

CITY OF OAKLAND
AGENDA REPORT

OFFICE OF THE CITY CLERK
OAKLAND

2005 APR 13 PM 6:15

TO: Office of the City Administrator
ATTN: Deborah Edgerly
FROM: Public Works Agency
DATE: April 26, 2005

RE: RESOLUTION AUTHORIZING AWARD OF A CONTRACT TO K.J. WOODS CONSTRUCTION, INC. FOR THE CONSTRUCTION OF RELIEF SANITARY SEWERS ON BIENATI WAY (SLOAN STREET) AND ON DIMOND AVENUE BETWEEN FRUITVALE AVENUE AND DIMOND PARK (PROJECT NO. C81310) FOR THE AMOUNT OF FIVE HUNDRED THIRTY-EIGHT THOUSAND DOLLARS (\$538,000)

SUMMARY

A resolution has been prepared authorizing the City Administrator to award a construction contract in the amount of \$538,000 to K.J. Woods Construction, Inc. for the Construction of Relief Sanitary Sewers on Bienati Way (Sloan Street) and on Dimond Avenue Between Fruitvale Avenue and Dimond Park (Project No. C81310). 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 4.

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 Projects-Sanitary Sewer Design Organization (92244); Sewers Account (57417); Construction of Relief Sanitary Sewers on Bienati Way (Sloan Street) and on Dimond Avenue Between Fruitvale Avenue and Dimond Park Project (C81310). These funds were specifically allocated for this project. The Engineer's estimate for the work is \$647,865.

BACKGROUND

On February 14, 2005 the City Clerk received two bids for this project in the amounts of \$538,000 and \$678,220 as shown in *Attachment A*. The lowest responsible bidder, K.J. Woods Construction, Inc. is recommended for award.

This project will rehabilitate and upsize the sanitary sewers within the project area, add sewer flow capacity 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

Item: _____
Public Works Committee
April 26, 2005

Mayor/Council Goals and Citywide Objective to maintain and enhance Oakland's physical assets by providing for well-maintained sanitary sewer systems.

In general, the proposed work consists of replacing approximately 1,850 linear feet of existing 21" diameter sewer pipes with new 28" diameter High Density Polyethylene pipe; rehabilitating sewer structures; rehabilitating and reconnecting house connection sewer; and performing other related works as indicated on the plans and specifications.

Under the proposed contract with K.J. Woods Construction, Inc., SLBE participation of \$110,000 (20.45%) exceeds the City's 20% LBE/SLBE requirement. The contractor shows \$2,000 (100%) for trucking that exceeds the 20% Local Trucking participation requirement. The contractor received 2% credit for LBE/SLBE preference, or \$10,760, that made the adjusted bid amount \$527,240. 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 B*.

KEY ISSUES AND IMPACTS

Construction is scheduled to begin in early June 2005 and should be completed by August 2005. The contract specifies \$1,000 in liquidated damages per working day if the contract completion time of 60 working days is exceeded. The project schedule is shown in *Attachment A*.

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 K.J. Woods Construction, Inc. the lowest responsible bidder, in the amount of \$538,000 for the Construction of Relief Sanitary

Sewers on Bienati Way (Sloan Street) and on Dimond Avenue Between Fruitvale Avenue and Dimond Park (Project No. C81310). K.J. Woods Construction, Inc. 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,

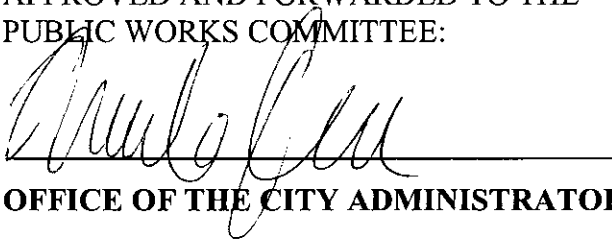


RAUL GODINEZ II, P.E.
Director, Public Works Agency

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

Prepared by:
Gus Amirzehni, P.E.
Supervising Civil Engineer
Engineering Design Division

APPROVED AND FORWARDED TO THE
PUBLIC WORKS COMMITTEE:


OFFICE OF THE CITY ADMINISTRATOR

Attachment A

**The Construction of Relief Sanitary Sewers on Bienati Way (Sloan Street) and on Dimond Avenue Between Fruitvale Avenue and Dimond Park
 (Project No. C81310)**

List of Bidders

Company	Status	Location	Bid Amount
K.J. Woods	SLBE	San Francisco	\$538,000
California Trenchless		Hayward	\$678,220

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			
1	Project No. C158110	Mon 3/8/04	Fri 8/26/05												
2	Pre-Design	Mon 3/8/04	Mon 7/5/04												
3	Design	Tue 7/6/04	Fri 2/11/05												
4	Bid/Award	Mon 2/14/05	Tue 4/26/05												
5	Contract Execution	Wed 4/27/05	Wed 6/1/05												
6	Construction	Thu 6/2/05	Fri 8/26/05												

Attachment B

Memorandum

Date: March 8, 2005
From: Deborah Barnes - CCES Manager *DBarnes*
To: Gwen McCormick, PWA Contract Administration Supervisor
Regarding: The Construction of Relief Sanitary Sewers on Bienati Way (Sloan Street) and Dimond Avenue Between Fruitvale Avenue and Dimond Park

Contract Compliance and Employment Service reviewed two (2) bids received in response to the above referenced project. Following is the outcome of our analysis:

<u>Contractors</u>	<u>LBE</u>	<u>SLBE</u>	<u>Trucking</u>	<u>Total</u>
California Trenchless, Inc.	0%	0%	0%	0%
KJ Woods Construction, Inc.	0%	20.45%	100%	20.45%

The following shows bid discounts awarded for achieving and/or exceeding the 20% L/SLBE requirement:

<u>Contractor</u>	<u>Bid Discount Allocated</u>	<u>Contractor's Bid</u>	<u>Ajusted Bid</u>
KJ Woods Construction, Inc.	2%	\$538,000	\$527,240

CC: Compliance Officer
File

Contract Compliance and Employment Services Evaluation Form

Project No.: C81310

Project Name: The Construction of Relief Sanitary Sewers on Bienati Way (Sloan Street) and Dimond Avenue Between Fruitvale Avenue and Dimond Park

Contractor: California Trenchless

Contractor's Bid Amount: 678,220.00

Engineer's Estimate: 647,865.00

Over/Under the Engineers Estimate: -30,355.00

Bid Discounted Amount: \$0.00

Discount Points: 0%

Discounted Bid Price: \$678,220.00

1. Did the 20% requirements apply? **YES**

2. Did the contractor meet the 20% requirement? **NO**

a) % of LBE **0.00%**
b) % of SLBE **0.00%**

3. Did the contractor meet the Trucking requirement? **NO**

a) % of Local Trucking **0.00%**

4. Did the contractor received bid discount points? **NO**
(If yes, list the points received) **0%**

5. Additional Comments.

This contractor did not meet the 20% requirement, therefore deem a non-responsive bidder.

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

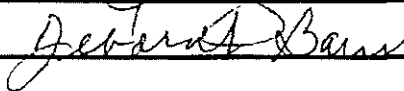
3/8/2005

**Reviewing
Officer:**



Date: 3/8/2005

Approved By:



Date: 3/8/05

LBE/SLBE Participation Bidder 1

Project Name: The Construction of Relief Sanitary Sewers on Bienati Way (Sloan Street) and Dimond Avenue Between Fruitvale Avenue and Dimond Park

Project No.: C81310		Engineers Est: 647,865.00				Under/Over Engineers Estimate: -30,355.00							
Discipline	Prime & Subs	Location	Cert. Status	LBE	SLBE	Total LBE/SLBE	S/LBE Trucking	Total Trucking	TOTAL Dollars	For Tracking Only			
										Ethn.	MBE	WBE	
PRIME Trucking	California Trenchless S&S Trucking	Hayward Oakland	UB CB				0.00	0.00	678,220.00 0.00				
Project Totals				0.00	0.00	0.00	0.00	0.00	678,220.00		\$0.00	\$0.00	
				0.0%	0.00%	0	0.00%	0.00%					
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			
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.: C81310

Project Name: The Construction of Relief Sanitary Sewers on Bienati Way (Sloan Street) and Dimond Avenue Between Fruitvale Avenue and Dimond Park

Contractor: K.J. Woods Construction

Contractor's Bid Amount: 538,000.00

Engineer's Estimate: 647,865.00

Over/Under the Engineers Estimate: 109,865.00

Bid Discounted Amount: \$10,760.00

Discount Points: 2%

Discounted Bid Price: \$527,240.00

1. Did the 20% requirements apply? **YES**

2. Did the contractor meet the 20% requirement? **YES**

a)	% of LBE	<u>0.00%</u>
b)	% of SLBE	<u>20.45%</u>

3. Did the contractor meet the Trucking requirement? **YES**

a)	% of Local Trucking	<u>100.00%</u>
----	---------------------	-----------------------

4. Did the contractor received bid discount points? **YES**
(If yes, list the points received) **2%**

5. Additional Comments.

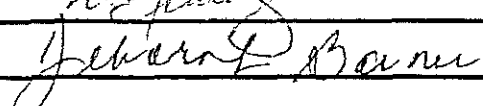
6. Date evaluation completed and returned to Contact Admin./Initiating Dept. **3/8/2005**

**Reviewing
Officer:**



Date: 3/8/2005

Approved By:



Date:

3/8/05

LBE/SLBE Participation Bidder 2

Project Name: The Construction of Relief Sanitary Sewers on Bienati Way (Sloan Street) and Dimond Avenue Between Fruitvale Avenue and Dimond Park

Project No.: C81310		Engineers Est: 647,865.00				Under/Over Engineers Estimate: 109,865.00						
Discipline	Prime & Subs	Location	Cert. Status	LBE	SLBE	Total LBE/SLBE	S/LBE Trucking	Total Trucking	TOTAL Dollars	For Tracking Only		
										Ethn.	MBE	WBE
PRIME Trucking Sawing Excavation Shoring	K.J. Woods Construction	SF	UB						428,000.00			
	S&S Trucking	Oakland	CB		2,000.00	2,000.00	2,000.00	2,000.00	2,000.00			
	Bay Line Construction	Oakland	CB		2,000.00	2,000.00			2,000.00			
	Peak Engineering	Oakland	CB		106,000.00	106,000.00			106,000.00			
Project Totals				0.00	110,000.00	110,000.00	2,000.00	2,000.00	538,000.00		\$0.00	\$0.00
				0.0%	20.45%	20.45%	100.00%	100.00%				
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		
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								

OAKLAND CITY COUNCIL
RESOLUTION No. _____ C. M. S.

INTRODUCED BY COUNCILMEMBER _____

Requires two-thirds vote of the Council

FILED
OFFICE OF THE CITY CLERK
OAKLAND

2005 APR 13 PM 6:17
W. J. ...

RESOLUTION AUTHORIZING AWARD OF A CONTRACT TO K.J. WOODS CONSTRUCTION, INC. FOR THE CONSTRUCTION OF RELIEF SANITARY SEWERS ON BIENATI WAY (SLOAN STREET) AND ON DIMOND AVENUE BETWEEN FRUITVALE AVENUE AND DIMOND PARK (PROJECT NO. C81310) FOR THE AMOUNT OF FIVE HUNDRED THIRTY-EIGHT THOUSAND DOLLARS (\$538,000)

WHEREAS, on February 14, 2005, two bids were received by the Office of the City Clerk of the City of Oakland for the Construction of Relief Sanitary Sewers on Bienati Way (Sloan Street) and on Dimond Avenue Between Fruitvale Avenue and Dimond Park (Project No. C81310); and

WHEREAS, K.J. Woods Construction, Inc. a certified SLBE bidding as a prime with 2% 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 Projects-Sanitary Sewer Design Organization (92244); Sewers Account (57417); Construction of Relief Sanitary Sewers on Bienati Way (Sloan Street) and on Dimond Avenue Between Fruitvale Avenue and Dimond Park Project (C81310) 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, K.J. Woods Construction, Inc. complies with all LBE/SLBE goals; 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 Construction of Relief Sanitary Sewers on Bienati Way (Sloan Street) and on Dimond Avenue Between Fruitvale Avenue and Dimond Park (Project No. C81310) is hereby awarded to K.J. Woods Construction, Inc. in accordance with the terms of its bid therefore, dated February 14, 2005, for the amount of Five Hundred Thirty-Eight Thousand Dollars (\$538,000); 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, \$538,000, 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, \$538,000, 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 K.J. Woods Construction, Inc. 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, AND
 PRESIDENT DE LA FUENTE

NOES-

ABSENT-

ABSTENTION-

ATTEST: _____

LATONDA SIMMONS

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