



# *INTER OFFICE MEMORANDUM*

Department of Workplace and Employment Standards (DWES)

**TO:** Ivy To,  
Department of Transportation

**FROM:** Shelley Darensburg, *SD*  
Contract Compliance Supervisor

**PREPARED BY:** Paula Peav, *Paula Peav*  
Contract Compliance Officer

**SUBJECT:** Compliance Analysis-  
**West Oakland Step Pedestrian  
Improvements  
Project No. 1006302**

**DATE:** September 4, 2024

The assigned Contract Compliance Officer conducted a compliance analysis of one (1) bid submitted to the City in response to the above referenced project. An availability analysis was requested by the initiating agency. To determine the availability of the City’s certified firms, DWES researched the certification database utilizing various NAICS codes. Based on the results of the availability analysis, the L/SLBE 50% participation requirement has been set to 20% for this project.

Below are the results of the compliance evaluation(s) with the minimum 20% Local and Small Local Business Enterprise (L/SLBE) participation requirement;

<i>Responsive with L/SLBE</i>		<b>PROPOSED PARTICIPATION</b>					<b>EARNED CREDITS AND DISCOUNTS</b>		
<b>Company Name</b>	<b>Original Bid Amount</b>	<b>Total L/SLBE</b>	<b>LBE</b>	<b>SLBE</b>	<b>*VSLBE</b>	<b>L/SLBE/V SLBE Trucking</b>	<b>Total Credited</b>	<b>Earned Bid Discounts</b>	<b>Adjusted Bid Amount</b>
McGuire & Hester	\$4,193,950	21.31%	1.57%	0.00%	19.74%	100%	21.31%	NA	NA

**Comments:** As noted above, the firm exceeded the minimum 20% L/SLBE participation requirement. Per an availability analysis, the 50% L/SLBE participation requirement was reduced from 50% to 20%. \*VSLBE participation was double counted.

For questions or comments, please contact Paula Peav, Contract Compliance Officer at (510) 238-3190.

## LBE/SLBE Participation Bidder1

<b>Project Name:</b>		<b>West Oakland Step Pedestrian Improvement</b>													
<b>Project No.:</b>		1006302		<b>Engineer's Estimate</b>			\$3,458,350.00			<b>Under/Over Engineers Estimate:</b>			-\$735,600.00		
Discipline	Prime & Subs	Location	Cert. Status	LBE/LPG	SLBE	*VSLBE (2x Value)	Total LBE/SLBE	VSLBE Trucking	L/SLBE Trucking	Total Trucking	TOTAL Dollars	Ethnicity			
												Ethn.	MBE	WBE	
PRIME Concrete (Partial) Concrete Material AB/Dump Fees Trucking Concrete Dome Material	McGuire and Hester Cooper Engineering & Construction	Oakland	UB								3,460,278	C			
		Oakland	CB			370,388	370,388				370,388	AA	370,388		
	Central Concrete	San Jose	UB								234,231	NL			
	Argent Materials	Oakland	CB	65,790			65,790				65,790	C			
	Curbside Trucking, LLC	Oakland	CB			43,630	43,630	43,630		43,630	43,630	AA	43,630		
	White Cap	Hayward	UB								19,633	NL			
<b>Project Totals</b>				\$65,790 1.57%	\$0 0.00%	\$414,018 19.74%	\$479,808 21.31%	\$43,630 100.00%	\$0 0.00%	\$43,630 100.00%	\$4,193,950 100.00%		414,018 9.87%	0 0.00%	
				<b>LBE/LPG 25%</b>	<b>SLBE 25%</b>	<b>VSLBE</b>	<b>TOTAL LBE/SLBE</b>	<b>VSLBE Trucking</b>	<b>L/SLBE TRUCKING</b>	<b>TOTAL DOLLARS</b>	<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 = Disadvantaged Business Enterprise WBE = Women Business Enterprise													

Department of Workplace & Employment Standards



DWES

PROJECT COMPLIANCE EVALUATION FOR :

Project No. 1006302

RE:

**West Oakland Step Pedestrian Improvement**

CONTRACTOR: **McGuire and Hester**

<u>Engineer's Estimate:</u> \$3,458,350.00	<u>Contractors' Bid Amount</u> \$4,193,950.00	<u>Over/Under Engineer's Estimate</u> (\$735,600.00)
<u>Discounted Bid Amount:</u> NA	<u>Amt. of Bid Discount</u> NA	<u>Discount Percentage:</u> NA

- 1. Did the 20% local/small local requirement apply: **YES**
- 2. Did the contractor meet the 20% requirement **YES**
  - a) % of LBE/LPG 1.57%
  - b) % of SLBE participation 0.00%
  - c) % of VSLBE participation **19.74%**
- 3. Did the contractor meet the L/SLBE trucking requirement? **YES**
  - a) Total L/SLBE trucking participation 0.00%
  - a) Total VSLBE trucking participation **100.00%**
- 4. Did the contractor receive bid discount percentage? **NA**
  - (If yes, list the percentage received) 0%

5. Additional Comments.  
**There was one bidder, therefore bid discounts are not applicable.**

6. Date evaluation completed and returned to Contract Admin./Initiating Dept.  
9/4/2024  
Date

Reviewing Officer: Paula Peav Date: 9/4/2024  
Approved By: Shelley Davensburg Date: 9/4/2024