

**CITY OF OAKLAND
AGENDA REPORT**

FILED
OFFICE OF THE CITY CLERK
OAKLAND

TO: Office of the City Manager
ATTN: Deborah Edgerly
FROM: Public Works Agency
DATE: March 23, 2004

2004 MAR 11 PM 3: 03

RE: RESOLUTION AUTHORIZING AWARD OF A CONSTRUCTION CONTRACT TO A.J.W. CONSTRUCTION COMPANY FOR THE TRAFFIC ISLANDS PROJECT (PROJECT NO. C158910) IN THE AMOUNT OF TWO HUNDRED EIGHTEEN THOUSAND FIVE HUNDRED FIFTY-FOUR DOLLARS AND FIFTY CENTS (\$218,554.50)

SUMMARY

A resolution has been prepared authorizing the City Manager, or her designee, to award a construction contract in the amount of \$218,554.50 to A.J.W. Construction Company for the Traffic Islands Project (Project No. C158910). A.J.W. Construction is the lowest responsible bidder and has met the City Local Business Program goals.

The project will improve vehicular and pedestrian circulation and safety. The project consists of constructing hardscaped and landscaped islands and other traffic calming measures at ten locations throughout the City.

These locations were selected as a result of petitions submitted by citizens or representatives of community groups. This project covers all the petitioned locations. Staff continues to receive new requests for traffic islands, and will develop projects on an ongoing basis.

The project is consistent with the following Mayor and City Council goals and objectives 1B, 3A and 6C:

Make Oakland a Safe City: Improve perception of safety.

Improve Oakland Neighborhoods: Improve traffic/bike/pedestrian safety.

Maintain and Enhance Oakland's Physical Assets: Provide for clean, well-maintained and accessible streets and sidewalks.

Funds in the amount of \$318,547 are available for this project through Measure B and State Gas Tax.

Staff recommends approval of the resolution.

FISCAL IMPACTS

The resolution will authorize a \$218,554.50 contract with A.J.W. Construction. The total cost for the construction phase of the project is as follows:

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Construction Contract	\$218,554.50
Contract Contingency	\$ 41,550.00
Construction Engineering	\$ 58,442.50
Total	\$318,547.00

Funding for the construction costs of the Project at the three intersections is available in the following three projects:

- 1) Measure B - ACTA (Fund 2210), Project C80310 (Neighborhood Traffic Safety Program) in the amount of \$51,266;
- 2) State Gas Tax (Fund 2230), Project C158910 (Traffic Circles and Barriers) in the amount of \$77,085; and
- 3) State Gas Tax (Fund 2230), Project C159710 (Neighborhood Traffic Safety Program – Circles 02-03) in the amount of \$190,196.

BACKGROUND

Project:

Transportation Services Division (TSD) of the Public Works Agency received multiple requests for raised islands as a traffic calming measure. Petitions from citizens in the neighborhoods demonstrated community support for these requests. As a means to reduce cost by economy of scale, TSD addressed the issues collectively by bundling several locations into this project.

Contractor Selection:

The City Clerk received four bids for the project on February 2, 2004. Rosas Construction, A.J.W. Construction, McGuire & Hester, and Ray's Electric submitted base bids of \$205,840, \$218,554.50, \$282,484 and \$310,018 respectively.

Rosas Construction, the lowest bidder, did not list its striping subcontractor nor submit an affidavit asserting a claim of inadvertent clerical error. By failing to comply with the project specifications, Rosas Construction's bid was rejected.

A.J.W. Construction, the second bidder, complies with the project specifications and is recommended for award of the construction contract.

KEY ISSUES AND IMPACTS

Execution of a contract will take a minimum of one month, resulting in a construction start date of late April 2004. With construction scheduled for 75 working days, the construction should be completed by August 2004. The contract specifies that the contractor will be assessed \$500 in

liquidated damages per calendar day if the construction schedule of 75 working days is exceeded. The expected contract completion date may need to be extended for any suspended time due to unforeseen construction and/or inclement weather conditions. The Resident Engineer assigned to this construction project will monitor the contractor's progress to ensure the project is completed in a timely manner.

PROJECT DESCRIPTION

The work, in general, consists of installation of sidewalks curb ramps, curb and gutters, striping, stamped concrete hardscape, and landscape; planting of shrubs and trees; removal and disposal of existing concrete sidewalks, curb and gutters, and pavement; and striping/painting at the following locations:

1) Jean St., Elwood Ave. and Santa Clara Ave.; 2) Richmond Blvd. and Warren Ave.; 3) Grosvenor Pl. and Holman Rd.; 4) 25th Ave. between E. 24th St. and E. 27th St.; 5) Morcom Ave. and Birdsall Ave.; 6) Kingsland Ave., Brookdale Ave. and Mavis St.; 7) Golf Links Rd. and Scotia Ave.; 8) MacArthur Blvd., Byron St. and Foothill Blvd.; 9) Frazier Ave. and Foothill Blvd.; and 10) Acalanes Dr. between 105th Ave. and Capistrano Dr.

SUSTAINABLE OPPORTUNITIES

Economic: The improvements will have a positive impact on the local economy by creating jobs and purchases, and furthermore, by improving vehicular and pedestrian safety, which will reduce associated costs of potential injuries and property damage.

Environmental: This project will improve pedestrian facilities making walking a more attractive mode of transportation, and improve the environment by reducing automobile usage, congestion and vehicle emissions.

Social Equity: This project complies with City's social equity policies for the inclusion of small local firms and Oakland residents being afforded access to contracting and employment opportunities.

DISABILITY AND SENIOR CITIZEN ACCESS

The project will comply with all requirements of the Americans with Disabilities Act (ADA), including provisions for curb ramps with detectable warning domes, as well as other applicable local, state, and federal disability laws and regulations.

RECOMMENDATIONS AND RATIONALE

Staff recommends that the resolution be approved for the Construction of Traffic Islands Project.

ACTION REQUESTED OF THE CITY COUNCIL

Staff recommends that the City Council approve the resolution to authorize the City Manager to award a construction contract in the amount of \$218,554.50 to A.J.W. Construction.

Respectfully submitted,



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

Reviewed by:
Wladimir Wlassowsky, P.E.
Interim Transportation Services Manager

Prepared by:
Joe Wang, P.E.
Supervising Transportation Engineer

APPROVED AND FORWARDED TO THE
PUBLIC WORKS COMMITTEE:


OFFICE OF THE CITY MANAGER

Memorandum

Date: February 17, 2004
To: Gwen McCormick - PWA, Contract Admin., Manager
From: Deborah Barnes, Manager, Contract Compliance and Employment Services *DB*
Regarding: Compliance Analysis - Traffic Islands Design - Various Locations

Contract Compliance and Employment Services reviewed the four proposals received for the above referenced project. The analysis is as follows:

	LBE	SLBE	TOTAL	TRUCKING
Rosas Construction	0.00%	20.40%	20.40%	100.00%
AJW Construction	0.00%	70.63%	70.63%	100.00%
McGuire & Hester	55.19%	44.81%	100.00%	100.00%
Ray's Electric	00.00%	100.00%	100.00%	100.00%

Rosas Construction is entitled to a 2% bid discount for achieving the 20% requirement.
AJW Construction is entitled to a 5% bid discount for exceeding the 20% requirement by 50.63%.
McGuire & Hester is entitled to a 5% bid discount for exceeding the 20% requirement by 80%.
Ray's Electric is entitled to a 5% bid discount for exceeding the 20% requirement by 80%.

CC: Raul Godinez II
Mary Mayberry
Attachments

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PUBLIC WORKS CMTE.

MAR 23 2004



CONTRACT COMPLIANCE AND EMPLOYMENT SERVICES DIVISION
OFFICE OF THE CITY MANAGER

Contract Compliance Evaluation Form

Project No.: C158910

Project Name: Traffic Islands Design - Various Locations

Bid Opening Date: 02/02/2004

Engineer Estimate: \$276,998

Contractor: Rosas Construction

Contractor's bid amount: \$205,840

2% credit for LBE/SLBE Preference: <input checked="" type="checkbox"/> Yes	2% of the TOTAL BID Amount: = \$4,117
5% credit for Joint Venture Preference: <input type="checkbox"/>	Calculation Amount: X 5% =
5% credit for Mentor Protégé Preference: <input type="checkbox"/>	If yes, 5% is added to the overall Total LBE percentage goal.
ADJUSTED LBE % TOTAL:	ADJUSTED BID TOTAL: = \$201,723

- Did the Contractor meet the LBE/SLBE requirement? Yes
 - % of LBE participation 0.00%
 - % of SLBE participation 20.40%
- Did the Contractor meet the Trucking requirement? Yes
 - % of local trucking participation 100%
- If the goals were not met, did the contractor meet the Good Faith Effort (GFE) requirements? NA
(If no, explain reasons for failure to meet GFE.)

4. Date evaluation completed and forwarded to Contract Admin./Initiating Dept.

5. Is the contractor in compliance with all LBE/SLBE requirements? (If no, explain below)

Reviewing Officer: _____

Date: _____

Approved By: _____

Date: _____

LBE/SLBE PARTICIPATION

Lowest Bidder

Project Name: Traffic Islands Design - Various Locations

Engineer Estimate: \$276,998

Project No.: C158910

Bid Amount: \$205,840

Difference: <\$71,158>

TRADE	Line #	Prime and Subs	LOCATION	Cert. Status	LBE	SLBE	TOTAL LBE/SLBE	Local Trucking	Trucking	TOTAL BID \$ Amount	ETH.	MBE	WBE
Prime	1	Rosas Construction	Oakland	UB						\$163,840.00			
Cement	2	RMC Lonestar	Oakland	CB		\$16,000	\$16,000			\$16,000.00	H		
Trucking	3	Williams Trucking	Oakland	CB		\$2,000	\$2,000	\$2,000	\$2,000	\$2,000.00	AA		
Saw cutting	4	Bay Line COnstruction	Oakland	CB		\$12,000	\$12,000			\$12,000.00			
Landscape	5	Toyoi TPT Garden	Oakland	CB		\$12,000	\$12,000			\$12,000.00			
2% discount = \$4,116.80					Project Subtotals:		\$42,000	\$42,000	\$2,000	\$2,000	\$205,840		
New bid amount = \$201,723.20						0.00%	20.40%	20.40%	100%	100%	100%		0.00%

5% credit for LBE/SLBE Preference:		5% of the TOTAL BID Amount:	=
5% credit for Joint Venture Preference:		Calculation Amount:	X 5% =
5% credit for Mentor Protégé Preference:		If yes, 5% is added to the overall Total LBE percentage goal.	
ADJUSTED LBE % TOTAL:		ADJUSTED BID TOTAL: \$205,840	

GOALS:
 The 50% ALL LBE goal is a combination of 15% LBE and 35% SLBE participation. An SLBE firm can be counted 100% towards achieving 50% goal. LBE firms can only be counted up to 15% of the total contract amount. The Local Trucking goal is 50% of the ALL trucking contract amount.

LEGEND:			
ALL LBE	All certified Local and Small Local Businesses	CB	Certified Business
LBE	Local Business Enterprise	UB	Uncertified Business
SLBE	Small Local Business Enterprise	AA	African American
LTRU	Local Trucking Businesses	H	Hispanic American
		A	Asian American
		NA	Native American
		C	Caucasian
		MBE	Minority Business Enterprise
		WBE	Woman Business Enterprise



CONTRACT COMPLIANCE AND EMPLOYMENT SERVICES DIVISION
OFFICE OF THE CITY MANAGER

Contract Compliance Evaluation Form

Project No.: C158910

Project Name: Traffic Islands Design - Various Locations

Bid Opening Date: 02/02/2004

Engineer Estimate: \$276,998

Contractor: AJW Construction

Contractor's bid amount: \$218,554

5% credit for LBE/SLBE Preference: <input checked="" type="checkbox"/>	5% of the TOTAL BID Amount: = \$10,928
5% credit for Joint Venture Preference: <input type="checkbox"/>	Calculation Amount: X 5% =
5% credit for Mentor Protégé Preference: <input type="checkbox"/>	If yes, 5% is added to the overall Total LBE percentage goal.
ADJUSTED LBE % TOTAL:	ADJUSTED BID TOTAL: \$207,626

1. Did the Contractor meet the LBE/SLBE goals?

a) % of LBE participation 0.00%

b) % of SLBE participation 70.63%

2. Did the Contractor meet the Trucking goal?

a) % of local trucking participation 100%

If the goals were not met, did the contractor meet the Good Faith Effort (GFE) requirements?

(If no, explain reasons for failure to meet GFE.)

4. Date evaluation completed and forwarded to Contract Admin./Initiating Dept.

5. Is the contractor in compliance with all LBE/SLBE requirements? (If no, explain below)

Reviewing Officer: _____

Date: _____

Approved By: _____

Date: _____



CONTRACT COMPLIANCE AND EMPLOYMENT SERVICES DIVISION
OFFICE OF THE CITY MANAGER

Contract Compliance Evaluation Form

Project No.: C158910

Project Name: Traffic Islands Design - Various Locations

Bid Opening Date: 02/02/2004

Engineer Estimate: \$276,998

Contractor: McGuire & Hester

Contractor's bid amount: \$282,484

5% credit for LBE/SLBE Preference: <input checked="" type="checkbox"/>	5% of the TOTAL BID Amount: = \$14,124
5% credit for Joint Venture Preference: <input type="checkbox"/>	Calculation Amount: X 5% =
5% credit for Mentor Protégé Preference: <input type="checkbox"/>	If yes, 5% is added to the overall Total LBE percentage goal.
ADJUSTED LBE % TOTAL:	ADJUSTED BID TOTAL: \$268,360

1. Did the Contractor meet the LBE/SLBE requirements?
 - a) % of LBE participation 55.19%
 - b) % of SLBE participation 44.81%

2. Did the Contractor meet the Trucking goal?
 - a) % of local trucking participation 100%

3. If the goals were not met, did the contractor meet the Good Faith Effort (GFE) requirements?
(If no, explain reasons for failure to meet GFE.)

4. Date evaluation completed and forwarded to Contract Admin./Initiating Dept.

5. Is the contractor in compliance with all LBE/SLBE requirements? (If no, explain below)

Reviewing Officer: _____

Date: _____

Approved By: _____

Date: _____



CONTRACT COMPLIANCE AND EMPLOYMENT SERVICES DIVISION
OFFICE OF THE CITY MANAGER

Contract Compliance Evaluation Form

Project No.: C158910/2

Project Name: Traffic Islands Design - Various Locations

Bid Opening Date: 02/02/2004

Engineer Estimate: \$276,998

Contractor: Ray's Electric

Contractor's bid amount: \$310,018

5% credit for LBE/SLBE Preference: <input checked="" type="checkbox"/>	5% of the TOTAL BID Amount: = \$15,501
5% credit for Joint Venture Preference: <input type="checkbox"/>	Calculation Amount: _____ X 5% = _____
5% credit for Mentor Protégé Preference: <input type="checkbox"/>	If yes, 5% is added to the overall Total LBE percentage goal.
ADJUSTED LBE % TOTAL:	ADJUSTED BID TOTAL: \$294,517

1. Did the Contractor meet the LBE/SLBE requirement?
 - a) % of LBE participation 0.00%
 - b) % of SLBE participation 100.00%

2. Did the Contractor meet the Trucking requirement?
 - a) % of local trucking participation _____

3. If the goals were not met, did the contractor meet the Good Faith Effort (GFE) requirements?

(If no, explain reasons for failure to meet GFE.)

4. Date evaluation completed and forwarded to Contract Admin./Initiating Dept.

5. Is the contractor in compliance with all LBE/SLBE requirements? (If no, explain below)

Reviewing Officer: _____

Date: _____

Approved By: _____

Date: _____

LBE/SLBE PARTICIPATION

4th Bidder

Project Name: Traffic Islands Design - Various Locations

Engineer Estimate: \$276,998

Bid Amount: \$310,018

Project No.: C158910/2

Difference: \$33,020

TRADE	Line #	Prime and Subs	LOCATION	Cert. Status	LBE	SLBE	TOTAL LBE/SLBE	Local Trucking	Trucking	TOTAL BID \$ Amount	ETH.	MBE	WBE
PRIME	1	Ray's Electric	Oakland	CB		\$264,575	\$264,575			\$264,575.00			
Striping	2	Striping Express	Oakland	CB		\$18,500	\$18,500			\$18,500.00			
Landscaping	3	TPT Gardener	Oakland	CB		\$11,943	\$11,943			\$11,943.00			
Concrete Dumping	4	Specialty Crushing	Oakland	CB		\$11,000	\$11,000			\$11,000.00			
Trucking	5	Williams Trucking	Oakland	CB		\$4,000	\$4,000			\$4,000.00			
5% bid discount = \$15,500.90					Project Subtotals:	0.00%	\$310,018	\$310,018		\$310,018		0.00%	0%
new bid amount = \$294,517.00													

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5% credit for LBE/SLBE Preference: <input type="text"/>	5% of the TOTAL BID Amount: =
5% credit for Joint Venture Preference: <input type="text"/>	Calculation Amount: X 5% =
5% credit for Mentor Protégé Preference: <input type="text"/>	If yes, 5% is added to the overall Total LBE percentage goal.
ADJUSTED LBE % TOTAL:	ADJUSTED BID TOTAL: \$310,018

GOALS:
 The 50% ALL LBE goal is a combination of 15% LBE and 35% SLBE participation. An SLBE firm can be counted 100% towards achieving 50% goal. LBE firms can only be counted up to 15% of the total contract amount. The Local Trucking goal is 50% of the ALL trucking contract amount.

LEGEND:	All certified Local and Small Local Businesses LBE Local Business Enterprise SLBE Small Local Business Enterprise LTRU Local Trucking Businesses	CB Certified Business UB Uncertified Business AA African American H Hispanic American A Asian American	NA Native American C Caucasian MBE Minority Business Enterprise WBE Woman Business Enterprise
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OAKLAND CITY COUNCIL

OFFICE OF THE CITY CLERK

RESOLUTION NO. _____

CMS
2004 MAR 11 PM 3:03

INTRODUCED BY COUNCILMEMBER _____

REQUIRES TWO-THIRDS VOTE OF THE CITY COUNCIL

Racel Dierro

RESOLUTION AUTHORIZING AWARD OF A CONSTRUCTION CONTRACT TO A.J.W. CONSTRUCTION COMPANY FOR THE TRAFFIC ISLANDS PROJECT (PROJECT NO. C158910) IN THE AMOUNT OF TWO HUNDRED EIGHTEEN THOUSAND FIVE HUNDRED FIFTY-FOUR DOLLARS AND FIFTY CENTS (\$218,554.50)

WHEREAS, the Traffic Islands Project consists of the installation of hardscape and landscape in intersections at ten locations throughout the City of Oakland; and

WHEREAS, A.J.W. Construction, is the lowest responsible bidder; and

WHEREAS, there are sufficient funds available from Measure B – ACTA (Fund 2210) and State Gas Tax (Fund 2230) of \$318,547, including \$41,550 for contingency and \$58,442.50 for construction engineering, for the work, and no matching funds are required; and

WHEREAS, the City Council finds and determines that the performance of this contract is in the public interest because of economy; and

WHEREAS, the City Council finds that the services provided under this contract are temporary in nature; and

WHEREAS, the City Council finds that this agreement shall not result in the loss of employment or salary by any person having permanent status in the competitive service; now, therefore, be it

RESOLVED: That the City Manager, or her designee, is hereby authorized to award a construction contract on behalf of the City of Oakland for the Traffic Islands Project to A.J.W. Construction in the amount of Two Hundred Eighteen Thousand Five Hundred Fifty-Four Dollars and Fifty Cents (\$218,554.50); and be it

FURTHER RESOLVED: That the City Manager is hereby authorized to reject all other bids; and be it

FURTHER RESOLVED: That amount of the bond for faithful performance and the amount for a bond to guarantee payment of all claims for labor and material furnished and for the amount due under the Unemployment Insurance Act with respect to such work are hereby approved; and be it

FURTHER RESOLVED: That should additional funds be received for this project, the City Manager, or her designee, is hereby authorized to accept and appropriate the same for the purposes described above; and be it

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FURTHER RESOLVED: That the agreement shall be approved for form and legality by the City Attorney, and a copy of the agreement shall be kept on file with the City Clerk; and be it

FURTHER RESOLVED: That the approval of this Resolution requires a two-thirds vote of the Council members.

IN COUNCIL, OAKLAND, CALIFORNIA, _____, 20__

PASSED BY THE FOLLOWING VOTE:

AYES – BROOKS, BRUNNR, CHANG, NADEL, QUAN, REID, WAN AND
PRESIDENT DE LA FUENTE

NOES –

ABSENT –

ABSTENTION –

ATTEST: _____

CEDA FLOYD

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

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MAR 23 2004