

**CITY OF OAKLAND**  
**AGENDA REPORT**

FILED  
OFFICE OF THE CITY CLERK  
OAKLAND

09 JUL -2. PM. 7: 10

TO: Office of the City Administrator  
ATTN: Dan Lindheim  
FROM: Community and Economic Development Agency  
DATE: July 14, 2009

RE: **Resolution Awarding A Construction Contract To Ray's Electric,  
For Fruitvale Alive Streetscape Improvement (Project No. G375710)  
On Fruitvale Avenue (from East 12<sup>th</sup> Street to Coloma Street), In  
Accord With Plans and Specifications For The Project And  
Contractor's Bid In The Amount Of Two Million Five Hundred  
Ninety-Eight Thousand One Hundred Thirty-Three Dollars and  
Seventy-Five Cents (\$2,598,133.75)**

---

**SUMMARY**

A resolution has been prepared authorizing the City Administrator, or his designee, to award a construction contract in the amount of \$2,598,133.75 to Ray's Electric for Fruitvale Alive Streetscape Improvement (Project No. G375710) on Fruitvale Avenue (from East 12<sup>th</sup> Street to Coloma Street). The project is located in Council Districts 4 and 5. Funds are available for the contract work.

This project is funded by a Transportation for Livable Communities (TLC) grant from the Metropolitan Transportation Commission (MTC). The federal source of funds for the TLC program is the Congestion Management and Air Quality (CMAQ) Improvement Program. This federal grant source requires local agencies to use Department of Transportation guidelines for project administration and auditing. This arterial street meets Federal Aid System (FAS) eligibility requirements.

**FISCAL IMPACT**

The engineer's estimate for the construction work is \$2,689,043.00 and the construction contract will be in the amount of \$2,598,133.75

Grant funding for this streetscape project was approved and appropriated by City Council on November 12, 2008 in Resolution No. 81675 C.M.S.

Item: \_\_\_\_\_  
Public Works Committee  
July 14, 2009

Funds are available for this project as follows:

- Metropolitan Transportation Committee Grant Fund (2163); Street and Structures Organization (92242); Street Construction Account (57411); Project No. G375710; \$2,320,000.00.
- Measure B - ACTIA Fund (2211); Street and Structures Organization (92242); Street Construction Account (57411); Project No. G375720; \$200,000.00.
- Oakland Redevelopment Agency Projects Fund (7780); Street and Structures Organization (92242); Street Construction Account (57411); Project No. P233282; \$78,133.75

The project budget will be funded by the following funding sources:

Fund	Organization	Account	Project	Program	Total
2116	92242	57411	G375710	IN05	\$ 2,320,000.00
2211	92242	57411	G375720	IN05	\$ 200,000.00
7780	92242	57411	P233282	IN05	\$ 78,133.75
<b>Total:</b>					<b>\$ 2,598,133.75</b>

The bid price for the base contract and bid alternates is \$2,598,133.75. The project budget has sufficient funds to cover the construction, contingency and construction management costs of the project.

## BACKGROUND

On June 4, 2009, the City Clerk received four bids for this project in the amounts of \$2,084,883.75, \$2,288,354.31, \$2,481,575.85, and \$2,560,961.15. Ray's Electric submitted the lowest responsive and responsible in the amount of \$2,084,883.75. A summary of the bids is shown on *Attachment A*.

Department of Transportation guidelines are used to administer this project. This project has a required Race Conscious Underutilized Disadvantaged Business Enterprise (UDBE) goal of 1.66%. Ray's Electric has a 1.77% Race Conscious UDBE participation, which exceeds the federal UDBE goal. The Race Conscious UDBE information has been verified by the Contract Compliance Division of the City Administrator's Office and is shown in *Attachment B*.

## KEY ISSUES AND IMPACTS

Construction is scheduled for 150 working days and is anticipated to start in September 2009 and finish in April 2010. The contract specifies \$1,800.00 in liquidated damages per working day if the contract completion time is exceeded. The project schedule is shown in *Attachment A*.

## PROJECT DESCRIPTION

The Fruitvale Avenue Pedestrian Safety and Streetscape Improvement Project, seeks to integrate and enhance pedestrian and transportation facilities and promote pedestrian-oriented developments in the Dimond, Fruitvale Gateway, and lower Fruitvale commercial areas in Oakland. Recommended improvements are designed to calm traffic, create safer pedestrian crossings, improve bus stop areas, and enhance the walking and shopping environment along Fruitvale Avenue from by E.12<sup>th</sup> Street to the west and MacArthur Boulevard / Dimond Library to the east. The project also seeks to link the transit centers of the Fruitvale BART Station to the MacArthur / Fruitvale Park and Ride and Bus transfer hub.

The overall goal of the Fruitvale Alive project is to create safe, accessible, walkable and comfortable street for pedestrians; a well-defined and safer route for bicyclists; and a thoroughfare for buses and automobiles where traffic flows in a slower but more consistent manner with less congested back-ups and blocked intersections.

The following is a summary of proposed improvements:

- Street Trees - A continuous canopy of street trees (to augment and in-fill what exists) are a key unifying element to tie the street together and help realize aspects of the streetscape goals. There are 134 trees (mostly Aristocrat Pears and some Cherry and Purple Leaf Plum) planned along the corridor. One location, at School Street, will have several palm trees to mirror the existing palm trees on one side of the street and provide a tree "gateway".
- Pedestrian-Scale Lighting – Street lighting will be maximized and focused along the corridor to improve lighting conditions and to augment the existing cobra-head lights. Overall 96 lights are proposed with the majority of these focused at the key corridor intersection nodes, along commercial areas, and at bus stops. Further lighting is constrained due to the cost of each unit and the trenching costs associated with providing underground power to each unit.
- Patterned Street Crossings – Stamped concrete/asphalt crossing treatments are proposed for 27 locations along Fruitvale Avenue (not including two at Champion and MacArthur). In addition, to create a continuous defined pedestrian walk, this same treatment is carried along the corridor for 56 cross-street crossings (except at Pleasant due to existent yellow cross walks) and 27 crossing segments.

- Series of Gateways with Neighborhood Themes - There are three-pairs of landmark obelisks proposed at major gateway intersections of the corridor (International, Foothill, Harold) which will create an identifiable theme unifying the street as well as providing an opportunity for the specific gateway areas to use these landmarks to highlight their neighborhood's uniqueness.
- Traffic Calming and Pedestrian Safety – To calm traffic and make crossing safer for pedestrians there are a series of planned interventions that include colored-stamped cross walks across the street (with increased hazard/warning signage for motorists) coupled with colored asphalt paving along the side street crossings of Fruitvale. Several of the Fruitvale Avenue crossings will be augmented with Pedestrian right-of-way in-street markers and the intersection at E. 22<sup>nd</sup> Street will have an activated crossing light.

Bulb-outs have been targeted for 10 intersections along Fruitvale (including Champion Street plaza area) to pinch and slow traffic flow. Bulb-outs already exist at E.16<sup>th</sup> / Josie de la Cruz Park. In addition, seven “pork chop” calming medians are proposed (as well as a refuge island at Excelsior, which may be added depending on funding). A hardscape traffic median is proposed for the intersection with Davis Street.

- Pedestrian Amenities – Specific amenities will be targeted to identified nodal intersections along Fruitvale Avenue to enhance and encourage pedestrian usage. There are six key intersection nodes along the corridor: E.12<sup>th</sup> / BART, International, Foothill, E.27<sup>th</sup>, I-580 Fwy, and MacArthur. There are also 12 defined “sub-nodes” which typically have bus stops, street crossings and/or offer other key corridor amenities. For these nodes, amenities will include lighting, benches (where appropriate), way-finding signage, kiosks, public art and landscaping, and traffic-calming interventions. Additionally, three major pedestrian plazas are designated (at E.15<sup>th</sup>, Foothill, and Champion) and minor plazas at Woodbine, Montana, E.12<sup>th</sup>, and E.27<sup>th</sup>.
- Bicycle Amenities: These amenities include providing a continuous “sharrow lane” along Fruitvale (east of Foothill) with the inclusion of a bike lane segment between E. 15<sup>th</sup> Street and E.18<sup>th</sup> Street; and ensuring a safe connection with the existing bike lanes from the Fruitvale Bridge and linking to the BART station. Key bicycle destinations along the corridor include the Fruitvale BART station and the I-580 Fwy. Park and Ride lot for which added signage, kiosks and bike racks will be provided. The planned bicycle routes will help fulfill the City's Bicycle Master Plan and connect to new proposed stripping and bike lanes along MacArthur Boulevard, Foothill Boulevard and the E.12<sup>th</sup> Street.

## **EVALUATION OF PAST PERFORMANCE**

The Contractor Performance Evaluation for Ray's Electric from a previously completed project is included as *Attachment C*.

## **SUSTAINABLE OPPORTUNITIES**

***Economic:*** This project is intended to increase patronage to commercial districts along the Fruitvale Avenue corridor. The implementation of this project supports long-term efforts (both Citywide and within the Redevelopment Agency) to revitalize their respective areas by addressing problems related to the safety and comfort of pedestrians in the area.

***Environmental:*** The project will enable and encourage the use of alternative methods of travel, including bicycles and promote walking on Fruitvale Avenue and connecting streets. Increased bicycle use promotes cleaner air and less automobile use.

***Social Equity:*** The project will enable Fruitvale District to reach jobs, housing, shopping, and recreational facilities in a safe, inexpensive, and enjoyable manner.

## **DISABILITY AND SENIOR CITIZEN ACCESS**

This streetscape project will address senior and disability access by improving pedestrian safety and ease of access in their areas and specific access to the Fruitvale BART Station. This project will comply with the Americans with Disability Act (ADA) and all City of Oakland regulations that ensure adequate access for senior citizens and persons with disabilities.

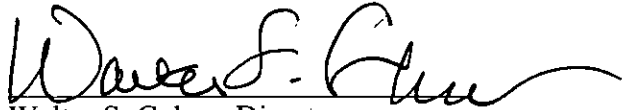
## **RECOMMENDATION AND RATIONALE**

It is recommended that the construction contract be awarded to Ray Electric, the lowest responsive and responsible bidder, in the amount of \$2,598,133.75 for the Fruitvale Alive Streetscape (Project No. G375710). Ray's Electric has met the federal Race Conscious UDBE 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,

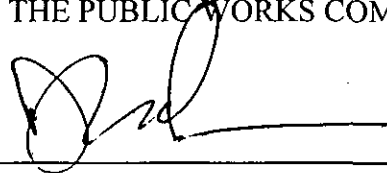


Walter S. Cohen, Director  
Community and Economic Development Agency

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

Prepared by:  
Jaime Heredia, 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

Item: \_\_\_\_\_  
Public Works Committee  
July 14, 2009

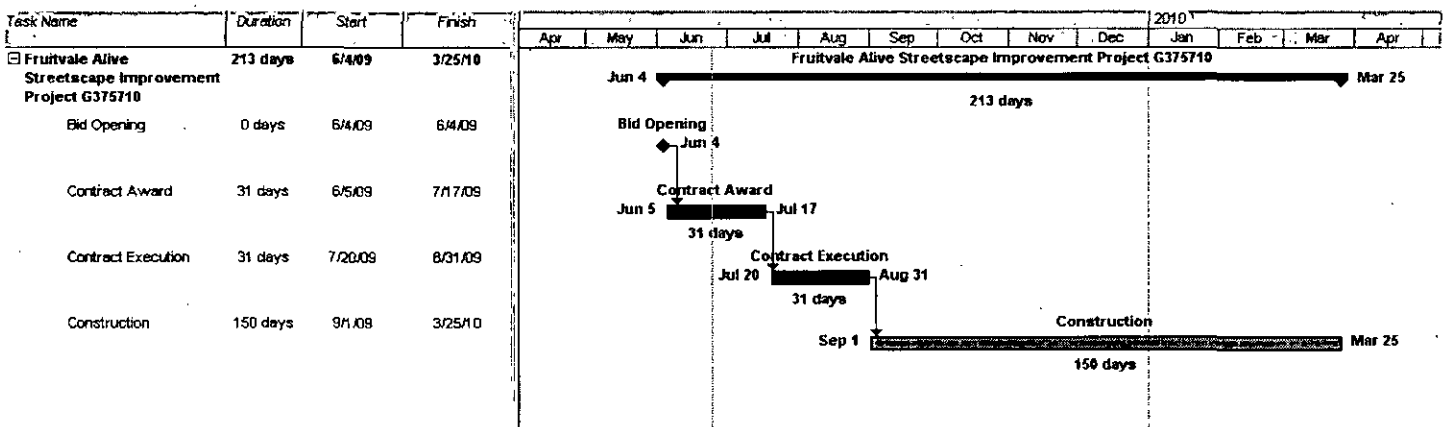
## Attachment A

### Fruitvale Alive Streetscape Improvement PROJECT No. G375710 FEDERAL PROJECT No. CML-5012(088)

#### LIST OF BIDDERS

Company	UDBE Status (Percentage)	Location	Base Bid Amount	Bid Alternates	Total Contract
Ray's Electric	Certified (1.77%)	Oakland	\$2,084,883.75	\$513,250.00	\$2,598,133.75
Synergy Project Management, Inc.	Certified (22.37%)	San Francisco	\$2,288,354.31	\$646,600.00	\$2,934,954.31
Ghilotti Brothers, Inc.	Certified (3.02%)	San Rafael	\$2,481,575.85	\$559,700.00	\$3,041,275.85
McGuire & Hester	Certified (3.28%)	Oakland	\$2,560,961.15	\$664,100.00	\$3,225,061.15

#### PROJECT SCHEDULE



*Attachment B*

**FRUITVALE ALIVE STREETScape IMPROVEMENT  
PROJECT No. G375710  
FEDERAL PROJECT No. CML-5012(088)**

**CONTRACT COMPLIANCE**

Item: \_\_\_\_\_  
Public Works Committee  
July 14, 2009



# Memo

## Department of Contracting and Purchasing

Social Equity Division

**To:** Jaime Heredia – Supervisor Civil Engineer  
**From:** Sophany Hang - Acting Contract Compliance Officer  
**Through:** Deborah Barnes - DC & P Director  
 Shelley Darensburg - Sr. Contract Compliance Officer *S. Darensburg*  
**CC:** Gwen McCormick - Contract Administrator Supervisor  
**Date:** June 24, 2009  
**Re:** G375710 - Fruitvale Alive Streetscape Improvement, E. 12<sup>th</sup> to Coloma Street

The Department of Contracting and Purchasing (DC&P), Division of Social Equity, reviewed four (4) bids in response to the above referenced project. Below is the outcome of the compliance evaluation for the Race Conscious Underutilized Disadvantaged Business Enterprise (UDBE) program and a preliminary review for compliance with the Equal Benefits Ordinance (EBO). There is a race conscious UDBE goal of 1.66% for this project. The review is based on the base bid only and does not include the six (6) alternates.

Responsive		Proposed Participation				Earned Credits and Discounts			Banked Credits Eligibility	EBO Compliant? Y/N
Company Name	Original Bid Amount	RC UDBE Total	LBE	SLBE	Trucking	Total Credited participation	Earned Bid Discounts	Adjusted Bid Amount		
Ray's Electric	\$2,084,884	1.77%	NA	NA	100%	NA	NA	NA	NA	Y
Ghilotti Bros. Contractors	\$2,481,576	3.02%	NA	NA	100%	NA	NA	NA	NA	Y
McGuire and Hester	\$2,560,961	3.28%	NA	NA	100%	NA	NA	NA	NA	Y

**Comments:** As noted above, all contractors have met the minimum 1.66% RC UDBE participation goals. All firms are EBO compliant

Non-Responsive		Proposed Participation				Earned Credits and Discounts			Banked Credits Eligibility	EBO Compliant? Y/N
Company Name	Original Bid Amount	RC UDBE Total	LBE	SLBE	Trucking	Total Credited participation	Earned Bid Discounts	Adjusted Bid Amount		
Synergy Project Management, Inc.	\$2,288,354	22.37%	NA	NA	100%	NA	NA	NA	NA	Y

**Comments:** As noted above, Synergy Project Management, Inc. achieved 22.37% UDBE participation, however, the firm was deemed non-responsive due to clerical errors in its bid.

**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:** NA  
**Project Name:** NA  
**Project No.** NA

**50% Local Employment Program (LEP)**

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

**15% Oakland Apprenticeship Program**

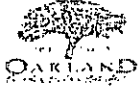
Was the 15% Apprenticeship Goal achieved?	NA	If no, shortfall hours?	N/A
Were shortfalls satisfied?	N/A	If no, penalty amount	N/A

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; 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	Total 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
NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA

**Comments:** Local Employment Program (LEP) or Apprenticeship Program is not applicable. This is UDBE project.

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



**DEPARTMENT OF CONTRACTING AND PURCHASING**

**Social Equity Division**

**PROJECT COMPLIANCE EVALUATION FOR :**

Construction Services Disadvantaged Business Enterprise (DBE)

**PROJECT NO.:** G375710

**PROJECT NAME:** Fruitvale Alive Streetscape Improvement, E. 12th to Coloma Street



**CONTRACTOR:** Ray's Electric

<u>Engineer's Estimate:</u>	<u>Contractors' Bid Amount</u>	<u>Over/Under Engineer's Estimate</u>
\$2,689,043	\$2,084,884	\$604,159

<u>Discounted Bid Amount:</u>	<u>Amt. of Bid Discount</u>	<u>Discount Points:</u>
N/A	N/A	N/A



- 1. Did the RC UDBE Program apply? **YES**
  - a) Race Conscious? **YES**
  - b) Race Neutral? **NA**
- 2. Did the contractor meet the RC UDBE goal of 1.66% **YES**
  - a) % of RC DBE participation **1.77%**
  - b) % of LBE participation **N/A**
  - c) % of SLBE participation **N/A**
- 3. Was Good Faith Effort (GFE) Documentation submitted? **N/A**
- 4. Did the contractor meet the Trucking requirement? **YES**
  - a) Total RC UDBE trucking participation **100%**
- 5. Did the contractor receive bid discounts? **N/A**  
(If yes, list the percentage received) **N/A**
- 6. Additional Comments.
- 7. Date evaluation completed and returned to Contract Admin./Initiating Dept. **6/24/2009**

Reviewing Officer:

Date: 6/24/2009

Approved By:

Date: 6/24/2009

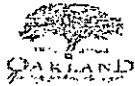
# UDBE Participation

## Bidder 1

Project Name: Fruitvale Alive Streetscape Improvement, E. 12th to Coloma Street

Project No.: G375710

Discipline	Prime & Subs	Location	Cert. Status	DBE%	RC UDBE	Total %	DBE Dollars	RC UDBE Dollars	Total Dollars	Certified DBE/WBE			
										Ethn.	DBE	RC UDBE	WBE
PRIME	Ray's Electric	Oakland	UB						661,106	C			
Storm System	Central Precast	Livermore	UB						9,400	O			
Stripe Signs	Lineation Marking	Oakland	UB						75,000	C			
Planting	Ramos Happy Yard	Oakland	CB						103,807	H			
Trucking	Williams Trucking	Oakland	CB	1.77%	1.77%	1.77%	37,000	37,000	37,000	AA	1.77%	1.77%	
Asphalt Paving and Grind	Gallagher & Burk	Oakland	CB						512,515	C			
Electrical	Jam Services	Livermore	UB						240,350	C			
Furniture	Calite Design	North Tustin	UB						13,500	O			
Traffic & Equipment	All American Rental	San Jose	UB						14,000	O			
Fence	Bailey Fence, Co.	Hayward	UB						30,000	C			
Furniture	Forms Surface	Pittsburg	UB						3,500	O			
Concrete	AJW Construction	Oakland	UB						227,855	H			
Signs	Merril Sign	Oakland	UB						14,500	C			
Furniture	Palmer Group	San Francisco	UB						16,000	C			
Street	Ross Recreation	Santa Rosa	UB						12,632	NL			
Decorative Crosswalk	Schwartz Construction	Auburn	UB						113,719	NL			
<b>Project Totals</b>				1.77%	1.77%	1.77%	\$37,000	\$37,000	\$2,084,884		1.77%	1.77%	0%
				DBE%	RC UDBE	Total %	DBE Dollars	RC UDBE Dollars	Total Dollars	<b>Ethnicity</b> AA = African American AI = Asian Indian AP = Asian Pacific C = Caucasian H = Hispanic NA = Native American O = Other NL = Not Listed			
<b>Legend</b>				UB = Uncertified Business CB = Certified Business DBE = Disadvantage Business Enterprise WBE = Women Business Enterprise									



**DEPARTMENT OF CONTRACTING AND PURCHASING**

**Social Equity Division**

**PROJECT COMPLIANCE EVALUATION FOR :**

Construction Services Under Utilize Disadvantaged Business Enterprise (UDBE)

**PROJECT NO.:** G375710

**PROJECT NAME:** Fruitvale Alive Streetscape Improvement, E. 12th to Coloma Street

<b>CONTRACTOR:</b> Synergy Project Management, Inc.		
<b>Engineer's Estimate:</b>	<b>Contractors' Bid Amount</b>	<b>Over/Under Engineer's Estimate</b>
\$2,689,043	\$2,288,354	\$400,689
<b>Discounted Bid Amount:</b>	<b>Amt. of Bid Discount</b>	<b>Discount Points:</b>
N/A	N/A	N/A

- 1. Did the RC UDBE Program apply? **YES**
  - b) Race Conscious? **YES**
  - a) Race Neutral? **NA**
- 2. Did the contractor meet the RC UDBE goal of 1.66% **YES**
  - a) % of UDBE participation **22.37%**
  - b) % of LBE participation **N/A**
  - c) % of SLBE participation **N/A**
- 3. Was Good Faith Effort (GFE) Documentation submitted? **NO**
- 4. Did the contractor meet the Trucking requirement? **YES**
  - a) Total RC UDBE trucking participation **100%**
- 5. Did the contractor receive bid discounts? **N/A**  
(If yes, list the percentage received) **N/A**
- 6. Additional Comments.  
**Synergy Project Management, Inc. achieved 22.37% UDBE participation, however, the firm deemed non-responsive due to clerical error in its bid.**
- 7. Date evaluation completed and returned to Contract Admin./Initiating Dept. **6/24/2009**

Reviewing Officer:

*[Signature]*

Date: 6/24/2009

Approved By:

*[Signature]*

Date: 6/24/09

# UDBE Participation

## Bidder 2

Project Name: Fruitvale Alive Streetscape Improvement, E. 12th to Coloma Street

Project No.: G375710										Certified DBE/WBE			
Discipline	Prime & Subs	Location	Cert. Status	DBE%	RC UDBE	Total %	DBE Dollars	RC UDBE Dollars	Total Dollars	Ethn.	DBE	RC UDBE	WBE
										PRIME	Synergy Project Management, Inc.	San Francisco	UB
Trucking	Monroe Trucking	Oakland	CB	0.52%	0.52%	0.52%	12,000	12,000	12,000	AA	0.52%	0.52%	
Sidewalk	Schwartz Construction	Auburn							110,000	NL			
Phoenix Elect	Phoenix Electric	San Francisco	CB	21.85%	21.85%	21.85%	500,000	500,000	500,000	AP	21.85%	21.85%	
Fence/Steel	Bay Areawelding	San Francisco	UB						70,000	NL			
<b>Project Totals</b>				22.37%	22.37%	22.37%	\$512,000	\$512,000	\$2,288,354		22.37%	22.37%	
							22.37%	22.37%	100%				
				DBE %	RC UDBE	Total %	DBE Dollars	RC UDBE Dollars	Total Dollars	<b>Ethnicity</b> AA = African American AI = Asian Indian AP = Asian Pacific C = Caucasian H = Hispanic NA = Native American O = Other NL = Not Listed			
<b>Legend</b>		UB = Uncertified Business CB = Certified Business DBE = Disadvantage Business Enterprise WBE = Women Business Enterprise											



**DEPARTMENT OF CONTRACTING AND PURCHASING**

**Social Equity Division**

**PROJECT COMPLIANCE EVALUATION FOR :**

Construction Services Disadvantaged Business Enterprise (DBE)

**PROJECT NO.:** G375710

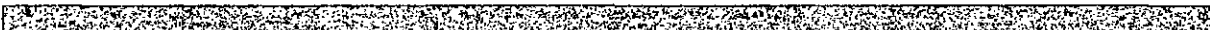
**PROJECT NAME:** Fruitvale Alive Streetscape Improvement, E. 12th to Coloma Street



**CONTRACTOR:** Ghilotti Bros. Contractors

<b><u>Engineer's Estimate:</u></b>	<b><u>Contractors' Bid Amount</u></b>	<b><u>Over/Under Engineer's Estimate</u></b>
\$2,689,043	\$2,481,576	\$207,467

<b><u>Discounted Bid Amount:</u></b>	<b><u>Amt. of Bid Discount</u></b>	<b><u>Discount Points:</u></b>
N/A	N/A	N/A



- 1. Did the RC UDBE Program apply? **YES**
  - a) Race Conscious? **YES**
  - b) Race Neutral? **NA**
- 2. Did the contractor meet the RC UDBE goal of 1.66% **YES**
  - a) % of UDBE participation **3.02%**
  - b) % of LBE participation **N/A**
  - c) % of SLBE participation **N/A**
- 3. Was Good Faith Effort (GFE) Documentation submitted? **YES**
- 4. Did the contractor meet the Trucking requirement? **YES**
  - a) Total RC UDBE trucking participation **100%**
- 5. Did the contractor receive bid discounts? **N/A**  
(If yes, list the percentage received) **N/A**
- 6. Additional Comments.
- 7. Date evaluation completed and returned to Contract Admin./Initiating Dept. **6/24/2009**

**Reviewing Officer:**

**Date:** 6/24/2009

**Approved By:**

**Date:** 6/24/2009

## UDBE Participation Bidder 3

Project Name: Fruitvale Alive Streetscape Improvement, E. 12th to Coloma Street

Project No.: G375710										Certified DBE/W		
Discipline	Prime & Subs	Location	Cert. Status	DBE%	RC UDBE	Total %	DBE Dollars	RC UDBE Dollars	Total Dollars	Ethn.	DBE	RC UDBE
<b>PRIME</b>	Ghilloti Bros., inc.	San Rafael	UB						1,703,576			
Concrete	Cemex	Clayton	UB				Dollar amount not listed					
AC/Supply	Hanson	Berkeley	UB						170,000	C		
Trash Recepticles	Forms + Surfaces	Pittsburgh	UB						53,000	C		
Decorative Crosswalks	Schwartz Construction	Auburn	UB						225,000	NL		
Trucking	Williams Trucking	Oakalnd	CB	1.01%	1.01%	1.01%	25,000	25,000	25,000	AA	1.01%	
Trucking	S & S Trucking	Oakalnd	CB	1.01%	1.01%	1.01%	25,000	25,000	25,000	H	1.01%	
Trucking	Economy Trucking	Union City	CB	1.01%	1.01%	1.01%	25,000	25,000	25,000	AP	1.01%	
Striping	Striping Graphics	Petaluma	UB						58,000	C		
Signs	Thomas Swan	Richmond	UB						67,000	C		
Landscape	RMT Landscape	Oakalnd	CB	5.24%			130,000		130,000	H	5.24%	
<b>Project Totals</b>				8.27%	3.02%	3.02%	\$205,000	\$75,000	\$2,481,576		8.27%	0%
							8.26%	3.02%	100%			
				DBE %	RC UDBE	Total %	DBE Dollars	RC UDBE Dollars	Total Dollars	<b>Ethnicity</b>		
										AA = African American AI = Asian Indian AP = Asian Pacific C = Caucasian H = Hispanic NA = Native American O = Other NL = Not Listed		
<b>Legend</b>				UB = Uncertified Business CB = Certified Business DBE = Disadvantage Business Enterprise WBE = Women Business Enterprise								





**DEPARTMENT OF CONTRACTING AND PURCHASING**

**Social Equity Division**

**PROJECT COMPLIANCE EVALUATION FOR :**

Construction Services Disadvantaged Business Enterprise (DBE)

**PROJECT NO.:** G375710

**PROJECT NAME:** Fruitvale Alive Streetscape Improvement, E. 12th to Coloma Street



**CONTRACTOR:** McGuire & Hester

<b><u>Engineer's Estimate:</u></b>	<b><u>Contractors' Bid Amount</u></b>	<b><u>Over/Under Engineer's Estimate</u></b>
\$2,689,043	\$2,660,961	\$128,082

<b><u>Discounted Bid Amount:</u></b>	<b><u>Amt. of Bid Discount</u></b>	<b><u>Discount Points:</u></b>
N/A	N/A	N/A



- 1. Did the RC UDBE Program apply? **YES**
  - a) Race Conscious? **YES**
  - a) Race Neutral? **NA**
- 2. Did the contractor meet the RC UDBE goal of 1.66% **YES**
  - a) % of DBE participation **3.28%**
  - b) % of LBE participation **N/A**
  - c) % of SLBE participation **N/A**
- 3. Was Good Faith Effort (GFE) Documentation submitted? **YES**
- 4. Did the contractor meet the Trucking requirement? **YES**
  - a) Total RC UDBE trucking participation **100%**
- 5. Did the contractor receive bid discounts? **N/A**  
(If yes, list the percentage received) **N/A**
- 6. Additional Comments.
- 7. Date evaluation completed and returned to Contract Admin./Initiating Dept. **6/24/2009**

**Reviewing Officer:**

**Date:** 6/24/2009

**Approved By:**

**Date:** 6/24/2009

## UDBE Participation Bidder 4

Project Name: Fruitvale Alive Streetscape Improvement, E. 12th to Coloma Street

Project No.: G375710										Certified DBE/WBE			
Discipline	Prime & Subs	Location	Cert. Status	DBE%	RC UDBE	Total %	DBE Dollars	RC UDBE Dollars	Total Dollars	Ethn.	DBE	RC UDBE	WBE
PRIME	McGuire and Hester	Oakland	UB						1,652,150	C			
Electrical	W Bradley Electric	Novato	UB						474,900	NL			
Fencing (Alt)	Thompson & Thompson	San Leandro	UB						17,653	NL			
Striping	Bay Side Stripe & Scal	Petaluma	UB						42,413	NL			
Decorative Sidewalk	AC Impressions	Sacramento	UB						270,245	NL			
Trucking	Williams Trucking	Oakland	CB	1.64%	1.64%	1.64%	42,000	42,000	42,000	AA	1.64%	1.64%	
Trucking	Monroe Trucking	Oakland	CB	1.64%	1.64%	1.64%	42,000	42,000	42,000	AA	1.64%	1.64%	
Bus. Shelter	Clar Channel	San Antonio	UB						19,600	C			
<b>Project Totals</b>				3.28%	3.28%	3.28%	\$84,000	84,000	2,560,961.15		3.28%	3.28%	0%
							3.28%	3.28%	100%				
				DBE %	RC UDBE	Total %	DBE Dollars	RC UDBE Dollars	Total Dollars	<b>Ethnicity</b> AA = African American AI = Asian Indian AP = Asian Pacific C = Caucasian H = Hispanic NA = Native American O = Other NL = Not Listed			
<b>Legend</b>		UB = Uncertified Business CB = Certified Business DBE = Disadvantage Business Enterprise WBE = Women Business Enterprise											

*Attachment C*

**FRUITVALE ALIVE STREETScape IMPROVEMENT  
PROJECT No. G375710  
FEDERAL PROJECT No. CML-5012(088)**

**CONTRACTOR PERFORMANCE EVALUATION**

Item: \_\_\_\_\_  
Public Works Committee  
July 14, 2009

**Schedule L-2  
City of Oakland  
Public Works Agency  
CONTRACTOR PERFORMANCE EVALUATION**

Project Number/Title: C269510 & C333010 Traffic Signal Installation Projects – 73<sup>rd</sup> Ave at Garfield Ave and International Blvd at 7<sup>th</sup> Ave

Work Order Number (if applicable): \_\_\_\_\_

Contractor: Ray's Electric

Date of Notice to Proceed: September 4, 2008

Date of Notice of Completion: March 11, 2009

Date of Notice of Final Completion: March 11, 2009

Contract Amount: \$346,942.00

Evaluator Name and Title: Henry Choi – Resident Engineer

The City's Resident Engineer most familiar with the Contractor's performance must complete this evaluation and submit it to Manager, PWA Project Delivery Division, within 30 calendar days of the issuance of the Final Payment.

Whenever the Resident Engineer finds the Contractor is performing below Satisfactory for any category of the Evaluation, the Resident Engineer shall discuss the perceived performance shortfall at the periodic site meetings with the Contractor. An Interim Evaluation will be performed if at any time the Resident Engineer finds that the overall performance of a Contractor is Marginal or Unsatisfactory. An Interim Evaluation is required prior to issuance of a Final Evaluation Rating of Unsatisfactory. The Final Evaluation upon Final Completion of the project will supersede interim ratings.

The following list provides a basic set of evaluation criteria that will be applicable to all construction projects awarded by the City of Oakland that are greater than \$50,000. Narrative responses are required to support any evaluation criteria that are rated as Marginal or Unsatisfactory, and must be attached to this evaluation. If a narrative response is required, indicate before each narrative the number of the question for which the response is being provided. Any available supporting documentation to justify any Marginal or Unsatisfactory ratings must also be attached.

If a criterion is rated Marginal or Unsatisfactory and the rating is caused by the performance of a subcontractor, the narrative will note this. The narrative will also note the General Contractor's effort to improve the subcontractor's performance.

**ASSESSMENT GUIDELINES:**

<b>Outstanding</b> (3 points)	Performance among the best level of achievement the City has experienced.
<b>Satisfactory</b> (2 points)	Performance met contractual requirements.
<b>Marginal</b> (1 point)	Performance barely met the lower range of the contractual requirements or performance only met contractual requirements after extensive corrective action was taken.
<b>Unsatisfactory</b> (0 points)	Performance did not meet contractual requirements. The contractual performance being assessed reflected serious problems for which corrective actions were ineffective.

**WORK PERFORMANCE**

Unsatisfactory  
Marginal  
Satisfactory  
Outstanding  
Not Applicable

1	Did the Contractor perform all of the work with acceptable Quality and Workmanship?	<input type="checkbox"/>	<input type="checkbox"/>	X	<input type="checkbox"/>	<input type="checkbox"/>
1a	If problems arose, did the Contractor provide solutions/coordinate with the designers and work proactively with the City to minimize impacts? If "Marginal or Unsatisfactory", explain on the attachment. Provide documentation.	<input type="checkbox"/>	<input type="checkbox"/>	X	<input type="checkbox"/>	<input type="checkbox"/>
2	Was the work performed by the Contractor accurate and complete? If "Marginal or Unsatisfactory", explain on the attachment and provide documentation. Complete (2a) and (2b) below.	<input type="checkbox"/>	<input type="checkbox"/>	X	<input type="checkbox"/>	<input type="checkbox"/>
2a	Were corrections requested? If "Yes", specify the date(s) and reason(s) for the correction(s). Provide documentation.			Yes <input type="checkbox"/>	No <input type="checkbox"/>	N/A X
2b	If corrections were requested, did the Contractor make the corrections requested? If "Marginal or Unsatisfactory", explain on the attachment. Provide documentation.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
3	Was the Contractor responsive to City staff's comments and concerns regarding the work performed or the work product delivered? If "Marginal or Unsatisfactory", explain on the attachment. Provide documentation.	<input type="checkbox"/>	<input type="checkbox"/>	X	<input type="checkbox"/>	<input type="checkbox"/>
4	Were there other significant issues related to "Work Performance"? If Yes, explain on the attachment. Provide documentation.				Yes <input type="checkbox"/>	No X
5	Did the Contractor cooperate with on-site or adjacent tenants, business owners and residents and work in such a manner as to minimize disruptions to the public. If "Marginal or Unsatisfactory", explain on the attachment.	<input type="checkbox"/>	<input type="checkbox"/>	X	<input type="checkbox"/>	<input type="checkbox"/>
6	Did the personnel assigned by the Contractor have the expertise and skills required to satisfactorily perform under the contract? If "Marginal or Unsatisfactory", explain on the attachment.	<input type="checkbox"/>	<input type="checkbox"/>	X	<input type="checkbox"/>	<input type="checkbox"/>
7	Overall, how did the Contractor rate on work performance? The score for this category must be consistent with the responses to the questions given above regarding work performance and the assessment guidelines. Check 0, 1, 2, or 3.	0 <input type="checkbox"/>	1 <input type="checkbox"/>	2 X	3 <input type="checkbox"/>	

**TIMELINESS**

		Unsatisfactory	Marginal	Satisfactory	Outstanding	Not Applicable
8	Did the Contractor complete the work within the time required by the contract (including time extensions or amendments)? If "Marginal or Unsatisfactory", explain on the attachment why the work was not completed according to schedule. Provide documentation.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
9	Was the Contractor required to provide a service in accordance with an established schedule (such as for security, maintenance, custodial, etc.)? If "No", or "N/A", go to Question #10. If "Yes", complete (9a) below.			Yes <input type="checkbox"/>	No <input type="checkbox"/>	N/A <input checked="" type="checkbox"/>
9a	Were the services provided within the days and times scheduled? If "Marginal or Unsatisfactory", explain on the attachment and specify the dates the Contractor failed to comply with this requirement (such as tardiness, failure to report, etc.). Provide documentation.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
10	Did the Contractor provide timely baseline schedules and revisions to its construction schedule when changes occurred? If "Marginal or Unsatisfactory", explain on the attachment. Provide documentation.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
11	Did the Contractor furnish submittals in a timely manner to allow review by the City so as to not delay the work? If "Marginal or Unsatisfactory", explain on the attachment. Provide documentation.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
12	Were there other significant issues related to timeliness? If yes, explain on the attachment. Provide documentation.				Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>
13	<b>Overall, how did the Contractor rate on timeliness?</b> <b>The score for this category must be consistent with the responses to the questions given above regarding timeliness and the assessment guidelines.</b> <b>Check 0, 1, 2, or 3.</b>	0 <input type="checkbox"/>	1 <input type="checkbox"/>	2 <input checked="" type="checkbox"/>	3 <input type="checkbox"/>	

**FINANCIAL**

Unsatisfactory  
Marginal  
Satisfactory  
Outstanding  
Not Applicable

14	Were the Contractor's billings accurate and reflective of the contract payment terms? If "Marginal or Unsatisfactory", explain on the attachment. Provide documentation of occurrences and amounts (such as corrected invoices).	<input type="checkbox"/>	<input type="checkbox"/>	X	<input type="checkbox"/>	<input type="checkbox"/>
15	<p>Were there any claims to increase the contract amount? If "Yes", list the claim amount. Were the Contractor's claims resolved in a manner reasonable to the City?</p> <p>Number of Claims: _____</p> <p>Claim amounts: \$ _____</p> <p>Settlement amount: \$ _____</p>				Yes <input type="checkbox"/>	No X
16	Were the Contractor's price quotes for changed or additional work reasonable? If "Marginal or Unsatisfactory", explain on the attachment. Provide documentation of occurrences and amounts (such as corrected price quotes).	<input type="checkbox"/>	<input type="checkbox"/>	X	<input type="checkbox"/>	<input type="checkbox"/>
17	Were there any other significant issues related to financial issues? If Yes, explain on the attachment and provide documentation.				Yes <input type="checkbox"/>	No X
18	<p>Overall, how did the Contractor rate on financial issues?</p> <p>The score for this category must be consistent with the responses to the questions given above regarding financial issues and the assessment guidelines.</p> <p>Check 0, 1, 2, or 3.</p>	0 <input type="checkbox"/>	1 <input type="checkbox"/>	2 X	3 <input type="checkbox"/>	

**COMMUNICATION**

		Unsatisfactory	Marginal	Satisfactory	Outstanding	Not Applicable
19	Was the Contractor responsive to the City's questions, requests for proposal, etc.? If "Marginal or Unsatisfactory", explain on the attachment.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
20	Did the Contractor communicate with City staff clearly and in a timely manner regarding:					
20a	Notification of any significant issues that arose? If "Marginal or Unsatisfactory", explain on the attachment.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
20b	Staffing issues (changes, replacements, additions, etc.)? If "Marginal or Unsatisfactory", explain on the attachment.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
20c	Periodic progress reports as required by the contract (both verbal and written)? If "Marginal or Unsatisfactory", explain on the attachment.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
20d	Were there any billing disputes? If "Yes", explain on the attachment.				Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>
21	Were there any other significant issues related to communication issues? Explain on the attachment. Provide documentation.				Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>
22	<b>Overall, how did the Contractor rate on communication issues? The score for this category must be consistent with the responses to the questions given above regarding communication issues and the assessment guidelines. Check 0, 1, 2, or 3.</b>	0 <input type="checkbox"/>	1 <input type="checkbox"/>	2 <input checked="" type="checkbox"/>	3 <input type="checkbox"/>	



**SAFETY**

Unsatisfactory  
Marginal  
Satisfactory  
Outstanding  
Not Applicable

23	Did the Contractor's staff consistently wear personal protective equipment as appropriate? If "No", explain on the attachment.				Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>
24	Did the Contractor follow City and OSHA safety standards? If "Marginal or Unsatisfactory", explain on the attachment.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
25	Was the Contractor warned or cited by OSHA for violations? If Yes, explain on the attachment.				Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>
26	Was there an inordinate number or severity of injuries? Explain on the attachment. If Yes, explain on the attachment.				Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>
27	Was the Contractor officially warned or cited for breach of U.S. Transportation Security Administration's standards or regulations? If "Yes", explain on the attachment.				Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>
28	<b>Overall, how did the Contractor rate on safety issues?</b> <b>The score for this category must be consistent with the responses to the questions given above regarding safety issues and the assessment guidelines.</b> <b>Check 0, 1, 2, or 3.</b>	0 <input type="checkbox"/>	1 <input type="checkbox"/>	2 <input checked="" type="checkbox"/>	3 <input type="checkbox"/>	

## OVERALL RATING

Based on the weighting factors below, calculate the Contractor's overall score using the scores from the four categories above.

1. Enter Overall score from Question 7       2   X 0.25 =   .5
2. Enter Overall score from Question 13     2   X 0.25 =   .5
3. Enter Overall score from Question 18     2   X 0.20 =   .4
4. Enter Overall score from Question 22     2   X 0.15 =   .3
5. Enter Overall score from Question 28     2   X 0.15 =   .3

**TOTAL SCORE** (Sum of 1 through 5):       2  

**OVERALL RATING:**       2  

Outstanding: Greater than 2.5  
Satisfactory: Greater than 1.5 & less than or equal to 2.5  
Marginal: Between 1.0 & 1.5  
Unsatisfactory: Less than 1.0

### PROCEDURE:

The Resident Engineer will prepare the Contractor Performance Evaluation and submit it to the Supervising Civil Engineer. The Supervising Civil Engineer will review the Contractor Performance Evaluation to ensure adequate documentation is included, the Resident Engineer has followed the process correctly, the Contractor Performance Evaluation has been prepared in a fair and unbiased manner, and the ratings assigned by the Resident Engineer are consistent with all other Resident Engineers using consistent performance expectations and similar rating scales.

The Resident Engineer will transmit a copy of the Contractor Performance Evaluation to the Contractor. Overall Ratings of Outstanding or Satisfactory are final and cannot be protested or appealed. If the Overall Rating is Marginal or Unsatisfactory, the Contractor will have 10 calendar days in which they may file a protest of the rating. The Public Works Agency Assistant Director, Design & Construction Services Department, will consider a Contractor's protest and render his/her determination of the validity of the Contractor's protest. If the Overall Rating is Marginal, the Assistant Director's determination will be final and not subject to further appeal. If the Overall Rating is Unsatisfactory and the protest is denied (in whole or in part) by the Assistant Director, the Contractor may appeal the Evaluation to the City Administrator, or his/her designee. The appeal must be filed within 14 calendar days of the Assistant Director's ruling on the protest. The City Administrator, or his/her designee, will hold a hearing with the Contractor within 21 calendar days of the filing of the appeal. The decision of the City Administrator regarding the appeal will be final.


Contractors who receive an Unsatisfactory Overall Rating (i.e., Total Score less than 1.0) will be allowed the option of voluntarily refraining from bidding on any City of Oakland projects within one year from the date of the Unsatisfactory Overall Rating, or of being categorized as non-responsible for any projects the Contractor bids on for a period of one year from the date of the Unsatisfactory Overall Rating. Two Unsatisfactory Overall Ratings within any five year period will result in the Contractor being categorized by the City Administrator as non-


responsible for any bids they submit for future City of Oakland projects within three years of the date of the last Unsatisfactory overall rating.

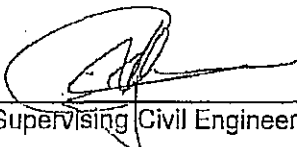
Any Contractor that receives an Unsatisfactory Overall Rating is required to attend a meeting with the City Administrator, or his/her designee, prior to returning to bidding on City projects. The Contractor is required to demonstrate improvements made in areas deemed Unsatisfactory in prior City of Oakland contracts.

The Public Works Agency Contract Administration Section will retain the final evaluation and any response from the Contractor for a period of five years. The City shall treat the evaluation as confidential, to the extent permitted by law.

**COMMUNICATING THE EVALUATION:** *The Contractor's Performance Evaluation has been communicated to the Contractor. Signature does not signify consent or agreement.*

 3/25/09  
Contractor / Date

 03/19/09  
Resident Engineer / Date

 3/19/09  
Supervising Civil Engineer / Date

**ATTACHMENT TO CONTRACTOR PERFORMANCE EVALUATION:**

Use this sheet to provide any substantiating comments to support the ratings in the Performance Evaluation. Indicate before each narrative the number of the question for which the response is being provided. Attach additional sheets if necessary.

# OAKLAND CITY COUNCIL

*Donna Pross*  
City Attorney

RESOLUTION No. \_\_\_\_\_ C.M.S.

Introduced by Councilmember \_\_\_\_\_

FILED  
OFFICE OF THE CITY CLERK  
OAKLAND

JUL -2 PM 7:10

**RESOLUTION AWARDING A CONSTRUCTION CONTRACT TO RAY'S ELECTRIC FOR THE FRUITVALE ALIVE STREETSCAPE IMPROVEMENT PROJECT (PROJECT NO. G375710) ON FRUITVALE AVENUE FROM EAST 12<sup>TH</sup> STREET TO COLOMA STREET, IN ACCORD WITH PLANS AND SPECIFICATIONS FOR THE PROJECT AND CONTRACTOR'S BID IN THE AMOUNT OF TWO MILLION FIVE HUNDRED NINETY-EIGHT THOUSAND ONE HUNDRED THIRTY-THREE DOLLARS AND SEVENTY-FIVE CENTS (\$2,598,133.75)**

**WHEREAS**, the City of Oakland was awarded a Transportation for Livable Communities (TLC) grant from the Metropolitan Transportation Commission (MTC); and

**WHEREAS**, the federal source of funds for the TLC program is the Congestion Management and Air Quality (CMAQ) Improvement Program; and

**WHEREAS**, the City conducted an advertised bid and on June 4, 2009, four bids were received by the Office of the City Clerk of the City of Oakland for Fruitvale Alive Streetscape Improvement Project (Project No. G375710); and

**WHEREAS**, Ray's Electric is the lowest responsible bidder for the project and has met the federal Race Conscious Underutilized Disadvantaged Business Enterprise (UDBE) requirements; and

**WHEREAS**, there are sufficient funds in the project budget for the work, with funding for this project available in following project accounts:

- Metropolitan Transportation Committee Grant Fund (2163); Street and Structures Organization (92242); Street Construction Account (57411); Project No. G375710; \$2,320,000.00.
- Measure B - ACTIA Fund (2211); Street and Structures Organization (92242); Street Construction Account (57411); Project No. G375720; \$200,000.00.
- Oakland Redevelopment Agency Projects Fund (7780); Street and Structures Organization (92242); Street Construction Account (57411); Project No. P233282; \$78,133.75; and

**WHEREAS**, the engineer's estimate for the work is \$2,689,043.00; and

**WHEREAS**, the City lacks the equipment and qualified personnel to perform the necessary repairs and 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 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 Fruitvale Alive Streetscape Improvement Project (G375710) is hereby awarded to Ray's Electric, in accordance with the Project plans and specifications and contractor's bid therefore, dated June 4, 2009, in the amount of two million five hundred ninety-eight thousand one hundred thirty-three dollars and seventy-five cents (\$2,598,133.75); 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, \$2,598,133.75, and the amount for a bond to guarantee payment of all claims for labor and materials furnished and for amount due under the Unemployment Insurance Act, \$2,598,133.75, with respect to such work are hereby approved; 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 for form and legality prior to execution 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