the performance of a subcontractor, the narrative will note this. The narrative will also note the General Contractor's effort to improve the subcontractor's performance.

ASSESSMENT GUIDELINES:

Outstanding (3 points)	Performance among the best level of achievement the City has experienced.
Satisfactory (2 points)	Performance met contractual requirements.
Marginal (1 point)	Performance barely met the lower range of the contractual requirements or performance only met contractual requirements after extensive corrective action was taken.
Unsatisfactory (0 points)	Performance did not meet contractual requirements. The contractual performance being assessed reflected serious problems for which corrective actions were ineffective.

WORK PERFORMANCE

		Unsatisfactory	Marginal	Satisfactory	Outstanding	Not Applicable
1	Did the Contractor perform all of the work with acceptable Quality and Workmanship?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
1a	If problems arose, did the Contractor provide solutions/coordinate with the designers and work proactively with the City to minimize impacts? If "Marginal or Unsatisfactory", explain on the attachment. Provide documentation.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
2	Was the work performed by the Contractor accurate and complete? If "Marginal or Unsatisfactory", explain on the attachment and provide documentation. Complete (2a) and (2b) below.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
2a	Were corrections requested? If "Yes", specify the date(s) and reason(s) for the correction(s). Provide documentation.			Yes <input type="checkbox"/>	No <input type="checkbox"/>	N/A <input type="checkbox"/>
2b	If corrections were requested, did the Contractor make the corrections requested? If "Marginal or Unsatisfactory", explain on the attachment. Provide documentation.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
3	Was the Contractor responsive to City staff's comments and concerns regarding the work performed or the work product delivered? If "Marginal or Unsatisfactory", explain on the attachment. Provide documentation.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
4	Were there other significant issues related to "Work Performance"? If Yes, explain on the attachment. Provide documentation.				Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>
5	Did the Contractor cooperate with on-site or adjacent tenants, business owners and residents and work in such a manner as to minimize disruptions to the public. If "Marginal or Unsatisfactory", explain on the attachment.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
6	Did the personnel assigned by the Contractor have the expertise and skills required to satisfactorily perform under the contract? If "Marginal or Unsatisfactory", explain on the attachment.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
7	Overall, how did the Contractor rate on work performance? The score for this category must be consistent with the responses to the questions given above regarding work performance and the assessment guidelines. Check 0, 1, 2, or 3.	0 <input type="checkbox"/>	1 <input type="checkbox"/>	2 <input checked="" type="checkbox"/>	3 <input type="checkbox"/>	

TIMELINESS

		Unsatisfactory	Marginal	Satisfactory	Outstanding	Not Applicable
8	Did the Contractor complete the work within the time required by the contract (including time extensions or amendments)? If "Marginal or Unsatisfactory", explain on the attachment why the work was not completed according to schedule. Provide documentation.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
9	Was the Contractor required to provide a service in accordance with an established schedule (such as for security, maintenance, custodial, etc.)? If "No", or "N/A", go to Question #10. If "Yes", complete (9a) below.			Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>	N/A <input type="checkbox"/>
9a	Were the services provided within the days and times scheduled? If "Marginal or Unsatisfactory", explain on the attachment and specify the dates the Contractor failed to comply with this requirement (such as tardiness, failure to report, etc.). Provide documentation.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
10	Did the Contractor provide timely baseline schedules and revisions to its construction schedule when changes occurred? If "Marginal or Unsatisfactory", explain on the attachment. Provide documentation.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
11	Did the Contractor furnish submittals in a timely manner to allow review by the City so as to not delay the work? If "Marginal or Unsatisfactory", explain on the attachment. Provide documentation.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
12	Were there other significant issues related to timeliness? If yes, explain on the attachment. Provide documentation.				Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>
13	Overall, how did the Contractor rate on timeliness? The score for this category must be consistent with the responses to the questions given above regarding timeliness and the assessment guidelines. Check 0, 1, 2, or 3.	0 <input type="checkbox"/>	1 <input type="checkbox"/>	2 <input checked="" type="checkbox"/>	3 <input type="checkbox"/>	

FINANCIAL

		Unsatisfactory	Marginal	Satisfactory	Outstanding	Not Applicable
14	Were the Contractor's billings accurate and reflective of the contract payment terms? If "Marginal or Unsatisfactory", explain on the attachment. Provide documentation of occurrences and amounts (such as corrected invoices).	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
15	Were there any claims to increase the contract amount? If "Yes", list the claim amount. Were the Contractor's claims resolved in a manner reasonable to the City? Number of Claims: _____ Claim amounts: \$ _____ Settlement amount: \$ _____				Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>
16	Were the Contractor's price quotes for changed or additional work reasonable? If "Marginal or Unsatisfactory", explain on the attachment. Provide documentation of occurrences and amounts (such as corrected price quotes).	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
17	Were there any other significant issues related to financial issues? If Yes, explain on the attachment and provide documentation.				Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>
18	Overall, how did the Contractor rate on financial issues? The score for this category must be consistent with the responses to the questions given above regarding financial issues and the assessment guidelines. Check 0, 1, 2, or 3.	0 <input type="checkbox"/>	1 <input type="checkbox"/>	2 <input checked="" type="checkbox"/>	3 <input type="checkbox"/>	

COMMUNICATION

		Unsatisfactory	Marginal	Satisfactory	Outstanding	Not Applicable
19	Was the Contractor responsive to the City's questions, requests for proposal, etc.? If "Marginal or Unsatisfactory", explain on the attachment.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
20	Did the Contractor communicate with City staff clearly and in a timely manner regarding:					
20a	Notification of any significant issues that arose? If "Marginal or Unsatisfactory", explain on the attachment.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
20b	Staffing issues (changes, replacements, additions, etc.)? If "Marginal or Unsatisfactory", explain on the attachment.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
20c	Periodic progress reports as required by the contract (both verbal and written)? If "Marginal or Unsatisfactory", explain on the attachment.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
20d	Were there any billing disputes? If "Yes", explain on the attachment.				Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>
21	Were there any other significant issues related to communication issues? Explain on the attachment. Provide documentation.				Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>
22	Overall, how did the Contractor rate on communication issues? The score for this category must be consistent with the responses to the questions given above regarding communication issues and the assessment guidelines. Check 0, 1, 2, or 3.	0 <input type="checkbox"/>	1 <input type="checkbox"/>	2 <input checked="" type="checkbox"/>	3 <input type="checkbox"/>	

SAFETY

		Unsatisfactory	Marginal	Satisfactory	Outstanding	Not Applicable
23	Did the Contractor's staff consistently wear personal protective equipment as appropriate? If "No", explain on the attachment.				Yes X	No <input type="checkbox"/>
24	Did the Contractor follow City and OSHA safety standards? If "Marginal or Unsatisfactory", explain on the attachment.	<input type="checkbox"/>	<input type="checkbox"/>	X	<input type="checkbox"/>	<input type="checkbox"/>
25	Was the Contractor warned or cited by OSHA for violations? If Yes, explain on the attachment.				Yes <input type="checkbox"/>	No X
26	Was there an inordinate number or severity of injuries? Explain on the attachment. If Yes, explain on the attachment.				Yes <input type="checkbox"/>	No X
27	Was the Contractor officially warned or cited for breach of U.S. Transportation Security Administration's standards or regulations? If "Yes", explain on the attachment.				Yes <input type="checkbox"/>	No X
28	Overall, how did the Contractor rate on safety issues? The score for this category must be consistent with the responses to the questions given above regarding safety issues and the assessment guidelines. Check 0, 1, 2, or 3.	0 <input type="checkbox"/>	1 <input type="checkbox"/>	2 X	3 <input type="checkbox"/>	

OVERALL RATING

Based on the weighting factors below, calculate the Contractor's overall score using the scores from the four categories above.

1. Enter Overall score from Question 7 2 X 0.25 = 0.5
2. Enter Overall score from Question 13 2 X 0.25 = 0.5
3. Enter Overall score from Question 18 2 X 0.20 = 0.4
4. Enter Overall score from Question 22 2 X 0.15 = 0.3
5. Enter Overall score from Question 28 2 X 0.15 = 0.3

TOTAL SCORE (Sum of 1 through 5): 2.0

OVERALL RATING: Satisfactory

Outstanding: Greater than 2.5
Satisfactory: Greater than 1.5 & less than or equal to 2.5
Marginal: Between 1.0 & 1.5
Unsatisfactory: Less than 1.0

PROCEDURE:

The Resident Engineer will prepare the Contractor Performance Evaluation and submit it to the Supervising Civil Engineer. The Supervising Civil Engineer will review the Contractor Performance Evaluation to ensure adequate documentation is included, the Resident Engineer has followed the process correctly, the Contractor Performance Evaluation has been prepared in a fair and unbiased manner, and the ratings assigned by the Resident Engineer are consistent with all other Resident Engineers using consistent performance expectations and similar rating scales.

The Resident Engineer will transmit a copy of the Contractor Performance Evaluation to the Contractor. Overall Ratings of Outstanding or Satisfactory are final and cannot be protested or appealed. If the Overall Rating is Marginal or Unsatisfactory, the Contractor will have 10 calendar days in which they may file a protest of the rating. The Public Works Agency Assistant Director, Design & Construction Services Department, will consider a Contractor's protest and render his/her determination of the validity of the Contractor's protest. If the Overall Rating is Marginal, the Assistant Director's determination will be final and not subject to further appeal. If the Overall Rating is Unsatisfactory and the protest is denied (in whole or in part) by the Assistant Director, the Contractor may appeal the Evaluation to the City Administrator, or his/her designee. The appeal must be filed within 14 calendar days of the Assistant Director's ruling on the protest. The City Administrator, or his/her designee, will hold a hearing with the Contractor within 21 calendar days of the filing of the appeal. The decision of the City Administrator regarding the appeal will be final.

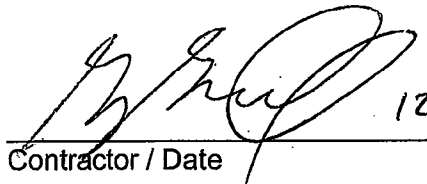
Contractors who receive an Unsatisfactory Overall Rating (i.e., Total Score less than 1.0) will be allowed the option of voluntarily refraining from bidding on any City of Oakland projects within one year from the date of the Unsatisfactory Overall Rating, or of being categorized as non-responsible for any projects the Contractor bids on for a period of one year from the date of the Unsatisfactory Overall Rating. Two Unsatisfactory Overall Ratings within any five year period will result in the Contractor being categorized by the City Administrator as non-

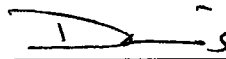
responsible for any bids they submit for future City of Oakland projects within three years of the date of the last Unsatisfactory overall rating.

Any Contractor that receives an Unsatisfactory Overall Rating is required to attend a meeting with the City Administrator, or his/her designee, prior to returning to bidding on City projects. The Contractor is required to demonstrate improvements made in areas deemed Unsatisfactory in prior City of Oakland contracts.

The Public Works Agency Contract Administration Section will retain the final evaluation and any response from the Contractor for a period of five years. The City shall treat the evaluation as confidential, to the extent permitted by law.

COMMUNICATING THE EVALUATION: *The Contractor's Performance Evaluation has been communicated to the Contractor. Signature does not signify consent or agreement.*

 12/10/10
Contractor / Date

 11/1/2010
Resident Engineer / Date

 11/8/10
Supervising Civil Engineer / Date

ATTACHMENT TO CONTRACTOR PERFORMANCE EVALUATION:

Use this sheet to provide any substantiating comments to support the ratings in the Performance Evaluation. Indicate before each narrative the number of the question for which the response is being provided. Attach additional sheets if necessary.

5: Did the Contractor cooperate with on-site or adjacent tenants, business owners and residents and work in such a manner as to minimize disruptions to the public. If "Marginal or Unsatisfactory", explain on the attachment.

The Contractor's representative made a comment at the completion ceremony that was considered inappropriate and insensitive. Contractor has been asked to be more considerate and to be aware of comments made in public.

19: Were the Contractor responsive to the City's questions, requests for proposal, etc? If "Marginal or Unsatisfactory", explain on the attachment.

The Contractor was willing to negotiate the price for proposal requests and their final quotes were reasonable.

ATTACHMENTS B1 to B5

For

**HSIP CYCLE 5
MARKET STREET**

**FEDERAL PROJECT NO. HSIPL-5012 (119)
CITY PROJECT NO. C468230**

- Attachment B1. Location Map**
- Attachment B2. List of Bidders**
- Attachment B3. Contract Compliance Report**
- Attachment B4. Resolution to Accept HSIP Cycle 5 Grant**
- Attachment B5. Contractor Performance Evaluation**

ATTACHMENT B1

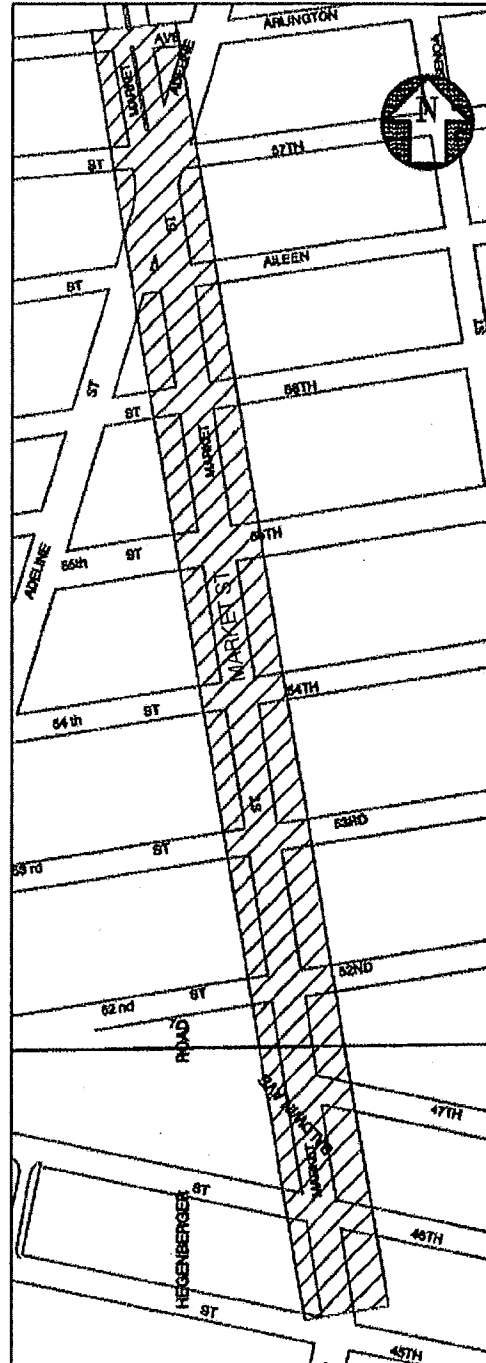
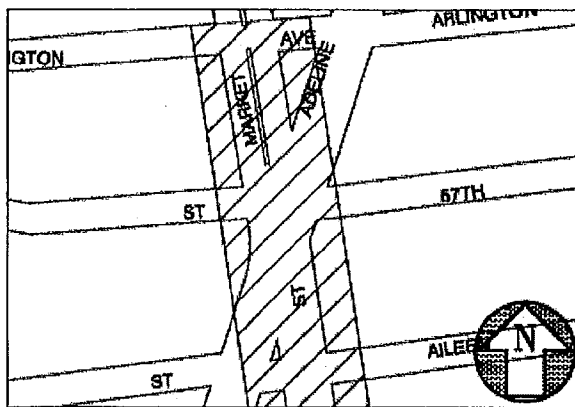
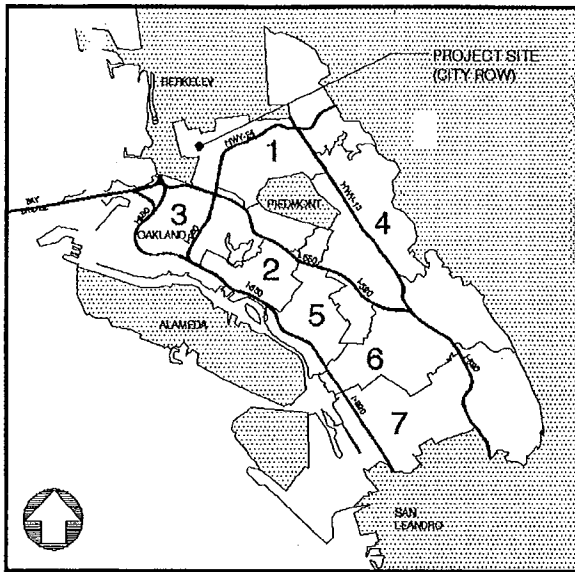
LOCATION MAP

HIGHWAY SAFETY IMPROVEMENT PROGRAM (HSIP) CYCLE 5

MARKET STREET

FEDERAL PROJECT NO. HSIPL-5012 (119)

CITY PROJECT NO. C468230



SITES

- MARKET STREET / ADELINE STREET
- MARKET STREET FROM ARLINGTON AVENUE TO 45TH STREET

LOCATION MAPS

NOT TO SCALE

LIMITS OF WORK 

ATTACHMENT B2

LIST OF BIDDERS

HSIP CYCLE 5
MARKET STREET
FEDERAL PROJECT NO. HSIPL-5012 (119)
CITY PROJECT NO. C468230

Contractors	Re-Bid Amount
Bay Construction Company	\$907,028.00
Beliveau Engineering Contractors	\$895,310.00
Ray's Electric	\$873,915.00
Sposeto Engineering	\$1,285,239.00

Note: Re-Bids were received by City Clerk on December 22, 2015.

ATTACHMENT B3

CONTRACT COMPLIANCE REPORT



INTER OFFICE MEMORANDUM

TO: Mohamed Alaoui

FROM: Deborah Barnes, *Deborah Barnes*
Director, Contracts and Compliance

SUBJECT: Compliance Analysis

DATE: January 27, 2016

Highway Safety Improvement Program (HSIP) Cycle 5 – Market Street
Project No. C468230

The City Administrator's Office, Contracts & Compliance, reviewed four (4) bids in response to the above referenced project. Below is the outcome of the compliance evaluation for the Disadvantaged Business Enterprise (DBE) program and a preliminary review for compliance with the Equal Benefits Ordinance (EBO). There is a DBE goal of 19.19% for this project.

Below are the results of our findings:

Responsive to DBE and/or EBO Policies		Proposed Participation				Earned Credits and Discounts			EBO Compliant? Y/N
Company Name	Original Bid Amount	DBE Total	LBE	SLBE/SLBE/ LPG	Trucking	Total Credited participation	Earned Bid Discounts	Adjusted Bid Amount	
Beliveau Engineering Contractors, Inc.	\$895,310	20.38%	.056%	77.19%	NA	NA	NA	NA	Y
Sposeto Engineering	\$907,028	36.02%	0.00%	0.00%	NA	NA	NA	NA	Y

Comments: As noted above, the firms exceeded the 19.19% DBE goal for this project. All firms are EBO compliant.

Non Responsive to DBE and/or EBO Policies		Proposed Participation				Earned Credits and Discounts			EBO Compliant? Y/N
Company Name	Original Bid Amount	DBE Total	LBE	SLBE/SLBE/ LPG	Trucking	Total Credited participation	Earned Bid Discounts	Adjusted Bid Amount	
Bay Construction	\$907,628	.55%	0.00%	71.88%	NA	NA	NA	NA	Y
Ray's Electric	\$873,915	12.99%	1.37%	72.36%	NA	NA	NA	NA	Y

Comments: As noted above, Bay Construction and Ray's Electric failed to meet the 19.19% DBE goal for this project. Bay Construction did not submit Good Faith Effort (GFE). Ray's Electric's GFE was deemed insufficient. Both firms are 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: Peralta Hacienda Park De Anza Improvement Project
Project Name: Beliveau Engineering
Project No. C284540

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
6896	0	50%	3448	100%	3448	0	0	100%	1034	15%	1034	0

Comments: Beliveau Engineering Met the Local Employment Program's 50% resident hiring goal with 100% resident employment and met the 15% Oakland Apprenticeship Program goals with 516 on-site hours and 516 off-site hours.

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



OFFICE OF THE CITY ADMINISTRATOR

Contracts & Compliance Unit

PROJECT COMPLIANCE EVALUATION FOR :

Construction Services Disadvantaged Business Enterprise (DBE)

PROJECT NO.: C468230

PROJECT NAME: Highway Safety Improvement Program (HSIP) Cycle 5 Market Street

CONTRACTOR: Beliveau Engineering Contractors, Inc

<u>Engineer's Estimate:</u>	<u>Contractors' Bid Amount</u>	<u>Over/Under Engineer's Estimate</u>
\$779,658.00	\$895,310.00	-\$115,652.00

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

- 1. Did the DBE Program apply? **YES**
- 2. Did the contractor meet the DBE goal of 19.19% **YES**
 - b) % of DBE participation **20.38%**
 - c) % of LBE participation **0.56%**
 - d) % of SLBE/VSLBE/LPG participation **77.19%**
- 3. Was Good Faith Effort (GFE) Documentation submitted? **NA**
- 4. Additional Comments.

5. Date evaluation completed and returned to Contract Admin./Initiating Dept. **1/27/2016**

Reviewing Officer: Vivian Juma **Date:** 1/27/2016

Approved By: Shelley Davenport **Date:** 1/27/2016

DBE Participation Bidder 2

Project Name: **Highway Safety Improvement Program (HSIP) Cycle 5 Market Street**

Project No.: C468230		Engineer's Est. \$779,658.00					Over/Under Engineers Estimate -\$115,652.00				
Discipline	Prime & Subs	Location	Cert. Status	LBE Dollars	SLBE/VS LBE/LPG Dollars	Total LBE/SLBE/VS LBE/LPG Dollars	DBE Dollars	Total Dollars	Certified DBE/WBE		
									Ethn.	DBE	WBE
PRIME	Beliveau Engineering Contractors, Inc	Oakland	UB		649,110.00	649,110.00		649,110.00	C		
Trucking	All City Trucking	Oakland	CB		30,000.00	30,000.00	30,000.00	30,000.00	AI	30,000.00	
Supply Asphalt	Gallagher & Burk	Oakland	UB		12,000.00	12,000.00		12,000.00	C		
Supply Rock	Argent Materials	Oakland	UB	5,000.00		5,000.00		5,000.00	C		
Striping	Chrisp Company	Fremont	UB					46,700.00	C		
Electrical	Phoenix Electric	San Francisco	CB				152,500.00	152,500.00	AP	152,500.00	
Project Totals					\$5,000.00	\$691,110.00	\$696,110.00	\$182,500.00		\$182,500.00	\$0.00
					0.56%	77.19%	77.75%	20.38%		20.38%	0.00%
Legend									DBE Ethnicity		
UB = Uncertified Business CB = Certified Business DBE = Disadvantaged Business Enterprise WBE = Women Business Enterprise									AA=African American AI=Asian Subcontinent AP=Asian Pacific Islander; NA = Native American; H=Hispanic/Latino; W=Women		



OFFICE OF THE CITY ADMINISTRATOR

Contracts & Compliance Unit

PROJECT COMPLIANCE EVALUATION FOR :

Construction Services Disadvantaged Business Enterprise (DBE)

PROJECT NO.: C468230

PROJECT NAME: Highway Safety Improvement Program (HSIP) Cycle 5 Market Street

CONTRACTOR: Sposeto Engineering, Inc.

<u>Engineer's Estimate:</u>	<u>Contractors' Bid Amount</u>	<u>Over/Under Engineer's Estimate</u>
\$779,658.00	\$907,028.00	-\$127,370.00

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

1. Did the DBE Program apply? **YES**
2. Did the contractor meet the DBE goal of 19.19%
b) % of DBE participation **36.02%**
c) % of LBE participation **0.00%**
d) % of SLBE/VSLBE/LPG participation **0.00%**
3. Was Good Faith Effort (GFE) Documentation submitted? **NA**
4. Additional Comments.
5. Date evaluation completed and returned to Contract Admin./Initiating Dept. **1/27/2016**

Reviewing Officer:

Victoria Kim

Date: 1/27/2016

Approved By:

Shelley Oarensburg

Date: 1/27/2016

DBE Participation Bidder 4

Project Name: **Highway Safety Improvement Program (HSIP) Cycle 5 Market Street**

Project No.: C468230		Engineer's Est. \$779,658.00				Over/Under Engineers Estimate -\$505,581.00					
Discipline	Prime & Subs	Location	Cert. Status	LBE Dollars	SLBE/VSLBE/LPG Dollars	Total LBE/SLBE/VS LBE/LPG Dollars	DBE Dollars	Total Dollars	Certified DBE/WBE		
									Ethn.	DBE	WBE
PRIME	Sposeto Engineering, Inc.	Livermore	UB					774,014.00	C		
Landscape	Lone Star Landscape	San Martin	CB				60,055.00	60,055.00	H	60,055.00	
Electrical	Phoenix Electric	San Francisco	CB				212,895.00	212,895.00	AP	212,895.00	
Striping	Bayside Stripe & Seal	Petaluma	UB					48,275.00	C		
General Engineering	Phoenix Electric	San Francisco	CB				190,000.00	190,000.00	AP	190,000.00	
Project Totals				\$0.00	\$0.00	\$0.00	\$462,950.00	\$1,285,239.00		\$462,950.00	\$0.00
				0.00%	0.00%	0.00%	36.02%	100.00%		36.02%	0.00%
Legend									DBE Ethnicity		
UB = Uncertified Business CB = Certified Business DBE = Disadvantaged Business Enterprise WBE = Women Business Enterprise									AA=African American Al=Asian Subcontinent AP=Asian Pacific Islander; NA = Native American; H=Hispanic/Latino; W=Women		



OFFICE OF THE CITY ADMINISTRATOR

Contracts & Compliance Unit

PROJECT COMPLIANCE EVALUATION FOR :

Construction Services Disadvantaged Business Enterprise (DBE)

PROJECT NO.: C468230

PROJECT NAME: Highway Safety Improvement Program (HSIP) Cycle 5 Market Street

CONTRACTOR: Bay Construction

<u>Engineer's Estimate:</u>	<u>Contractors' Bid Amount</u>	<u>Over/Under Engineer's Estimate</u>
\$779,658.00	\$907,028.00	-\$127,370.00

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

- 1. Did the DBE Program apply? **YES**
- 2. Did the contractor meet the DBE goal of 19.19% **NO**
 - b) % of DBE participation **0.55%**
 - c) % of LBE participation **0.00%**
 - d) % of SLBE/SLBE/LPG participation **71.88%**
- 3. Was Good Faith Effort (GFE) Documentation submitted? **NO**

4. Additional Comments.

Firm failed to meet the DBE goal of 19.19% and did not submit a GFE, therefore, the firm is deemed non-compliant.

5. Date evaluation completed and returned to Contract Admin./Initiating Dept. **1/27/2016**

Reviewing Officer:

V. V. V. V. V.

Date: 1/27/2016

Approved By:

Shelley Qarensberg

Date: 1/27/2016

DBE Participation Bidder 3

Project Name: Highway Safety Improvement Program (HSIP) Cycle 5 Market Street

Project No.: C468230		Engineer's Est. \$779,658.00				Over/Under Engineers Estimate -\$127,370.00					
Discipline	Prime & Subs	Location	Cert. Status	LBE Dollars	SLBE/SLBE /LPG Dollars	Total LBE/SLBE/VS LBE/LPG Dollars	DBE Dollars	Total Dollars	Certified DBE/WBE		
									Ethn.	DBE	WBE
PRIME	Bay Construction	Oakland	UB		651,932.00	651,932.00		651,932.00	AP		
Striping	Striping Graphics	Cotati	UB					35,725.00	NL		
SWPPP	Verux	Sacramento	UB					4,500.00	NL		
Signs	Statewide	Fairfield	UB					5,369.00	NL		
Asphalt	Bayline	San Francisco	CB				5,000.00	5,000.00	H	5,000.00	
Electrical	Columbia	San Leandro	UB					204,502.00	NL		
Project Totals				\$0.00	\$651,932.00	\$651,932.00	\$5,000.00	\$907,028.00		\$5,000.00	\$0.00
				0.00%	71.88%	71.88%	0.55%	100.00%		0.55%	0.00%
Legend									DBE Ethnicity		
UB = Uncertified Business CB = Certified Business DBE = Disadvantaged Business Enterprise WBE = Women Business Enterprise									AA=African American AI=Asian Subcontinent AP=Asian Pacific Islander; NA = Native American; H=Hispanic/Latino; W=Women		



OFFICE OF THE CITY ADMINISTRATOR

Contracts & Compliance Unit

PROJECT COMPLIANCE EVALUATION FOR :

Construction Services Disadvantaged Business Enterprise (DBE)

PROJECT NO.: C468230

PROJECT NAME: Highway Safety Improvement Program (HSIP) Cycle 5 Market Street

CONTRACTOR: Ray's Electric

Engineer's Estimate:

\$779,658.00

Contractors' Bid Amount

\$873,915.00

Over/Under Engineer's Estimate

-\$94,257.00

Discounted Bid Amount:

N/A

Amt. of Bid Discount

N/A

Discount Points:

N/A

- 1. Did the DBE Program apply? **YES**
- 2. Did the contractor meet the DBE goal of 19.19% **NO**
 - b) % of DBE participation **12.99%**
 - c) % of LBE participation **1.37%**
 - d) % of SLBE/VSLBE/LPG participation **72.36%**
- 3. Was Good Faith Effort (GFE) Documentation submitted? **YES**
- 4. Additional Comments.

Firm failed to meet the DBE goal of 19.19% and submitted a GFE, however it was deemed insufficient. Therefore, the firm is deemed non-compliant.

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

1/27/2016

Reviewing Officer:

Ujjwal Sharma

Date:

1/27/2016

Approved By:

Shelley Darenburg

Date:

1/27/2016

DBE Participation Bidder 1

Project Name: Highway Safety Improvement Program (HSIP) Cycle 5 Market Street											
Project No.: C468230		Engineer's Est. \$779,658.00					Over/Under Engineers Estimate -\$94,257.00				
Discipline	Prime & Subs	Location	Cert. Status	LBE Dollars	SLBE/SLBEA/ PG Dollars	Total LBE/SLBE/VS LBE/LPG Dollars	DBE Dollars	Total Dollars	Certified DBE/WBE		
									Ethn.	DBE	WBE
PRIME	Ray's Electric	Oakland	UB		512,340.00	512,340.00		512,340.00	C		
Striping	Striping Graphics	Cotati	UB					41,729.00	C		
Concrete Material	Central Concrete Supply	San Jose	UB					27,000.00	C		
Misc Material	Catco Services	Oakland	CB		115,000.00	115,000.00		115,000.00	AA		115,000.00
Electrical Materials	Logistical Enterprises	Fresno	CB			130,846.00	78,507.60	130,846.00	H	130,846.00	130,846.00
AC Material	Gallagher & Burk	Oakland	CB	12,000.00		12,000.00		12,000.00	C		
Traffic Control	Traffic Control Pros	Concord	CB				30,000.00	30,000.00	NA	30,000.00	
Trucking	S&S Trucking	Oakland	CB		5,000.00	5,000.00	5,000.00	5,000.00	H	5,000.00	
Project Totals				\$12,000.00	\$632,340.00	\$775,186.00	\$113,507.60	\$873,915.00		\$165,846.00	\$245,846.00
				1.37%	72.36%	88.70%	12.99%	100.00%		18.98%	28.13%
Legend									DBE Ethnicity AA=African American AI=Asian Subcontinent AP=Asian Pacific Islander; NA = Native American; H=Hispanic/Latino; W=Women		
									UB = Uncertified Business CB = Certified Business DBE = Disadvantaged Business Enterprise WBE = Women Business Enterprise		

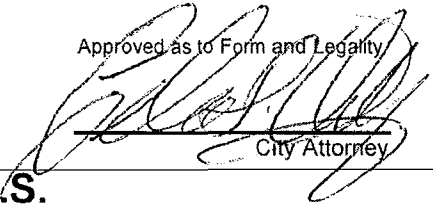
ATTACHMENT B4

RESOLUTION TO ACCEPT HSIP CYCLE 7 GRANT

Approved as to Form and Legality

OFFICE OF THE CITY CLERK
CITY OF OAKLAND

OAKLAND CITY COUNCIL


City Attorney

13 MAY -2 PM 1:57
RESOLUTION No. 84370 C.M.S.
Introduced by Councilmember _____

RESOLUTION AUTHORIZING THE CITY ADMINISTRATOR OR HER DESIGNEE, THE DIRECTOR OF PUBLIC WORKS, TO ACCEPT AND APPROPRIATE TWO MILLION DOLLARS (\$2,000,000.00) IN HIGHWAY SAFETY IMPROVEMENT PROGRAM CYCLE 5 (HSIP-5) GRANT FUNDS, FOR ROADWAY SAFETY IMPROVEMENTS ON WEST MACARTHUR BOULEVARD, 98TH AVENUE, AND AT MARKET STREET/ADELINE STREET

WHEREAS, the State of California Department of Transportation (Caltrans) disburses federal Highway Safety Improvement Program Cycle 5 (HSIP-5) funds on a competitive basis to eligible jurisdictions for projects that improve roadway safety for vehicles, pedestrians and bicycles; and

WHEREAS, the City of Oakland, Transportation Services Division submitted proposals for grant funding for roadway safety improvements along three of its highest-collision roadway corridors:

- West MacArthur Boulevard-Market Street to Telegraph Avenue**
- 98th Avenue-MacArthur Boulevard to Edes Avenue**
- Market Street-45th St. to Arlington Ave., including Adeline Street intersection**

WHEREAS, the Transportation Services Division was notified recently that its proposals were granted the maximum amount of HSIP-5 grant funds eligible to a single jurisdiction, **\$2,000,000**; and

WHEREAS, the City of Oakland City of Oakland desires to accept and appropriate the **\$2,000,000.00** in Federal Cycle 5 HSIP funds to Federal Highway Funds (2116), Public Works Agency, Transportation Services Division Organization (30264), to address eligible traffic safety issues; and

WHEREAS, **\$699,400.00** of said funding will be used to modify and upgrade traffic signals; construct left-turn lane, install protected left-turn phasing, and modify traffic lanes to accommodate new bike lanes at West MacArthur Blvd between Market Street and Telegraph Avenue; and

WHEREAS, **\$656,900.00** of said funding will be used to upgrade traffic signals; install advance detection system; widen sidewalks and install speed feed-back signs at 98th Avenue between MacArthur Boulevard and Edes Avenue; and

WHEREAS, **\$643,700.00** of said funding will be used to modify intersection geometry to improve safety and operation for pedestrians, bicycle and vehicles, install new bike lanes; construct sidewalks with curb and gutter at Market Street between 45th Street and Arlington Avenue; and

WHEREAS, a local match of \$948,500.00 is required as a condition of the grant and said local match will be provided by Measure B funds allocated specifically as local match for federally funded projects, in the current 2012-13 budget and in the proposed 2013-15 policy budget; and

WHEREAS, the Public Works Agency requests a waiver of the 1.5% public art fee for this project because HSIP guidelines restrict funding uses to traffic safety improvements and prohibit the use of grant funds for public art; now, therefore, be it

RESOLVED: That the City Council hereby authorizes acceptance and appropriation of the Federal Cycle 5 Highway Safety Improvement Program funds in the total amount of \$2,000,000.00 for the aforementioned eligible traffic safety improvements; and be it

FURTHER RESOLVED: That these grant funds will be deposited and appropriated to Federal Highway Funds (2116), Transportation Services Division Organization (30264) in a project number to be established; and be it

FURTHER RESOLVED: That for this project the 1.5% public art fee is waived because HSIP guidelines prohibit the use of grant funds for public art; and be it

FURTHER RESOLVED: That the City Administrator, or her designee, is authorized, on behalf of the City of Oakland, to execute and submit all documents, payment requests, and related actions, as well as to appropriate any additional grant funds received for the completion of this project.

MAY 21 2013

IN COUNCIL, OAKLAND, CALIFORNIA, _____

PASSED BY THE FOLLOWING VOTE:

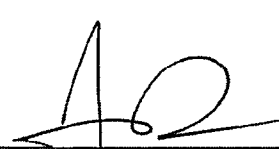
AYES – BROOKS, GALLO, GIBSON-MCELHANEY, KALB, KAPLAN, REID, SCHAAF and PRESIDENT KERNIGHAN — 8

NOES - 0

ABSENT - 0

ABSTENTION - 0

ATTEST: _____


LaTonda Simmons
City Clerk and Clerk of the Council
of the City of Oakland, California

ATTACHMENT B5

Schedule L-2
City of Oakland
Public Works Agency
CONTRACTOR PERFORMANCE EVALUATION

Project Number/Title: C471910

Work Order Number (if applicable): _____

Contractor: Beliveau Engineering

Date of Notice to Proceed: January 14, 2015

Date of Notice of Completion: July 16, 2015

Date of Notice of Final Completion: July 16, 2015

Contract Amount: \$143,168

Evaluator Name and Title: Ishrat Jahan, Assistant Engineer II

The City's Resident Engineer most familiar with the Contractor's performance must complete this evaluation and submit it to Manager, PWA Project Delivery Division, within 30 calendar days of the issuance of the Final Payment.

Whenever the Resident Engineer finds the Contractor is performing below Satisfactory for any category of the Evaluation, the Resident Engineer shall discuss the perceived performance shortfall at the periodic site meetings with the Contractor. An Interim Evaluation will be performed if at any time the Resident Engineer finds that the overall performance of a Contractor is Marginal or Unsatisfactory. An Interim Evaluation is required prior to issuance of a Final Evaluation Rating of Unsatisfactory. The Final Evaluation upon Final Completion of the project will supersede interim ratings.

The following list provides a basic set of evaluation criteria that will be applicable to all construction projects awarded by the City of Oakland that are greater than \$50,000. Narrative responses are required to support any evaluation criteria that are rated as Marginal or Unsatisfactory, and must be attached to this evaluation. If a narrative response is required, indicate before each narrative the number of the question for which the response is being provided. Any available supporting documentation to justify any Marginal or Unsatisfactory ratings must also be attached.

If a criterion is rated Marginal or Unsatisfactory and the rating is caused by the performance of a subcontractor, the narrative will note this. The narrative will also note the General Contractor's effort to improve the subcontractor's performance.

ASSESSMENT GUIDELINES:

Outstanding (3 points)	Performance among the best level of achievement the City has experienced.
Satisfactory (2 points)	Performance met contractual requirements.
Marginal (1 point)	Performance barely met the lower range of the contractual requirements or performance only met contractual requirements after extensive corrective action was taken.
Unsatisfactory (0 points)	Performance did not meet contractual requirements. The contractual performance being assessed reflected serious problems for which corrective actions were ineffective.

WORK PERFORMANCE

		Unsatisfactory	Marginal	Satisfactory	Outstanding	Not Applicable
1	Did the Contractor perform all of the work with acceptable Quality and Workmanship?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
1a	If problems arose, did the Contractor provide solutions/coordinate with the designers and work proactively with the City to minimize impacts? If "Marginal or Unsatisfactory", explain on the attachment. Provide documentation.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
2	Was the work performed by the Contractor accurate and complete? If "Marginal or Unsatisfactory", explain on the attachment and provide documentation. Complete (2a) and (2b) below.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
2a	Were corrections requested? If "Yes", specify the date(s) and reason(s) for the correction(s). Provide documentation.			Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>	N/A <input type="checkbox"/>
2b	If corrections were requested, did the Contractor make the corrections requested? If "Marginal or Unsatisfactory", explain on the attachment. Provide documentation.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
3	Was the Contractor responsive to City staff's comments and concerns regarding the work performed or the work product delivered? If "Marginal or Unsatisfactory", explain on the attachment. Provide documentation.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
4	Were there other significant issues related to "Work Performance"? If Yes, explain on the attachment. Provide documentation.				Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>
5	Did the Contractor cooperate with on-site or adjacent tenants, business owners and residents and work in such a manner as to minimize disruptions to the public. If "Marginal or Unsatisfactory", explain on the attachment.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
6	Did the personnel assigned by the Contractor have the expertise and skills required to satisfactorily perform under the contract? If "Marginal or Unsatisfactory", explain on the attachment.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
7	Overall, how did the Contractor rate on work performance? The score for this category must be consistent with the responses to the questions given above regarding work performance and the assessment guidelines. Check 0, 1, 2, or 3.	0 <input type="checkbox"/>	1 <input type="checkbox"/>	2 <input checked="" type="checkbox"/>	3 <input type="checkbox"/>	

Unsatisfactory
Marginal
Satisfactory
Outstanding
Not Applicable

TIMELINESS

8	Did the Contractor complete the work within the time required by the contract (including time extensions or amendments)? If "Marginal or Unsatisfactory", explain on the attachment why the work was not completed according to schedule. Provide documentation.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
9	Was the Contractor required to provide a service in accordance with an established schedule (such as for security, maintenance, custodial, etc.)? If "No", or "N/A", go to Question #10. If "Yes", complete (9a) below.			Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>	N/A <input type="checkbox"/>
9a	Were the services provided within the days and times scheduled? If "Marginal or Unsatisfactory", explain on the attachment and specify the dates the Contractor failed to comply with this requirement (such as tardiness, failure to report, etc.). Provide documentation.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
10	Did the Contractor provide timely baseline schedules and revisions to its construction schedule when changes occurred? If "Marginal or Unsatisfactory", explain on the attachment. Provide documentation.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
11	Did the Contractor furnish submittals in a timely manner to allow review by the City so as to not delay the work? If "Marginal or Unsatisfactory", explain on the attachment. Provide documentation.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
12	Were there other significant issues related to timeliness? If yes, explain on the attachment. Provide documentation.				Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>
13	Overall, how did the Contractor rate on timeliness? The score for this category must be consistent with the responses to the questions given above regarding timeliness and the assessment guidelines. Check 0, 1, 2, or 3.	0 <input type="checkbox"/>	1 <input type="checkbox"/>	2 <input checked="" type="checkbox"/>	3 <input type="checkbox"/>	

Unsatisfactory
Marginal
Satisfactory
Outstanding
Not Applicable

FINANCIAL

14	Were the Contractor's billings accurate and reflective of the contract payment terms? If "Marginal or Unsatisfactory", explain on the attachment. Provide documentation of occurrences and amounts (such as corrected invoices).	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
15	Were there any claims to increase the contract amount? If "Yes", list the claim amount. Were the Contractor's claims resolved in a manner reasonable to the City? Number of Claims: _____ Claim amounts: \$ _____ Settlement amount: \$ _____				Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>
16	Were the Contractor's price quotes for changed or additional work reasonable? If "Marginal or Unsatisfactory", explain on the attachment. Provide documentation of occurrences and amounts (such as corrected price quotes).	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
17	Were there any other significant issues related to financial issues? If Yes, explain on the attachment and provide documentation.				Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>
18	Overall, how did the Contractor rate on financial issues? The score for this category must be consistent with the responses to the questions given above regarding financial issues and the assessment guidelines. Check 0, 1, 2, or 3.	0 <input type="checkbox"/>	1 <input type="checkbox"/>	2 <input checked="" type="checkbox"/>	3 <input type="checkbox"/>	

COMMUNICATION

Unsatisfactory
Marginal
Satisfactory
Outstanding
Not Applicable

19	Was the Contractor responsive to the City's questions, requests for proposal, etc.? If "Marginal or Unsatisfactory", explain on the attachment.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
20	Did the Contractor communicate with City staff clearly and in a timely manner regarding:					
20a	Notification of any significant issues that arose? If "Marginal or Unsatisfactory", explain on the attachment.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
20b	Staffing issues (changes, replacements, additions, etc.)? If "Marginal or Unsatisfactory", explain on the attachment.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
20c	Periodic progress reports as required by the contract (both verbal and written)? If "Marginal or Unsatisfactory", explain on the attachment.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
20d	Were there any billing disputes? If "Yes", explain on the attachment.				Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>
21	Were there any other significant issues related to communication issues? Explain on the attachment. Provide documentation.				Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>
22	Overall, how did the Contractor rate on communication issues? The score for this category must be consistent with the responses to the questions given above regarding communication issues and the assessment guidelines. Check 0, 1, 2, or 3.	0 <input type="checkbox"/>	1 <input type="checkbox"/>	2 <input type="checkbox"/>	3 <input checked="" type="checkbox"/>	

SAFETY

Unsatisfactory
Marginal
Satisfactory
Outstanding
Not Applicable

23	Did the Contractor's staff consistently wear personal protective equipment as appropriate? If "No", explain on the attachment.				Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>
24	Did the Contractor follow City and OSHA safety standards? If "Marginal or Unsatisfactory", explain on the attachment.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
25	Was the Contractor warned or cited by OSHA for violations? If Yes, explain on the attachment.				Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>
26	Was there an inordinate number or severity of injuries? Explain on the attachment. If Yes, explain on the attachment.				Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>
27	Was the Contractor officially warned or cited for breach of U.S. Transportation Security Administration's standards or regulations? If "Yes", explain on the attachment.				Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>
28	Overall, how did the Contractor rate on safety issues? The score for this category must be consistent with the responses to the questions given above regarding safety issues and the assessment guidelines. Check 0, 1, 2, or 3.	0 <input type="checkbox"/>	1 <input type="checkbox"/>	2 <input checked="" type="checkbox"/>	3 <input type="checkbox"/>	

OVERALL RATING

Based on the weighting factors below, calculate the Contractor's overall score using the scores from the four categories above.

1. Enter Overall score from Question 7	<u>2</u>	X 0.25 =	<u>.5</u>
2. Enter Overall score from Question 13	<u>2</u>	X 0.25 =	<u>.5</u>
3. Enter Overall score from Question 18	<u>2</u>	X 0.20 =	<u>.4</u>
4. Enter Overall score from Question 22	<u>3</u>	X 0.15 =	<u>.45</u>
5. Enter Overall score from Question 28	<u>2</u>	X 0.15 =	<u>.30</u>

TOTAL SCORE (Sum of 1 through 5): 2.15

OVERALL RATING: 2.15

Outstanding: Greater than 2.5
Satisfactory: Greater than 1.5 & less than or equal to 2.5
Marginal: Between 1.0 & 1.5
Unsatisfactory: Less than 1.0

PROCEDURE:

The Resident Engineer will prepare the Contractor Performance Evaluation and submit it to the Supervising Civil Engineer. The Supervising Civil Engineer will review the Contractor Performance Evaluation to ensure adequate documentation is included, the Resident Engineer has followed the process correctly, the Contractor Performance Evaluation has been prepared in a fair and unbiased manner, and the ratings assigned by the Resident Engineer are consistent with all other Resident Engineers using consistent performance expectations and similar rating scales.

The Resident Engineer will transmit a copy of the Contractor Performance Evaluation to the Contractor. Overall Ratings of Outstanding or Satisfactory are final and cannot be protested or appealed. If the Overall Rating is Marginal or Unsatisfactory, the Contractor will have 10 calendar days in which they may file a protest of the rating. The Public Works Agency Assistant Director, Design & Construction Services Department, will consider a Contractor's protest and render his/her determination of the validity of the Contractor's protest. If the Overall Rating is Marginal, the Assistant Director's determination will be final and not subject to further appeal. If the Overall Rating is Unsatisfactory and the protest is denied (in whole or in part) by the Assistant Director, the Contractor may appeal the Evaluation to the City Administrator, or his/her designee. The appeal must be filed within 14 calendar days of the Assistant Director's ruling on the protest. The City Administrator, or his/her designee, will hold a hearing with the Contractor within 21 calendar days of the filing of the appeal. The decision of the City Administrator regarding the appeal will be final.

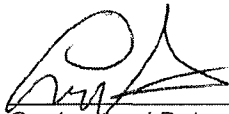
Contractors who receive an Unsatisfactory Overall Rating (i.e., Total Score less than 1.0) will be allowed the option of voluntarily refraining from bidding on any City of Oakland projects within one year from the date of the Unsatisfactory Overall Rating, or of being categorized as non-responsible for any projects the Contractor bids on for a period of one year from the date of the Unsatisfactory Overall Rating. Two Unsatisfactory Overall Ratings within any five year period will result in the Contractor being categorized by the City Administrator as non-

responsible for any bids they submit for future City of Oakland projects within three years of the date of the last Unsatisfactory overall rating.

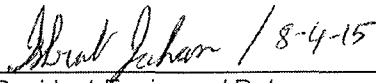
Any Contractor that receives an Unsatisfactory Overall Rating is required to attend a meeting with the City Administrator, or his/her designee, prior to returning to bidding on City projects. The Contractor is required to demonstrate improvements made in areas deemed Unsatisfactory in prior City of Oakland contracts.

The Public Works Agency Contract Administration Section will retain the final evaluation and any response from the Contractor for a period of five years. The City shall treat the evaluation as confidential, to the extent permitted by law.

COMMUNICATING THE EVALUATION: *The Contractor's Performance Evaluation has been communicated to the Contractor. Signature does not signify consent or agreement.*


Contractor / Date

8/10/15


Resident Engineer / Date

8-4-15


Supervising Civil Engineer / Date

8/4/15

ATTACHMENT TO CONTRACTOR PERFORMANCE EVALUATION:

Use this sheet to provide any substantiating comments to support the ratings in the Performance Evaluation. Indicate before each narrative the number of the question for which the response is being provided. Attach additional sheets if necessary.

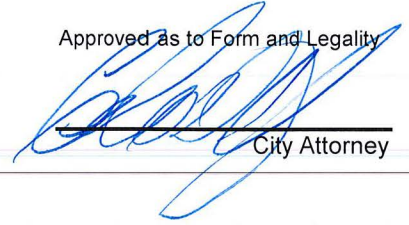
Question 22:

The contractor reported their work locations and provided progress reports daily as requested. When there were any changes in construction schedule, I was informed ahead of time.

FILED
OFFICE OF THE CITY CLERK
OAKLAND

OAKLAND CITY COUNCIL

Approved as to Form and Legality



City Attorney

2016 MAR 10 PM 12:37

RESOLUTION No. _____ C.M.S.

Introduced by Councilmember _____

RESOLUTION AWARDING A CONSTRUCTION CONTRACT TO RAY'S ELECTRIC FOR HIGHWAY SAFETY IMPROVEMENT PROGRAM CYCLE 5 (HSIP5): WEST MACARTHUR BOULEVARD, PROJECT NO. C468210 AND C468211, THE LOWEST, RESPONSIBLE, RESPONSIVE BIDDER IN ACCORDANCE WITH PROJECT PLANS, SPECIFICATIONS, STATE REQUIREMENTS, AND WITH CONTRACTOR'S BID IN THE AMOUNT OF ONE MILLION THIRTY-FOUR THOUSAND AND SEVENTY-ONE DOLLARS (\$1,034,071)

WHEREAS, on October 22, 2015 two bids were received by the Office of the City Clerk for the construction of HSIP5 West MacArthur Boulevard (C468210 and C468211); and staff rejected both bids; and

WHEREAS, on December 29, 2015, two re-bids were received by the Office of the City Clerk for the construction of HSIP5 West MacArthur Boulevard (C468210 and C468211); and

WHEREAS, Ray's Electric is deemed the lowest, responsible, responsive bidder for the HSIP5 West MacArthur Boulevard (C468210 and C468211), and the bid complies with the Federal Disadvantaged Business Enterprise (DBE) 11% participation requirements; and

WHEREAS, there is sufficient fund in the project budget for the work; and

- Highway Safety Improvement Program Cycle 5 (HSIP5), Federal grant \$574,500. State of California, Department of Transportation, Fund 2116; Transportation Services Division Organization 30264 and 92246, Project C468210, Bicycle and Pedestrian Program NB33; and
- Measure B Local Match \$675,500, Fund 2211, Transportation Services Division Organization 30264 and 92246, Project C468211, Bicycle and Pedestrian Program NB33. A portion of the local match in the amount of \$262,000 will come from Project C370010 in Fiscal Year 2016-2017.

WHEREAS, the engineer's estimate for the work is \$903,837; and

WHEREAS, the City Council finds that the City lacks the equipment and qualified personnel to perform the necessary work and that the performance of this contract is in the public interest because of economy or better performance; 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 contract for the construction of HSIP5 West MacArthur Boulevard Project is hereby awarded to Ray’s Electric, the lowest, responsible, responsive bidder, in accordance with project plans and specifications in the amount of one million thirty-four thousand and seventy-one dollars (\$1,034,071); and be it

FURTHER RESOLVED: That the plans and specifications prepared including any subsequent changes during construction, that will be reviewed and adopted by the Director of Public Works or designee for this project are hereby approved; and be it

FURTHER RESOLVED: That the contractor shall provide a faithful performance bond and payment bond to guarantee payment of all claims for labor and materials furnished and for the amount due under the Unemployment Insurance Act for one hundred percent (100%) of the contract amount prior to execution of the contract; and be it

FURTHER RESOLVED: That the City Administrator or designee is hereby authorized to enter into a contract with Ray’s Electric on behalf of the City of Oakland and execute any amendment 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 for form and legality and placed on file in the Office of the City Clerk.

IN COUNCIL, OAKLAND, CALIFORNIA, _____

PASSED BY THE FOLLOWING VOTE:

AYES - BROOKS, CAMPBELL WASHINGTON, GALLO, GUILLEN, KALB, KAPLAN, REID, and PRESIDENT GIBSON MCELHANEY

NOES -

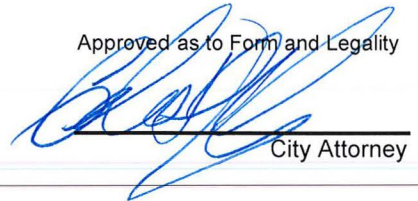
ABSENT -

ABSTENTION -

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

FILED
OFFICE OF THE CITY CLERK
OAKLAND

OAKLAND CITY COUNCIL



City Attorney

2016 MAR 10 PM 12:37

RESOLUTION No. _____ C.M.S.

Introduced by Councilmember _____

RESOLUTION AWARDING A CONSTRUCTION CONTRACT TO BELIVEAU ENGINEERING CONTRACTORS, INC. FOR HIGHWAY SAFETY IMPROVEMENT PROGRAM CYCLE 5 (HSIP5): MARKET STREET, PROJECT NO. C468230 AND C48231, THE LOWEST, RESPONSIBLE, RESPONSIVE BIDDER IN ACCORDANCE WITH PROJECT PLANS, SPECIFICATIONS, STATE REQUIREMENTS, AND WITH CONTRACTOR'S BID IN THE AMOUNT OF EIGHT HUNDRED NINETY-FIVE THOUSAND THREE HUNDRED AND TEN DOLLARS (\$895,310)

WHEREAS, on December 29, 2015, four bids were received by the Office of the City Clerk for the construction of HSIP5 Market Street (C468230 and C468231); and

WHEREAS, Beliveau Engineering Contractors, Inc. is deemed the lowest, responsible, responsive bidder for the HSIP5 Market Street (C468230 and C468231); and the bid complies with the Federal Disadvantaged Business Enterprise (DBE) 19.19% participation requirements; and

WHEREAS, there is sufficient fund in the project budget for the work; and

- Highway Safety Improvement Program Cycle 5 (HSIP5), Federal grant \$540,400. State of California, Department of Transportation, Fund 2116; Transportation Services Division Organization 30264 and 92246, Project C468230, Bicycle and Pedestrian Program NB33; and
- Measure B Local Match \$519,600, Fund 2211, Transportation Services Division Organization 30264 and 92246, Project C468231, Bicycle and Pedestrian Program NB33. A portion of the local match in the amount of \$78,000 will come from Project C370010 in Fiscal Year 2016-2017.

WHEREAS, the engineer's estimate for the work is \$779,658; and

WHEREAS, the City Council finds that the City lacks the equipment and qualified personnel to perform the necessary work and that the performance of this contract is in the public interest because of economy or better performance; 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 contract for the construction of HSIP5 Market Street Project is hereby awarded to Beliveau Engineering Contractors, Inc., the lowest, responsible, responsive bidder, in accordance with project plans and specifications in the amount of eight hundred ninety-five thousand three hundred and ten dollars (\$895,310); and be it

FURTHER RESOLVED: That the plans and specifications prepared including any subsequent changes during construction, that will be reviewed and adopted by the Director of Public Works or designee for this project are hereby approved; and be it

FURTHER RESOLVED: That the contractor shall provide a faithful performance bond and payment bond to guarantee payment of all claims for labor and materials furnished and for the amount due under the Unemployment Insurance Act for one hundred percent (100%) of the contract amount prior to execution of the contract; and be it

FURTHER RESOLVED: That the contractor shall provide a faithful performance bond and payment bond to guarantee payment of all claims for labor and materials furnished and for the amount due under the Unemployment Insurance Act for one hundred percent (100%) of the contract amount prior to execution of the contract; and be it

FURTHER RESOLVED, That the City Administrator or designee is hereby authorized to enter into a contract with Beliveau Engineering Contractors, Inc. on behalf of the City of Oakland and execute any amendment 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 for form and legality and placed on file in the Office of the City Clerk.

IN COUNCIL, OAKLAND, CALIFORNIA, _____

PASSED BY THE FOLLOWING VOTE:

AYES - BROOKS, CAMPBELL WASHINGTON, GALLO, GUILLEN, KALB, KAPLAN, REID and PRESIDENT GIBSON MCELHANEY

NOES -

ABSENT -

ABSTENTION -

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