

ATTACHMENT D

COMPLIANCE ANALYSIS MEMO

MONTCLAIR VILLAGE ANTIOCH COURT PEDESTRIAN IMPROVEMENTS

CITY PROJECT NO. 1001042



INTER OFFICE MEMORANDUM

TO: Cathy Tran
Assistant Engineer II

Deborah Lusk Barnes
FROM: Deborah Barnes, Director
Department of Workforce
And Employment Standards
(DWES)

THROUGH: Shelley Darensburg,
Contract Compliance Supervisor *Shelley Darensburg*

PREPARED BY: *Sophany Hang*
Sophany Hang
Contract Compliance Officer

SUBJECT: Compliance Analysis
Montclair Village, Antioch Court Pedestrian Improvements
Project No. 1001042

DATE: February 4, 2021

At the request of the Oakland Public Works Department, the designated Compliance Officer conducted a compliance analysis of three (3) bids submitted to the City in response to the above referenced Project. Below are the results of the compliance evaluations for the minimum 50% Local/Small Local Business Enterprise (L/SLBE) participation requirement, and Equal Benefits Ordinance (EBO).

<i>Responsive to Social Justice Policies</i>		PROPOSED L/SLBE PARTICIPATION PERCENTAGES					EARNED CREDITS & DISCOUNTS			EBO Compliant? Y/N
Company Name	Original Bid Amount	Total LBE/SLBE	LBE	SLBE	*VSLBE/LP G	L/SLBE Trucking	Total Credited participation	Earned Bid Discounts	Adjusted Bid Amount	
Ray's Electric	\$765,307	77.94% *80.03	0.00%	75.85%	4.18%	100%	80.03%	5%	\$727,041.65	Y
Beliveau Engineering Contractors	\$840,062.00	78.54% *81.16%	0.00%	75.92%	5.24%	100%	81.16%	5%	\$798,058.90	Y

*Double Counted for Very Small Local Business Enterprises (VSLBEs)

Comments: As noted above, both firms exceeded the minimum 50% L/SLBE participation requirement. They are EBO compliant.



<i>Non-Responsive to Social Justice Policies</i>		PROPOSED L/SLBE PARTICIPATION PERCENTAGES					EARNED CREDITS & DISCOUNTS			EBO Compliant? Y/N
Company Name	Original Bid Amount	Total LBE/SLBE	LBE	SLBE	*VSLBE/LPG	L/SLBE Trucking	Total Credited participation	Earned Bid Discounts	Adjusted Bid Amount	
McGuire & Hester	\$1,051,949.18	95.63% *98.44%	80.26%	12.56%	5.62%	100%	98.44%	0%	NA	Y

***Double Counted for Very Small Local Business Enterprises (VSLBEs)**

Comments: As noted above, firm failed to meet the minimum 50% L/SLBE participation requirement. They are EBO compliant.

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

LBE/SLBE Participation Bidder 1

Project Name:		Montclair Village Antioch Court Petdestrian Improvements												
Project No.: 1001042		Engineer's Estimate 747,137.00				Under/Over Engineers Estimate: 18,170.00								
Discipline	Prime & Subs	Location	Cert.	LBE	SLBE	*VSLBE/LPG (2x Value)	Total LBE/SLBE	VSLBE Trucking	L/SLBE Trucking	Total Trucking	TOTAL Dollars			
												Status	Ethn.	MBE
PRIME Trucking	Ray's Electric	Oakland	CB		547,452.00		547,452.00				547,452.00	C		
	S & S Trucking	Oakland	CB		33,000.00		33,000.00		33,000.00	33,000.00	33,000.00	H	33,000.00	
Striping & Signage	Striping Graphics	Catati	UB								7,929.00	AA		7,929.00
SWPPP	Applan UDBE SWPPP	El Sobrante	UB								1,250.00	C		
Construction Staking	Benchmark Engineering	Modesto	UB								8,100.00	H	8,100.00	
Landscaping	Los Loza Inc.	Castro Valley	UB								29,100.00	C		
Concrete Material	Central Concrete	San Jose	UB								30,000.00	C		
AC Material	Gallagher & Burk	Oakland	CB			16,000.00	16,000.00				16,000.00	C		
Traffic Control	CMC Traffic Control	SF	UB								9,050.00	C		
Decorative Crosswalk	Asphalt Impressions	Sacramento	UB								24,480.00	C		
Electrical Material	JAM Services	Livermore	UB								31,500.00	C		
Tree Removal	De Kay Demolition	Oakland	UB								8,050.00	C		
Trash Receptacle	Forms+ Surfaces	Pittsburgh	UB								4,610.00	C		
Bike Rack	Palmer Group	Mukilteo, WA	UB								811.00	C		
Service Petestal	Tesco Control	Sacramento	UB								4,975.00	C		
Draiaagage Inlet	Oldcaslte	Pleasanton	UB								9,000.00	C		
Project Totals				0.00 0.00%	580,452.00 75.85%	16,000.00 2.09%	596,452.00 77.94%	0.00 0.00%	33,000.00 100.00%	33,000.00 100.00%	765,307.00 100.00%		41,100.00 5.37%	7,929.00 1.04%
Requirements: The 50% requirements is a combination of 25% LBE and 25% SLBE participation. An SLBE firm can be counted 100% towards achieving 50% requirements and aVSLBE/LPP firm can be counted double towards achieving the 50% requirement.				LBE 25%	SLBE 25%	VSLBE/LPG	TOTAL LBE/SLBE	VSLBE Trucking	L/SLBE TRUCKING	TOTAL DOLLARS	Ethnicity AA = African American A = Asian AI = Asian Indian AP = Asian Pacific			

Workforce & Employment Standards

DWES



PROJECT COMPLIANCE EVALUATION FOR :

Project No. 1001042

RE: Montclair Village Antioch Court Petdestrian Improvements

CONTRACTOR: Ray's Electric

<u>Engineer's Estimate:</u>	<u>Contractors' Bid Amount</u>	<u>Over/Under Engineer's Estimate</u>	
\$747,137.00	\$765,307.00	\$18,170.00	
 <u>Discounted Bid Amount; Amt. of Bid Discount</u>		 <u>Discount Points:</u>	
\$727,041.65	\$38,265.35	5.00%	
1. Did the 50% local/small local requirement apply:		<u>YES</u>	
2. Did the contractor meet the 50% requirement		<u>YES</u>	
a) % of LBE participation <u>0.00%</u>			
b) % of SLBE participation <u>75.85%</u>			
c) % of VSLBE participation <u>*2.09%</u>		4.18%	(double counted value)
3. Did the contractor meet the L/SLBE trucking requirement?		<u>YES</u>	
a) Total L/SLBE trucking participation <u>100.00%</u>			
a) Total VSLBE trucking participation			
4. Did the contractor receive bid discount points?		<u>YES</u>	
(If yes, list the points received) <u>5%</u>			
5. Additional Comments.			
Proposed VSLBE/LPG participation is valued at 2.09%, however, per the L/SLBE Program a VSLBE/LPG's participation is double counted towards meeting the requirement. Therefore, the VSLBE/LPG value is 4.18%.			
6. Date evaluation completed and returned to Contract Admin./Initiating Dept.			

2/4/2021

Date

Reviewing Officer:

Sophany Hong

Date: 2/4/2021

Approved By:

Shelley Darenburg

Date: 2/4/2021

LBE/SLBE Participation Bidder 2

Project Name:		Montclair Village Antioch Court Pedestrian Improvements												
Project No.:		1001042	Engineer's Estimate			747,137.00	Under/Over Engineers Estimate:		92,925.00					
Discipline	Prime & Subs	Location	Cert. Status	LBE	SLBE	*VSLBE/LPG	Total LBE/SLBE	VSLBE Trucking	L/SLBE Trucking	Total Trucking	TOTAL Dollars			
												Ethn.	MBE	WBE
PRIME	Beliveau Engineering	Oakland	CB		617,767.00		617,767.00				617,767.00	C		
Trucking	All City Trucking, Inc.	Oakland	CB		20,000.00		20,000.00		20,000.00	20,000.00	20,000.00	AI	20,000.00	
Struoubg/Signs	Spriping Grphics	Cotati	UB								7,925.00	C		
Electrical	Radman Electric	Hayward	UB								125,000.00	AI	125,000.00	
Concrete supply	Allied Ready Mix	Alameda	UB								18,000.00	C		
Asphalt Supply	Gallagher & Burk	Oakland	CB			22,000.00	22,000.00				22,000.00	C		
Decorative Asphalt	Asphalt Impressions	Sacramento	UB								15,870.00	C		
Paver Installation	European Paving Designs	San Jose	UB								13,500.00	C		
Project Totals				0.00 0.00%	637,767.00 75.92%	22,000.00 2.62%	659,767.00 78.54%	0.00 0.00%	20,000.00 100.00%	20,000.00 100.00%	840,062.00 100.00%		145,000.00 17.26%	0.00 0.00%
Requirements: The 50% requirements is a combination of 25% LBE and 25% SLBE participation. An SLBE firm can be counted 100% towards achieving 50% requirements and aVSLBE/LPP firm can be counted double towards achieving the 50% requirement.				LBE 25%	SLBE 25%	VSLBE/LPG	TOTAL LBE/SLBE	VSLBE Trucking	L/SLBE TRUCKING	TOTAL DOLLARS	Ethnicity AA = African American A = Asian AI = Asian Indian AP = Asian Pacific			

** Proposed VSLBE/LPG participation is valued at 2.62%, however per the L/SLBE Program a VSLBE/LPG's participation is double counted towards meeting the requirement. Double counted percentage is reflected on the evaluation form and cover memo.

Workforce & Employment Standards

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PROJECT COMPLIANCE EVALUATION FOR :

Project No. 1001042

RE: Montclair Village Antioch Court Pedestrian Improvements

CONTRACTOR: Beliveau Engineering

<u>Engineer's Estimate:</u>	<u>Contractors' Bid Amount</u>	<u>Over/Under Engineer's Estimate</u>
\$747,137.00	\$840,062.00	\$92,925.00
<u>Discounted Bid Amount:</u>	<u>Amt. of Bid Discount</u>	<u>Discount Points:</u>
\$798,058.90	\$42,003.10	5.00%
1. Did the 50% local/small local requirement apply:		<u>YES</u>
2. Did the contractor meet the 50% requirement		<u>YES</u>
a) % of LBE participation	<u>0.00%</u>	
b) % of SLBE participation	<u>75.92%</u>	
c) % of VSLBE participation	<u>*2.62%</u>	5.24% (double counted value)
3. Did the contractor meet the L/SLBE trucking requirement?		<u>YES</u>
a) Total L/SLBE trucking participation	<u>100.00%</u>	
a) Total VSLBE trucking participation	<u>0.00%</u>	
4. Did the contractor receive bid discount points?		<u>YES</u>
(If yes, list the points received)	<u>5%</u>	
5. Additional Comments.		
Proposed VSLBE/LPG participation is valued at 2.62%, however, per the L/SLBE Program a VSLBE/LPG's participation is double counted towards meeting the requirement. Therefore, the VSLBE/LPG value is 5.24%.		
6. Date evaluation completed and returned to Contract Admin./Initiating Dept.		

2/4/2021
Date

Reviewing Officer: *Sophy Hong*

Date: 2/4/2021

Approved By: *Shelley Darenburg*

Date: 2/4/2021

LBE/SLBE Participation Bidder 3

Project Name: Montclair Village Antioch Court Pedestrian Improvements														
Project No.: 1001042		Engineer's Estimate 747,137.00				Under/Over Engineers Estimate: 304,812.18								
Discipline	Prime & Subs	Location	Cert.	LBE	SLBE	*VSLBE/LPG (2x Value)	Total LBE/SLBE	VSLBE Trucking	L/SLBE Trucking	Total Trucking	TOTAL Dollars			
												Status	Ethn.	MBE
PRIME	MeGuire & Hester	Oakland	CB	696,908.18			696,908.18				696,908.18	C		
Electrical	Beci Electric	Oakland	CB	147,375.00			147,375.00				147,375.00	C		147,375.00
Striping	Striping Graphics	Cotati	UB								7,925.00	C		
Decorative Asphalt	Asphalt Impressions	Sacramento	UB								24,480.00	NL		
Pavers	European Paving	San Jose	UB								13,513.00	NL		
Materials	Gallagher & Burk	Oakland	CB			29,600.00	29,600.00				29,600.00	C		
Trucking	All City Trucking	Oakland	CB		31,758.00		31,758.00		31,758.00	31,758.00	31,758.00	AI	31,758.00	
Concrete	Rosas Brothers	Oakland	CB		100,390.00		100,390.00				100,390.00	H		
Project Totals				844,283.18 80.26%	132,148.00 12.56%	29,600.00 2.81%	1,006,031.18 95.63%	0.00 0.00%	31,758.00 100.00%	31,758.00 100.00%	1,051,949.18 100.00%		31,758.00 3.02%	147,375.00 0.00%
Requirements: The 50% requirements is a combination of 25% LBE and 25% SLBE participation. An SLBE firm can be counted 100% towards achieving 50% requirements and aVSLBE/LPP firm can be counted double towards achieving the 50% requirement.				LBE 25%	SLBE 25%	VSLBE/LPG	TOTAL LBE/SLBE	VSLBE Trucking	L/SLBE TRUCKING	TOTAL DOLLARS	Ethnicity AA = African American A = Asian AI = Asian Indian AP = Asian Pacific			

Workforce & Employment Standards

DWES



PROJECT COMPLIANCE EVALUATION FOR :

Project No. 1001042

RE: Montclair Village Antioch Court Petdestrian Improvements

CONTRACTOR: McGuire & Hester

<u>Engineer's Estimate:</u> \$747,137.00	<u>Contractors' Bid Amount</u> \$1,051,949.18	<u>Over/Under Engineer's Estimate</u> \$92,925.00
<u>Discounted Bid Amount:</u> \$1,051,949.18	<u>Amt. of Bid Discount</u> \$0.00	<u>Discount Points:</u> 0.00%
1. Did the 50% local/small local requirement apply:		<u>YES</u>
2. Did the contractor meet the 50% requirement		<u>NO</u>
a) % of LBE participation	<u>80.26%</u>	
b) % of SLBE participation	<u>12.56%</u>	
c) % of VSLBE participation	<u>*2.81%</u>	5.62% (double counted value)
3. Did the contractor meet the L/SLBE trucking requirement?		<u>YES</u>
a) Total L/SLBE trucking participation	<u>100.00%</u>	
a) Total VSLBE trucking participation	<u>0.00%</u>	
4. Did the contractor receive bid discount points?		<u>NO</u>
(If yes, list the points received)	<u>0%</u>	
5. Additional Comments.		
Firm failed to meet to me minimum 50% L/SLBE participation requirement. Therefore, they are non-responsive to L/SLBE requirement.		
6. Date evaluation completed and returned to Contract Admin./Initiating Dept.		

2/4/2021
_____ Date

Reviewing Officer: Sophany Hong **Date:** 2/4/2021
Approved By: Shelley Darenburg **Date:** 2/4/2021