

CITY OF OAKLAND

AGENDA REPORT

FILED
OFFICE OF THE CITY CLERK
OAKLAND

2008 JUN 12 PM 5:38

TO: Office of the City Administrator
ATTN: Deborah Edgerly
FROM: Public Works Agency
DATE: June 24, 2008

RE: **A Resolution Rejecting All Bids For The Coliseum BART Station Area Underground Utility District No. 235 Project Panel Conversion, Project No. C332110 ("Project") And Authorizing The City Administrator, Or Her Designee, To Negotiate And Award A Construction Contract In An Amount Not To Exceed Eighty Two Thousand Three Hundred Six Dollars (\$82,306.00) With Summerhill Electric For The Project**

SUMMARY

On May 5, 2008, the City Clerk received two bids for the project. The low bid was from Ray's Electric in the amount of \$79,890.00. However, Ray's Electric failed to participate in the pre-bid conference which was advertised and reflected in the bid documents as mandatory. Ray's Electric also failed to participate in the pre-bid field conference which also was advertised and reflected in the bid documents as mandatory. The second bid was received, in the amount of \$81,206.00, from Summerhill Electric. Although Summerhill Electric attended the mandatory conferences, the company failed to submit its proposal on the Revised Bid Schedule and is missing bid items #12 and #13.

Due to the discrepancies in the received bids, a resolution has been prepared to reject all bids for the Coliseum BART Station Area Underground Utility District No. 235 Project Panel Conversion (Project C332110). The resolution also requests authorization for the City Administrator, or her designee, to negotiate and award a construction contract with Summerhill Electric, the current high bidder and attendee of record at the mandatory pre-bid meetings, for an amount not to exceed \$82,306.00. The contract will require compliance with all the City's programs and requirements, none of which will be waived.

FISCAL IMPACT

This resolution will authorize a construction contract in an amount not to exceed \$82,306.00. Funding is available for this contract as follows:

- \$82,306.00 Fiscal Year 2007-08 ORA Fund (7780), Coliseum BART Station Area Underground Utility District No. 235 Project Panel Conversion (C332110), Electrical Services Division Organization (92228), Structures and Improvements (57311)

Item: _____
Public Works Committee
June 24, 2008

BACKGROUND

On May 5, 2008, the City Clerk received two bids for the project in the amount of \$79,890.00 from Ray's Electric and \$81,206.00 from Summerhill Electric respectively, which exceeds the City's construction estimate of \$67,000.00 by \$12,890.00. Ray's Electric failed to meet the requirement to attend mandatory pre-bid meeting and mandatory pre-bid field meeting. Summerhill Electric failed to use the Revised Bid Schedule and thus did not provide pricing for two essential items, #12 and #13, shown in *Attachment A*.

PROJECT DESCRIPTION

As part of the overall plan for the Coliseum Area, the Redevelopment Agency implemented the Coliseum Transit Hub Project in 2005-2006, which is the streetscape project for San Leandro Street at the Coliseum BART Station. The Redevelopment Agency included the undergrounding of the overhead utility lines in the project area as part of their development plan, and funded it as a Rule 20B undergrounding project. The City has awarded the trench lead to PG&E, and the Public Works Agency has executed a contract and supplied payment for the work. Since PG&E does not perform work on private electric panels, the City is bidding the work out to electrical contractors for completion.

KEY ISSUES AND IMPACTS

Staff requests authorization to reject all bids, to negotiate and to award a construction contract for an amount not to exceed \$82,306.00. The Ray's Electric bid in the amount of \$79,890.00 should be rejected because Ray's failed to participate in the mandatory pre-bid meeting and further failed to participate in the mandatory pre-bid field meeting. The City's legal advertisement as well as contract documents specifically called for both pre-bid meetings to be mandatory. The Summerhill Electric bid in the amount of \$81,206.00 should be rejected because Summerhill failed to submit its bid proposal on the Revised Bid Schedule and as a result, its bid of \$81,206.00 did not include bid amount for items #12 and #13.

The City's Municipal Code, Title 2, Chapter 2.04.050 J authorizes the City Administrator to hire services and purchase supplies in the open market if no valid bids are received after advertising as required by the purchasing ordinance. If approved, the resolution will allow the City Administrator, or her designee, to negotiate a contract with Summerhill Electric in an amount not to exceed eighty two thousand three hundred six dollars (\$82,306.00). The contract will require compliance with the City's Local/Small Business Enterprise Program (L/SLBE), the local trucking requirements and local employment requirements.

Approval of this resolution will help ensure the award of a construction contract by July, 2008, so that the Coliseum BART Station Area Underground Utility District No. 235 will be able to adhere to the original completion schedule of December, 2008. Without approval to negotiate and award a construction contract, commencement of construction could potentially be delayed three to six months. The expected duration of the work is 180 working days from the date of the Notice to Proceed.

This project fulfills the Mayoral and City Council goal and objective to “Build Community and Foster Livable Neighborhoods” by providing for aesthetically pleasing and safe underground electric and communication utilities and street lighting facilities. The project is located in Council Districts 6 and 7.

SUSTAINABLE OPPORTUNITIES

Economic: Implementation of the project provides the opportunity to use local contractors and employment of Oakland residents thus strengthening the local economy. Also, it is generally believed that undergrounding utilities increases property values, which translates to more property tax revenue for Oakland.

Environmental: When the Coliseum BART Station Area Underground Utility District is implemented, it will eliminate approximately half-a-mile of unsightly overhead utility lines in or affecting the public-right-way. It will improve the livability, aesthetics of the neighborhood and reduce the potential for fire, electric danger or utility outages resulting from trees falling or touching overhead wires.

Social Equity: The disappearance of overhead wires and wood poles will be a benefit to the Coliseum business community.

DISABILITY AND SENIOR CITIZEN ACCESS

The replacement of overhead lines and wood poles with a new underground system and enhanced street lighting will allow the disabled and senior citizens to move safely along unobstructed walkways.

RECOMMENDATION(S) AND RATIONALE

It is recommended that the City Administrator, or her designee, be authorized to reject all bids and to negotiate and award a construction contract to Summerhill Electric for an amount not to exceed \$82,306.00, without return to Council, for the Coliseum BART Station Area Underground Utility District No. 235 Project Panel Conversion.

ACTION REQUESTED OF THE CITY COUNCIL

Staff recommends that the City Council approve the resolution.

Respectfully submitted,



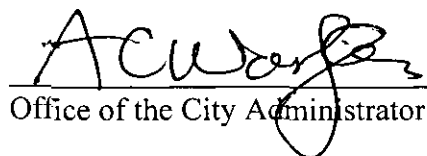
RAUL GODINEZ U, P.E.
Director, Public Works Agency

Reviewed by:
Bruce Saunders, Assistant Director, PWA

Prepared by:
Dan Clanton, Manager, Electrical Services
Paul Chan, Project Manager, PWA Electrical

Attachment A: Bid Schedule from Ray's Electric and from Summerhill Electric

APPROVED AND FORWARDED
TO THE PUBLIC WORKS COMMITTEE:


Office of the City Administrator

Proposal to be received at the Office of the City Clerk
One Frank H. Ogawa Plaza, Room 101, Oakland, CA 94612
prior to: 2:00PM Monday April 14, 2008
Time Day Date



**CONTRACTOR'S BID
TO THE CITY OF OAKLAND, CALIFORNIA
PUBLIC WORKS AGENCY**

for
**Coliseum BART Station Area
Underground Utility District No. 235 Project -
Panel Conversion
City Project No. C332110**

[NOTE TO BIDDER: PROVIDE REQUESTED INFORMATION ON BLANK LINES]

Name of Bidder RAY'S ELECTRIC

Business Address 606 E. 11TH ST. OAKLAND CA. 94606
Street Address City State Zip Code

Telephone 510-251-6175 Fax 510-451-2713 Email: _____

State Contractor's License Classification A, C16 License No. 682725 Expiration Date 12/31/2009

City of Oakland Business Tax No. 1499343 Expiration Date 12/31/08

To the City of Oakland: The undersigned, as bidder, certifies that the only persons or parties interested in this proposal as principals are those named herein as bidder; that this proposal is made without collusion with any other person, firm, or corporation; and in submitting this proposal that he/she has carefully examined the location of the proposed work; that he/she has examined the plans and specifications;

including Addendum Nos. 1 through 2 inclusively;

(Acknowledge receipt of Addenda; for example, fill in the above blanks with "1" and "3" if you received Addenda numbered 1 through 3, that is, Addendum 1, 2, and 3. The numbers used to fill in the blanks may vary from the example and depend upon how many addenda were issued.)

and he/she proposes and agrees if this proposal is accepted, that he/she will execute and fully perform the contract for which bids are called; that he/she will provide all necessary machinery, tools, apparatus, and other means of construction; and that he/she will do all the work and furnish all the materials specified in the contract, in the manner and time therein prescribed, and according to the Engineer's requirements as therein set forth; and that he/she will take in full payment therefor, including all applicable taxes, the unit prices set forth in the attached schedule.

Bid Security: Accompanying this proposal is Bidders Bond
(Note: Insert onto the blank line above, the words "cash (\$ fill in amount)", "cashier's check," "certified check," or "bidder's bond," as the case may be. The bid security is required to be a minimum of 10% of the base bid amount.)

The undersigned declares under penalty of perjury that all representations made on this Proposal are true and correct.

[Signature]
Signature of Bidder

President
Title

**RAY'S ELECTRIC
606 E. 11th ST.
OAKLAND, CA 94606**

Bid Item #	PG&E Service #	PG&E Dwg	Property - Address and Name	PG&E Service Type	Interrupting Rating (PG&E)	PG&E Conduit Sweep	Contractor Equipment required	Bid Price in \$
1	SV1	Sheet 3	Campanella Corporation, 6815 San Leandro St., Oakland, CA 94621, Attn. Diana Hunsaker	120/240, 3 phase, 4 wire, 200A	18,000A	3" steel	Termination can, Pad mount term can	\$ 4,620.-
2	SV2	Sheet 3	Campanella Corporation, 6815 San Leandro St., Oakland, CA 94621, Attn. Diana Hunsaker	277/480, 3 phase, 4 wire, 200A	22,000A	3" steel	Termination can	\$ 4,620.-
3	SV3	Sheet 3	Campanella Corporation, 6815 San Leandro St., Oakland, CA 94621, Attn. Diana Hunsaker	120/240, 3 phase, 4 wire, 200A	18,000A	3" steel	Termination can, jbox on roof	\$ 4,620.-
4	SV5	Sheet 4	Bayview Environmental Services Inc., 6825 San Leandro St., Oakland, CA 94621, Attn. Richard Cleveland	120/240, 3 phase, 4 wire, 400A, with CT	18,000A	5" steel	Termination can	\$ 10,200.-
5	SV6	Sheet 4	Coliseum Steel, 7001 San Leandro St., Oakland, CA 94621, Attn. Paul Johnson	120/240, 1 phase, 3 wire, 100A	10,000A	3" steel	Termination can	\$ 3,208.-
6	SV7	Sheet 4	Coliseum Steel Products, 7027 San Leandro St., Oakland, CA 94621, Attn. Paul Johnson	277/480, 3 phase, 4 wire, up to 1200A	22,000A	5" steel	City to provide material (N) switchboard. Note 7	\$ 35,302.-
7	SV8	Sheet 4	Coliseum Auto Sales, 7101 San Leandro St., Oakland, CA 94621, Attn. Brian Howe	120/240, 1 phase, 3 wire, 200A	18,000A	3" steel	Termination can	\$ 2,841.-
8	SV9	Sheet 5	Sonny's BBQ, 7127 San Leandro St., Oakland, CA 94621, Attn. William Howard, Jr.	120/240, 1 phase, 3 wire, 200A	18,000A	3" steel	Termination can	\$ 4,746.-
9	SV10	Sheet 5	ABC Roofing Co., 7217 San Leandro St., Oakland, CA 94621, Attn. Jeff Knobbe	120/240, 3 phase, 4 wire, 200A	18,000A	3" steel	Termination can	\$ 5,602.-
10	SV11	Sheet 6	Allstate Pallet Company, 710 73rd Avenue, Oakland, CA 94621, Attn. Pedro Lopez	120/240, 1 phase, 3 wire, 200A	10,000A	3" steel	Termination can, Pad mount term can	\$ 2,841.-
11	2" PVC Sweep		Maximum of two (2) sweeps at each of the ten property addresses in Bid Item #1 to #10	2" PVC Schedule 40 Sweeps			Bid price for total of 19 sweeps. Note 8	\$ 190.-
12	4" PVC Sweep		At SV5	4" PVC Schedule 40 Sweeps				\$ 100.-
13	Soil Disposal		Soil disposal cost based on estimate of quantity of 25% Class I, 50% Class II, & 25% Clean	2" PVC Schedule 40 Sweeps			Bid price for total of 10 cubic yard	\$ 1,000.-
Notes:							Total Bid Price	\$ 79,890.-
1. The above data and attached SKETCH-1 is for bid selection. Contractor to verify all data above and provide all changes to the City prior to bid.								
2. Contractor to coordinate with PG&E on the installation and timing of the work, so as to not delay PG&E's work, and at no additional cost.								
3. All work and material provided shall meet PG&E standards and requirements. Refer to PG&E interrupting ratings per their latest plans.								
4. Contractor to provide all material, labor and work for a complete panel conversion. Contractor to bid the type of equipment required for panel conversion.								
5. All bid prices are lump sum firm for the duration of the contract and include full compensation, and applicable taxes, for furnishing all labor, material permits, trenching, trucking, testing of material, disposal of waste/spoil/etc, restoration of improvements; concrete, asphalt, wall, roof, floor, step, etc.								
6. All material provided shall be new, UL listed, and meet all local, state and federal codes and requirements; and industry standards.								
7. City to provide material (N) switchboard, Contractor to install per Addendum 1								
8. Contractor to bid a single lump sum firm price for project total of 19 sweeps for bid comparison and selection of the low bidder. This bid price for 19 sweeps will be divided by 19 to obtain the unit firm bid price per sweep, to pay the Contractor for the actual number of sweeps installed.								

Coliseum BART Station Area Underground Utility District No. 235 Project - Panel Conversion
 City of Oakland, PWA DIO Electrical Services Division

RAY'S ELECTRIC
 609 E. 11th ST.
 OAKLAND, CA 94608

B3a

Proposal to be received at the Office of the City Clerk
One Frank H. Ogawa Plaza, Room 101, Oakland, CA 94612
prior to: 2:00PM Monday April 14, 2008
Time Day Date



**CONTRACTOR'S BID
TO THE CITY OF OAKLAND, CALIFORNIA
PUBLIC WORKS AGENCY**

for
**Coliseum BART Station Area
Underground Utility District No. 235 Project -
Panel Conversion
City Project No. C332110**

[NOTE TO BIDDER: PROVIDE REQUESTED INFORMATION ON BLANK LINES].

Name of Bidder Summerhill Electric INC
Business Address 5230 E-12th ST OAKLAND CA 94601
Street Address City State Zip Code
Telephone 510-536-1685 Fax (510)534-7167 Email: SummerhillElectric@sbcsided.net
State Contractor's License Classification C-10 License No. T93376 Expiration Date 4/30/09
City of Oakland Business Tax No. 71684 Expiration Date 12/3/08

To the City of Oakland: The undersigned, as bidder, certifies that the only persons or parties interested in this proposal as principals are those named herein as bidder; that this proposal is made without collusion with any other person, firm, or corporation; and in submitting this proposal that he/she has carefully examined the location of the proposed work; that he/she has examined the plans and specifications;

including Addendum Nos. 1 through 2 inclusively;

(Acknowledge receipt of Addenda; for example, fill in the above blanks with "1" and "3" if you received Addenda numbered 1 through 3, that is, Addendum 1, 2, and 3. The numbers used to fill in the blanks may vary from the example and depend upon how many addenda were issued.)

and he/she proposes and agrees if this proposal is accepted, that he/she will execute and fully perform the contract for which bids are called; that he/she will provide all necessary machinery, tools, apparatus, and other means of construction; and that he/she will do all the work and furnish all the materials specified in the contract, in the manner and time therein prescribed, and according to the Engineer's requirements as therein set forth; and that he/she will take in full payment therefor, including all applicable taxes, the unit prices set forth in the attached schedule.

Bid Security: Accompanying this proposal is Cashier's Check \$8,120.60
(Note: Insert onto the blank line above, the words "cash (\$ fill in amount . . .)," "cashier's check," "certified check," or "bidder's bond," as the case may be. The bid security is required to be a minimum of 10% of the base bid amount.)

The undersigned declares under penalty of perjury that all representations made on this Proposal are true and correct.

Louis Huff
Signature of Bidder

President
Title

Bid Item #	PG&E Service #	PG&E Dwg	Property - Address and Name	PG&E Service Type	Interrupting Rating (PG&E)	PG&E Conduit Sweep	Contractor Equipment required	Bid Price In \$
1	SV1	Sheet 3	Campanella Corporation, 6815 San Leandro St., Oakland, CA 94621, Attn. Diana Hunsaker	120/240, 3 phase, 4 wire, 200A	18,000A	3" steel	Termination can, Pad mount term can	3,853.1
2	SV2	Sheet 3	Campanella Corporation, 6815 San Leandro St., Oakland, CA 94621, Attn. Diana Hunsaker	277/480, 3 phase, 4 wire, 200A	22,000A	3" steel	Termination can	8,853.1
3	SV3	Sheet 3	Campanella Corporation, 6815 San Leandro St., Oakland, CA 94621, Attn. Diana Hunsaker	120/240, 3 phase, 4 wire, 200A	18,000A	3" steel	Termination can, jbox on roof	5,850.1
4	SV5	Sheet 4	Bayview Environmental Services Inc., 6925 San Leandro St., Oakland, CA 94621, Attn. Richard Cleveland	120/240, 3 phase, 4 wire, 400A, with CT	18,000A	5" steel	Termination can	9,950.1
5	SV6	Sheet 4	Coliseum Steel, 7001 San Leandro St., Oakland, CA 94621, Attn. Paul Johnson	120/240, 1 phase, 3 wire, 100A	10,000A	3" steel	Termination can	4,850.1
6	SV7	Sheet 4	Coliseum Steel Products, 7027 San Leandro St., Oakland, CA 94621, Attn. Paul Johnson	277/480, 3 phase, 4 wire, 1200A	22,000A	5" steel	Term can, Pad mount (N) switchboard outdoor. Note 7	15,500.1
7	SV8	Sheet 4	Coliseum Auto Sales, 7101 San Leandro St., Oakland, CA 94621, Attn. Brian Howe	120/240, 1 phase, 3 wire, 200A	18,000A	3" steel	Termination can	5,850.1
8	SV9	Sheet 5	Sonny's BBQ, 7127 San Leandro St., Oakland, CA 94621, Attn. William Howard, Jr.	120/240, 1 phase, 3 wire, 200A	18,000A	3" steel	Termination can	5,500.1
9	SV10	Sheet 5	ABC Roofing Co., 7217 San Leandro St., Oakland, CA 94621, Attn. Jeff Knobbe	120/240, 3 phase, 4 wire, 200A	18,000A	3" steel	Termination can	8,500.1
10	SV11	Sheet 6	Allstate Pallet Company, 710 73rd Avenue, Oakland, CA 94621, Attn. Pedro Lopez	120/240, 1 phase, 3 wire, 200A	10,000A	3" steel	Termination can, Pad mount term can	5,500.1
11	2" PVC Sweep		Up to two (2) sweeps at each of the property addresses from Bid Item #1 to #10	2" PVC Schedule 40 Sweeps	Note: one property requires a 4" sweep		Bid price for total of 20 sweeps. Note 8	7,000.1
							Total Bid Price	\$ 81,206.1
<p>Notes:</p> <p>1. The above data and attached SKETCH-1 is for bid selection. Contractor to verify all data above and provide all changes to the City prior to bid.</p> <p>2. Contractor to coordinate with PG&E on the installation and timing of the work, so as to not delay PG&E's work, and at no additional cost.</p> <p>3. All work and material provided shall meet PG&E standards and requirements. Refer to PG&E Interrupting ratings per their plans in the bid package.</p> <p>4. Contractor to provide all material, labor and work for a complete panel conversion. Contractor to bid the type of equipment required for panel conversion.</p> <p>5. All bid prices are lump sum firm for the duration of the contract and include full compensation, and applicable taxes, for furnishing all labor, material permits, trenching, trucking, testing of material, disposal of waste/spoil/etc, restoration of improvements: concrete, asphalt, wall, roof, floor, step, etc.</p> <p>6. All material provided shall be new, UL listed, and meet all local, state and federal codes and requirements; and industry standards.</p> <p>7. Contractor to provide a new switchboard for a new PG&E service: 277/480VAC, 3P, 4W, and ground, 1200A, 22kAIC, With a 480VAC, 3P, 3W, and ground, 1200A, branch breaker to feed the property's existing switchboard. Pad mount new switchboard outside building near existing switchboard.</p> <p>8. Contractor to bid a single lump sum firm price for project total of 20 sweeps for bid comparison and selection of the low bidder. This bid price for 20 sweeps will be divided by 20 to obtain the unit firm bid price per sweep, to pay the Contractor for the actual number of sweeps installed. E.g. Bidder bids \$2000 lump sum for 20 sweeps, the firm unit price per sweep = \$100, actual number of sweeps installed is 9, bidder get paid \$900 for the project.</p>								



Memo

Department of Contracting and Purchasing

Division of Social Equity

To: Paul M.A. Chan- Project Manager
From: Sophany Hang- Acting Contract Compliance Officer
Through: Deborah Barnes- DC&P Director
 Shelley Darenburg- Sr. Contract Compliance Officer *S. Darenburg*
CC: Gwen McCormick- Contract Administrator Supervisor
Date: June 12, 2008
Re: C332110-Coliseum BART Station Area Underground Utility District No. 235 Project- Panel Conversion

The Department of Contracting and Purchasing (DCP)--Division of Social Equity, reviewed two (2) bids received in response to the above referenced project. Below is the outcome of the compliance evaluation for the minimum 20% Local and Small Local Business Enterprise (L/SLBE) participation requirement, a preliminary review for compliance with the Equal Benefits Ordinance (EBO), and a brief overview of the lowest responsible bidder's compliance with the 50% Local Employment Program (LEP) and the 15% Oakland Apprenticeship Program on the bidder's most recently completed City of Oakland project.

Responsive		Proposed Participation							Banked Credits Eligibility	EBO Compliant? Y/N
Company Name	Bidders Amount	Total LBE/SLBE	LBE	SLBE	Trucking	Total Credited	Adjusted Bid Amount	Bid Discounts		
N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A

Comments:

Non-Responsive		Proposed Participation							Banked Credits Eligibility	EBO Compliant? Y/N
Company Name	Bidders Amount	Total LBE/SLBE	LBE	SLBE	Trucking	Total Credited	Adjusted Bid Amount	Bid Discounts		
Ray's Electric	\$79,890	97.23%	0%	97.23%	N/A	97.23%	\$0	0%	0%	Y
Summerhill Electric, Inc.	\$81,206	100%	30.79%	69.21%	N/A	100%	\$0	0%	0%	Y

Comments: As noted above, Per Project Manager trucking is not warranted on this project.

Ray's Electric achieved 97.52% L/SLBE participation. However, the initiating Agency required that contractors attend a mandatory pre-bid meeting and a project walk through. Contractor failed to attend, therefore, per the Project Manager, they are deemed non-responsive.

Summerhill Electric achieved 100% L/SLBE participation. However, they did not submit Addendum No. 1, a revised bid schedule. Therefore, their bid can not be calculated correctly. Per Contract Administration, firm is deemed non-responsive. Both firms are EBO compliant.

50% Local Employment Program (LEP)/ 15% Oakland Apprenticeship Program

For Informational Purposes

Contractor: **Ray's Electric**

Project Title: **11th Street sidewalk Between Clay...**

Broadway

Project #: **C00800**

50% LEP Goal achieved? Yes No If No, shortfall hours? **N/A**

Were all shortfalls satisfied? Yes No If yes, how? **N/A**

If no, identify penalty amount \$ **N/A** Was penalty amount collected? **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; 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	
<i>A</i>	<i>B</i>	<i>C</i>		<i>D</i>		<i>E</i>	<i>F</i>	<i>G</i>	<i>H</i>	<i>I</i>		<i>J</i>
1297	0	50%	649	82%	1070	0	0	82%	64	15%	64	-131

Comments: Ray's Electric exceeded the Local employment Program's 50% resident hiring goal with 82% resident employment, but **did not** meet the 15% Oakland apprentice hours on Project No C194950- 11th Street Sidewalk Improvement between Clay and Broadway.

Should you have any questions, you may contact Sophiany Hang at (510) 238-3970

DEPARTMENT OF CONTRACTING AND PURCHASING



Social Equity Division
PROJECT EVALUATION FORM

PROJECT NO.: C332120

PROJECT NAME: Coliseum BART Station Area Underground Utility District No. 235 Project - Panel Conversion

CONTRACTOR: Ray's Electric

Engineer's Estimate:	Contractors' Bid Amount	Over/Under Engineer's Estimate
\$67,000	\$79,890	(\$12,890)

Discounted Bid Amount:	Amount of Bid Discount	Discount Points:
\$0	\$0	0%

1. Did the 20% requirements apply? **YES**
2. Did the contractor meet the 20% requirement? **YES**
 - b) % of LBE participation **0.00%**
 - c) % of SLBE participation **97.23%**
3. Did the contractor meet the Trucking requirement? **N/A**
 - a) Total SLBE/LBE trucking participation **0%**
4. Did the contractor receive bid discounts? **NO**

(If yes, list the percentage received) **0%**

5. Additional Comments.

Per the Project Manager trucking is not warranted on this project. Contractor achieved 97.23% L/SLBE participation. However, the initiating Agency required contractors to attend a mandatory pre-bid meeting and a project walk through. Contractor failed to attend both. Therefore, per the Project Manager, they are deemed non-responsive.

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

6/11/2008

Date

**Reviewing
Officer:**

Date:

6/11/08

Approved By:

Date:

6/11/08

DEPARTMENT OF CONTRACTING AND PURCHASING



Social Equity Division

PROJECT EVALUATION FORM

PROJECT NO.: C332120

PROJECT NAME: Coliseum BART Station Area Underground Utility District No. 235
Project - Panel Conversion

CONTRACTOR: Summerhill Electric, Inc

Engineer's Estimate: 67,000	Contractors' Bid Amount \$81,206	Over/Under Engineer's Estimate -14,206
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Discounted Bid Amount: \$0	Amount of Bid Discount \$0	Discount Points: 0%
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- 1. Did the 20% requirements apply? **YES**
- 2. Did the contractor meet the 20% requirement? **YES**
 - b) % of LBE participation **30.79%**
 - c) % of SLBE participation **69.21%**
- 3. Did the contractor meet the Trucking requirement? **N/A**
 - a) Total SLBE/LBE trucking participation **0%**
- 4. Did the contractor receive bid discounts? **NO**
 - (If yes, list the percentage received) **0%**

5. Additional Comments.

Per the Project Manager trucking is not warranted on this project. Contractor achieved 100% L/SLBE participation. However, they did not submit Addendum No. 1, a revised bid schedule, therefore, their bid can not be calculated correctly. Per Contract Administration, firm is deemed non-responsive.

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

6/11/2008

Date:

Reviewing
Officer:

[Signature]

Date:

6/11/08

Approved By:

Shelley Darenburg

Date:

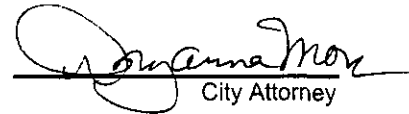
6/11/08

LBE/SLBE PARTICIPATION

BIDDER 2

Project Name: Coliseum BART Station Area Underground Utility District No. 235 Project - Panel Conversion

Project No.: C332120		Engineers Est: 67,000				Under/Over Engineers Estimate: -14,206				For Tracking Only		
Discipline	Prime & Subs	Location	Cert. Status	LBE	SLBE	Total LBE/SLBE	L/SLBE Trucking	Total Trucking	TOTAL Dollars	Ethn.	MBE	WBE
PRIME Supplier	Summerhill Electric, Inc	Oakland	CB		56,206	56,206			56,206	AA	56,206	
	American Emperor, Inc.	Oakland	CB	25,000		25,000			25,000	AP	25,000	
Project Totals				\$25,000	\$56,206	\$81,206	\$0	\$0	\$81,206		\$81,206	\$0
				30.79%	69.21%	100%	0%	0%	100%		100%	0%
Requirements: The 20% requirements is a combination of 10% LBE and 10% SLBE participation. An SLBE firm can be counted 100% towards achieving 20% requirements.				LBE 10%	SLBE 10%	TOTAL LBE/SLBE	20% LBE/SLBE TRUCKING			Ethnicity AA = African American AI = Asian Indian AP = Asian Pacific C = Caucasian H = Hispanic NA = Native American O = Other NL = Not Listed MO = Multiple Ownership		
Legend: LBE = Local Business Enterprise SLBE = Small Local Business Enterprise Total LBE/SLBE = All Certified Local and Small Local Businesses NPLBE = NonProfit Local Business Enterprise NPSLBE = NonProfit Small Local Business Enterprise								UB = Uncertified Business CB = Certified Business MBE = Minority Business Enterprise WBE = Women Business Enterprise				


City Attorney

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OFFICE OF THE CITY CLERK
OAKLAND
2008 JUN 12 PM 5:38

OAKLAND CITY COUNCIL

RESOLUTION No. _____ C.M.S.

Introduced by Councilmember _____

A RESOLUTION REJECTING ALL BIDS FOR THE COLISEUM BART STATION AREA UNDERGROUND UTILITY DISTRICT NO. 235 PROJECT PANEL CONVERSION, PROJECT NO. C332110 ("PROJECT") AND AUTHORIZING THE CITY ADMINISTRATOR, OR HER DESIGNEE, TO NEGOTIATE AND AWARD A CONSTRUCTION CONTRACT IN AN AMOUNT NOT TO EXCEED EIGHTY TWO THOUSAND THREE HUNDRED SIX DOLLARS (\$82,306.00) WITH SUMMERHILL ELECTRIC FOR THE PROJECT

WHEREAS, improvements are ordered by Council Resolution 81002 dated December 18, 2007, to implement the Coliseum BART Station Area Underground Utility District No. 235; and

WHEREAS, on May 5, 2008, two bids were received by the Office of the City Clerk for the Coliseum BART Station Area Underground Utility District No. 235 Project Panel Conversion (Project No. C332110) and neither bid was valid; and

WHEREAS, one of two bidders was nonresponsive because he failed to attend the mandatory pre-bid office and field meetings, both of which were advertised in the media and bid documents as mandatory meetings; and

WHEREAS, the remaining bid was nonresponsive because the bidder failed to furnish all bid prices required in a Bid Addendum because he submitted the bid proposal on an outdated Bid Schedule; and

WHEREAS, the contract to be awarded hereunder is temporary in nature, in the public interest because of economy or better performance and shall not result in the loss of employment or salary by any person having permanent status in the competitive service; and

WHEREAS, sufficient funds totaling \$82,306.00 are available in the project budget for this work as follows: from the Fiscal Year 2007-08 ORA Fund (7780), Coliseum BART Station Area Underground Utility District No. 235 Project Panel Conversion Project (C332110), Electrical Services Division Organization (92228), Structures and Improvements (57311); and

RESOLVED: That the City Administrator, or her designee, is authorized to reject all bids for the Coliseum BART Station Area Underground Utility District No. 235 Project Panel Conversion, Project No. C332110; and be it

FURTHER RESOLVED: That, pursuant to Oakland Municipal Code Chapter 2.04, Section 2.04.050.J. *No Bids*, which authorizes the City Administrator to hire services and purchase supplies in the open market if “no valid bids” are received after advertising as required by the purchasing ordinance, the City Administrator, or her designee, is hereby authorized to negotiate with and award a construction contract to Summerhill Electric for the Coliseum BART Station Area Underground Utility District No. 235 Project Panel Conversion, Project No. C332110 in accord with Specifications for the Project as modified during the negotiations in an amount not to exceed eighty two thousand three hundred six dollars (\$82,306.00); and be it

FURTHER RESOLVED: That the City Council hereby approves the plans and specifications for the Coliseum BART Station Area Underground Utility District No. 235 Project Panel Conversion, Project No. C332110; and be it

FURTHER RESOLVED: That Summerhill Electric will be required to supply performance and payment bonds guaranteeing project completion and labor and materials in an amount that is 100% of the contract price, and to comply with all City of Oakland contracting programs and policies applicable to construction contracts including, but not limited to, Local and Small Local Business participation, Local Hire, prevailing wages and Equal Benefits; and be it

FURTHER RESOLVED: That the contract(s) authorized hereunder 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, _____, 2008

PASSED BY THE FOLLOWING VOTE:

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

NOES -

ABSENT -

ABSTENTION -

ATTEST: _____

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