

CITY OF OAKLAND
AGENDA REPORT

2005 SEP 29 PM 2:25
OFFICE OF THE CITY CLERK

TO: Office of the City Administrator
ATTN: Deborah Edgerly
FROM: Public Works Agency
DATE: October 11, 2005

RE: RESOLUTION AUTHORIZING AWARD OF A CONTRACT TO MOCON CORPORATION FOR THE REHABILITATION OF SANITARY SEWERS IN THE AREA BOUNDED BY MACARTHUR BLVD., SENECA ST., DOWLING ST. AND STEARNS AVE. - SUBBASIN 85-212 (PROJECT NO. C72910) FOR THE AMOUNT OF TWO MILLION THREE HUNDRED SEVENTY-FIVE THOUSAND TWO HUNDRED EIGHTY-EIGHT DOLLARS (\$2,375,288.00)

SUMMARY

A resolution has been prepared authorizing the City Administrator to award a construction contract in the amount of \$2,375,288.00 to Mocon Corporation for the Rehabilitation of Sanitary Sewers in the Area Bounded by MacArthur Blvd., Seneca St., Dowling St. and Stearns Ave. – Subbasin 85-212 (Project No. C72910). The work to be completed under this project is part of the City's annual Sanitary Sewer Rehabilitation program. The work is located in Council District 7 as shown on the location map in *Attachment A*.

It is recommended that the resolution be approved.

FISCAL IMPACT

There are sufficient funds in the project budget for the work. Funding for this project is available in the Sewer Service Fund (3100); Capital Project-Sanitary Sewer Design Organization (92244); Sewers Account (57417); Rehabilitation of Subbasin 85-212 (Project No. C72910). These funds were specifically allocated for this project.

BACKGROUND

On August 1, 2005 the City Clerk received two bids for this project in the amounts of \$2,380,882.00 and \$2,375,288.00 as shown in *Attachment B*. Mocon Corporation is deemed responsive and responsible and therefore is recommended for the award. The Engineer's estimate for the work is \$2,339,810.00.

This project will rehabilitate and upgrade the sanitary sewers within the project area and eliminate the infiltration of rain and groundwater into the sanitary sewer system; and limit the overflows and backups during wet weather. This project meets the Mayor/Council Goals and Citywide Objective to **Build Community and Foster Livable Neighborhoods** by providing for

Item: _____
Public Works Committee
October 11, 2005

clean, well-maintained and accessible streets and sidewalks, facilities, amenities, parks, recreational facilities and trees.

In general, the proposed work consists of rehabilitating/replacing approximately 23,795 linear feet of existing sewer pipes ranging from 8” to 12” diameter; rehabilitating or replacing over 114 sewer structures; reconnecting house connection sewers; rehabilitating house connection sewers; and other related work as indicated on the plans and specifications.

Under the proposed contract with Mocon Corporation, SLBE participation of \$1,182,500.00 (50%) exceeds the City’s 20% LBE/SLBE requirement. The contractor shows \$10,000.00 (100%) for trucking that exceeds the 20% Local Trucking participation 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 City Administrator’s Office and is shown in *Attachment C*.

KEY ISSUES AND IMPACTS

The engineer’s estimate for this project is \$2,339,810.00. Staff has analyzed Mocon Construction’s unit prices and has determined they are reasonable given the current construction climate. Construction is scheduled to begin in November 2005 and should be completed by May 2006. The contract specifies \$1,000.00 in liquidated damages per working day if the contract completion time of 120 working days is exceeded. The project schedule is shown in *Attachment B*.

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 replacement of the sanitary sewers will eliminate the possibility of sewer leakage and overflows and thus prevent potential harm to groundwater resources and the bay. The contractor will be required to make every effort to reuse clean fill materials and use recyclable concrete and asphalt products.

Social Equity: This project is part of the citywide program to eliminate wastewater overflows thereby benefiting all Oakland residents.

DISABILITY AND SENIOR CITIZEN ACCESS

There is no direct impact or benefit to seniors or people with disabilities.

RECOMMENDATION AND RATIONALE

It is recommended that the construction contract be awarded to the lowest responsible bidder, Mocon Corporation, in the amount of \$2,375,288.00 for the Rehabilitation of Sanitary Sewers in the Area Bounded by MacArthur Blvd., Seneca St., Dowling St. and Stearns Ave. – Subbasin 85-212 (Project No. C72910). Mocon Corporation has met the LBE/SLBE requirements, and there are sufficient funds in the project account.

ACTION REQUESTED OF THE CITY COUNCIL

Staff recommends that the City Council approve the resolution.

Respectfully submitted,

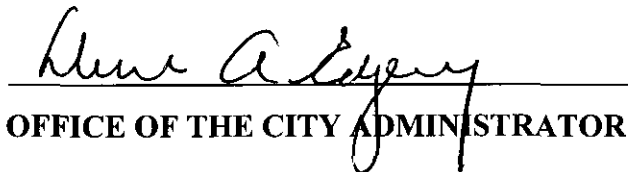


RAUL GODINEZ II, P.E.
Director, Public Works Agency

Reviewed by:
Michael Neary, P.E.
Assistant Director, Public Works Agency
Design & Construction Services Dept.

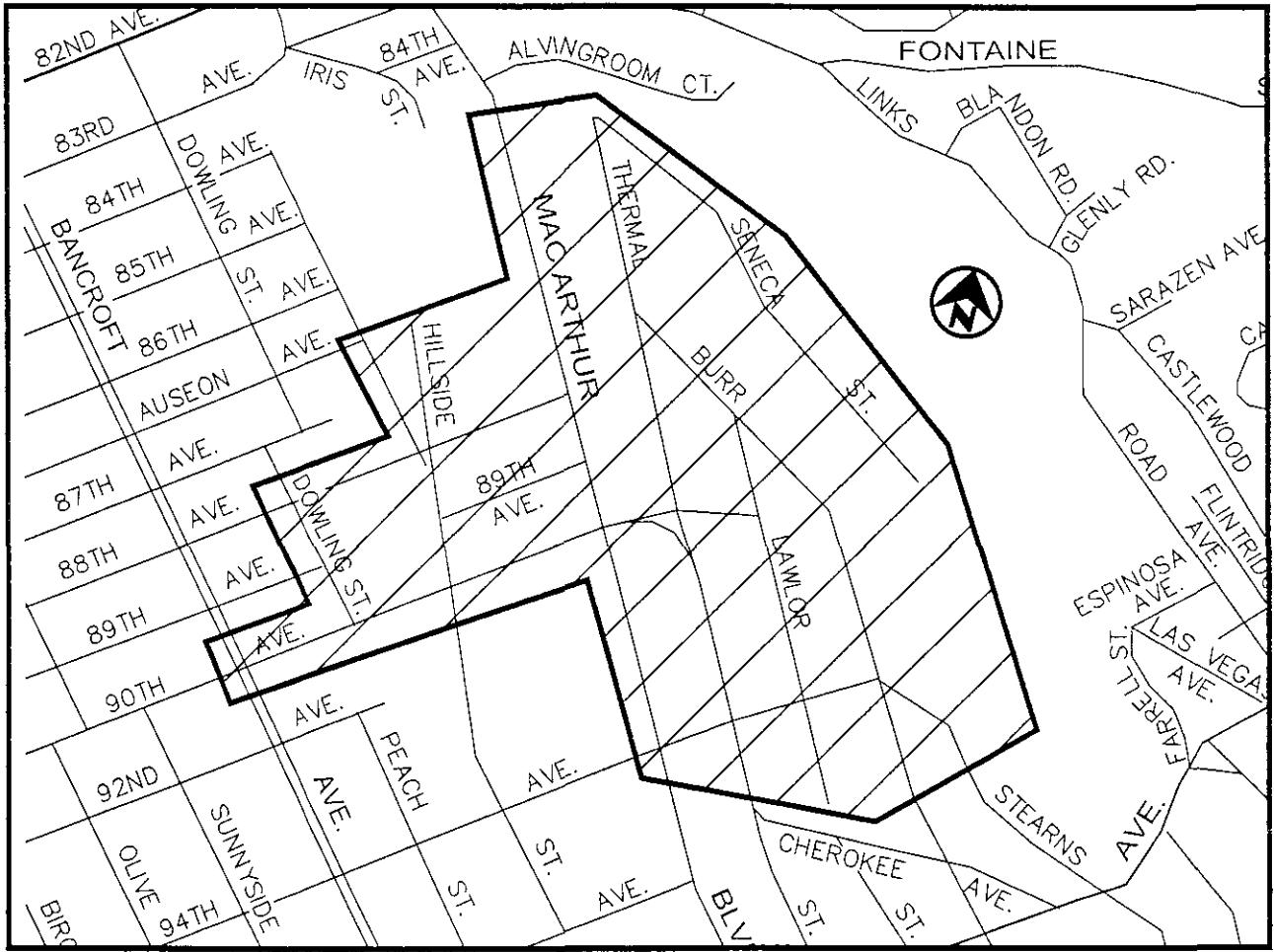
Prepared by:
Fuad Sweiss, P.E.
Engineering Design & R.O.W. Division Manager

APPROVED AND FORWARDED TO THE
PUBLIC WORKS COMMITTEE:




OFFICE OF THE CITY ADMINISTRATOR

PLANS FOR THE REHABILITATION OF SANITARY SEWERS IN
 THE AREA BOUNDED BY MAC ARTHUR BLVD, SENECA ST,
 DOWLING ST, AND STEARNS AVE
 (SUBBASIN 85-212)
 CITY PROJECT NO. C72910



LOCATION MAP

NOT TO SCALE

LIMIT OF WORK 

Attachment B

**Rehabilitation of Sanitary Sewers in the Area Bounded by
 MacArthur Blvd., Seneca St., Dowling St. and Stearns Ave.
 Subbasin 85-212
 (Project No. C72910)**

List of Bidders

Company	Status	Location	Bid Amount
Mocon Corporation		Indio	\$2,375,288.00
D'arcy & Harty	SLBE	San Francisco	\$2,380,882.00

Project Schedule

ID	Task Name	Start	Finish	2004				2005				2006			
				Qtr 1	Qtr 2	Qtr 3	Qtr 4	Qtr 1	Qtr 2	Qtr 3	Qtr 4	Qtr 1	Qtr 2	Qtr 3	Qtr 4
1	Project No. C72910	Mon 4/12/04	Fri 5/19/06												
2	Pre-Design	Mon 4/12/04	Fri 5/21/04												
3	Design	Mon 5/24/04	Mon 7/4/05												
4	Bid/Award	Tue 7/5/05	Tue 10/11/05												
5	Construction	Mon 11/7/05	Fri 5/19/06												

Attachment C



OFFICE OF THE CITY ADMINISTRATOR
Contract Compliance & Employment Services Division

Memo

TO: Gwen McConnick, PWA--Contract Administration
 THROUGH: Deborah Barnes, CC&ES Manager *Deborah Barnes*
 FROM: Shelley Darensburg, Contract Compliance Officer
 CC: Contract Compliance Officer File
 DATE: August 22, 2005

RE: **The Rehabilitation of Sanitary Sewers in the Area Bounded by MacArthur Blvd., Seneca St., Dowling St., Sterns Ave., Project No. C72910**

Contract Compliance & Employment Service reviewed two (2) proposals received in response to the above referenced project. Below is the outcome of our compliance evaluation for the twenty percent (20%) minimum participation requirement and a preliminary review for compliance with the Equal Benefits Ordinance.

Company Name	Bid Amount (If applicable)	Proposed Participation				Total Credited	Preferences	Banked Credits Eligibility	EBO Compliant ? Y/N
		Total	LBE	SLBE	Trucking		Bid Discounts		
Mocon Corporation	\$2,375,288	50%	0%	50%	100%	50%	5%	0	N/A
D'arcy & Harty	\$2,380,882	100%	0%	20%	100%	20%	2%	0	Y

As noted above, both bidders achieved and/or exceeded the 20% L/SLBE participation requirement. Mocon Corporation, the lowest bidder does not offer benefits to its employees and therefore the EBO is not applicable. D'arcy & Harty, second lowest bidder is in compliance with EBO.

Should you have any questions please feel free to contact Shelley Darensburg at 238-7325.

Contract Compliance and Employment Services Evaluation Form

Project No.: C72910

Project Name: The Rehabilitation of Sanitary Sewers in the Area Bounded by MacArthur Blvd., Seneca St., Dowling St., and Sterns Avenue (Subbasin 85-212)

Contractor: Mocon Corporation

Contractor's Bid Amount: \$2,375,288

Engineer's Estimate: \$2,339,810

Over/Under the Engineers Estimate: -\$35,478

Bid Discounted Amount: \$47,506

Discount Points: 5

Discounted Bid Price: \$2,327,782

1. Did the 20% requirements apply?

YES

2. Did the contractor meet the 20% requirement?

YES

a) % of LBE 0%

b) % of SLBE 50%

3. Did the contractor meet the Trucking requirement?

Yes

a) % of Local Trucking 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 Contact Admin./Initiating Dept.

8/23/2005

Reviewing

Officer: Shelley Daramburg

Date: 8/23/2005

Approved By:

Deborah Barnes

Date: 8/24/05

LBE/SLBE Participation

Bidder 1

Project Name: **The Rehabilitation of Sanitary Sewers in the Area Bounded by MacArthur Blvd., Seneca St., Dowling St., and Sterns Avenue (Subbasin 85-212)**

Project No.: C72910		Engineers Est: \$2,339,810				Under/Over Engineers Estimate: -\$35,478						
Discipline	Prime & Subs	Location	Cert. Status	LBE	SLBE	Total L/SLBE	L/SLBE Trucking	Total Trucking	Total Dollars	For Tracking Only (Self-Reported)		
										Ethn	MBE	WBE
PRIME	Mocon Corporation	Indio, CA	UB						1,192,788	C		
Saw cutting	Bay Line Construction	Oakland	CB		7,500	7,500			7,500	H	7,500	
Trucking	Foston Trucking	Oakland	CB		5,000	5,000	5,000	5,000	5,000	AA	5,000	
Trucking	Irvin Trucking	Oakland	CB		5,000	5,000	5,000	5,000	5,000	AA	5,000	
CIPP/Excavation	Andes Construction	Oakland	CB		1,165,000	1,165,000			1,165,000	H	1,165,000	
Project Totals				\$0	\$1,182,500	\$1,182,500	\$10,000	\$10,000	\$2,375,288		\$1,182,500	\$0
				0%	50%	50%	100%	100%	100%		50%	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%						Ethnicity AA = African American A = Asian C = Caucasian H = Hispanic NA = Native American 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				

Contract Compliance and Employment Services Evaluation Form

Project No.: C72910

Project Name: The Rehabilitation of Sanitary Sewers in the Area bounded by MacArthur Blvd., Seneca St., Dowling St., and Stearns Ave (Subbasin 85-212)

Contractor: D'arcy & Harty Constr.

Contractor's Bid Amount: \$2,380,882

Engineer's Estimate: \$2,339,810

Over/Under the Engineers Estimate: -\$41,072

Bid Discounted Amount: \$47,618

Discount Points: 2

Discounted Bid Price: \$2,333,264

1. Did the 20% requirements apply? YES

2. Did the contractor meet the 20% requirement? Yes

a) % of LBE 0%

b) % of SLBE 20%

3. Did the contractor meet the Trucking requirement? N/A

a) % of Local Trucking 100%

4. Did the contractor receive bid discount points?
(If yes, list the points received) Yes
2

5. Additional Comments.

6. Date evaluation completed and returned to Contact Admin./Initiating Dept. 8/23/2005

Reviewing
Officer:

Shelley Darenburg

Date: 8/23/2005

Approved By:

Arthur Barne

Date: 8/23/05

LBE/SLBE Participation

Bidder 2

Project Name: The Rehabilitation of Sanitary Sewers in the Area bounded by MacArthur Blvd., Seneca St., Dowling St., and Stearns Ave
(Subbasin 85-212)

Project No.: C72910		Engineers Est: \$2,339,810				Under/Over Engineers Estimate: -\$41,072						
Discipline	Prime & Subs	Location	Cert. Status	LBE	SLBE	Total L/SLBE	L/SLBE Trucking	Total Trucking	Total Dollars	For Tracking Only (Self-Reported)		
										Ethn	MBE	WBE
PRIME	D'arcy & Harty Constr.	SF	UB						1,462,620	C		
Trucking	Williams Trucking	Oakland	CB		47,000	47,000	47,000	47,000	47,000	AA	47,000	
Restoration	AJW Construction	Oakland	CB		95,000	95,000			95,000	H	95,000	
Piping/manholes	Mosto Construction	Oakland	CB		140,000	140,000			140,000	H	140,000	
Supplies	General Supply	Oakland	CB		165,000	165,000			165,000	AA	165,000	
Sawcutting	Owens Concrete Saw	Oakland	CB		35,000	35,000			35,000	NL		
CIPP Work	Insituform Tech.	Benecla, CA	UB						436,262	NL		
Project Totals				\$0	\$482,000	\$482,000	\$47,000	\$47,000	\$2,380,882		\$447,000	\$0
				0%	20%	20%	100%	100%	100%		19%	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%					Ethnicity AA = African American A = Asian C = Caucasian H = Hispanic NA = Native American 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								

OFFICE OF THE CITY CLERK
OAKLAND

2005 SEP 29 PM 2: 25

Approved as to Form and Legality

Oakland City Attorney's Office

OAKLAND CITY COUNCIL

RESOLUTION No. _____ C. M. S.

INTRODUCED BY COUNCILMEMBER _____

Requires two-thirds vote of the Council

RESOLUTION AUTHORIZING AWARD OF A CONTRACT TO MOCON CORPORATION FOR THE REHABILITATION OF SANITARY SEWERS IN THE AREA BOUNDED BY MACARTHUR BLVD., SENECA ST., DOWLING ST. AND STEARNS AVE. – SUB-BASIN 85-212 (PROJECT NO. C72910) FOR THE AMOUNT OF TWO MILLION THREE HUNDRED SEVENTY-FIVE THOUSAND TWO HUNDRED EIGHTY-EIGHT DOLLARS (\$2,375,288.00)

WHEREAS, on August 1, 2005, two bids were received by the Office of the City Clerk of the City of Oakland for the Rehabilitation of Sanitary Sewers in the Area Bounded by Mac Arthur Blvd., Seneca St., Dowling St. and Stearns Ave. – Subbasin 85-212 (Project No. C72910); and

WHEREAS, Mocon Corporation, bidding as a prime with 5% bid discount, is the lowest 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 Sewer Service Fund (3100); Capital Project-Sanitary Sewer Design Organization (92244); Sewers Account (57417); Rehabilitation of Sanitary Sewers in the Area Bounded by MacArthur Blvd., Seneca St., Dowling St. and Stearns Ave. – Subbasin 85-212 (Project No. C72910) and these funds were specifically allocated for this project; 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, Mocon Corporation complies with all LBE/SLBE 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 contract for the Rehabilitation of Sanitary Sewers in the Area Bounded by MacArthur Blvd., Seneca St., Dowling St. and Stearns Ave. – Subbasin 85-212 (Project No. C72910) is hereby awarded to Mocon Corporation in accordance with the terms of its bid therefore, dated August 1, 2005, for the amount of Two Million Three Hundred Seventy-Five Thousand Two Hundred Eighty-Eight Dollars (\$2,375,288.00); and be it

FURTHER RESOLVED: That the plans and specifications prepared by the Director of Public Works for this project are hereby approved; and be it

FURTHER RESOLVED: That the amount of the bond for faithful performance, \$2,375,288.00, 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, \$2,375,288.00, with respect to such work are hereby approved; and be it

FURTHER RESOLVED: That the City Administrator is hereby authorized to enter into a contract with Mocon Corporation 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 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; and be it

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

IN COUNCIL, OAKLAND, CALIFORNIA, _____, 2005

PASSED BY THE FOLLOWING VOTE:

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

NOES-

ABSENT-

ABSTENTION-

ATTEST: _____
 LATONDA SIMMONS
 City Clerk and Clerk of the Council
 of the City of Oakland, California