

FILED
OFFICE OF THE CITY CLERK
OAKLAND

CITY OF OAKLAND
AGENDA REPORT

2009 MAY 14 PM 4:19

TO: Office of the City Administrator
ATTN: Dan Lindheim
FROM: Community and Economic Development Agency
DATE: May 26, 2009

RE: **Resolution Authorizing The City Administrator, or His Designee, To Award A Construction Contract To AJW Construction For The Citywide On-Call Curb Ramp Project (Project No. C316310) For The Amount Of Five Hundred Ten Thousand, One Hundred Twenty-Five Dollars (\$510,125.00)**

SUMMARY

A resolution has been prepared authorizing the City Administrator, or his designee, to award a construction contract to AJW Construction in the amount of \$510,125.00 (Project No. C316310) for the Citywide on-call curb ramp project.

This project will install approximately 260 curb ramps in response to citizens curb ramp requests consistent with the Americans with Disabilities Act (ADA), and in compliance with the City of Oakland Curb Ramp Transition Plan. The project also includes incidental repairs of sidewalk, curb and gutter associated with the curb ramp construction.

FISCAL IMPACT

Approval of this resolution will authorize the City Administrator or his designee to award a construction contract to AJW Construction for the bid amount of \$510,125.00. The engineer's estimate for the work is \$649,425.00. The difference between the bid amount and engineer's estimate of \$102,025.00 will be used as contingency for the project. The project budget has sufficient funds for the work. Funds available for this project are as follows:

- Measure B- ACTIA Fund (2211), Capital Projects – Sidewalk Repair Maintenance Organization (92452), Street Construction Account (57411), Project No. C316310, \$133,866.00.
- Capital Reserve Fund (5510), Capital Projects – Sidewalk Repair Maintenance Organization (92452), Street Construction Account (57411), Project No. C316320, \$78,284.00.

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- Metropolitan Transportation Commission TDA Fund (2162), Capital Projects – Sidewalk Repair Maintenance Organization (92452), Street Construction Account (57411), Project No. C354910, \$50,000.00.
- Metropolitan Transportation Commission TDA Funds (2162), Capital Projects – Sidewalk Repair Maintenance Organization (92452), Street Construction Account (57411), Project No. G335310, \$150,000.00.
- ADA Transition Plan Fund (5200), Capital Projects – Sidewalk Repair Maintenance Organization (92452), Street Construction Account (57411), Project No. C316330, \$200,000.00.

This project will comply with Americans with Disabilities Act (ADA) mandates, create a safe path of travel and meet the requests from qualified disabled citizens.

BACKGROUND

On January 29, 2009, the City Clerk received six bids for this project in the amounts of \$510,125.00, \$548,600.00, \$621,320.00, \$649,033.00, \$745,970.00 and \$756,820.00 as shown in *Attachment A*. The lowest bidder, AJW Construction, is deemed responsive and responsible, and therefore is recommended for the award. The Engineer's estimate for the work is \$649,425.00.

Under the proposed contract with AJW Construction, LBE/SLBE participation of \$510,125.00 (100 %) exceeds the City's 20% LBE/SLBE requirement. The contractor shows \$10,000.00 (100%) for trucking exceeding the 20% Local Trucking requirement. The contractor is required to have 50% of the work hours performed by Oakland residents, and 50% of all new hires are to be Oakland residents. The LBE/SLBE information has been verified by the Contract Compliance Division of the Department of Contracting and Purchasing, and is shown in *Attachment A*.

The proposed work will respond to citizens curb ramp requests to construct new curb ramps or upgrade existing curb ramps consistent with ADA and the Transition Plan.

KEY ISSUES AND IMPACTS

This is a yearly on-call contract. The construction of the project is scheduled to begin in June 2009 and should be completed in one year. AJW Construction contract specifies \$200.00 in liquidated damages per calendar day, per location if the work is not completed within five working days for each location.

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PROJECT DESCRIPTION

In general, the proposed work consists of constructing or repairing 260 curb ramps, in an on-call basis, remove/replace incidental curb and gutter; sidewalk, driveway, and other ancillary work as needed to install the ramps.

EVALUATION OF PAST PERFORMANCE

The Contractor Performance Evaluation (Schedule L-2) for AJW Construction is not available because the current contract they have with the City is not complete. The current contract work is progressing satisfactorily.

SUSTAINABLE OPPORTUNITIES

Economic: The contractor is required to have 50% of the work hours performed by Oakland residents, and 50% of all new hires are to be Oakland residents.

Environmental: The contractor will be required to implement Best Management Practices for the protection of storm water runoff during construction to prevent potential harm to groundwater resources and the bay.

Social Equity: The project will comply with Americans with Disabilities Act (ADA) mandates, create safe path of travel and respond to citizen demand for sidewalk and curb ramp repairs where pedestrian activity is highest.

DISABILITY AND SENIOR CITIZEN ACCESS

The project will create a clear path of travel to benefit seniors or people with disabilities. Access during construction will be maintained.

RECOMMENDATION AND RATIONALE

It is recommended that the City Administrator, or his designee, be authorized to award the construction contract to AJW Construction, the lowest responsive responsible bidder, in the amount of \$510,125.00 for the Citywide on-call curb ramp project (Project No. C316310). AJW Construction has met the LBE/SLBE requirements, and there are sufficient funds in the project account.

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ACTION REQUESTED OF THE CITY COUNCIL

Staff recommends that the City Council approve the resolution.

Respectfully submitted,

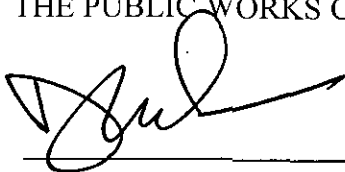


Walter S. Cohen, Director
Community and Economic Development Agency

Reviewed by:
Michael Neary, P.E., Deputy Director,
CEDA, Department of Engineering and Construction

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

APPROVED AND FORWARDED TO
THE PUBLIC WORKS COMMITTEE:



Office of the City Administrator

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ATTACHMENT A

Memo

Department of Contracting and Purchasing
Social Equity Division



To: Joyce Carlson, Resident Engineer
 From: Vivian Inman, Contract Compliance Officer
 Through: Deborah Barnes, Director, DC&P
 Shelley Darenburg, Sr. Contract Compliance Officer *S. Darenburg*
 CC: Gwen McCormick, Contract Administration Supervisor
 Date: February 26, 2009
 Re: C316310 – Citywide On Call Curb Ramp & Sidewalk FY 07/09

The Department of Contracting and Purchasing (DCP), Division of Social Equity, reviewed six (6) bids 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.

Below are the results of our findings:

Responsive		Proposed Participation				Earned Credits and Discounts			Banked Credits Eligibility	EBO Compliant? Y/N
Company Name	Original Bid Amount	Total LBE/SLBE	LBE	SLBE	Trucking	Total Credited participation	Earned Bid Discounts	Adjusted Bid Amount		
AJW Construction	\$510,125	100%	0%	100%	100%	100%	5%	\$484,619	5%	Y
Rosas Brothers Construction	\$621,320	100	0%	100%	100%	100%	5%	\$590,254	5%	Y
Spenco Construction, Inc.	\$649,033	22.79%	10.054%	12.735%	100%	22.79%	2%	4636,052	0%	N

Comments: As noted above, all firms met and/or exceeded the minimum 20% L/SLBE requirement. All firms except Spenco Construction, Inc. are EBO compliant. Firms that are not EBO compliant will have to come into compliance prior to award.

Non-Responsive		Proposed Participation				Earned Credits and Discounts			Banked Credits Eligibility	EBO Compliant? Y/N
Company Name	Original Bid Amount	Total LBE/SLBE	LBE	SLBE	Trucking	Total Credited participation	Earned Bid Discounts	Adjusted Bid Amount		
B Side	\$548,600	13.86%	0%	13.86%	0%	0%	0%	N/A	0%	N
Sposeto Engineering	\$649,033	27.43%	25.422%	2.003%	100%	0%	0%	NA	0%	Y
Star Construction	\$756,820	33%	0%	33%	0%	0%	0%	NA	0%	Y

Comments: B Side failed to meet the minimum 20% L/SLBE participation requirement and the 20% L/SLBE trucking requirement. Sposeto Engineering failed to meet the 20% L/SLBE minimum participation. Star Construction failed to meet the 20% L/SLBE trucking requirement.

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: AJW Construction
Project Name: 107th Avenue, Sheldon Street Roadway
Project No. C311210

The contractor's last completed project for the City of Oakland in the last fiscal year was a 30 day project and the LEP and Oakland Apprenticeship Programs did not apply.

50% Local Employment Program (LEP)

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

15% Oakland Apprenticeship Program

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

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	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			
252	0	50%	126	66%	166	0	0	100%	66	15%	66	0

Comments: NA

Should you have any questions, please contact the Department of Contracting and Purchasing at (510) 238-3970.



DEPARTMENT OF CONTRACTING AND PURCHASING

Social Equity Division

PROJECT COMPLIANCE EVALUATION FOR :

Project No. C316310

RE: Citywide On Call Curb Ramp & Sidewalk FY 07/09

CONTRACTOR:

AJW Construction

<u>Engineer's Estimate:</u> \$699,425	<u>Contractors' Bid Amount</u> \$510,125	<u>Over/Under Engineer's Estimate</u> (\$189,300)
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<u>Discounted Bid Amount:</u> \$484,619	<u>Amt. of Bid Discount</u> \$25,506	<u>Discount Points:</u> 5%
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1. Did the 20% local/small local requirement apply: YES
2. Did the contractor meet the 20% requirement YES
 - a) % of LBE participation 0%
 - b) % of SLBE participation 100%
3. Did the contractor meet the Trucking requirement? YES
 - a) Total trucking participation 100%
4. Did the contractor receive bid discount points? YES
(If yes, list the points received) 5%
5. Additional Comments.

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

2/26/2009

Date

Reviewing Officer:

Vivian Janna

Date: 2/26/09

Approved By

Shelley Orensberg

Date: 2/26/09

LBE/SLBE Participation Bidder 1

Project Name: **Citywide On-Call Curb Ramp & Sidewalk FY 07/09**

Project No.: C316310		Engineer's Estimate: 699,425				Under/Over Engineers Estimate: 189,300						
Discipline	Prime & Subs	Location	Cert. Status	LBE	SLBE	Total LBE/SLBE	L/SLBE Trucking	Total Trucking	TOTAL Dollars			
										Ethn	MBE	WBE
PRIME Trucking	AJW Construction	Oakland	CB		500,125	500,125			500,125	H	500,125	
	UJ Trucking	Oakland	CB		10,000	10,000	10,000	10,000	10,000	H	10,000	
Project Totals				\$0	\$510,125	\$510,125	\$10,000	\$10,000	\$510,125		\$510,125	\$0
				0%	100%	100%	100%	100%	100%		100%	
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%	TRUCKING 20%	LBE/SLBE 20%			Ethnicity AA = African American A = Asian C = Caucasian H = Hispanic NA = Native American O = Other NL = Not Listed		
Legend				LBE = Local Business Enterprise				UB = Uncertified Business				
				SLBE = Small Local Business Enterprise				CB = Certified Business				
				Total LBE/SLBE = All Certified Local and Small Local Businesses				MBE = Minority Business Enterprise				
				NPLBE = NonProfit Local Business Enterprise				WBE = Women Business Enterprise				
				NPSLBE = NonProfit Small Local Business Enterprise								



DEPARTMENT OF CONTRACTING AND PURCHASING

Social Equity Division

PROJECT COMPLIANCE EVALUATION FOR :

Project No. C316310

RE: Citywide On Call Curb Ramp & Sidewalk FY 07/09

CONTRACTOR: Rosas Brothers Construction

<u>Engineer's Estimate:</u>	<u>Contractors' Bid Amount</u>	<u>Over/Under Engineer's Estimate</u>
\$699,425	\$621,320	(\$78,105)
<u>Discounted Bid Amount:</u>	<u>Amt. of Bid Discount</u>	<u>Discount Points:</u>
\$590,254	\$31,066	5%
1. Did the 20% local/small local requirement apply:		<u>YES</u>
2. Did the contractor meet the 20% requirement		<u>YES</u>
a) % of LBE participation	<u>0%</u>	
b) % of SLBE participation	<u>100%</u>	
3. Did the contractor meet the Trucking requirement?		<u>YES</u>
a) Total trucking participation	<u>100%</u>	
4. Did the contractor receive bid discount points?		<u>YES</u>
(If yes, list the points received)		<u>5%</u>
5. Additional Comments.		
6. Date evaluation completed and returned to Contract Admin./Initiating Dept.		

2/26/2009

Date

Reviewing Officer:

Vinay Sharma

Date: 2/26/09

Approved By

Shelley Orenburg

Date: 2/26/09

LBE/SLBE Participation Bidder 2

Project Name: **Citywide On-Call Curb Ramp & Sidewalk FY 07/09**

Project No.:		C316310		Engineer's Estimate		699,425		Under/Over Engineers Estimate: 150,825					
Discipline	Prime & Subs	Location	Cert. Status	LBE	SLBE	Total LBE/SLBE	L/SLBE Trucking	Total Trucking	TOTAL Dollars				
										Ethn	MBE	WBE	
PRIME	B Side, Inc.	Oakland	CB		76,033	76,033			76,033	AA	76,033		
Concrete Saw Cutting	Tutuila Co.	Oakland	UB						22,100	NL			
Excavation	Tutuila Co.	Oakland	UB						8,160	NL			
Tree Pruning	Tutuila Co.	Oakland	UB						28,900	NL			
Remove Hazard	XVZ Building Contractor	Oakland	UB						425	NL			
Remove & Replace Concrete	Tutuila Co.	Oakland	UB						39,000	NL			
Concrete Curb Gutter	Tutuila Co.	Oakland	UB						319,132	NL			
Replace Water Service	AM PM Plumbing	Concord	UB						850	NL			
Concrete Supply	Fresh Concrete Inc.	Hayward	UB						42,000	NL			
Construction Supply	White Cap	San Leandro	UB						12,000	NL			
Project Totals				\$0	\$76,033	\$76,033	\$0	\$0	\$548,600		\$76,033	\$0	
				0.000%	13.86%	13.86%	0%	0%	100%		13.86%		
Requirements:				LBE: 10%	SLBE: 10%	TRUCKING: 20%	LBE/SLBE: 20%			Ethnicity			
The 20% requirements is a combination of 10% LBE and 10% SLBE participation. An SLBE firm can be counted 100% towards achieving 20% requirements.										AA = African American A = Asian C = Caucasian H = Hispanic NA = Native American O = Other NL = Not Listed			
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			



DEPARTMENT OF CONTRACTING AND PURCHASING

Social Equity Division

PROJECT COMPLIANCE EVALUATION FOR :

Project No. C316310

RE: Citywide On Call Curb Ramp & Sidewalk FY 07/09

CONTRACTOR:

Sposeto Engineering

<u>Engineer's Estimate:</u>	<u>Contractors' Bid Amount</u>	<u>Over/Under Engineer's Estimate</u>
\$699,425	\$649,033	(\$50,392)
<u>Discounted Bid Amount:</u>	<u>Amt. of Bid Discount</u>	<u>Discount Points:</u>
\$0	\$0	0%
1. Did the 20% local/small local requirement apply:		<u>YES</u>
2. Did the contractor meet the 20% requirement		<u>NO</u>
a) % of LBE participation	<u>25.422%</u>	
b) % of SLBE participation	<u>2.003%</u>	
3. Did the contractor meet the Trucking requirement?		<u>YES</u>
a) Total trucking participation	<u>100%</u>	
4. Did the contractor receive bid discount points?		<u>YES</u>
(if yes, list the points received)		0%
5. Additional Comments.		
Contractor failed to meet the City's minimum 20% L/SLBE participation requirement. Therefore, the firm is deemed non responsive.		

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

2/26/2009

Date

Reviewing Officer:

Vivian Amma

Date: 2/26/09

Approved By

Shelley Dorenburg

Date: 2/26/09

LBE/SLBE Participation Bidder 3

Project Name: Citywide On-Call Curb Ramp & Sidewalk FY.07/09

Project No.: C316310		Engineer's Estimate: 699,425				Under/Over Engineers Estimate: 78,105						
Discipline	Prime & Subs	Location	Cert. Status	LBE	SLBE	Total LBE/SLBE	L/SLBE Trucking	Total Trucking	TOTAL Dollars	Ethnicity	MBE	WBE
										H	AA	
PRIME Trucking	Rosas Brothers Construction	Oakland	CB		609,320	609,320			609,320	H	609,320	
	Royal Trucking	Oakland	CB		12,000	12,000	12,000	12,000	12,000	AA	12,000	
Project Totals				\$0	\$621,320	\$621,320	\$12,000	\$12,000	\$621,320		\$621,320	\$0
				0%	100%	100%	100%	100%	100%		100%	
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%	TRUCKING-20%	LBE/SLBE-20%			Ethnicity AA = African American A = Asian C = Caucasian H = Hispanic NA = Native American O = Other NL = Not Listed		
Legend				LBE = Local Business Enterprise				UB = Uncertified Business				
				SLBE = Small Local Business Enterprise				CB = Certified Business				
				Total LBE/SLBE = All Certified Local and Small Local Businesses				MBE = Minority Business Enterprise				
				NPLBE = NonProfit Local Business Enterprise				WBE = Women Business Enterprise				
				NPSLBE = NonProfit Small Local Business Enterprise								



DEPARTMENT OF CONTRACTING AND PURCHASING

Social Equity Division

PROJECT COMPLIANCE EVALUATION FOR :

Project No. C316310

RE: Citywide On Call Curb Ramp & Sidewalk FY 07/09

CONTRACTOR: Spenco Construction, Inc.

<u>Engineer's Estimate:</u> \$699,425	<u>Contractors' Bid Amount</u> \$649,033	<u>Over/Under Engineer's Estimate</u> (\$50,392)
<u>Discounted Bid Amount:</u> \$636,052	<u>Amt. of Bid Discount</u> \$12,981	<u>Discount Points:</u> 2%
1. Did the 20% local/small local requirement apply:		<u>YES</u>
2. Did the contractor meet the 20% requirement		<u>YES</u>
a) % of LBE participation	<u>10.054%</u>	
b) % of SLBE participation	<u>12.735%</u>	
3. Did the contractor meet the Trucking requirement?		<u>YES</u>
a) Total trucking participation	<u>100%</u>	
4. Did the contractor receive bid discount points?		<u>YES</u>
(If yes, list the points received)		<u>2%</u>
5. Additional Comments.		

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

2/26/2009
Date

Reviewing Officer:

Vitor Arma

Date: 2/26/09

Approved By

Shelley Darenburg

Date: 2/26/09

LBE/SLBE Participation Bidder 4

Project Name: Citywide On-Call Curb Ramp & Sidewalk FY 07/09

Project No.: C316310		Engineer's Estimate: 699,425				Under/Over Engineers Estimate: -46,545						
Discipline	Prime & Subs	Location	Cert. Status	LBE	SLBE	Total LBE/SLBE	L/SLBE Trucking	Total Trucking	TOTAL Dollars	Ethnic	MBE	WBE
PRIME	Spenco Construction Inc.	Foster City	UB						475,970	C		
Supplier	Central Concrete	San Jose	UB						100,000	H	100,000	
Saw Cutting Supplier	Bay Line Construction	Oakland	CB	75,000		75,000			75,000	H	75,000	
Supplier	Level Construction Supply I LLC	Oakland	CB		80,000	80,000			80,000	C		
Trucker	S&S Trucking	Oakland	CB		15,000	15,000	15,000	15,000	15,000	H	15,000	
Project Totals				\$75,000	\$95,000	\$170,000	\$15,000	\$15,000	\$745,970		\$190,000	\$0
				10.054%	12.735%	22.79%	100%	100%	100%		25.47%	
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%	TRUCKING 20%	LBE/SLBE 20%			Ethnicity AA = African American A = Asian C = Caucasian H = Hispanic NA = Native American O = Other NL = Not Listed		
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				



DEPARTMENT OF CONTRACTING AND PURCHASING

Social Equity Division

PROJECT COMPLIANCE EVALUATION FOR :

Project No. C316310

RE: Citywide On Call Curb Ramp & Sidewalk FY 07/09

CONTRACTOR:

B Side

<u>Engineer's Estimate:</u> \$699,425	<u>Contractors' Bid Amount</u> \$548,600	<u>Over/Under Engineer's Estimate</u> (\$150,825)
<u>Discounted Bid Amount:</u> \$0	<u>Amt. of Bid Discount</u> \$0	<u>Discount Points:</u> 0%
1. Did the 20% local/small local requirement apply:		<u>YES</u>
2. Did the contractor meet the 20% requirement		<u>NO</u>
a) % of LBE participation		<u>0%</u>
b) % of SLBE participation		<u>13.86%</u>
3. Did the contractor meet the Trucking requirement?		<u>NO</u>
a) Total trucking participation		<u>0%</u>
4. Did the contractor receive bid discount points?		<u>NO</u>
(If yes, list the points received)		<u>0%</u>

5. Additional Comments.

Contractor failed to meet the minimum 20% L/SLBE participation requirement and the L/SLBE 20% trucking requirement. Therefore, the firm is deemed non responsive.

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

2/26/2009

Date

Reviewing Officer:

Vivian Janner

Date:

2/26/09

Approved By

Shelley Dorenburg

Date:

2/26/09

LBE/SLBE Participation Bidder 5

Project Name: **Citywide On-Call Curb Ramp & Sidewalk FY 07/09**

Project No.: C316310		Engineer's Estimate: 699,425				Under/Over Engineers Estimate: 50,392						
Discipline	Prime & Subs	Location	Cert. Status	LBE	SLBE	Total LBE/SLBE	L/SLBE Trucking	Total Trucking	TOTAL Dollars	Ethnicity		
										Ethnicity	MBE	WBE
PRIME: Trucking Concrete Supplier Recycle Material Supplier Asphalt Supply Supplier	Sposeto Engineering	Union City	UB						428,033	C		
	D. Irvin Trucking	Oakland	CB		10,000	10,000	10,000	10,000	10,000	AA	10,000	
	Central Concrete Supply Co. Inc.	Oakland	CB	165,000		165,000			165,000	C		
	Aman Environmental	Oakland	UB						26,000	NL		
	Berkeley Asphalt Level Construction Supply II LLC	Berkeley Oakland	UB		3,000	3,000			17,000 3,000	C C		
Project Totals				\$165,000 25.422%	\$13,000 2.003%	\$178,000 27.43%	\$10,000 100%	\$10,000 100%	\$649,033 100%		\$10,000 1.54%	\$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%	TRUCKING 20%	LBE/SLBE 20%		Ethnicity AA = African American A = Asian C = Caucasian H = Hispanic NA = Native American O = Other NL = Not Listed			
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				



DEPARTMENT OF CONTRACTING AND PURCHASING

Social Equity Division

PROJECT COMPLIANCE EVALUATION FOR :

Project No. C316310

RE: Citywide On Call Curb Ramp & Sidewalk FY 07/09

CONTRACTOR:

Star Construction

<u>Engineer's Estimate:</u> \$699,425	<u>Contractors' Bid Amount</u> \$756,820	<u>Over/Under Engineer's Estimate</u> \$57,395
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<u>Discounted Bid Amount:</u> \$0	<u>Amt. of Bid Discount</u> \$0	<u>Discount Points:</u> 0%
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- 1. Did the 20% local/small local requirement apply: **YES**
- 2. Did the contractor meet the 20% requirement **NO**
 - a) % of LBE participation **0%**
 - b) % of SLBE participation **33%**
- 3. Did the contractor meet the Trucking requirement? **NO**
 - a) Total trucking participation **0%**
- 4. Did the contractor receive bid discount points? **NO**
(If yes, list the points received) **0%**

5. Additional Comments.
Contractor failed to meet the City's 20% trucking requirement. Therefore, the firm is deemed non responsive.

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

2/26/2009
Date

Reviewing Officer:

Vivian Jones

Date: 2/26

Approved By

Shelley Sorenberg

Date: 2/26/09

LBE/SLBE Participation Bidder 6

Project Name: **Citywide On-Call Curb Ramp & Sidewalk FY 07/09**

Project No.: C316310		Engineer's Estimate: 699,425				Under/Over Engineers Estimate: -57,395						
Discipline	Prime & Subs	Location	Cert. Status	LBE	SLBE	Total LBE/SLBE	L/SLBE Trucking	Total Trucking	TOTAL Dollars	Ethn	MBE	WBE
PRIME Demo	Star Construction Focon Inc.	San Bruno Oakland	UB CB		250,000	25,000			506,820 250,000	C AA	250,000	
Project Totals				\$0	\$250,000	\$25,000	\$0	\$0	\$756,820		\$250,000	\$0
				0%	33%	33%	100%	100%	100%		33.03%	
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%	TRUCKING: 20%	LBE/SLBE: 20%			Ethnicity AA = African American A = Asian C = Caucasian H = Hispanic NA = Native American O = Other NL = Not Listed		
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				

FILED
OFFICE OF THE CITY CLERK
OAKLAND

OAKLAND CITY COUNCIL

2009 MAY 14 PM 4:19
RESOLUTION No. _____ C.M.S.

Introduced by Councilmember _____

RESOLUTION AUTHORIZING THE CITY ADMINISTRATOR, OR HIS DESIGNEE, TO AWARD A CONSTRUCTION CONTRACT TO AJW CONSTRUCTION FOR THE CITYWIDE ON-CALL CURB RAMP PROJECT (PROJECT NO. C316310) FOR THE AMOUNT OF FIVE HUNDRED TEN THOUSAND, ONE HUNDRED TWENTY-FIVE DOLLARS (\$510,125.00)

WHEREAS, on January 29, 2009, six bids were received by the Office of the City Clerk of the City of Oakland for the repair of Citywide on-call curb ramps (Project No. C316310); and

WHEREAS, AJW Construction, a certified SLBE bidding as a prime, is the lowest responsive and responsible bidder for the project; and

WHEREAS, there are sufficient funds in the project budget for the work. Funding for this project is available in the following project account:

- Measure B- ACTIA Fund (2211), Capital Projects – Sidewalk Repair Maintenance Organization (92452), Street Construction Account (57411), Project No. C316310, \$133,866.00.
- Capital Reserve Fund (5510), Capital Projects – Sidewalk Repair Maintenance Organization (92452), Street Construction Account (57411), Project No. C316320, \$78,284.00.
- Metropolitan Transportation Commission TDA Fund (2162), Capital Projects – Sidewalk Repair Maintenance Organization (92452), Street Construction Account (57411) Project No. C354910, \$50,000.00.
- Metropolitan Transportation Commission TDA Fund (2162), Capital Projects – Sidewalk Repair Maintenance Organization (92452), Street Construction Account (57411), Project No. G335310, \$150,000.00.
- ADA Transition Plan Fund (5200), Capital Projects – Sidewalk Repair Maintenance Organization (92452), Street Construction Account (57411), Project No. C316330, \$200,000.00; and

WHEREAS, these funds were specifically allocated for this project, and the project will create a safe path of travel, comply with Americans with Disabilities Act mandates and meet citizen demand; and

WHEREAS, the City lacks the equipment and qualified personnel to perform the necessary work; and

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

WHEREAS, AJW Construction complies with all LBE/SLBE and trucking requirements; and

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

RESOLVED: That the construction contract for the Citywide on-call curb ramp project (Project No. C316310) is hereby awarded to AJW Construction in accordance with the terms of its bid therefore, dated January 29, 2009, for the amount of five hundred ten thousand, one hundred twenty-five dollars (\$510,125.00); and be it

FURTHER RESOLVED: That the plans and specifications prepared by the Deputy Director of the Community and Economic Development Agency for this project are hereby approved; and be it

FURTHER RESOLVED: That the amount of the bond for faithful performance, \$510,125.00, and the amount for a bond to guarantee payment of all claims for labor and materials furnished and for the amount due under the Unemployment Insurance Act, \$510,125.00, with respect to such work are hereby approved; and be it

FURTHER RESOLVED: That the City Administrator, or his designee, is hereby authorized to enter into a construction contract with AJW Construction on behalf of the City of Oakland and to execute any amendments 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 construction contract shall be reviewed and approved by the City Attorney and placed on file in the Office of the City Clerk; and be it

FURTHER RESOLVED: That the City Clerk is hereby directed to post conspicuously forthwith notice of the above award on the official bulletin board in the Office of the City Clerk.

IN COUNCIL, OAKLAND, CALIFORNIA, _____, 20_____

PASSED BY THE FOLLOWING VOTE:

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

NOES -

ABSENT -

ABSTENTION -

ATTEST: _____

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