

CITY OF OAKLAND  
OFFICE OF THE CITY CLERK  
**COUNCIL AGENDA REPORT**

2005 APR 28 PM 3: 33

TO: Office of the City Administrator  
ATTN: Deborah Edgerly  
FROM: Public Works Agency  
DATE: May 10, 2005

**RE: RESOLUTION AUTHORIZING THE CITY ADMINISTRATOR TO AWARD A CONTRACT TO KONESKY CONSTRUCTION COMPANY IN AN AMOUNT NOT TO EXCEED EIGHTY THOUSAND DOLLARS (\$80,000) FOR THE SIDING REPLACEMENT AT THE WEST OAKLAND MULTI-PURPOSE CENTER (PROJECT NO. B04910)**

---

### SUMMARY

A resolution has been prepared requesting that the City Administrator be given authorization to award a contract for siding replacement at West Oakland Multi-Purpose Center (WOMPC) located at 1801 Adeline Street, for a negotiated price not to exceed \$80,000. The proposed project repairs and covers the existing aged wood sidings with a new watertight stucco finish.

This project is consistent with the Mayoral and Council Goal No. 6 to "Maintain and Enhance Oakland's Physical Assets" by repairing and maintaining the City's facilities. The project is located in District No. 3.

### FISCAL IMPACTS

Approval of this resolution would authorize the City Administrator to award a contract to Konesky Construction Company in an amount not to exceed \$80,000 to replace the exterior siding of the West Oakland Multi-Purpose Center.

The total cost of the project is \$99,000, and includes \$80,000 for the construction contract, and \$19,000 for construction administration, and contingency. This project was approved in the fiscal year 2001-02 budget. Funding for this project is available in the Municipal Capital Improvement Fund (5500), and the WOMPC Siding Replacement Project (B04910).

In order to cover the \$80,000 contract cost, staff requests that the Council increase the authorized bid negotiation limit of \$117,000 by \$15,825 to \$132,825, which was the combined amount originally needed for siding replacements of both Manzanita Recreation Center and West Oakland Multi-purpose Center. The additional \$15,825 will be funded from the available contingency funds in the project.

The required assessment for Public Art and Contract Compliance has already been allocated. This project will not increase operation and maintenance costs.

### BACKGROUND

The West Oakland Multi-Purpose Center is a 1970's era two-story building with diagonal cedar siding and steel framed windows at the second floor. Large areas of cedar siding have aged excessively from weathering and ultra-violet damage and need to be replaced. Also, the five large, steel framed windows on the north side of the building have aged and rusted through. Under this contract, these windows will be replaced, and all of the rotted wood siding will be removed and refinished with stucco. This work will make the building watertight and sealed for another thirty plus years. Stucco was chosen because of its durability and resistance to ultra-violet. It is also approximately 30% less costly than the application of cedar siding.

Item \_\_\_\_\_  
Public Works Committee  
May 10, 2005

The original project which included both Manzanita Recreation Center and WOMPC was first bid on May 20, 2002 and no bids were received. On July 30, 2002, Council authorized the City Manager to negotiate a contract for a not to exceed amount of \$117,000, equal to the engineer's estimate. When the bids were received, the lowest bid came in \$15,825 over the engineer's estimate.

PWA informally bid the project to four interested contractors and on September 27, 2002 the following proposals were received:

Konesky Construction Co.	\$132,825
EEC/Eagle Construction	\$159,600
Quantum General Contractors	\$204,382
M.A. Linquist	\$269,135

A Council Resolution to award the contract for the siding replacement for both Manzanita Recreation Center and WOMPC was submitted on December 3, 2002. Council directed the WOMPC siding project be put on hold and be forwarded to CEDA/Zoning to seek community input for the planned replacement of the wood siding with stucco. Council authorized the City Administrator to award a contract for the Manzanita Recreation Center Siding project only and did not approve the additional \$15,825 needed to complete both projects at that time.

Upon completion of the community input on the WOMPC project, CEDA/Zoning approved the application of stucco based on an acceptable color scheme and required a Public Art mural be installed on the southwest face of the building, adjacent to the main entrance. The mural is to be completed within two years of the final inspection of the project through the Public Art program.

In order for the WOMPC siding project to be completed, PWA requests that Council now approve the additional \$15,825 that resulted at the time of the original low bid and to authorize the City Administrator to award the final portion of the bid for WOMPC.

### **KEY ISSUES AND IMPACTS**

Konesky Construction Company submitted a bid of \$80,000 for WOMPC siding replacement, and agrees to honor its original negotiated price. The City of Oakland's Contract Compliance Office evaluated Konesky's bid and concluded that it comprises 100% local trucking and 3% SLBE participation. This achieved L/SLBE participation goals of the City's 50% L/SLBE Program in place at the time of the original bid, as shown in Attachment A.

The proposed contract will correct the damaged cedar siding of the building and will provide a more durable watertight façade material. The new wall finish requires less maintenance and affords a longer life for the building's exterior.

The existing wood siding has deteriorated beyond repair. A delay in replacement of the exterior siding can result in additional project costs and allow for the growth of fungus, threatening the health and safety of the building occupants and the public.

### **SUSTAINABLE OPPORTUNITES**

Economic: The contractor will generate business tax, sales tax, and other revenues for the City during work on the project.

Environmental: New stucco added to the existing wood siding will provide a better thermally insulated building envelope, and is more energy efficient.

Social Equity: A stucco finish will improve the building's exterior and thereby enhance the neighborhood.

**DISABILITIES AND SENIOR CITIZEN ACCESS**

The contractor will set up construction barricades to protect the disabled and senior citizens from entering the hazardous areas and will assure that the existing building remains fully handicap accessible.

**RECOMMENDATION AND RATIONALE**

It is recommended that the prior expenditure limit be increased and the resolution to award a contract for WOMPC siding project be approved. This action will prevent the exterior walls of the building from further deterioration, and protect the health and safety of the building occupants and the public.

**ACTION REQUESTED OF THE CITY COUNCIL**

Staff recommends that the City Council authorize the City Administrator to spend an additional \$15,825 to cover project costs and to award a contract to Konesky Construction Company for a not to exceed amount of \$80,000 to complete the WOMPC siding replacement.

Respectfully submitted,



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

Reviewed by:  
Brooke A. Levin  
Assistant Director, Public Works Agency  
Environmental & Facilities Department

Prepared by:  
Keihan Ehsanipour, AIA CID  
PWA/FSD-Projects Design

APPROVED AND FORWARDED  
TO THE PUBLIC WORKS COMMITTEE

  
OFFICE OF THE CITY ADMINISTRATOR

**Contract Compliance and Employment Services Evaluation Form**

**Project No.:** B04910

**Project Name** West Oakland Multipurpose Center Siding Replacement Center

**Contractor:** Konesky Construction

**Engineer's Estimate:** 80,000

**Contractor's Total Bid:** 80,000

**Over/Under the Engineers Estimate:** \$0

**Contractor's Adjusted Bid Amount:** \$80,000

1. Does the 20% L/SLBE requirement apply? **No**

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

a) % of LBE **0%**  
b) % of SLBE **3%**

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

a) % of Local Trucking **100%**

4. Did the contractor earn bid discounts? **NO**  
(If yes, list percentage earned) **0%**

5. Additional Comments.

This project was originally bid under the City's 50% L/SLBE Program. The original bid opening was 5/20/02. However, no bids were received at that time. On 12/3/02, a City Council Resolution was adopted authorizing PWA to negotiate a contract.

6. Date evaluation completed and returned to Contact Admin./Initiating Dept. **1/31/2005**

**Reviewing**  
**Officer:** Shelley Darenstrey  
**APPROVED**  
**By:** Robert Barnes

**Date:** 1/31/2005  
**Date:** 1/31/2005

# LBE/SLBE Participation Bidder 1

Project Name: **West Oakland Multipurpose Center Siding Replacement Project**

<b>Project No.: B05050/B04910</b>		<b>Engineers Estimate:</b>			<b>Under/Over Engineers Estimate: -80,000.00</b>							
Discipline	Prime & Subs	Location	Cert. Status	LBE	SLBE	LOCAL TRUCKING	TOTAL TRUCKING	TOTAL LBE/SLBE	TOTAL Dollars	For Tracking Only		
										Ethn.	MBE	WBE
PRIME	Konesky Construction	Concord	UB						41,700	C		
Stucco	Tim Vansandt	Concord	UB						33,500	C		
Trucking	Paul Watson Trucking	Oakland	CB		2,000	2,000	2,000	2,000	2,000	AA	2,000	
Windows	East Bay Glass	Oakland	UB						2,200	C		
Sheetmetal	Nor Cal Metal Fabricators	Oakland	UB						600	C		
Lumber	*Piedmont Lumber	Oakland	CB							C		
<b>Project Totals</b>				0.00	\$2,000	2,000	2,000	\$2,000	\$80,000		2,000	0
				0.0%	2.50%	2.50%	100%	2.50%	100%		3%	0%
*The contractor did not list a dollar amount for this subcontractor.										<b>Ethnicity</b> AA = African American A = Asian C = Caucasian H = Hispanic NA = Native American O = Other		
<b>Requirements:</b> 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 firms can only be counted up to 10% of the total contract amount.				<b>LBE 10% MAX CREDIT</b>	<b>SLBE 10%</b>	<b>TRUCKING 20%</b>		<b>LBE/SLBE 20%</b>				
<b>Legend</b> 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								

# OAKLAND CITY COUNCIL

RESOLUTION No. \_\_\_\_\_

OFFICE OF THE CITY CLERK  
C.M.S.

Requires the two-thirds vote of the City Council



2005 APR 20 PM 3:33

**RESOLUTION AUTHORIZING THE CITY ADMINISTRATOR TO AWARD A CONTRACT TO KONESKY CONSTRUCTION COMPANY IN AN AMOUNT NOT TO EXCEED EIGHTY THOUSAND DOLLARS (\$80,000) FOR THE SIDING REPLACEMENT AT THE WEST OAKLAND MULTI-PURPOSE CENTER (PROJECT NO. B04910)**

**WHEREAS**, on July 30, 2002 per Council resolution 77360, the Council authorized the City Administrator to negotiate and award a contract for removing and replacing deteriorated wood siding with a stucco finish for both the Manzanita Recreation Center and the West Oakland Multi-Purpose Center in a total project budget not to exceed \$117,000; and

**WHEREAS**, these two projects were formally bid out on May 20, 2002, and no bids were received on either project; and

**WHEREAS**, on September 25, 2002, staff solicited informal bids on these two projects and received price quotes from four contractors, and all quotes exceeded the engineer's estimate by over thirty-three percent, and

**WHEREAS**, Konesky Construction Company, the low bidder of the above informal bids had submitted a bid quote of \$52,825 for Manzanita Recreation Center Siding Replacement and \$80,000 for West Oakland Multi-Purpose Center Siding Replacement; and

**WHEREAS**, on December 2, 2002, Council authorized the City Manager to award a contract for the Manzanita Center only, since the West Oakland Multi-Purpose Center needed to be reviewed by the Zoning Division of the Community and Economic Development Agency ("CEDA/Zoning") in order to determine whether the change from the existing wood to new stucco siding would be acceptable to the community; and

**WHEREAS**, CEDA/Zoning approved the use of stucco siding material for the West Oakland Center on April 2, 2004; and

**WHEREAS**, Konesky Construction has agreed to honor its original negotiated price of \$80,000 without a cost increase; and

**WHEREAS**, the total cost of the project is \$99,000, and includes \$80,000 for the construction contract, and \$19,000 for construction administration, and contingency; and

**WHEREAS**, the siding replacement of the Manzanita Center cost \$52,825, there is only a balance left of \$64,175 from the original amount of \$117,000 which was authorized for both projects, leaving a deficit of \$15,825 which represents the difference between the amount previously authorized for both the Manzanita Recreation Center and West Oakland Multi-Purpose Center Siding Replacement project, and the total amount needed to replace the siding of the West Oakland Multi-Purpose Center (\$80,000); and

**WHEREAS**, the Council needs to authorize the City Administrator to increase the overall not to exceed amount of \$117,000 by \$15,825 to cover the contract costs of replacing the siding of the West Oakland Multi-Purpose Center, which will increase the grand total amount of the two projects from \$117,000 to a total of \$132,825; and

**WHEREAS**, this siding replacement project was approved in the fiscal year 2001-02 budget and funding for this project is available in the Municipal Capital Improvement Fund (5500), and the WOMPC Siding Replacement Project (B04910);

**WHEREAS**, the additional \$15,825 will be funded from the available contingency funds in the project; and

**WHEREAS**, replacing the siding will reduce the potential for fungal growth and therefore potential health issues; and

**WHEREAS**, the staff recommends award of a contract for a not-to-exceed amount of \$80,000, plus a construction contingency for possible framing repair and/or fungal abatement; 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; and

**WHEREAS**, the City Council finds that services under this contract will be temporary; and

**WHEREAS**, the City Council finds and determines that the performance of the services to this contract will not result in the loss of employment or salary by any person having permanent status in the competitive services; and

**WHEREAS**, the new cost of the project is still within the project's budget; now, therefore, be it

**RESOLVED:** That the City Council authorizes the City Administrator to increase the amount of the previously authorized bid negotiations for the Manzanita Recreation Center and West Oakland Multi-Purpose Center Siding Replacement from \$117,000 to \$132,825; and be it

**FURTHER RESOLVED:** That the City Council authorizes the City Administrator to award a contract to Konesky Construction Company for the West Oakland Multi-Purpose Center Siding Replacement project for an amount not-to-exceed \$80,000; 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 City Administrator is hereby authorized to execute any amendments or modifications of said contract within the limitations of the project specifications; and be it

**FURTHER RESOLVED:** That the amount of the bond for faithful performance, \$80,000, and the amount for a bond to guarantee payment of all claims for labor and material furnished with respect to such work, \$80,000, and for the amount due under Unemployment Insurance Act, are hereby approved; and be it

**FURTHER RESOLVED:** That the contract shall be reviewed and approved for form and legality by the City Attorney and placed on file 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 Clerk of the Council  
of the City of Oakland, California