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## Office of the City Administrator

Contract Compliance & Employment Services Division

**To:** Gwen McCormick - Contract Administrator Supervisor

**From:** Dasco Munoz - CC&ES Contract Compliance Officer

**Through:** Deborah Barnes - CC&ES Manager *Deborah Barnes*

**CC:** Project Manager

**Date:** February 14, 2007

**Re:** Citywide Street Resurfacing, Project No. G287610

Contract Compliance & Employment Services reviewed six (6) bids received in response to the above referenced project. Below is the outcome of our compliance evaluation for the DBE participation and a preliminary review for compliance with the Equal Benefits Ordinance (EBO).

Company Name	Bid Amount	DBE Goal	Total DBE Participation	EBO Compliant ? Y/N
Gallagher & Burk, Inc.	\$4,888,527.00	0%	2.05%	Y
Top Grade Construction	\$5,817,045.00	0%	5.16%	Y
Mcguire & Hester	\$5,935,176.25	0%	7.41%	Y
Granite Rock Company DBA Pavex Construction	\$7,053,455.00	0%	0.00%	Y
Bay Cities Paving & Grading	\$6,054,949.00	0%	11.46%	Y
Ghilotti Construction Co.	\$7,327,915.00	0%	2.21%	Y

As noted above, all contractors are in compliance with EBO. This project is under Caltrans' race neutral DBE program.

Local Employment Program (LEP)/15% Apprenticeship Program compliance review.

The numbers listed below show total project hours, LEP hiring goal; actual resident employment; actual Oakland apprentice work hours; the 15% Apprenticeship utilization goal; and difference between the 15% Apprenticeship utilization goal and actual hours worked by Oakland apprentices. Local Employment Program/15% Apprenticeship Program compliance performance on Project # C166110 for Gallagher & Burke is as follows:

Contractor	Total Hours	Oakland Hours	LEP Goal	Oakland App. Hours	15% App. Utilization Goal	App. Shortfall Hours
<b>Gallagher &amp; Burke</b>	900	372.00*	450	24.5-**	135	110.5
	100%	41.33%	50%	2.72%	15%	12.28%

\*Actual employment **does not** meet LEP goal

\*\*Actual employment **does not** meet 15% Apprenticeship goal

- ❖ Gallagher & Burke did not meet the Local Employment Program 50% resident hiring goal with 41.33% resident employment.
- ❖ Gallagher & Burke did not meet the 15% Apprenticeship Program utilization goal. There are 110.5 apprentice utilization shortfall hours for the project.
- ❖ Shortfall hours are subject the application of 1.5 factor for non-compliance. Required apprentice work hours needed to satisfy non-compliance are  $110.5 \times 1.5 = 165.75$  apprentice hours.

The Local Employment Program (LEP)/15% Apprenticeship compliance analysis is based on the certified payroll data for Gallagher & Burke through FY 03-04.

Should you have any questions you may contact me at 238-3970.

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