

# AGENDA REPORT

TO: DEANNA J. SANTANA  
CITY ADMINISTRATOR

FROM: Brooke A. Levin  
Interim Director, PWA

SUBJECT: Rehab of Sanitary Sewers

DATE: October 14, 2013

City Administrator  
Approval

*Deanna J. Santana*

Date:

*11-19-13*

COUNCIL DISTRICT: 4, 5, 6

## RECOMMENDATION

Staff recommends that the City Council adopt the following four contract award resolutions:

- 1) Resolution Awarding A Construction Contract To Mosto Construction For The Rehabilitation Of Sanitary Sewers In The Easement Between Delmont Avenue And Edgemoor Place, The Easement Between Majestic Avenue And Laird Avenue, And The Easement Between Modesto Street And Madera Avenue (Project No. C329132) In Accord With Plans And Specifications For The Project And Contractor's Bid In The Amount Of Two Hundred Eighty-Three Thousand Five Hundred Sixty-Nine Dollars (\$283,569.00)
- 2) Resolution Awarding A Construction Contract To Mosto Construction For The Rehabilitation Of Sanitary Sewers In The Easement Between Thomhill Drive And Cabot Drive, And In Gouldin Road Between Alhambra Avenue And Armour Drive (Project No. C329133) In Accord With Plans And Specifications For The Project And Contractor's Bid In The Amount Of Two Hundred Sixty-Four Thousand Five Hundred Seventy-Five Dollars (\$264,575.00)
- 3) Resolution Awarding A Construction Contract To Pacific Trenchless, Inc. For The Rehabilitation Of Sanitary Sewers Bounded By Macarthur Blvd, Maple Ave, Bamer Ave, And Frye St (Project No. C428510 Sub-Basin 80-102) In Accord With Plans And Specifications For The Project And Contractor's Bid In The Amount Of One Million Three Hundred Fifty-Four Thousand Three Hundred Sixty-Seven Dollars (\$1,354,367.00)
- 4) Resolution Awarding A Construction Contract To J. Howard Engineering, Inc. For The Rehabilitation Of Sanitary Sewers In The Area Bounded By Embarcadero Street, Dennison Street, King Street, Frederick Street, And Kennedy Street (Project

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No. C428610 Sub-Basin 61-01) In Accord With Plans And Specifications For The Project And Contractor's Bid In The Amount Of Eight Hundred Ninety-Six Thousand Eighty-Six Dollars (\$896,086.00)

**OUTCOME**

Approval of the four resolutions will authorize the City Administrator to execute two construction contracts with Mosto Construction in the amounts of \$283,569.00 and \$264,575.00, a construction contract with Pacific Trenchless, Inc. in the amount of \$1,354,367.00, and a construction contract with J. Howard Engineering, Inc. in the amount of \$896,068.00. The work to be completed under these projects is part of the City's annual Sanitary Sewer Rehabilitation program. The work is located in Council Districts 4, 5 and 6 as shown in *Attachment A1, A2, A3 and A4*.

**BACKGROUND/LEGISLATIVE HISTORY**

1. The Rehabilitation of Sanitary Sewers in the Easement Between Delmont Avenue and Edgemoor Place, the Easement Between Majestic Avenue and Laird Avenue, and the Easement Between Modesto Street and Madera Avenue (Project No. C329132): the proposed work consists, in general, of the rehabilitation of 2,117 linear feet of existing sanitary sewer pipes by pipe-expanding method; rehabilitating sewer structures; reconnecting house connecting sewers; and other work specifically shown on the project plans or included in the Special Provisions.

On September 26, 2013, the City Clerk received four bids for this project in the amount of \$283,569.00, \$371,835.00, 383,599.00 and \$445,312.00. Mosto Construction is deemed the lowest responsive and responsible bidder and therefore is recommended for the award. The Engineer's estimate for the work is \$315,980.00.

Company	Bid Amount
Mosto Construction	\$283,569.00
Engineer's Estimate	\$315,980.00
Pacific Trenchless, Inc.	\$371,835.00
J. Howard Engineering, Inc.	\$383,599.00
Andes Construction	\$445,312.00

2. **The Rehabilitation of Sanitary Sewers in the Easement between Thornhill Drive and Cabot Drive, and in Gouldin Road between Alhambra Avenue and Armour Drive (Project No. C329133):** The proposed work consists, in general, of the rehabilitation of 1,428 linear feet of existing sanitary sewers pipes by pipe-expanding method; rehabilitating sewer structures; reconnecting house connecting sewers; and other work specifically shown on the project plans or included in the Special Provisions.

On September 26, 2013, the City Clerk received four bids for this project in the amount of \$264,575.00, \$305,813.00, \$334,909.00, and \$335,159.00. Mosto Construction is deemed the lowest responsive and responsible bidder, and therefore is recommended for the award. The Engineer's estimate for the work is \$277,260.00.

Company	Bid Amount
Mosto Construction	\$264,575.00
Engineer's Estimate	\$277,260.00
J. Howard Engineering, Inc.	\$305,813.00
Pacific Trenchless, Inc.	\$334,909.00
Andes Construction, Inc.	\$335,159.00

3. **The Rehabilitation of Sanitary Sewers bounded by MacArthur Blvd, Maple Ave, Barner Ave, and Frye St. (Project No. C428510, Sub-Basin 80-102):** the proposed work consists, in general, of the rehabilitation of 6,805 linear feet of existing sanitary sewers pipes by pipe-expanding method; rehabilitating sewer structures; reconnecting house connecting sewers; and other work specifically shown on the project plans or included in the Special Provisions.

On September 26, 2013, the City Clerk received three bids for this project in the amount of \$1,354,367.00, \$1,419,955.00, and \$1,472,253.00. Pacific Trenchless, Inc. is deemed the lowest responsive and responsible bidder, and therefore is recommended for the award. The Engineer's estimate for the work is \$1,333,160.00.

Company	Bid Amount
Engineer's Estimate	\$1,333,160.00
Pacific Trenchless, Inc.	\$1,354,367.00
J Howard Engineering, Inc.	\$1,419,955.00
Andes Construction	\$1,472,253.00

4. **The Rehabilitation of Sanitary Sewers in the area bounded by Embarcadero Street, Dennison Street, King Street, Frederick Street, and Kennedy Street (Project No. C428610, Sub-Basin 61-01):** The proposed work consists, in general, of the rehabilitation of 2,748 linear feet of existing sanitary sewers pipes by pipe-expanding method; rehabilitating sewer structures; reconnecting house connecting sewers; and other work specifically shown on the project plans or included in the Special Provisions.

On October 10, 2013, the City Clerk received three bids for this project in the amount of \$896,086.00, \$1,010,040.00, and \$1,089,614.00. J. Howard Engineering, Inc. is deemed the lowest responsive and responsible bidder, and therefore is recommended for the award. The Engineer's estimate for the work is \$677,010.00.

Company	Bid Amount
Engineer's Estimate	\$677,010.00
J Howard Engineering, Inc.	\$896,086.00
Andes Construction	\$1,010,040.00
Pacific Trenchless, Inc.	\$1,089,614.00

### ANALYSIS

Adoption of these resolutions will allow the City Administrator or her designee to execute two construction contracts with Mosto Construction, one construction contract with Pacific Trenchless, Inc. and one construction contract with J. Howard Engineering, Inc. for sewer rehabilitation at various locations as follows:

1. **The Rehabilitation of Sanitary Sewers in the Easement Between Delmont Avenue and Edgemoor Place, the Easement Between Majestic Avenue and Laird Avenue, and the Easement Between Modesto Street and Madera Avenue (Project No.**

**C329132):** Under the proposed contract with Mosto Construction, the Local Business Enterprise/Small Local Business Enterprise (LBE/SLBE) participation of LBE/SLBE will be 92.73%, which exceeds the City's 50% LBE/SLBE requirement. The contractor shows L/SLBE (100%) for trucking, exceeding the 50% Local Trucking requirement. 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 Social Equity Division of the Department of Contracting and Purchasing, and is shown in Attachment CL

Construction is scheduled to begin in February 2014 and should be completed by June 2014. The contract specifies \$1,000.00 in liquidated damages per calendar day if the contract is not completed within 60 working days. The project schedule is shown in *Attachment B*.

2. The Rehabilitation of Sanitary Sewers in the Easement between Thornhill Drive and Cabot Drive, and in Gouldin Road between Alhambra Avenue and Armour Drive (Project No. C329133): Under the proposed contract with Mosto Construction, the Local Business Enterprise and Small Local Business Enterprise (LBE/SLBE) participation will be 94.31%, which exceeds the City's 50% LBE/SLBE requirement. The contractor also shows a participation of 100% for trucking, which exceed the 50% Local Trucking requirement. The LBE/SLBE information has been verified by the Social Equity Division of the Department of Contracting and Purchasing, and is shown in Attachment C2.

Construction is scheduled to begin in February 2014 and should be completed by June 2014. The contract specifies \$1,000.00 in liquidated damages per calendar day if the contract is not completed within 60 working days. The project schedule is shown in *Attachment B*.

3. The Rehabilitation of Sanitary Sewers bounded by MacArthur Blvd, Maple Ave, Barner Ave, and Frye St. (Project No. C428510, Sub-Basin 80-102): Under the proposed contract with Pacific Trenchless, Inc., the Local Business Enterprise/Small Local Business Enterprise (LBE/SLBE) participation will be 94.09%, which exceeds the City's 50% LBE/SLBE requirement. The contractor shows 100% participation for trucking. 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 Social Equity Division of the Department of Contracting and Purchasing, and is shown in *Attachment C3*.

Construction is scheduled to begin in March 2014 and should be completed by June 2014. The contract specifies \$1,000.00 in liquidated damages per calendar day if the

contract is not completed within 60 working days. The project schedule is shown in *Attachment B*.

4. The Rehabilitation of Sanitary Sewers in the area bounded by Embarcadero Street, Dennison Street, King Street, Frederick Street, and Kennedy Street (Project No. C428610, Sub-Basin 61-01): Under the proposed contract with J. Howard Engineering, Inc., the Local Business Enterprise/Small Local Business Enterprise (LBE/SLBE) participation will be 89.73%, which exceeds the City's 50% LBE/SLBE requirement. The contractor shows 100% participation for trucking. 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 Social Equity Division of the Department of Contracting and Purchasing, and is shown in *Attachment C4*.

Construction is scheduled to begin in March 2014 and should be completed by June 2014. The contract specifies \$1,000.00 in liquidated damages per calendar day if the contract is not completed within 60 working days. The project schedule is shown in *Attachment B*.

The Environmental Protection Agency (EPA) mandates the reduction of sanitary sewer flows during storm events. These projects are part of the City-wide program to improve pipe conditions and reduce wet weather peak flows in sanitary sewer system. Staff has reviewed the submitted bids for the work and has determined that the bids are reasonable for the current construction climate.

#### PUBLIC OUTREACH/INTEREST

The Home Owner Associations, Merchants Associations and residents in easements area have been notified in writing about this project. They will be notified again individually prior to construction.

#### COORDINATION

The work to be done under these contracts was coordinated with:

- Public Works Agency – Department of Infrastructure and Operations
- Public Works Agency – These were coordinated with Paving Program
- In addition, the following reviewed this report and resolutions:
  - Office of the City Attorney
  - City Budget Office

**COST SUMMARY/IMPLICATIONS**

1. AMOUNT OF RECOMMENDATION/COST OF PROJECT:

FUNDING SOURCE	AMOUNT
The Rehabilitation of Sanitary Sewers in the Easement Between Delmont Avenue and Edgemoor Place, the Easement Between Majestic Avenue and Laird Avenue, and the Easement Between Modesto Street and Madera Avenue (Project No. C329132)	\$283,569.00
The Rehabilitation of Sanitary Sewers in the Easement between Thomhill Drive and Cabot Drive, and in Gouldin Road between Alhambra Avenue and Armour Drive (Project No. C329133)	\$264,575.00
The Rehabilitation of Sanitary Sewers bounded by MacArthur Boulevard, Maple Avenue, Bamer Avenue, and Frye Street (Project No. C428510, Sub-Basin 80-102)	\$1,354,367.00
The Rehabilitation of Sanitary Sewers in the area bounded by Embarcadero Street, Dennison Street, King Street, Frederick Street, and Kennedy Street (Project No. C428610, Sub-Basin 61-01)	\$896,086.00

2. COST ELEMENTS OF AGREEMENTS/CONTRACTS: \$2,798,597.00

3. SOURCE OF FUNDING:

FUNDING SOURCES	AMOUNT
Sewer Service Fund (3100); Capital Project – Sanitary Sewer Design Organization (92244); Sewers Account (57417); Project C329132	\$283,569.00
Sewer Service Fund (3100); Capital Project – Sanitary Sewer Design Organization (92244); Sewers Account (57417); Project C329133	\$264,575.00
Sewer Service Fund (3100); Capital Project – Sanitary Sewer Design Organization (92244); Sewers Account (57417); Project C428510	\$1,354,367.00
Sewer Service Fund (3100); Capital Project – Sanitary Sewer Design Organization (92244); Sewers Account (57417); Project C428610	\$896,086.00

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4. FISCAL IMPACT:

Approval of the four resolutions will authorize the City Administrator to execute construction contracts in the amount of \$283,569.00, \$264,575.00, \$1,354,367.00 and \$896,086.00. These projects will rehabilitate existing sewer pipes, reduce rain-related sewer overflows, and improve sewer pipe conditions in the area, and reduce ongoing maintenance costs.

**PAST PERFORMANCE, EVALUATION AND FOLLOW-UP**

The Contractor Performance Evaluation for Mosto Construction from a previously completed project is satisfactory and is included as *Attachment D1*.

The Contractor Performance Evaluation for Pacific Trenchless Inc. from a previously completed project is satisfactory and is included as *Attachment D2*.

The Contractor Performance Evaluation for J. Howard Engineering, Inc. is not available. This is second time the contractor has been awarded a City contract. The first project with City is under construction.

**SUSTAINABLE OPPORTUNITIES**

**Economic:** The contractors are all verified for Local Business Enterprise and Small Local Business Enterprise (LBE/SLBE) participation by the Social Equity Division of the Department of Contracting and Purchasing. The contractors are required to have 50% of the work hours performed by Oakland residents, and 50% of all new hires are to be Oakland residents, which will result in dollars being spent locally.

**Environmental:** Replacing sanitary sewers will minimize sewer leakage and overflows, thus preventing potential harm to property, 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. Best Management Practices for the protection of storm water runoff during construction will be required.

**Social Equity:** This project is part of the citywide program to eliminate wastewater overflows, thereby benefiting all Oakland residents.

**CEQA**

A Negative Declaration for sewer rehabilitation projects was adopted by Ordinance No. 10876 C.M.S. and with approval by City Council on June 23, 1987.

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For questions regarding this report, please contact Gus Amirzehni, Engineering Design and Right-of-Way Manager, 510-238-6601.

Respectfully submitted,



BROOKE A. LEVIN

Interim Director, Public Works Agency

Reviewed by:

Michael Neary, P.E., Assistant Director,

PWA, Department of Engineering and Construction

Reviewed by:

Gus Amirzehni, P.E., Engineering Design and R.O.W.

Division Manager

Prepared by:

Gunawan Santoso, P.E., Acting Supervising Civil

Engineer

Engineering Design and R.O.W. Management Division

Attachments:

Attachment A1, A2, A3, and A4 – Project Location Map

Attachment B – Project Construction Schedule

Attachment C1, C2, C3, and C4 – Contracts & Compliance Unit Compliance Evaluation

Attachment D1 and D2 – Contractor Performance Evaluation

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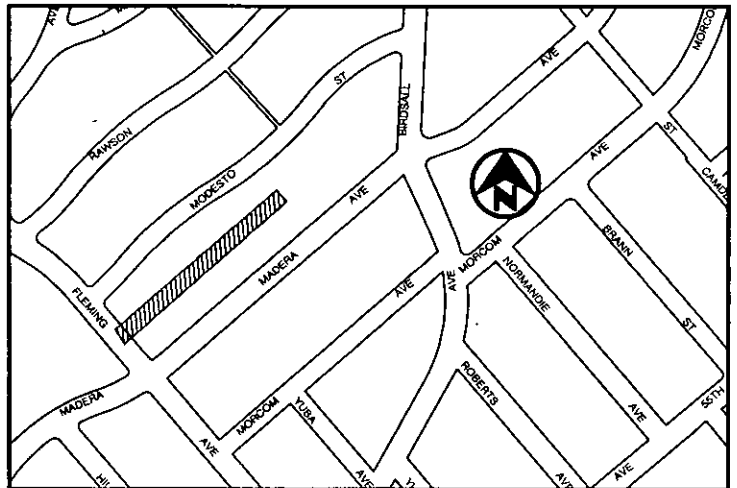
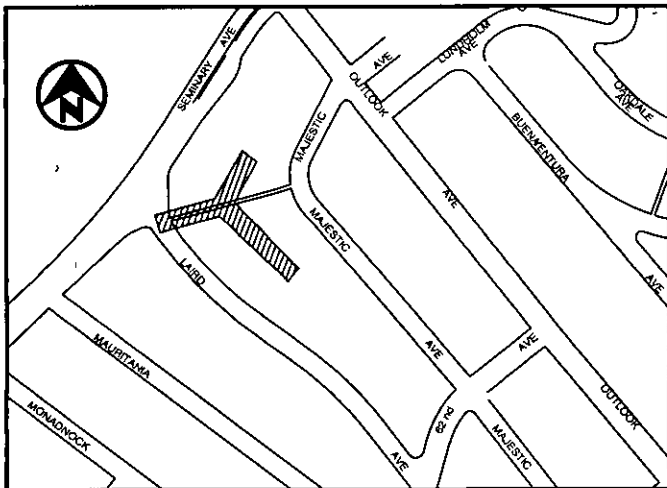
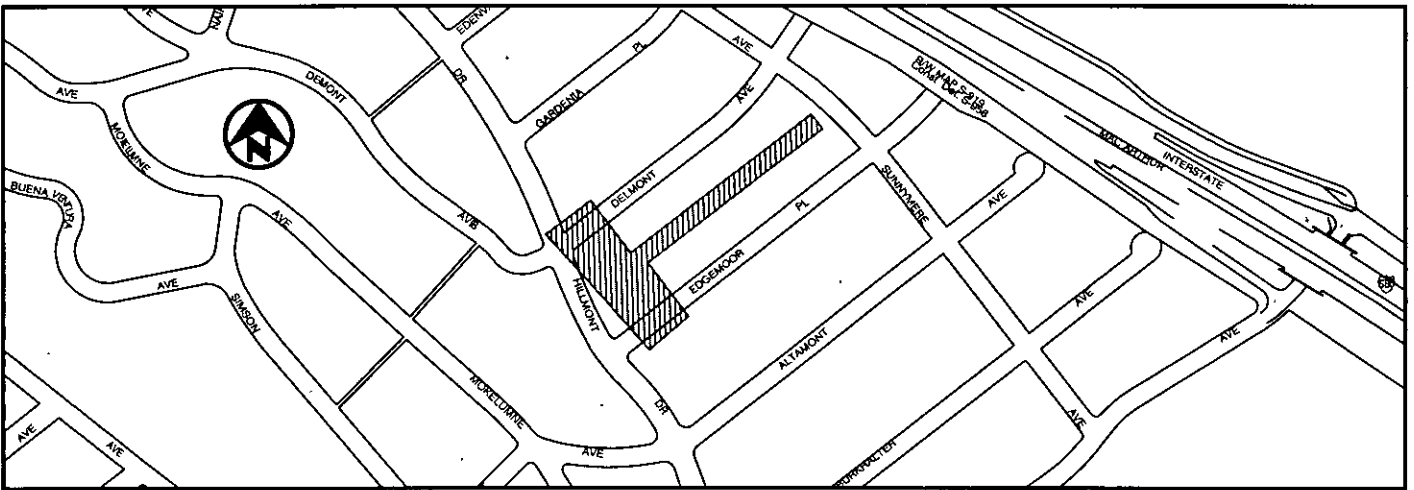
*Attachment A*

FILED  
OFFICE OF THE CITY CLERK  
OAKLAND

2013 NOV 21 AM 9:22

# PLANS FOR THE REHABILITATION OF SANITARY SEWERS IN THE EASEMENT BETWEEN DELMONT AVENUE AND EDGEMOOR PLACE, THE EASEMENT BETWEEN MAJESTIC AVENUE AND LAIRD AVENUE, AND THE EASEMENT BETWEEN MODESTO STREET AND MADERA AVENUE

CITY PROJECT NO. C329132



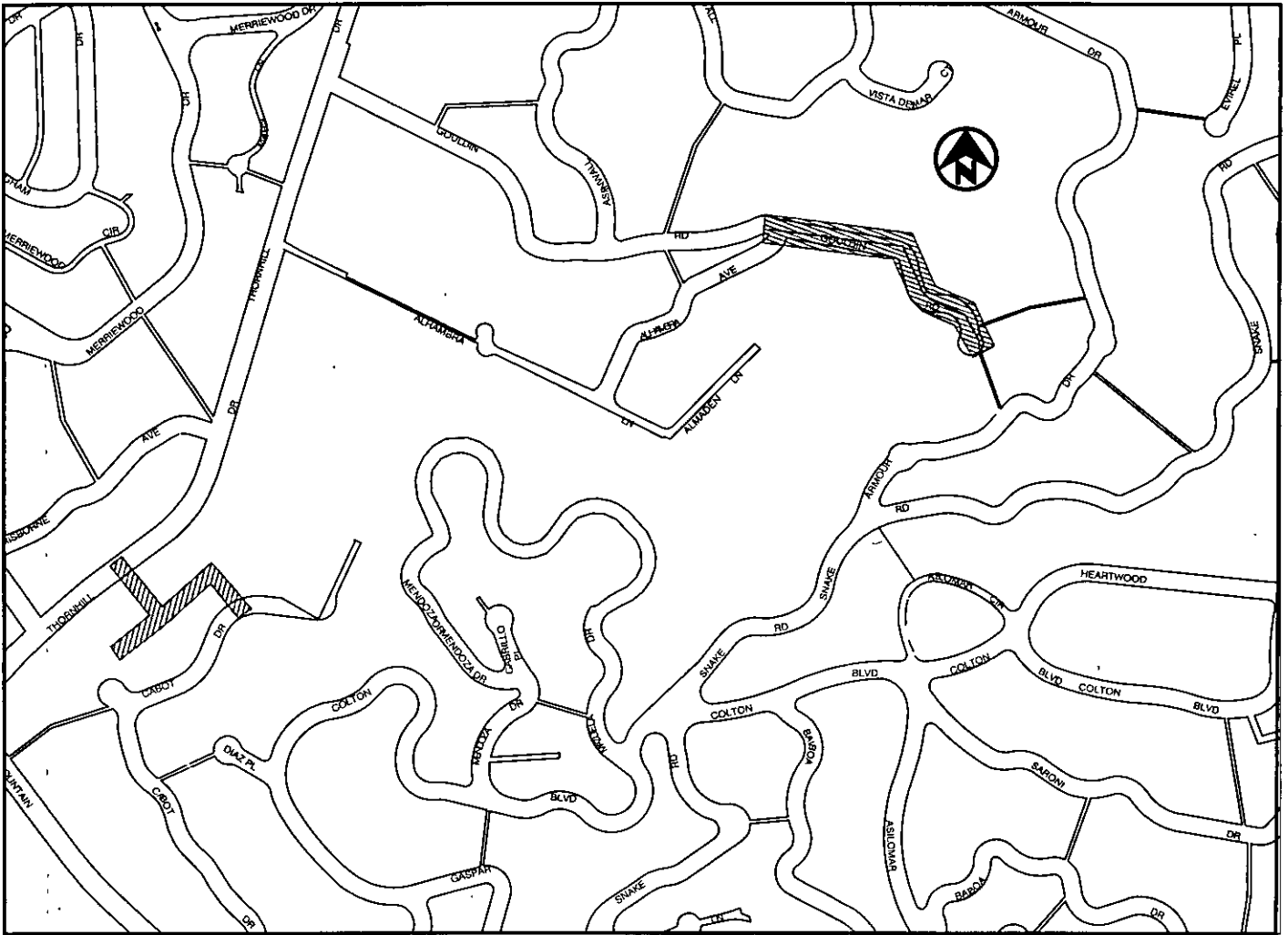
## LOCATION MAP

NOT TO SCALE

LIMIT OF WORK 

# REHABILITATION OF SANITARY SEWERS IN THE EASEMENT BETWEEN THORNHILL DRIVE AND CABOT DRIVE AND IN GOULDIN ROAD BETWEEN ALHAMBRA AVENUE AND ARMOUR DRIVE

CITY PROJECT NO. C329133



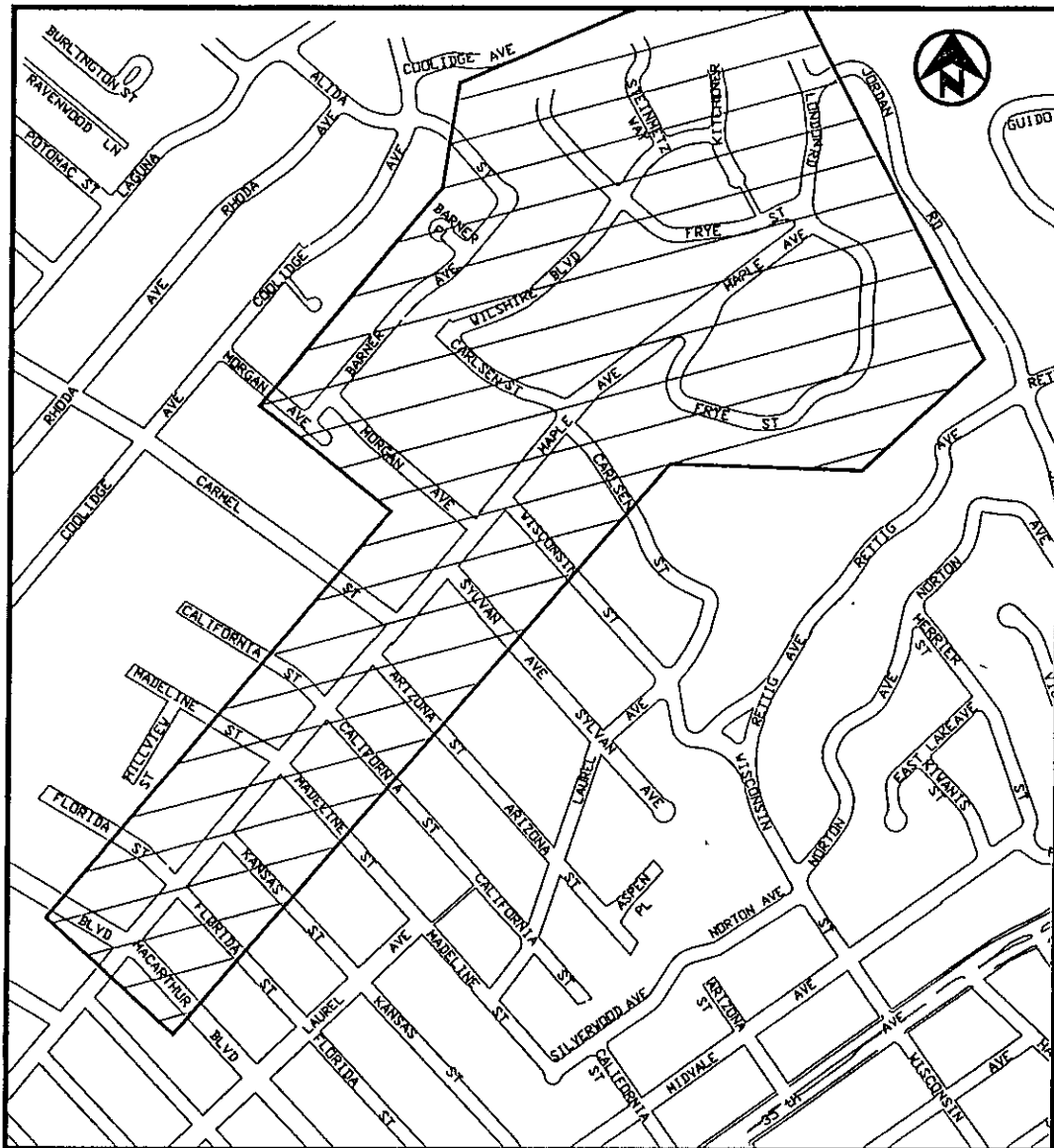
## LOCATION MAP

NOT TO SCALE

LIMIT OF WORK 

# REHABILITATION OF SANITARY SEWERS IN THE AREA BOUNDED BY MACARTHUR BLVD, MAPLE AVE, BARNER AVE, AND FRYE ST (SUB-BASIN 80-102)

CITY PROJECT NO. C428510



## LOCATION MAP

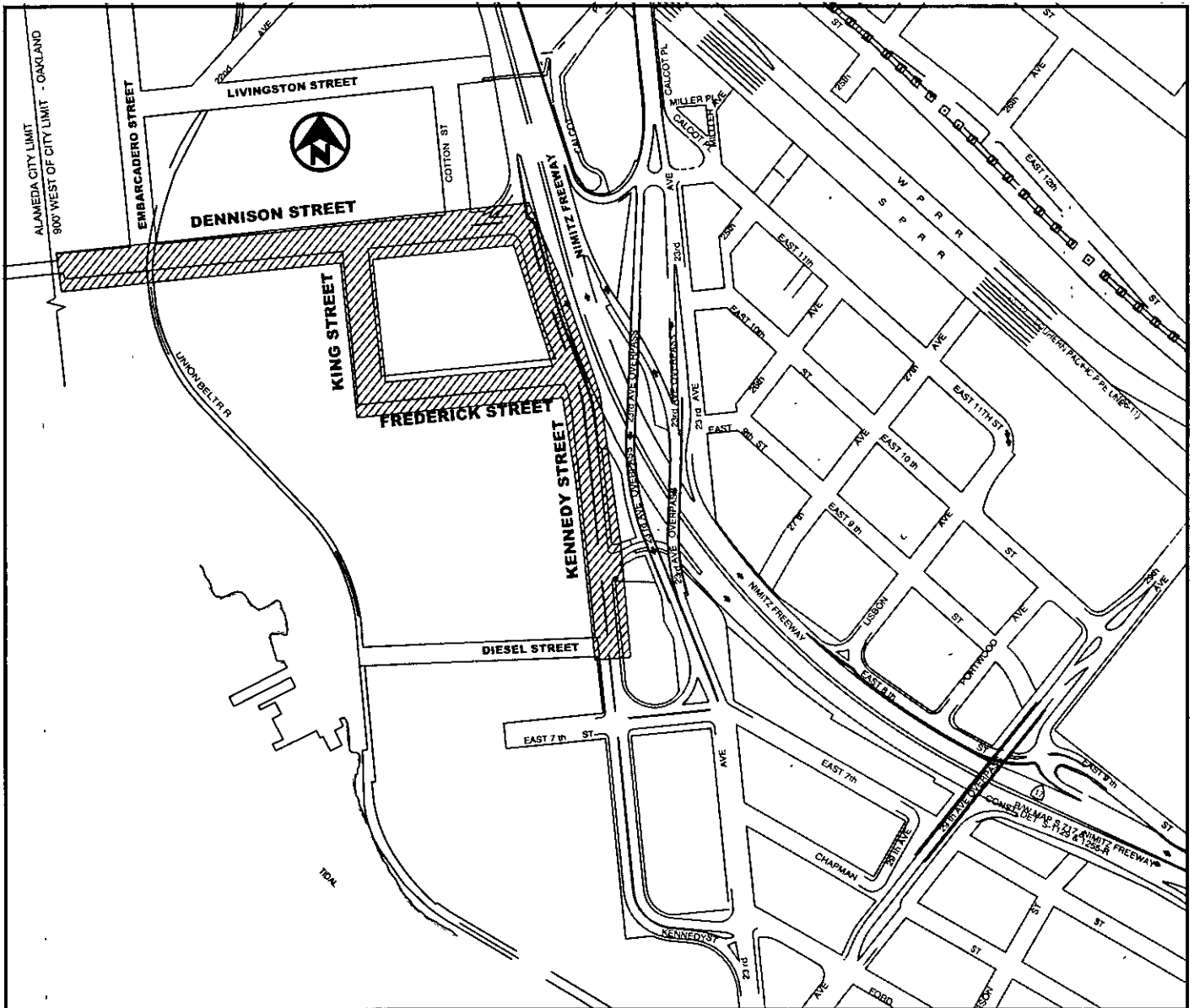
NOT TO SCALE

LIMIT OF WORK 

Attachment A4

PLANS FOR REHABILITATION OF SANITARY SEWERS  
IN THE AREA BOUNDED BY EMBARCADERO ST.,  
DENNISON ST., KING ST., FREDERICK ST., AND KENNEDY ST.  
(SUB-BASIN 61-01)

CITY PROJECT NO. C428610



LOCATION MAP

NOT TO SCALE

LIMIT OF WORK 



*Attachment C*





# INTER OFFICE MEMORANDUM

**TO:** Gunawan Santoso,  
Civil Engineer

**FROM:** Deborah Barnes, Manager,  
Contracts & Compliance

**SUBJECT:** Compliance Analysis

**DATE:** October 21, 2013

The Rehabilitation of Sanitary Sewers in the Easement Between Delmont Avenue and Edgemoor Place, the Easement Between Majestic Avenue and Laird Avenue, and the Easement Between Modesto Street and Madera Avenue  
Project No. C329132

City Administrator's Office, Contracts and Compliance Unit reviewed four (4) bids in response to the above referenced project. Below is the outcome of the compliance evaluation for the minimum 50% Local and Small Local Business Enterprise (L/SLBE) participation requirement, a preliminary review for compliance with the Equal Benefits Ordinance (EBO), and a brief overview of the lowest responsible bidder's compliance with the 50% Local Employment Program (LEP) and the 15% Oakland Apprenticeship Program on the bidder's most recently completed City of Oakland project.

Responsive to L/SLBE and/or EBO Policies		Proposed Participation					Earned Credits and Discounts			EBO Compliant? Y/N
Company Name	Original Bid Amount	Total LBE/SLBE	LBE	SLBE	*VSLBE/LPG	L/SLBE Trucking	Total Credited participation	Earned Bid Discounts	Adjusted Bid Amount	
Mosto Construction	\$283,569.00	92.73%	.35%	91.32%	1.06%	100%	92.73%	5%	\$269,390.55	Y
Pacific Trenchless Inc.	\$371,835.00	97.58%	0.00%	97.58%	0.00%	100%	97.58%	5%	\$353,243.25	Y
J. Howard Engineering Inc.	\$383,599.00	92.39%	2.74%	89.65%	0.00%	100%	92.39%	5%	\$364,419.05	Y
Andes Construction	\$445,312.00	96.07%	.45%	94.50%	1.12%	100%	96.07%	5%	\$423,046.40	Y

**Comments:** As noted above, all firms met and/or exceeded the minimum 50% L/SLBE participation requirement. They are all EBO compliant.

\*Mosto Construction's proposed VSLBE/LPG participation value was .53% and Andes Construction's proposed VSLBE/LPG participation value was .56%, however, per the L/SLBE Program a VSLBE/LPG's participation is double counted towards meeting the requirement. Therefore, the VSLBE/LPG value for Mosto Construction was 1.06% and Andes Construction was 1.12%.



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: **Mosto Construction**

Project Name: **Repair of Upper Boham Way Stair/Path within city ROW, Valle Vista Ascending to Mira Vista Ave.**

Project No. **C442920**

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

Was the 50% LEP Goal achieved?	Yes	If no, shortfall hours?	
Were all shortfalls satisfied?	Yes	If no, penalty amount	

**15% Oakland Apprenticeship Program**

Was the 15% Apprenticeship Goal achieved?	No	If no, shortfall hours?	20.95
Were shortfalls satisfied?	No	If no, penalty amount?	\$798.82

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 Oakland Apprenticeship Hours Achieved	Apprenticeship Goal and Hours		Apprentice Shortfall Hours
		Goal	Hours	Goal	Hours					Goal	Hours	
A	B	C		D		E	F	G	H	I		J
653	0	50%	326.5	50%	326.5	0	0	100%	77	15%	97.95	20.95

Comments: Mosto exceeded the Local Employment Program's 50% resident hiring goal with 100% resident employment and did not meet the 15% Oakland Apprenticeship Program goals.

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

**City Administrator's Office**



**Contracts and Compliance Unit**

**PROJECT EVALUATION FORM**

**PROJECT NO.:** 0328132

**PROJECT NAME:** The Rehabilitation of Sanitary Sewers in the Easement between Delmont Avenue and Edgemoor Place, the Easement Between Majestic Avenue and Laird Avenue, and the Easement Between Modesto Street and Madera Avenue

**CONTRACTOR:** Mosto Construction

<u>Engineer's Estimate:</u> \$315,980.00	<u>Contractors' Bid Amount</u> \$283,569.00	<u>Over/Under Engineer's Estimate</u> \$32,411.00
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<u>Discounted Bid Amount:</u> \$269,390.55	<u>Amount of Bid Discount</u> \$14,178.45	<u>Discount Points:</u> 5%
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- 1. Did the 50% local/small local requirements apply? **YES**
- 2. Did the contractor meet the 50% requirement? **YES**
  - a) % of LBE participation **0.35%**
  - b) % of SLBE participation **91.32%**
  - c) % of VSLBE participation **\*1.06%**
- 3. Did the contractor meet the Trucking requirement? **YES**
  - a) Total SLBE/LBE trucking participation **100%**
- 4. Did the contractor receive bid discounts? **YES**  
(If yes, list the percentage received) **6%**

5. Additional Comments.

\*Proposed VSLBE/LPG participation is valued at .53%, however per the L/SLBE Program a VSLBE/LPG's participation is double counted towards meeting the requirement. Therefore, the value is 1.06%

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

10/21/2013

Date

Reviewing Officer:

*Sping Hany*

Date: 10/21/2013

Approved By:

*Shelley Darenburg*

Date: 10/21/2013

## LBE/SLBE PARTICIPATION BIDDER 1

<b>Project Name:</b>		The Rehabilitation of Sanitary Sewers in the Easement between Delmont Avenue and Edgemoor Place, the Easement Between Majestic Avenue and Laird Avenue, and the Easement Between Modesto Street and Madera Avenue												
<b>Project No.:</b> C329132		<b>Engineers Est:</b> 315,980				<b>Under/Over Engineers Estimate:</b> 32,411								
Disciplins	Prime & Subs	Location	Cert. Status	LBE	SLBE	*VSLBE/LPG double counted value	Total	L/SLBE	Total	TOTAL	For Tracking Only			
							LBE/SLBE	Trucking	Trucking	Dollars	Ethn.	MBE	WBE	
PRIME	Mosto Construction	Oakland	CB		258,949		258,949			257,949	H	258,949		
Trucking	Monore Brooks	Oakland	CB			1,500	1,500	1,500	1,500	1,500	AA	1,500		
HOPE Pipe	P & F Distributors	Brisbane	UB							18,050	C			
Pre-cast MH Structure	Old Castle Precast	Pleasanton	UB							2,600	C			
Pipe Fitting	Mission Clay	Oakland	CB	1,000			1,000			1,000	C			
Concrete	Larms	Oakland	UB							1,000	C			
CCTU	APIT	Elk Grove	UB							1,470	H	1,470		
<b>Project Totals</b>					\$1,000	\$258,949	\$1,500	\$261,449	\$1,500	\$1,500	\$283,569		261,919	\$0
				0.35%	91.32%	*1.06%	92.73%	100%	100%	100%		92.37%	0%	
<b>Requirements:</b> The 50% requirements is a combination of 25% LBE and 25% SLSE participation. An SLBE firm can be counted 100% towards achieving 50% requirements. A LPGVSLBE's participation is double counted toward meeting the requirements.											<b>Ethnicity</b> AA = African American AI = Asian Indian AP = Asian Pacific C = Caucasian H = Hispanic NA = Native American O = Other  NL = Not Listed MO = Multiple Ownership			
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								

City Administrator's Office



Contracts and Compliance Unit

PROJECT EVALUATION FORM

PROJECT NO.: C329132

PROJECT NAME: The Rehabilitation of Sanitary Sewers in the Easement between Delmont Avenue and Edgemoor Place, the Easement Between Majestic Avenue and Laird Avenue, and the Easement Between Modesto Street and Madera Avenue

CONTRACTOR: Pacific Trenchless Inc.

<u>Engineer's Estimate:</u> \$315,980.00	<u>Contractors' Bid Amount</u> \$371,835.00	<u>Over/Under Engineer's Estimate</u> -\$55,855.00
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<u>Discounted Bid Amount:</u> \$353,243.25	<u>Amount of Bid Discount</u> \$18,591.75	<u>Discount Points:</u> 5%
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- 1. Did the 50% local/small local requirements apply? YES
- 2. Did the contractor meet the 50% requirement? YES
  - a) % of LBE participation 0%
  - b) % of SLBE participation 97.58%
  - c) % of VSLBE participation 0%
- 3. Did the contractor meet the Trucking requirement? YES
  - a) Total SLBE/LBE trucking participation 100%
- 4. Did the contractor receive bid discounts? YES  
(if yes, list the percentage received) 5%
- 5. Additional Comments.

6. Date evaluation completed and returned to Contract Admin./Initiating Dept. 10/21/2013  
Date

Reviewing Officer:

Shelley Darenburg

Date: 10/21/2013

Approved By:

Shelley Darenburg

Date: 10/21/2013

## LBE/SLBE PARTICIPATION BIDDER 2

Project Name:		The Rehabilitation of Sanitary Sewers in the Easement between Delmont Avenue and Edgemoor Place, the Easement Between Majestic Avenue and Laird Avenue, and the Easement Between Modesto Street and Madera Avenue													
Project No.:		C329132		Engineers Est:			315,880			Under/Over Engineers Estimate:			-55,855		
Discipline	Prime & Subs	Location	CorL Status	LBE	SLBE	VSLBE/LPG *double counted value	Total		Total	TOTAL	For Tracking Only				
							LBE/SLBE	Trucking			Trucking	Dollars	Ethn.	MBE	WBE
PRIME	Pacific Trenchless Inc.	Oakland	CB		362,335		362,335			362,335		C			
Trucking HDPE Pipe	Williams Trucking P & F Distributors	Oakland Brisbane	CB UB		500		500	500	500	500 9,000		AA C	500		
<b>Project Totals</b>					\$0	\$362,835	\$0	\$362,835	\$500.00	\$500	\$371,835			500	\$0
					0%	97.58%	0%	97.58%	100%	100%	100%			0%	0%
<b>Requirements:</b> The 50% requirements is a combination of 25% LBE and 25% SLBE participation. An SLBE firm can be counted 100% towards achieving 50% requirements. A LPG/VSLBE's participation is double counted toward meeting the requirements.											AI = Asian Indian AP = Asian Pacific C = Caucasian H = Hispanic NA = Native American O = Other NL = Not Listed MO = Multiple Ownership				
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									

# City Administrator's Office



## Contracts and Compliance Unit

### PROJECT EVALUATION FORM

PROJECT NO.: C329132

PROJECT NAME: The Rehabilitation of Sanitary Sewers in the Easement between Delmont Avenue and Edgemoor Place, the Easement Between Majestic Avenue and Laird Avenue, and the Easement Between Modesto Street and Madera Avenue

CONTRACTOR: J. Howard Engineering Inc.

<u>Engineer's Estimate:</u> \$315,980.00	<u>Contractors' Bid Amount</u> \$383,599.00	<u>Over/Under Engineer's Estimate</u> -\$67,619.00
<u>Discounted Bid Amount:</u> \$364,419.05	<u>Amount of Bid Discount</u> \$19,179.95	<u>Discount Points:</u> 5%

1. Did the 50% local/small local requirements apply? YES
2. Did the contractor meet the 50% requirement? YES
  - a) % of LBE participation 2.74%
  - b) % of SLBE participation 89.65%
  - c) % of VSLBE participation 0%
3. Did the contractor meet the Trucking requirement? YES
  - a) Total SLBE/LBE trucking participation 100%
4. Did the contractor receive bid discounts? YES

(If yes, list the percentage received) 5%
5. Additional Comments.

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

10/21/2013  
Date

Reviewing  
Officer:

Stephen Hung

Date: 10/21/2013

Approved By

Shelley Darenburg

Date: 10/21/2013

## LBE/SLBE PARTICIPATION

### BIDDER 3

Project Name: The Rehabilitation of Sanitary Sewers in the Easement between Delmont Avenue and Edgemoor Place, the Easement Between Majestic Avenue and Laird Avenue, and the Easement Between Modesto Street and Madera Avenue													
Project No.: C329132		Engineers Est: 315,960				Under/Over Engineers Estimate: -67,619							
Discipline	Prime & Subs	Location	Cert Status	LBE	SLBE	VSLBE/LPG *double counted value	Total	L/SLBE	Total	TOTAL	For Tracking Only		
							LBE/SLBE	Trucking	Trucking	Dollars	Ethn.	MBE	WBE
PRIME	J. Howard Engineering Inc.	Oakland	CB		332,399		332,399			332,399	C		
Trucking	Williams Trucking	Oakland	CB		10,000		10,000	10,000	10,000	10,000	AA	10,000	
Saw Cutting	Bay Line	Berkeley	UB							3,000	H	3,000	
MH Materials	Old Castle Precast	Pleasanton	UB							3,500	C		
HDPE Pipe	P & F Distributors	Brisbane	UB							20,000	C		
Fittings	Mission Clay Product	Oakland	CB	7,500			7,500			7,500	C		
Concrete	Right Away Ready Mb:	Oakland	CB	3,000			3,000			3,000	C		
Recycle Mats MH	Inner City	Oakland	CB		1,500		1,500			1,500	C		
Coating/Lining	Contech of CA	Stockton	UB							2,700	C		
<b>Project Totals</b>				\$10,500	\$343,899	\$0	\$354,399	\$10,000	\$10,000	\$383,599		\$13,000	\$0.00
				2.74%	89.65%	0%	92.39%	100%	100%	100%		3.39%	0.00%
<b>Requirements:</b> The 50% requirements is a combination of 25% LBE and 25% SLBE participation. An SLBE firm can be counted 100% towards achieving 50% requirements. A LPGA/SLBE's participation is double counted toward meeting the requirements.											<b>Ethnicity</b> AA = African American NA = Asian Indian AP = Asian Pacific C = Caucasian H = Hispanic NA = Native American O = Other NL = Not Listed MO = Multiple Ownership		
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									



# City Administrator's Office



## Contracts and Compliance Unit

### PROJECT EVALUATION FORM

PROJECT NO.: C329132

PROJECT NAME: The Rehabilitation of Sanitary Sewers in the Easement between Delmont Avenue and Edgemoor Place, the Easement Between Majestic Avenue and Laird Avenue, and the Easement Between Modesto Street and Madera Avenue

CONTRACTOR: Andes Construction

<u>Engineer's Estimate:</u> \$315,980.00	<u>Contractors' Bid Amount</u> \$445,312.00	<u>Over/Under Engineer's Estimate</u> -\$129,332.00
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<u>Discounted Bid Amount:</u> \$423,046.40	<u>Amount of Bid Discount</u> \$22,265.60	<u>Discount Points:</u> 5%
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1. Did the 50% local/small local requirements apply? YES
  
2. Did the contractor meet the 50% requirement? YES
  - a) % of LBE participation 0.45%
  - b) % of SLBE participation 94.50%
  - c) % of VSLBE participation \*1.12%
  
3. Did the contractor meet the Trucking requirement? YES
  - a) Total SLBE/LBE trucking participation 100%
  
4. Did the contractor receive bid discounts? YES

(If yes, list the percentage received) 5%

5. Additional Comments.

\*Proposed VSLBE/LPG participation is valued at .56%, however per the L/SLBE Program a VSLBE/LPG's participation is double counted towards meeting the requirement. Therefore, the value is 1.12%

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

10/21/2013

Date

Reviewing  
Officer:

[Signature]

Date: 10/21/2013

Approved By:

[Signature]

Date: 10/21/2013

## LBE/SLBE PARTICIPATION BIDDER 4

Project Name:		The Rehabilitation of Sanitary Sewers in the Easement between Delmont Avenue and Edgemoor Place, the Easement Between Majestic Avenue and Laird Avenue, and the Easement Between Modesto Street and Madera Avenue											
Project No.: C329132		Engineers Est: 315,980					Under/Over Engineers Estimate: -129,332						
Discipline	Prime & Subs	Location	Cert Status	LBE	SLBE	*VSLBE/LPG double counted value	Total	L/SLBE	Total	TOTAL	For Tracking Only		
							LBE/SLBE	Trucking	Trucking	Dollars	Ethn.	MBE	WBE
PRIME	Andes Construction	Oakland	CB		414,812.00		414,812.00			414,812	H	414,812	
Saw Cut	Bay Line	Berkeley	UB							2,000	H	2,000	
Trucking	Foston Trucking	Oakland	CB		5,000		5,000	5,000	5,000	5,000	AA	5,000	
Pipe	P & F Distributors	Brisbane	UB							10,000	C		
AB	Inner City Recycling	Oakland	CB		1,000		1,000			1,000	C		
MH Precast	Old Castle Precast	Livermore	UB							5,000	C		
AC	Gallagher & Burk	Oakland	CB			2,500	2,500			2,500	C		
Drainrock	Dutra	San Rafael	UB							1,000	C		
Concrete	Right Away	Oakland	CB	2,000			2,000			2,000	C		
MH Rehab	Contech	Stockton	UB							2,000	C		
<b>Project Totals</b>				\$2,000	\$420,812	\$2,500	\$425,312	\$5,000	\$5,000	\$445,312		\$421,812	\$0
				0.45%	94.50%	*1.12%	96.07%	100%	100%	100%		94.72%	0%
<b>Requirements:</b> The 50% requirements is a combination of 25% LBE and 25% SLBE participation. An SLBE firm can be counted 100% towards achieving 50% requirements. A LPBA/SLBE's participation is double counted toward meeting the requirements.											AI = Asian Indian AP = Asian Pacific C = Caucasian H = Hispanic NA = Native American O = Other NL = Not Listed MO = Multiple Ownership		
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 = Woman Business Enterprise							



# INTER OFFICE MEMORANDUM

**TO:** Gunawan Santoso,  
Civil Engineer

**FROM:** Deborah Barnes, Manager,  
Contracts & Compliance

*Deborah Barnes*

**SUBJECT:** Compliance Analysis

**DATE:** October 15, 2013

The Rehabilitation of Sanitary Sewers in the Easement between Thornhill Drive and Cabot Drive and in Gouldin Road between Alhambra Avenue and Armour Drive  
Project No. C329133

City Administrator's Office, Contracts and Compliance Unit reviewed four (4) bids in response to the above referenced project. Below is the outcome of the compliance evaluation for the minimum 50% Local and Small Local Business Enterprise (L/SLBE) participation requirement, a preliminary review for compliance with the Equal Benefits Ordinance (EBO), and a brief overview of the lowest responsible bidder's compliance with the 50% Local Employment Program (LEP) and the 15% Oakland Apprenticeship Program on the bidder's most recently completed City of Oakland project.

Responsive to L/SLBE and/or EBO Policies		Proposed Participation					Earned Credits and Discounts			EBO Compliant? Y/N
Company Name	Original Bid Amount	Total LBE/SLBE	LBE	SLBE	*VSLBE/LPG	L/SLBE Trucking	Total Credited participation	Earned Bid Discounts	Adjusted Bid Amount	
Mosto Construction	\$264,575.00	94.31%	.25%	92.54%	1.52%	100%	94.31%	5%	\$251,346.25	Y
J. Howard Engineering Inc.	\$305,813.00	90.68%	2.29%	88.39%	0.00%	100%	90.68%	5%	\$290,522.35	Y
Pacific Trenchless Inc.	\$334,909.00	97.61%	0.00%	97.61%	0.00%	100%	97.61%	5%	\$318,163.55	Y
Andes Construction	\$335,159.00	94.64%	.60%	92.84%	1.20%	100%	94.64%	5%	\$318,401.05	Y

Comments: As noted above, all firms met and/or exceeded the minimum 50% L/SLBE participation requirement. They are all EBO compliant.

\*Mosto Construction's proposed VSLBE/LPG participation value was .76% and Andes Construction's proposed VSLBE/LPG participation value was .60%, however, per the L/SLBE Program a VSLBE/LPG's participation is double counted towards meeting the requirement. Therefore, the VSLBE/LPG value for Mosto Construction was 1.52% and Andes Construction was 1.20%.



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: **Mosto Construction**

Project Name: **Repair of Upper Boham Way Stair/Path within city ROW, Valle Vista Ascending to Mira Vista Ave.**

Project No. **C442920**

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

Was the 50% LEP Goal achieved?	Yes	If no, shortfall hours?	
Were all shortfalls satisfied?	Yes	If no, penalty amount	

**15% Oakland Apprenticeship Program**

Was the 15% Apprenticeship Goal achieved?	No	If no, shortfall hours?	20.95
Were shortfalls satisfied?	No	If no, penalty amount?	\$798.82

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 Oakland Apprenticeship Hours Achieved	Apprenticeship Goal and Hours		Apprentice Shortfall Hours
		Goal	Hours	Goal	Hours					Goal	Hours	
A	B	C		D		E	F	G	H	I		J
653	0	50%	326.5	50%	326.5	0	0	100%	77	15%	97.95	20.95

Comments: Mosto exceeded the Local Employment Program's 50% resident hiring goal with 100% resident employment and did not meet the 15% Oakland Apprenticeship Program goals.

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

**City Administrator's Office**



**Contracts and Compliance Unit**

**PROJECT EVALUATION FORM**

**PROJECT NO.:** C329133

**PROJECT NAME:** The Rehabilitation of Sanitary Sewers in the Easement between Thornhill Drive and Cabot Drive, and in Gouldin Road between Alhambra Avenue and Armour Drive

**CONTRACTOR:** Mosto Construction

<u>Engineer's Estimate:</u> \$277,260	<u>Contractors' Bid Amount</u> \$264,575.00	<u>Over/Under Engineer's Estimate</u> \$12,686.00
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<u>Discounted Bid Amount:</u> \$251,346.25	<u>Amount of Bid Discount</u> \$13,228.75	<u>Discount Points:</u> 5%
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- 1. Did the 50% local/small local requirements apply? **YES**
  
- 2. Did the contractor meet the 50% requirement? **YES**
  - a) % of LBE participation **0.25%**
  - b) % of SLBE participation **92.54%**
  - c) % of VSLBE participation **\*1.52%**
  
- 3. Did the contractor meet the Trucking requirement? **YES**
  - a) Total SLBE/LBE trucking participation **100%**
  
- 4. Did the contractor receive bid discounts? **YES**
  - (If yes, list the percentage received) **5.00%**

5. Additional Comments.  
\*Proposed VSLBE/LPG participation is valued at .76%, however per the L/SLBE Program a VSLBE/LPG's participation is double counted towards meeting the requirement Therefore, the value is 1.52%

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

10/15/2013  
Date

Reviewing Officer:

*[Signature]*

Date: 10/15/2013

Approved By:

*Shelley Qarenoburg*

Date: 10/15/2013

## LBE/SLBE PARTICIPATION BIDDER 1

Project Name:	The Rehabilitation of Sanitary Sewers in the Easement between Thornhill Drive and Cabot Drive, and in Gouldin Road between Alhambra Avenue and Armour Drive												
Project No.: C329133		Engineers Est: 277,280					Under/Over Engineers Estimate: 12,885						
Discipline	Prime & Subs	Location	CerL Status	LBE	SLBE	*VSLBE/LPG double counted value	Total	L/SLBE	Total	TOTAL	For Tracking Only		
							LBE/SLBE	Trucking	Trucking	Dollars	Ethn.	MBE	WBE
PRIME	Mosto Constructkm	Oakland	CB		244,835		244,835			244,835	H	244,835.00	
Trucking	Monore Brooks Trucking	Oakland	CB			1,000	1,000	1,000	1,000	1,000	AA	1,000	
HDPE Pipe	P & F Distributors	Brisbane	UB							12,000	C		
Pre-cast MH Structure	Old Castle Precast	Pleasanton	UB							2,890	C		
Pipe Fitting	Mission Clay	Oakland	CB	650			650			650	C		
Concrete	Larms	Oakland	UB							700	C		
CCTU	APIT	Elk Grove	UB							1,300	H	1,300	
Asphalt	Hansen Asphalt	Berkeley	UB							1,200	C		
<b>Project Totals</b>				\$650	\$244,835	\$1,000	\$246,485	\$1,000	\$1,000	\$264,575		247,135	\$0
				0.25%	92.54%	*1.52%	94.31%	100%	100%	100%		83.41%	0%
<b>Requirements:</b> The 50% requirements is a combination of 25% LBE and 25% SLBE participation. An SLBE firm can be counted 100% towards achieving 50% requirements. A LPGA/SLBE's participation is double counted toward meeting the requirements.											<b>Ethnicity</b> AA = African American AI = Asian Indian AP = Asian Pacific C = Caucasian H = Hispanic HA = Native American O = Other NL = Not Listed MO = Multiple Ownership		
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													

**City Administrator's Office**



**Contracts and Compliance Unit**

**PROJECT EVALUATION FORM**

**PROJECT NO.:** C329133

**PROJECT NAME:** The Rehabilitation of Sanitary Sewers in the Easement between Thornhill Drive and Cabot Drive, and in Gouldin Road between Alhambra Avenue and Armour Drive

**CONTRACTOR:** Pacific Trenchless Inc.

<b><u>Engineer's Estimate:</u></b> \$277,260	<b><u>Contractors' Bid Amount</u></b> \$334,909.00	<b><u>Over/Under Engineer's Estimate</u></b> -\$57,649.00
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<b><u>Discounted Bid Amount:</u></b> \$318,163.55	<b><u>Amount of Bid Discount</u></b> \$16,745.45	<b><u>Discount Points:</u></b> 5%
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- 1. Did the 50% local/small local requirements apply? **YES**
  
- 2. Did the contractor meet the 50% requirement? **YES**
  - a) % of LBE participation **0%**
  - b) % of SLBE participation **97.61%**
  - c) % of VSLBE participation **0%**
  
- 3. Did the contractor meet the Trucking requirement? **YES**
  - a) Total SLBE/LBE trucking participation **100%**
  
- 4. Did the contractor receive bid discounts? **YES**
  - (If yes, list the percentage received) **5.00%**
  
- 5. Additional Comments.

6. Date evaluation completed and returned to Contract Admin./Initiating Dept  
**10/15/2013**  
Date

**Reviewing Officer:**

*Judy H-g*

**Date:** 10/15/2013

**Approved By:**

*Shelley Danenberg*

**Date:** 10/15/2013

## LBE/SLBE PARTICIPATION BIDDER 3

Project Name: The Rehabilitation of Sanitary Sewers in the Easement between Thornhill Drive and Cabot Drive, and in Gouldin Road between Alhambra Avenue and Armour Drive														
Project No.: C329133		Engineers Est: 277,260					Under/Over Engineers Estimate: -57,649							
Discipline	Prime & Subs	Location	CerL Status	LBE	SLBE	VSLBE/LPG *double counted value	Total	L/SLBE	Total	TOTAL	For Tracking Only			
							LBE/SLBE	Trucking	Trucking	Dollars	Ethn.	MBE	WBE	
PRIME	Pacific Trenchless Inc.	Oakland	CB		325,709		325,709.00			325,709.00	C			
Trucking HDPE Pipe	Williams Trucking P & F Distributors	Oakland Brisbane	CB UB		1,200		1,200	1,200	1,200	1,200 8,000	AA C	1,200		
<b>Project Totals</b>					\$0.00	\$326,909	\$0	\$326,909	\$1,200.00	\$1,200	\$334,909		1,200	\$0
					0.00%	97.61%	0%	97.61%	100%	100%	100%		0%	0%
<b>Requirements:</b> The 50% requirements is a combination of 25% LBE and 25% SLBE participation. An SLBE firm can be counted 100% towards achieving 50% requirements. A LPGVSLBE's participation is double counted toward meeting the requirements.											NI = Asian Italian NP = Asian Pacific C = Caucasian N = Hispanic NA = Native American O = Other NL = Not Listed MO = Multiple Ownership			
LBE = Local Business Enterprise SLBE = Small Local Business Enterprise Total LBEsSLBE = 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										



# City Administrator's Office



## Contracts and Compliance Unit

### PROJECT EVALUATION FORM

PROJECT NO.: C329133

PROJECT NAME: The Rehabilitation of Sanitary Sewers in the Easement between Thornhill Drive and Cabot Drive, and in Gouldin Road between Alhambra Avenue and Armour Drive

CONTRACTOR: J. Howard Engineering Inc.

<u>Engineer's Estimate:</u> \$277,260	<u>Contractors' Bid Amount:</u> \$305,813.00	<u>Over/Under Engineer's Estimate:</u> -\$28,553.00
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<u>Discounted Bid Amount:</u> \$290,522.35	<u>Amount of Bid Discount:</u> \$15,290.65	<u>Discount Points:</u> 5%
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1. Did the 50% local/small local requirements apply? YES
2. Did the contractor meet the 50% requirement? YES
  - a) % of LBE participation 2.29%
  - b) % of SLBE participation 88.39%
  - c) % of VSLBE participation 0.00%
3. Did the contractor meet the Trucking requirement? YES
  - a) Total SLBE/LBE trucking participation 100%
4. Did the contractor receive bid discounts? YES

(If yes, list the percentage received) 5%
5. Additional Comments.

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

10/15/2013

Date

Reviewing  
Officer:

*[Signature]*

Date: 10/15/2013

Approved By

*Shelley Darenburg*

Date: 10/15/2013

## LBE/SLBE PARTICIPATION

### BIDDER 2

Project Name:		The Rehabilitation of Sanitary Sewers in the Easement between Thornhill Drive and Cabot Drive, and in Gouldin Road between Alhambra Avenue and Armour Drive												
Project No.: C329133		Engineers Est: 277,260					Under/Over Engineers Estimate: -28,553							
Discipline	Prime & Subs	Location	Cert Status	LBE	SLBE	VSLBE/LPG <small>*double counted value</small>	Total	L/SLBE	Total	TOTAL	For Tracking Only			
							LBE/SLBE	Trucking	Trucking	Dollars	Ethn.	MBE	WBE	
PRIME	J. Howard Engineering Inc.	Oakland	CB		257,813		257,813			257,813		C		
Trucking	Williams Trucking	Oakland	CB		10,000		10,000	10,000	10,000	10,000	AA	10,000		
Saw Cutting	Bay Line	Berkeley	UB							3,500	H	3,500		
MH Materials	Old Castle Precast	Pleasanton	UB							4,500	C			
HDPE Pipe	P & F Distributors	Brisbane	UB							14,000	C			
Fittings	Mission Clay Product	Oakland	CB	7,000			7,000			7,000	C			
Concrete	Right Away Ready Mix	Oakland	CB	3,500			3,500			3,500	C			
Recycle Mats. MH	Inner City	Oakland	CB		2,500		2,500			2,500	C			
Coating/Lining	Contech of CA	Stockton	UB							3,000	C			
<b>Project Totals</b>				\$7,000	\$270,313	\$0	\$280,813	\$10,000	\$10,000	\$305,813			\$13,500	\$0.00
				2.29%	88.39%	0.00%	90.68%	100%	100%	100%			4.41%	0.00%
<b>Requirements:</b> The 50% requirements is a combination of 25% LBE and 25% SLBE participation. An SLBE firm can be counted 100% towards achieving 50% requirements. A LPG/VSLBE's participation is double counted toward meeting the requirements.											<b>Ethnicity</b> AA = African American AI = Asian Indian AP = Asian Pacific C = Caucasian H = Hispanic NA = Native American O = Other NL = Not Listed MO = Multiple Ownership			
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								

**City Administrator's Office**



**Contracts and Compliance Unit**

**PROJECT EVALUATION FORM**

**PROJECT NO.:** C329133

**PROJECT NAME:** The Rehabilitation of Sanitary Sewers in the Easement between Thornhill Drive and Cabot Drive, and in Gouldin Road between Alhambra Avenue and Armour Drive

**CONTRACTOR:** Andes Construction

<b><u>Engineer's Estimate:</u></b> \$277,260	<b><u>Contractors' Bid Amount</u></b> \$335,159.00	<b><u>Over/Under Engineer's Estimate</u></b> -\$57,899.00
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<b><u>Discounted Bid Amount:</u></b> \$318,401.05	<b><u>Amount of Bid Discount</u></b> \$16,757.95	<b><u>Discount Points:</u></b> 5%
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- 1. Did the 50% local/small local requirements apply? **YES**
  
- 2. Did the contractor meet the 50% requirement? **YES**
  - a) % of LBE participation **0.60%**
  - b) % of SLBE participation **92.84%**
  - c) % of VSLBE participation **\*1.20%**
  
- 3. Did the contractor meet the Trucking requirement? **YES**
  - a) Total SLBE/LBE trucking participation **100%**
  
- 4. Did the contractor receive bid discounts? **YES**
  - (If yes, list the percentage received) **5%**

5. Additional Comments.

**\*Proposed VSLBE/LPG participation is valued at .60%, however per the L/SLBE Program a VSLBE/LPG's participation is double counted towards meeting the requirement. Therefore, the value is 1.20%**

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

**10/15/2013**

Date

**Reviewing Officer:**

*Sally Hung*

**Date:** 10/15/2013

**Approved By:**

*Shalloy Darenburg*

**Date:** 10/15/2013

## LBE/SLBE PARTICIPATION BIDDER 4

Project Name: The Rehabilitation of Sanitary Sewers in the Easement between Thornhill Drive and Cabot Drive, and in Gouldin Road between Alhambra Avenue and Armour Drive													
Project No.: C329133		Engineers Est: 277,260				Under/Over Engineers Estimate: -57,899							
Discipline	Prims & Subs	Location	Cert. Status	LBE	SLBE	*VSLBE/LPG double counted value	Total	L/SLBE	Total	TOTAL	For Tracking Only		
							LBE/SLBE	Trucking	Trucking	Dollars	Ethn.	MBE	WBE
PRIME	Andes Construction	Oakland	CB		305,159.00		305,159.00			305,159	H	304,159	
Saw Cut	Bay Line	Berkeley	UB							2,000.00	H	2,000	
Trucking	Foston Trucking	Oakland	CB		5,000		5,000	5,000	5,000	5,000	AA	5,000	
Pipe	P & F Distributors	Brisbane	UB							10,000	C		
AB	Inner City Recycling	Oakland	CB		1,000		1,000			1,000	C		
MH Precast	Old Castle Precast	Livermore	UB							5,000	C		
AC	Gallagher & Burk	Oakland	CB			2,000	2,000			2,000	C		
Drainrock	Dutra	San Rafael	UB							1,000	C		
Concrete	Right Away	Oakland	CB	2,000			2,000			2,000	C		
MH Rehab	Contech	Stockton	UB							2,000	C		
<b>Project Totals</b>				\$2,000	\$311,159	\$2,000	\$315,159	\$5,000	\$5,000	\$335,159		\$311,159	\$0
				0.60%	92.84%	*1.20%	94.84%	100%	100%	100%		92.84%	0%
<b>Requirements:</b> The 50% requirements is a combination of 25% LBE and 25% SLBE participation. An SLBE firm can be counted 100% towards achieving 50% requirements. A LPB/VSLBE's participation is double counted toward meeting the requirements.											AI = Asian Indian AP = Asian Pacific C = Caucasian H = Hispanic NA = Native American O = Other NL = Not Listed MO = Multiple Ownership		
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							



# INTER OFFICE MEMORANDUM

**TO:** Gunawan Santoso,  
Civil Engineer

**FROM:** Deborah Barnes, *Deborah Barnes*  
Manager, Contracts & Compliance

**SUBJECT:** Compliance Analysis

**DATE:** October 16, 2013

The Rehabilitation of Sanitary Sewers in the Area Bounded by MacArthur Boulevard, Maple Avenue, Barner Avenue and Frye Street  
Project No. C428510

The City Administrator's Office, Contracts and Compliance Unit reviewed three (3) bids in response to the above referenced project. Below is the outcome of the compliance evaluation for the minimum 50% Local and Small Local Business Enterprise (L/SLBE) participation requirement, a preliminary review for compliance with the Equal Benefits Ordinance (EBO), and a brief overview of the lowest responsible bidder's compliance with the 50% Local Employment Program (LEP) and the 15% Oakland Apprenticeship Program on the bidder's most recently completed City of Oakland project.

Responsive to L/SLBE and/or EBO Policies		Proposed Participation					Earned Credits and Discounts			EBO Compliant? Y/N
Company Name	Original Bid Amount	Total LBE/SLBE	LBE	SLBE	*VSLBE/LPG	L/SLBE Trucking	Total Credited participation	Earned Bid Discounts	Adjusted Bid Amount	
Pacific Trenchless	\$1,354,367	94.09%	0.0%	94.09%	0.0%	100%	94.09%	5%	\$1,286,648.65	Y
J. Howard Engineering	\$1,419,955	91.55%	1.73%	89.82%	0.00%	100%	91.55%	5%	\$1,348,957.25	Y
Andes Construction	\$1,472,253	98.64%	0.14%	98.37%	0.272%	100%	98.64%	5%	\$1,398,640.35	Y

Comments: As noted above, all firms met and/or exceeded the minimum 50% L/SLBE participation requirement. All firms are EBO compliant.

\*Andes Construction's proposed VSLBE/LPG participation is valued at 0.136%, however per the L/SLBE Program a VSLBE/LPG's participation is double counted towards meeting the requirement. Therefore, the VSLBE/LPG value for Andes Construction is 0.272%.

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: Pacific Trenchless

Project Name: Rehabilitation of Sanitary Sewers bounded by MacArthur, 64<sup>th</sup>, Simpson and 72th Ave

Project No: C312210

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

Was the 50% LEP Goal achieved?	Yes	If no, shortfall hours?	
Were all shortfalls satisfied?	Yes	If no, penalty amount	

**15% Oakland Apprenticeship Program**

Was the 15% Apprenticeship Goal achieved?	Yes	If no, shortfall hours?	
Were shortfalls satisfied?	Yes	If no, penalty amount?	

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 Oakland Apprenticeship Hours Achieved	Apprenticeship Goal and Hours		Apprentice Shortfall Hours
		Goal	Hours	Goal	Hours					Goal	Hours	
A	B	C	D	E	F	G	H	I	J			
16214	0	50%	8997	100%	8997	0	0	100%	2432	15%	2432	0

Comments: Pacific Trenchless exceeded the Local Employment Program's 50% resident hiring goal with 100% resident employment and met the 15% Oakland Apprenticeship Program goals with 1216 on-site hours and 1216 off-site hours.

Should you have any questions, you may contact Vivian Inman at (510) 238-6261.

OFFICE OF THE CITY ADMINISTRATOR



Contracts & Compliance Unit

PROJECT EVALUATION FORM

PROJECT NO.: C428510

PROJECT NAME: Rehabilitation of Sanitary Sewer in the Area Bounded by MacArthur Boulevard, Maple Avenue, Barner Avenue and Frye Street

CONTRACTOR: Pacific Trenchless

Engineer's Estimate:  
1,333,160.00

Contractors' Bid Amount  
\$1,354,367.00

Over/Under Engineer's Estimate  
-21,207.00

Discounted Bid Amount:  
\$1,286,648.65

Amount of Bid Discount  
\$67,718.35

Discount Points:  
5.00%

1. Did the 50% local/small local requirements apply? YES
2. Did the contractor meet the 50% requirement? YES
- a) % of LBE participation 0.00%
  - b) % of SLBE participation 94.09%
  - c) % of VSLBE/LPG
3. Did the contractor meet the Trucking requirement? YES
- c) Total SLBE/LBE trucking participation 100.00%
4. Did the contractor receive bid discounts? YES
- (If yes, list the percentage received) 5.00%
5. Additional Comments:

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

10/16/2013  
Date

Reviewing  
Officer:

Vivian Hanna

Date: 10/16/2013

Approved By:

Shelley Darenburg

Date: 10/16/2013

# LBE/SLBE PARTICIPATION

## BIDDER 1

Project Name: Rehabilitation of Sanitary Sewers Bounded by MacArthur Blvd, Maple Avenue, Barner Avenue and Frye Street

Project No.:		C428510		Engineers Est:			1,333,160.00			Under/Over Engineers Estimate:			-21,207.00		
Discipline	Prime & Subs	Location	Cert. Status	LBE	SLBE	VSLBE/LPG (Double counted)	Total	L/SLBE	Total	TOTAL	For Tracking Only				
							LBE/SLBE	Trucking	Trucking	Dollars	Ethn.	MBE	WBE		
PRIME	Pacific Trenchless	Oakland	CB		1,264,367.00		1,254,367.00				1,264,367.00	C			
Trucking	Williams Trucking	Oakland	CB		10,000.00		10,000.00	10,000.00	10,000.00		10,000.00	AA	10,000.00		
CIPP Lining	Christian Bros Lining	San Jose	UB								8,000.00	C			
HDPE Pipe	P&F Distributors	Brisbane	UB								72,000.00	C			
<b>Project Totals</b>															
				\$0.00	\$1,274,367.00	\$0.00	\$1,274,367.00	\$10,000.00	\$10,000.00	\$1,354,367.00			\$10,000.00	\$0	
				0.00%	94.09%	0.00%	94.09%	100.00%	100.00%	100.00%			0.74%	0.00%	
<b>Requirements:</b>															
The 50% requirements is a combination of 25% LBE and 25% SLBE participation. An SLBE firm can be counted 100% towards achieving 50% requirements.				LBE25%	SLBE25%		TOTAL LBE/SLBE	50% LBE/SLBE TRUCKING				<b>Ethnicity</b> AA = African American AI = Asian Indian AP = Asian Pacific C = Caucasian H = Hispanic HA = Native American O = Other NL = Not Listed MO = Multiple Ownership			
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											



**OFFICE OF THE CITY ADMINISTRATOR**



**Contracts & Compliance Unit**

**PROJECT EVALUATION FORM**

**PROJECT NO.:** C428510

**PROJECT NAME:** Rehabilitation of Sanitary Sewer in the Area Bounded by MacArthur Boulevard, Maple Avenue, Barner Avenue and Frye Street

**CONTRACTOR:** J. Howard Engineering

**Engineer's Estimate:**  
1,333,160.00

**Contractors' Bid Amount**  
\$1,419,955.00

**Over/Under Engineer's Estimate**  
-86,795.00

**Discounted Bid Amount:**  
\$1,348,967.26

**Amount of Bid Discount**  
\$70,997.76

**Discount Points:**  
5.00%

1. Did the 50% local/small local requirements apply? **YES**
2. Did the contractor meet the 50% requirement? **YES**
- a) % of LBE participation **1.73%**
  - b) % of SLBE participation **89.82%**
  - c) % of VSLBE/LPG **0.00%**
3. Did the contractor meet the Trucking requirement? **YES**
- c) Total SLBE/LBE trucking participation **100.00%**
4. Did the contractor receive bid discounts? **YES**
- (If yes, list the percentage received) **5.00%**
5. Additional Comments.

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

10/16/2013

Date

**Reviewing  
Officer:**

*Vivian Jam*

**Date:** 10/16/2013

**Approved By:**

*Shelley Darenburg*

**Date:** 10/16/2013

# LBE/SLBE PARTICIPATION

## BIDDER 2

Project Name: Rehabilitation of Sanitary Sewers Bounded by MacArthur Blvd, Maple Avenue, Barner Avenue and Frye Street

Project No.: C42S510		Engineers Est: 1,333,160.00				Under/Over Engineers Estimate: 1,320,680.00								
Discipline	Prime & Subs	Location	Cert: Status	LBE	SLBE	VSLBE/LPG (Double counted)	Total	L/SLBE	Total	TOTAL	For Tracking Only			
							LBE/SLBE	Trucking	Trucking	Dollars	Ethn.	MBE	WBE	
PRIME	J. Howard Engineering	Oakland	CB		1,221,455.00		1,221,455.00			1,221,455.00		C		
Trucking	Williams Trucking	Oakland	CB		20,000.00		20,000.00	20,000.00	20,000.00	20,000.00		AA	20,000.00	
Trucking	CJC Trucking	Oakland	CB		20,000.00		20,000.00	20,000.00	20,000.00	20,000.00		AA	20,000.00	
Saw Cutting	Bay Line	Berkeley	UB							6,000.00		H	6,000.00	
CIPP	Christian Bros Lining	San Jose	UB							13,000.00		C		
Pipe Supplier	P&F Distributors	Brisbane	UB							82,000.00		C		
MH Materials	Old Castle Pre-Cast US Concrete	Pleasanton	UB							10,000.00		C		
Fittings	Mission Clay	Oakland	CB	12,000.00			12,000.00			12,000.00		C		
Concrete	Right Away Redy Mix	Oakland	CB	12,500.00			12,500.00			12,500.00		C		
Manhole Lining	Contech of CA	Stockton								9,000.00		C		
Recycle Material	Inner City Recycling	Oakland	CB		14,000.00		14,000.00			14,000.00				
<b>Project Totals</b>				\$24,500.00	\$1,275,455.00	\$0.00	\$1,299,955.00	\$40,000.00	\$40,000.00	\$1,419,955.00			\$46,000.00	\$0
				1.73%	69.82%	0.00%	91.55%	100.00%	100.00%	100.00%			3.24%	0.00%
<b>Requirements:</b> The 50% requirements is a combination of 25% LBE and 25% SLBE participation. An SLBE firm can be counted 100% towards achieving 50% requirements				LBE 25%	SLBE 25%		TOTAL LBE/SLBE	50% LBE/SLBE TRUCKING			<b>Ethnicity</b> AA = African American AI = Asian India AP = Asian Pacific C = Caucasian H = Hispanic NA = Native American O = Other NL = Nat Lided MO = Multiple Ownership			
LBE = Local Business Enterprise SLBE = Small Local Business Enterprise Total LBE/SLBE = All Certified Local and Small Local Businesses NPLBE = NonProfit Local Business Enterprise HPSLBE = NonProfit Small Local Business Enterprise				UB = Uncertified Business CB = Certified Business MBE = Minority Business Enterprise WBE = Woman Business Enterprise										

**OFFICE OF THE CITY ADMINISTRATOR**



**Contracts & Compliance Unit**

**PROJECT EVALUATION FORM**

**PROJECT NO.:** C428510

**PROJECT NAME:** Rehabilitation of Sanitary Sewer in the Area Bounded by MacArthur Boulevard, Mapie Avenue, Barner Avenue and Frye Street

**CONTRACTOR:** Andes Construction

**Engineer's Estimate:**  
1,333,160.00

**Contractors' Bid Amount**  
\$1,472,253.00

**Over/Under Engineer's Estimate**  
-139,093.00

**Discounted Bid Amount:**  
\$1,398,640.35

**Amount of Bid Discount**  
\$73,612.65

**Discount Points:**  
5.00%

1. Did the 50% local/small local requirements apply? **YES**
2. Did the contractor meet the 50% requirement? **YES**
- a) % of LBE participation **0.14%**
- b) % of SLBE participation **98.37%**
- c) % of VSLBE/LPG **\*0.272%**
3. Did the contractor meet the Trucking requirement? **YES**
- c) Total SLBE/LBE trucking participation **100.00%**
4. Did the contractor receive bid discounts? **YES**
- (If yes, list the percentage received) **5.00%**
5. Additional Comments.

**\*Proposed VSLBE/LPG participation is valued at 0.136%, however per the L/SLBE Program a VSLBE/LPG's participation is double counted towards meeting the requirement.**

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

10/16/2013

Date

**Reviewing Officer:**

*Nina J. [Signature]*

**Date:** 10/16/2013

**Approved By:**

*Shelley Darenburg*

**Date:** 10/16/2013

# LBE/SLBE PARTICIPATION

## BIDDER 3

Project Name: **Rehabilitation of Sanitary Sewers Bounded by MacArthur Blvd, Maple Avenue, Barner Avenue and Frye Street**

Project No.: 0428510		Engineers Est: 1,333,160.00					Under/Over Engineers Estimate: 1,331,160.00							
Discipline	Prime & Subs	Location	Cert. Status	LBE	SLBE	VSLBE/LPG (Double counted)	Total	L/SLBE	Total	TOTAL	For Tracking Only			
							LBE/SLBE	Trucking	Trucking	Dollars	Ethn.	MBE	WBE	
Prime	Andes Construction	Oakland	CB		1,442,253.00		1,442,253.00			1,442,253.00	H	1,442,253.00		
Saw Cutting	Bay Line	Berkeley	UB							2,000.00	H	2,000.00		
Trucking	Foston Trucking	Oakland	CB		5,000.00		5,000.00	5,000.00	5,000.00	5,000.00	AA	5,000.00		
Pipe	P&F Distributors	Brisbane	UB							10,000.00	C			
AB	Inner City Recycling	Oakland	CB		1,000.00		1,000.00			1,000.00	C			
Mh Precast	Old Castle Precast	Livermore	UB							5,000.00	C			
Asphalt	Gallagher & Burk	Oakland	CB			2,000.00	2,000.00			2,000.00	C			
Dram Rack	Dutra	San Rafael	UB							1,000.00	C			
Concrete	Right Away	Oakland	CB	2,000.00			2,000.00			2,000.00	C			
MH Rehab	Contech	Stockton	UB							2,000.00				
<b>Project Totals</b>				\$2,000.00	\$1,448,253.00	\$2,000.00	\$1,452,253.00	\$5,000.00	\$5,000.00	\$1,472,253.00		\$1,449,253.00	\$0	
				0.14%	98.37%	0.272%	98.64%	100.00%	100.00%	100.00%		98.44%	0.00%	
<b>Requirements:</b> The 50% requirements is a combination of 25% LBE and 25% SLBE participation. An SLBE firm can be counted 100% towards achieving 50% requirements.				LBE25%	SLBE25%		TOTAL LBE/SLBE	50% LBE/SLBE TRUCKING			<b>Ethnicity</b> AA = African American AI = Asian Indian AP = Asian Pacific C = Caucasian H = Hispanic NA = Native American O = Other NL = Not Listed MO = Multiple Ownership			
LBE = Local Business Enterprise SLBE = Small Local Business Enterprise Total LBE/SLBE = All Certified Local and Small Local Businesses NPLBE = Non Profit Local Business Enterprise NPSLBE = Non Profit Small Local Business Enterprise														



# INTER OFFICE MEMORANDUM

**TO:** David Ng,  
Assistant Transportation Engineer

**FROM:** Deborah Barnes, Manager,  
Contracts & Compliance

**SUBJECT:** Compliance Analysis

**DATE:** October 21, 2013

The Rehabilitation of Sanitary Sewers in the area bounded by Embarcadero Street, Dennison Street, King Street, Frederick Street, and Kennedy Street  
Project No. C428610

City Administrator's Office, Contracts and Compliance Unit reviewed three (3) bids in response to the above referenced project. Below is the outcome of the compliance evaluation for the minimum 50% Local and Small Local Business Enterprise (L/SLBE) participation requirement, a preliminary review for compliance with the Equal Benefits Ordinance (EBO), and a brief overview of the lowest responsible bidder's compliance with the 50% Local Employment Program (LEP) and the 15% Oaidand Apprenticeship Program on the bidder's most recently completed City of Oakland project.

Responsive to L/SLBE and/or EBO Policies		Proposed Participation					Earned Credits and Discounts			EBO Compliant? Y/N
Company Name	Original Bid Amount	Total LBE/SLBE	LBE	SLBE	*VSLBE/LPG	L/SLBE Trucking	Total Credited participation	Earned Bid Discounts	Adjusted Bid Amount	
J. Howard Engineering Inc.	\$896,086.00	89.73%	1.23%	88.51%	0.00%	100%	89.73%	5%	\$851,281.70	Y
Andes Construction	\$1,010,040.00	98.22%	0.20%	97.62%	0.40%	100%	98.22%	5%	\$959,538.00	Y
Pacific Trenchless Inc.	\$1,089,614.00	92.66%	0.00%	92.66%	0.00%	100%	92.66%	5%	\$1,035,133.30	Y

Comments: As noted above, all firms met and/or exceeded the minimum 50% L/SLBE participation requirement. They are all EBO compliant.

\* Andes Construction's proposed VSLBE/LPG participation value was 0.20%, however, per the L/SLBE Program a VSLBE/LPG's participation is double counted towards meeting the requirement. Therefore, the VSLBE/LPG value for Andes Construction was 0.40%.



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	

Comments: No Local Employment Program (LEP) or Apprenticeship Program Utilization data is available for Amcal General Contractors, Inc. They have not completed any project for the City of Oakland in the last fiscal year.

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

# City Administrator's Office



## Contracts and Compliance Unit

### PROJECT EVALUATION FORM

PROJECT NO.: C428610

PROJECT NAME: The Rehabilitation of Sanitary Sewers in the area bounded by Embarcadero Street, Dennison Street, King Street, Frederick Street, and Kennedy Street

CONTRACTOR: J. Howard Engineering Inc.

<u>Engineer's Estimate:</u> \$677,010.00	<u>Contractors' Bid Amount</u> \$896,086.00	<u>Over/Under Engineer's Estimate</u> -\$219,076.00
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<u>Discounted Bid Amount:</u> \$851,281.70	<u>Amount of Bid Discount</u> \$44,804.30	<u>Discount Points:</u> 5%
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1. Did the 50% local/small local requirements apply? YES
2. Did the contractor meet the 50% requirement? YES
  - a) % of LBE participation 1.23%
  - b) % of SLBE participation 88.51%
  - c) % of VSLBE participation 0%
3. Did the contractor meet the Trucking requirement? YES
  - a) Total SLBE/LBE trucking participation 100%
4. Did the contractor receive bid discounts? YES

(if yes, list the percentage received) 5%
5. Additional Comments.

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

10/21/2013  
Date

Reviewing  
Officer:

Shelley Darenburg

Date: 10/21/2013

Approved By

Shelley Darenburg

Date: 10/21/2013

# LBE/SLBE PARTICIPATION

## BIDDER 1

Project Name:		The Rehabilitation of Sanitary Sewers in the area bounded by Embarcadero Street, Dennison Street, King Street, Frederick Street, and Kennedy Street											
Project No.: C428610		Engineers Est: 677,010				Under/Over Engineers Estimate: -219,076							
Discipline	Prime & Subs	Location	Cert. Status	LBE	SLBE	VSLBE/LPG <small>*double counted value</small>	Total	L/SLBE	Total	TOTAL	For Tracking Only		
							LBE/SLBE	Trucking	Trucking	Dollars	Ethn.	MBE	WBE
PRIME	J. Howard Engineering Inc.	Oakland	CB		758,086		758,086			758,086	C		
Trucking	Williama Trucking	Oakland	CB		15,000		15,000	15,000	15,000	15,000	AA	15,000	
Trucking	CJC Trucking	Oakland	CB		15,000		15,000	15,000	15,000	15,000	AA	15,000	
HDPE Pipe	P & F Distributors	Brisbane	UB							75,000	C		
Saw Cutting	Bay Line	Berkeley	UB							5,000	H	5,000	
MH Materials	Old Castle Precast	Pleasanton	UB							8,500	C		
Fittings	Mission Clay Product	Oakland	CB	3,500			3,500			3,500	C		
Concrete	Right Away Ready Mix	Oakland	CB	7,500			7,500			7,500	C		
Recycle Mats. MH	Inner City	Oakland	CB		5,000		5,000			5,000	C		
Coating/Lining	Conjtech of CA	Stockton	UB							3,500	C		
<b>Project Totals</b>				\$11,000	\$793,086	\$0	\$804,086	\$30,000	\$30,000	\$896,086		\$35,000	\$0.00
				1.23%	88.51%	0%	89.73%	100%	100%	100%		3.91%	0.00%
<b>Requirements:</b> The 50% requirements is a combination of 25% LBE and 25% SLBE participation. An SLBE firm can be counted 100% towards achieving 50% requirements. A LPG/VSLBE's participation is double counted toward meeting the requirements.											<b>Ethnicity</b> AA = African American AI = Asian Indian AP = Asian Pacific C = Caucasian H = Hispanic NA = Native American O = Other NL = Not Listed MO = Multiple Ownership		
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									



# CITY OF OAKLAND

Public Works Agency - Contract Services

## CONTRACTOR BID RESULTS

PROJECT NAME: The Rehabilitation of Sanitary Sewers in the Area Bounded by Embarcadero Street, Dennison Street, King Street, Fredenck Street, and Kennedy Street ( Sub-Basin 61-01)  
 PROJECT NO: C428610  
 BID DATE: Thursday, October 10, 2013  
 ENGINEER'S ESTIMATE: \$677,010.00  
 ISSUED TO COMPLIANCE, PROJECT MANAGER AND ALL PRIME BIDDERS: Thursday, October 10, 2013  
 BASIS OF AWARD: base bid  
 COMPLIANCE OFFICER: Sophany Han  
 COMMENTS: The published engineer's estimate was in error due to a calculation mistake. The correct Engineer's estimate should be \$690,660.

Documents Required With Bid	J. HOWARD ENGINEERING, INC.	ANDES CONSTRUCTION, INC.	PACIFIC TRENCHLESS, INC.
Contractor's Bid Form and Bid Schedule	Y	Y	Y
License Type and its Active per CSL37	A Y	A Y	A Y
Addendum acknowledgement	NA	NA	NA
Bid Bond	Y	Y	Y
Schedule O - Campaign Contributions Certification	Y	Y	Y
Schedule R - Subcontractor, Supplier, Truck H. Usage	Y	Y	Y
If Trucking is required, was one listed?	Y	Y	Y

Item Number	Item Description	Payment Spec. Section	Quantity	Unit	Engineer's Estimate		J. HOWARD ENGINEERING, INC.		ANDES CONSTRUCTION, INC.		PACIFIC TRENCHLESS, INC.	
					Unit Price	Amount	Unit Price	Amount	Unit Price	Amount	Unit Price	Amount
1	TRAFFIC CONTROL	7-10.1	1	LS	\$10,000.00	\$ 10,000.00	\$ 79,000.00	\$ 79,000.00	\$ 175,000.00	\$ 175,000.00	\$ 73,914.00	\$ 73,914.00
1	PROJECT SIGNS	7-11	2	EA	\$1,000.00	\$ 2,000.00	\$ 1,175.00	\$ 2,350.00	\$ 5,000.00	\$ 10,000.00	\$ 3,555.00	\$ 7,110.00
3	MANHOLE REHABILITATION TYPE 3	500-2.7(h) to (s)	8	EA	\$1,500.00	\$ 12,000.00	\$ 5,460.00	\$ 43,680.00	\$ 3,500.00	\$ 28,000.00	\$ 13,935.00	\$ 111,640.00
4	MANHOLE REHABILITATION TYPE 4	500-2.7(f)	8	EA	\$5,500.00	\$ 44,000.00	\$ 9,870.00	\$ 78,960.00	\$ 11,000.00	\$ 88,000.00	\$ 16,500.00	\$ 132,000.00
5	REPLACE EX SS W/ 14" HDPE SDR-17 SANITARY SEWER BY PIPE EXPANDING METHOD, PIPE REHABILITATION TYPE 2	500-1.1.9	100	LF	\$155.00	\$ 15,500.00	\$ 215.00	\$ 21,500.00	\$ 175.00	\$ 17,500.00	\$ 265.00	\$ 26,500.00
6	REPLACE EX SS W/ 18" HDPE SDR-17 SANITARY SEWER BY PIPE-EXPANDING METHOD, PIPE REHABILITATION TYPE 2	500-1.1.5	2,508	LF	\$195.00	\$ 489,060.00	\$ 117.00	\$ 295,315.00	\$ 195.00	\$ 489,060.00	\$ 173.00	\$ 619,700.00
7	REPLACE EX SS W/ 20" HDPE SDR-17 SANITARY SEWER BY PIPE-EXPANDING METHOD, PIPE REHABILITATION TYPE 2	500-1.1.9	140	LF	\$140.00	\$ 19,600.00	\$ 173.00	\$ 24,220.00	\$ 225.00	\$ 31,500.00	\$ 240.00	\$ 33,600.00
8	POINT REPAIR ON EXISTING SEWER PIPE	500-1.2.7.c	30	EA	\$500.00	\$ 15,000.00	\$ 3.00	\$ 90.00	\$ 500.00	\$ 15,000.00	\$ 3.00	\$ 90.00
9	EXCAVATION & BACKFILL FOR POINT REPAIR	500-1.2.7.a	10	EA	\$1,500.00	\$ 15,000.00	\$ 5.00	\$ 50.00	\$ 2,500.00	\$ 25,000.00	\$ 2.00	\$ 20.00
10	ADDITIONAL POINT REPAIR ON EXISTING SEWER PIPE	500-1.2.7.d	15	LF	\$30.00	\$ 450.00	\$ 2.00	\$ 30.00	\$ 1.00	\$ 15.00	\$ 2.00	\$ 30.00
11	ADDITIONAL EXCAVATION & BACKFILL FOR POINT REPAIR	500-1.2.7.b	15	LF	\$90.00	\$ 1,350.00	\$ 1.00	\$ 15.00	\$ 1.00	\$ 15.00	\$ 2.00	\$ 30.00
12	RECONNECT HOUSE CONNECTION SS TO REHABILITATED / REPLACED MAIN	500-4.6.d,e	21	EA	\$1,000.00	\$ 21,000.00	\$ 1,200.00	\$ 25,200.00	\$ 1,500.00	\$ 31,500.00	\$ 575.00	\$ 12,150.00
13	REHABILITATE HOUSE CONNECTION SEWER FROM 3-WAY CO TO REHABILITATED / REPLACED MAIN	500-4.6.c	490	LF	\$30.00	\$ 14,700.00	\$ 3.00	\$ 1,470.00	\$ 55.00	\$ 26,950.00	\$ 5.00	\$ 2,450.00
13	INSTALL 4" OR 6" HOUSE CONNECTION 2-WAY CLEANOUT	500-4.6.b	14	EA	\$500.00	\$ 7,000.00	\$ 775.00	\$ 10,850.00	\$ 500.00	\$ 7,000.00	\$ 115.00	\$ 1,610.00
15	ALLOWANCE	7-5.1	1	LS	\$30,000.00	\$ 30,000.00	\$ 30,000.00	\$ 30,000.00	\$ 30,000.00	\$ 30,000.00	\$ 30,000.00	\$ 30,000.00
					Total of Base Bid Items per spreadsheet calculation		\$ 690,660.00	\$ 690,660.00	\$ 1,010,040.00	\$ 1,010,040.00	\$ 1,019,614.00	\$ 1,019,614.00
					Total of Base Bid Items per contractor calculation		\$ 1,019,614.00	\$ 1,019,614.00	\$ 1,010,040.00	\$ 1,010,040.00	\$ 1,019,614.00	\$ 1,019,614.00

①                      ②                      ③

# City Administrator's Office



## Contracts and Compliance Unit

### PROJECT EVALUATION FORM

PROJECT NO.: C428610

PROJECT NAME: The Rehabilitation of Sanitary Sewers in the area bounded by Embarcadero Street, Dennison Street, King Street, Frederick Street, and Kennedy Street

CONTRACTOR: Andes Construction

<u>Engineer's Estimate:</u> \$677,010.00	<u>Contractors' Bid Amount</u> \$1,010,040.00	<u>Over/Under Engineer's Estimate</u> -\$333,030.00
<u>Discounted Bid Amount:</u> \$959,538.00	<u>Amount of Bid Discount</u> \$50,502.00	<u>Discount Points:</u> 5%

1. Did the 50% local/small local requirements apply? YES
2. Did the contractor meet the 50% requirement? YES
  - a) % of LBE participation 0.20%
  - b) % of SLBE participation 97.62%
  - c) % of VSLBE participation \*0.40%
3. Did the contractor meet the Trucking requirement? YES
  - a) Total SLBE/LBE trucking participation 100%
4. Did the contractor receive bid discounts? YES

(If yes, list the percentage received) 5%

5. Additional Comments.

\*Proposed VSLBE/LPG participation is valued at .20%, however per the L/SLBE Program a VSLBE/LPG's participation is double counted towards meeting the requirement. Therefore, the value is 0.40%

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

10/21/2013

Date

Reviewing  
Officer:

Shelley Darenburg

Date: 10/21/2013

Approved By:

Shelley Darenburg

Date: 10/21/2013

## LBE/SLBE PARTICIPATION BIDDER 2

Project Name:		The Rehabilitation of Sanitary Sewers in the area bounded by Embarcadero Street, Dennison Street, King Street, Frederick Street, and Kennedy Street												
Project No.: C428610		Engineers Est: 677,010				Under/Over Engineers Estimate: -333,030								
Discipline	Prime & Subs	Location	Cert Status	LBE	SLBE	*VSLBE/LPG double counted value	Total	L/SLBE	Total	TOTAL	For Tracking Only			
							LBE/SLBE	Trucking	Trucking	Dollars	Ethn.	MBE	WBE	
PRIME	Andes Construction	Oaldand	CB		980,040		980,040			980,040	H	304,159		
Saw Cut	Bay Line	Berkeley	UB							2,000	H	2,000		
Trucking	Foston Trucking	Oakland	CB		5,000		5,000	5,000	5,000	5,000	AA	5,000		
Pipe	P & F Distributors	Brisbane	UB							10,000	C			
AB	Inner City Recycling	Oakland	CB		1,000		1,000			1,000	C			
MH Precast	Old Castle Precast	Livermore	UB							5,000	C			
AC	Gallagher & Burk	Oakland	CB			2,000	2,000			2,000	C			
Drainrock	Dutra	San Rafael	UB							1,000	C			
Concrete	Right Away	Oakland	CB	2,000			2,000			2,000	C			
MH Rehab	Contech	Stockton	UB							2,000	C			
<b>Project Totals</b>					\$2,000	\$986,040	\$2,000	\$990,040	\$5,000	\$5,000	\$1,010,040		\$311,159	\$0
				0.20%	97.62%	*0.40%	98.22%	100%	100%	100%		30.81%	0%	
<b>Requirements:</b> The 50% requirements is a combination of 25% LBE and 25% SLBE participation. An SLBE firm can be counted 100% towards achieving 50% requirements. A LPB/VSLBE's participation is double counted toward meeting the requirements.											AI = Asian Indian AP = Asian Pacific C = Caucasian H = Hispanic NA = Native American O = Other NL = Not Listed MO = Multiple Ownership			
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										

# City Administrator's Office



## Contracts and Compliance Unit

### PROJECT EVALUATION FORM

**PROJECT NO.:** C428610

**PROJECT NAME:** The Rehabilitation of Sanitary Sewers in the area bounded by Embarcadero Street, Dennison Street, King Street, Frederick Street, and Kennedy Street

**CONTRACTOR:** Pacific Trenchless Inc.

<b>Engineer's Estimate:</b> \$677,010.00	<b>Contractors' Bid Amount</b> \$1,089,614.00	<b>Over/Under Engineer's Estimate</b> -\$412,604.00
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<b>Discounted Bid Amount:</b> \$1,035,133.30	<b>Amount of Bid Discount</b> \$54,480.70	<b>Discount Points:</b> 5%
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1. Did the 50% local/small local requirements apply? **YES**

2. Did the contractor meet the 50% requirement? **YES**

a) % of LBE participation	<b>0%</b>
b) % of SLBE participation	<b>92.66%</b>
c) % of VSLBE participation	<b>0%</b>

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

a) Total SLBE/LBE trucking participation	<b>100%</b>
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4. Did the contractor receive bid discounts? **YES**

(If yes, list the percentage received)	<b>5%</b>
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5. Additional Comments.

6. Date evaluation completed and returned to Contract Admin./Initiating Dept.  
**10/21/2013**

Date

**Reviewing  
Officer:**

*[Signature]*

**Date:** 10/21/2013

**Approved By:**

*Shelley Darenburg*

**Date:** 10/21/2013

## LBE/SLBE PARTICIPATION BIDDER 3

Project Name: The Rehabilitation of Sanitary Sewers in the area bounded by Embarcadero Street, Dennison Street, King Street, Frederick Street, and Kennedy Street													
Project No.: C428610		Engineers Est: 677,010					Under/Over Engineers Estimate: -412,604						
Discipline	Prime & Subs	Location	Cert Status	LBE	SLBE	VSLBE/LPG <small>*double counted value</small>	Total	L/SLBE	Total	TOTAL	For Tracking Only		
							LBE/SLBE	Trucking	Trucking	Dollars	Ethn.	MBE	WBE
PRIME	Pacific Trenchless Inc.	Oakland	CB		992,614		992,614			992,614	C		
Trucking HDPE Pipe	Williams Trucking P & F Distributors	Oakland Brisbane	CB UB		17,000		17,000	17,000	17,000	17,000 80,000	AA C	17,000	
<b>Project Totals</b>				\$0	\$1,009,614	\$0	\$1,009,614	\$17,000	\$17,000	\$1,089,614		17,000	\$0
				0%	92.66%	0%	92.66%	100%	100%	100%		0%	0%
<b>Requirements:</b> The 50% requirements is a combination of 25% LBE and 25% SLBE participation. An SLBE firm can be counted 100% towards achieving 50% requirements. A LBG/SLBE's participation is double counted toward meeting the requirements.											AI = Asian Indian AP = Asian Pacific C = Caucasian H = Hispanic NA = Native American O = Other NL = Not Listed MO = Multiple Ownership		
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 WBB = Woman Business Enterprise									

*Attachment D*

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

Project Number/Title: C329123

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

Contractor: Mosto Construction

Date of Notice to Proceed: 05/23/12

Date of Notice of Completion: 07/26/12

Date of Notice of Final Completion: 07/26/12

Contract Amount: \$165,198.00

Evaluator Name and Title: Mastewal Cherinet, 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:**

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

Unsatisfactory  
Marginal  
Satisfactory  
Outstanding  
Not Applicable

**WORK PERFORMANCE**

1	Did the Contractor perform all of the work with acceptable Quality and Workmanship?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<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"/>	<input checked="" type="checkbox"/>	<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"/>	<input checked="" type="checkbox"/>	<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 checked="" type="checkbox"/>	N/A <input type="checkbox"/>
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 checked="" 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"/>	<input checked="" type="checkbox"/>	<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 <input checked="" type="checkbox"/>
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"/>	<input type="checkbox"/>	<input checked="" 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"/>	<input type="checkbox"/>	<input checked="" 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 <input checked="" type="checkbox"/>	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 checked="" type="checkbox"/>	No <input type="checkbox"/>	N/A <input 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 checked="" 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	Overall, how did the Contractor rate on timeliness? The score for this category must be consistent with the responses to the questions given above regarding timeliness and the assessment guidelines. Check 0, 1, 2, or 3.	0 <input type="checkbox"/>	1 <input type="checkbox"/>	2 <input checked="" type="checkbox"/>	3 <input type="checkbox"/>	

Unsatisfactory  
Marginal  
Satisfactory  
Outstanding  
Not Applicable

**FINANCIAL**

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"/>	<input checked="" type="checkbox"/>	<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 <input checked="" type="checkbox"/>
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"/>	<input checked="" type="checkbox"/>	<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 <input checked="" type="checkbox"/>
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 <input checked="" type="checkbox"/>	3 <input type="checkbox"/>	

Unsatisfactory  
Marginal  
Satisfactory  
Outstanding  
Not Applicable

**COMMUNICATION**

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	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.	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	Overall, how did the Contractor rate on safety issues? The score for this category must be consistent with the responses to the questions given above regarding safety issues and the assessment guidelines. Check 0, 1, 2, or 3.	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 2.3 X 0.25 = 0.63

2. Enter Overall score from Question 13 2 X 0.25 = 0.50

3. Enter Overall score from Question 18 2 X 0.20 = 0.40

4. Enter Overall score from Question 22 2 X 0.15 = 0.30

5. Enter Overall score from Question 28 2.5 X 0.15 = 0.40

TOTAL SCORE (Sum of 1 through 5): 2.3

OVERALL RATING: Satisfactory

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.*

*Jantyn Lee* 9-17-12  
Contractor / Date

*Mastewal Cherinet* 09/14/12  
Resident Engineer / Date

*[Signature]* 09/17/12  
Supervising Civil Engineer / Date

Attachment D2

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

Project Number/Title: C312210 / SS Rehab w/in MacArthur Blvd, 64th Ave  
 Work Order Number (if applicable): Simson <sup>St</sup> & 72nd Ave  
 Contractor: PACIFIC TRENCHLESS INC.  
 Date of Notice to Proceed: 9/30/11  
 Date of Notice of Completion: PENDING  
 Date of Notice of Final Completion: PENDING  
 Contract Amount: \$ 3,064,854.00  
 Evaluator Name and Title: PAUL TRAN, RESIDENT ENGR

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:**

Outstanding (3 points)	Performance among the best level of achievement the City has experienced.
Satisfactory (2 points)	Performance met contractual requirements.
Marginal (1 point)	Performance barely met the lower range of the contractual requirements or performance only met contractual requirements after extensive corrective action was taken.
Unsatisfactory (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? <b>1</b>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<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"/>	<input checked="" type="checkbox"/>	<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"/>	<input checked="" type="checkbox"/>	<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 checked="" type="checkbox"/>	N/A <input type="checkbox"/>
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"/>	N/A	<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"/>	<input checked="" type="checkbox"/>	<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 <input checked="" type="checkbox"/>
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"/>	<input checked="" type="checkbox"/>	<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"/>	<input checked="" type="checkbox"/>	<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 <input checked="" type="checkbox"/>	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 checked="" type="checkbox"/>	N/A <input 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 checked="" 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	Overall, how did the Contractor rate on timeliness? The score for this category must be consistent with the responses to the questions given above regarding timeliness and the assessment guidelines. Check 0, 1, 2, or 3.	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"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
15	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?  Number of Claims: _____ Claim amounts: \$ _____ Settlement amount \$ _____				Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>
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"/>	<input checked="" type="checkbox"/>	<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 <input checked="" type="checkbox"/>
18	Overall, how did the Contractor rate on financial issues? The score for this category must be consistent with the responses to the questions given above regarding financial issues and the assessment guidelines. Check 0, 1, 2, or 3.	0 <input type="checkbox"/>	1 <input type="checkbox"/>	2 <input checked="" type="checkbox"/>	3 <input type="checkbox"/>	

Unsatisfactory  
Marginal  
Satisfactory  
Outstanding  
Not Applicable

**COMMUNICATION**

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	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.	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	Overall, how did the Contractor rate on safety issues? The score for this category must be consistent with the responses to the questions given above regarding safety issues and the assessment guidelines. Check 0, 1, 2, or 3.	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  | <u>2</u> | X 0.25 = | <u>0.5</u>                |
| 2. Enter Overall score from Question 13 | <u>2</u> | X 0.25 = | <u>0.5</u>                |
| 3. Enter Overall score from Question 18 | <u>2</u> | X 0.20 = | <del>0.4</del> <u>0.4</u> |
| 4. Enter Overall score from Question 22 | <u>2</u> | X 0.15 = | <del>0.3</del> <u>0.3</u> |
| 5. Enter Overall score from Question 28 | <u>2</u> | X 0.15 = | <del>0.3</del> <u>0.3</u> |

TOTAL SCORE (Sum of 1 through 5): 2.0

OVERALL RATING: 2.0

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.*

 9/13/12  
Contractor / Date

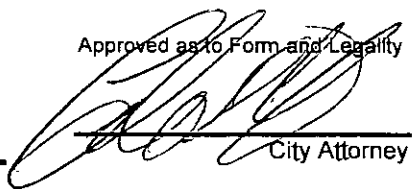
 9/13/12  
Resident Engineer / Date

 09/13/12  
Supervising Civil Engineer / Date

FILED  
OFFICE OF THE CITY CLERK  
OAKLAND

2013 NOV 21 AM 9:23

Approved as to Form and Legality



City Attorney

# OAKLAND CITY COUNCIL

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

**RESOLUTION AUTHORIZING THE CITY ADMINISTRATOR TO AWARD A CONSTRUCTION CONTRACT TO MOSTO CONSTRUCTION, THE LOWEST RESPONSIVE AND RESPONSIBLE BIDDER FOR THE REHABILITATION OF SANITARY SEWERS IN THE EASEMENT BETWEEN DELMONT AVENUE AND EDMOOR PLACE, THE EASEMENT BETWEEN MAJESTIC AVENUE AND LAIRD AVENUE, AND THE EASEMENT BETWEEN MODESTO STREET AND MADERA AVENUE (PROJECT NO. C329132) IN ACCORD WITH PLANS AND SPECIFICATIONS FOR THE PROJECT AND CONTRACTOR'S BID IN THE AMOUNT OF TWO HUNDRED EIGHTY-THREE THOUSAND FIVE HUNDRED SIXTY-NINE DOLLARS (\$283,569.00)**

**WHEREAS**, on September 26, 2013, four bids were received by the Office of the City Clerk of the City of Oakland for the Rehabilitation of Sanitary Sewers in the Easement Between Delmont Avenue and Edgemoor Place, the Easement Between Majestic Avenue and Laird Avenue, and the Easement Between Modesto Street and Madera Avenue (Project No. C329132); and

**WHEREAS**, Mosto Construction, a certified SLBE bidding as a prime, is deemed the lowest responsive and 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 following project account:

- Sewer Service Fund (3100); Capital Projects - Sanitary Sewer Design Organization (92244); Sewers Account (57417); Project No. C329132; \$283,569.00; and these funds were specifically allocated for this project; this project will help reduce the amount of sanitary sewer maintenance requirement; and

**WHEREAS**, the City Council finds and determines based on the representations set forth in the City Administrator's report accompanying this Resolution that the construction contract approved hereunder is temporary in nature; and

**WHEREAS**, the City lacks the equipment and qualified personnel to perform the necessary work, that the performance of this contract is in the public interest because of economy or better performance and that this contract is of a professional, scientific or technical nature; and

**WHEREAS**, Mosto Construction complies with all LBE/SLBE and trucking requirements; 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 service now, therefore, be it

**RESOLVED:** That the City Administrator is authorized to award a construction contract for the Rehabilitation of Sanitary Sewers in the Easement between Delmont Avenue and Edgemoor Place, the Easement between Majestic Avenue and Laird Avenue, and the Easement between Modesto Street and Madera Avenue (Project No. C329132) to Mosto Construction, the lowest responsive and responsible bidder, in an amount of Two Hundred Eight-Three Thousand Five Hundred Sixty-Nine Dollars (\$283,569.00) in accord with plans and specifications for the Project and contractor's bid dated September 26, 2013; and be it

**FURTHER RESOLVED:** That the amount of the bond for faithful performance bond, \$283,569.00, and the bond to guarantee payment of all claims for labor and materials furnished and for the amount under the Unemployment Insurance Act, \$283,569.00, with respect to such work are hereby approved; and be it

**FURTHER RESOLVED:** That the City Administrator, or her designee, is hereby authorized to enter into a contract with Mosto Construction on behalf of the City of Oakland and to execute any amendments or modifications of the contract within the limitations of the project specifications; and be it

**FURTHER RESOLVED:** That the City Administrator, or her designee, is hereby authorized to negotiate with the second lowest bidder and/or next lowest bidder for the same awarded amount, if Mosto Construction fails to return the complete signed contract documents and supporting documents within the days specified in the Special Provision without going back to City Council; and be it

**FURTHER RESOLVED:** That the City Administrator, or her designee, is hereby authorized to reject all other bids; 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.

IN COUNCIL, OAKLAND, CALIFORNIA, \_\_\_\_\_, 20\_\_\_\_\_

PASSED BY THE FOLLOWING VOTE:

AYES – BROOKS, GALLO, KALB, KAPLAN, GIBSON MCELHANEY, REID, SCHAAF, and  
PRESIDENT KERNIGHAN

NOES -

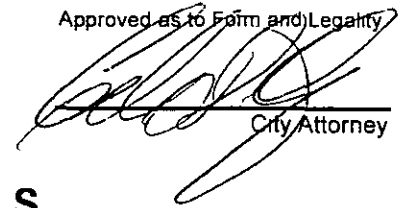
ABSENT -

ABSTENTION -

ATTEST: \_\_\_\_\_

LaTonda Simmons  
City Clerk and Clerk of the Council  
of the City of Oakland, California





City Attorney

2013 NOV 21 AM 9:23

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

**RESOLUTION AUTHORIZING THE CITY ADMINISTRATOR TO AWARD A CONSTRUCTION CONTRACT TO MOSTO CONSTRUCTION, THE LOWEST RESPONSIVE AND RESPONSIBLE BIDDER FOR THE REHABILITATION OF SANITARY SEWERS IN THE EASEMENT BETWEEN THORNHILL DRIVE AND CABOT DRIVE, AND IN GOULDIN ROAD BETWEEN ALHAMBRA AVENUE AND ARMOUR DRIVE (PROJECT NO. C329133) IN ACCORD WITH PLANS AND SPECIFICATIONS FOR THE PROJECT AND CONTRACTOR'S BID IN THE AMOUNT OF TWO HUNDRED SIXTY-FOUR THOUSAND FIVE HUNDRED SEVENTY-FIVE DOLLARS (\$264,575.00)**

**WHEREAS**, on September 26, 2013, four bids were received by the Office of the City Clerk of the City of Oakland for the Rehabilitation of Sanitary Sewers in the Easement between Thornhill Drive and Cabot Drive, and in Gouldin Road between Alhambra Avenue and Armour Drive (Project No. C329133); and

**WHEREAS**, Mosto Construction, a certified SLBE bidding as a prime, is deemed the lowest responsive and 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 following project account:

- Sewer Service Fund (3100); Capital Projects - Sanitary Sewer Design Organization (92244); Sewers Account (57417); Project No. C329133; \$264,575.00; and these funds were specifically allocated for this project; this project will help reduce the amount of sanitary sewer maintenance requirement; and

**WHEREAS**, the City Council finds and determines based on the representations set forth in the City Administrator's report accompanying this Resolution that the construction contract approved hereunder is temporary in nature; and

**WHEREAS**, the City lacks the equipment and qualified personnel to perform the necessary work, that the performance of this contract is in the public interest because of economy or better performance and that this contract is of a professional, scientific or technical nature; and

**WHEREAS**, Mosto Construction complies with all LBE/SLBE and trucking requirements; 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 service now, therefore, be it

**RESOLVED:** That the City Administrator is authorized to award a construction contract for the Rehabilitation of Sanitary Sewers in the Easement between Thomhill Drive and Cabot Drive, and in Gouldin Road between Alhambra Avenue and Armour Drive (Project No. C329133) to Mosto Construction, the lowest responsive and responsible bidder, in an amount of Two Hundred Sixty-four Thousand Five Hundred Seventy-Five Dollars (\$264,575.00) in accord with plans and specifications for the Project and contractor's bid dated September 26, 2013; and be it

**FURTHER RESOLVED:** That the amount of the bond for faithful performance bond, \$264,575.00, and the bond to guarantee payment of all claims for labor and materials furnished and for the amount under the Unemployment Insurance Act, \$264,575.00, with respect to such work are hereby approved; and be it

**FURTHER RESOLVED:** That the City Administrator, or her designee, is hereby authorized to enter into a contract with Mosto Construction on behalf of the City of Oakland and to execute any amendments or modifications of the contract within the limitations of the project specifications; and be it

**FURTHER RESOLVED:** That the City Administrator, or her designee, is hereby authorized to negotiate with the second lowest bidder and/or next lowest bidder for the same awarded amount, if Mosto Construction fails to return the complete signed contract documents and supporting documents within the days specified in the Special Provision without going back to City Council; and be it

**FURTHER RESOLVED:** That the City Administrator, or her designee, is hereby authorized to reject all other bids; 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.

IN COUNCIL, OAKLAND, CALIFORNIA, \_\_\_\_\_, 20\_\_\_\_\_

PASSED BY THE FOLLOWING VOTE:

AYES – BROOKS, GALLO, KALB, KAPLAN, GIBSON MCELHANEY, REID, SCHAAF, and  
PRESIDENT KERNIGHAN

NOES -

ABSENT -

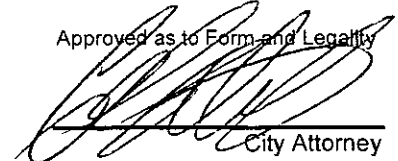
ABSTENTION -

ATTEST: \_\_\_\_\_  
LaTonda Simmons  
City Clerk and Clerk of the Council  
of the City of Oakland, California

FILED  
OFFICE OF THE CITY CLERK  
OAKLAND

**OAKLAND CITY COUNCIL**

Approved as to Form and Legality



City Attorney

2013 NOV 21 AM 9:23

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

**RESOLUTION AUTHORIZING THE CITY ADMINISTRATOR TO AWARD A CONSTRUCTION CONTRACT TO PACIFIC TRENCHLESS, INC., THE LOWEST RESPONSIVE AND RESPONSIBLE BIDDER FOR THE REHABILITATION OF SANITARY SEWERS BOUNDED BY MACARTHUR BOULEVARD, MAPLE AVENUE, BARNER AVENUE, AND FRYE STREET (PROJECT NO. C428510 SUB-BASIN 80-102) IN ACCORD WITH PLANS AND SPECIFICATIONS FOR THE PROJECT AND CONTRACTOR'S BID IN THE AMOUNT OF ONE MILLION THREE HUNDRED FIFTY-FOUR THOUSAND THREE HUNDRED SIXTY-SEVEN DOLLARS (\$1,354,367.00)**

**WHEREAS**, on September 26, 2013, four bids were received by the Office of the City Clerk of the City of Oakland for the Rehabilitation of Sanitary Sewers bounded by MacArthur Boulevard, Maple Avenue, Bamer Avenue, and Frye Street (Project No. C428510, Sub-Basin 80-102); and

**WHEREAS**, Pacific Trenchless, Inc., a certified SLBE bidding as a prime, is deemed the lowest responsive and 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 following project account:

- Sewer Service Fund (3100); Capital Projects - Sanitary Sewer Design Organization (92244); Sewers Account (57417); Project No. C428510; \$1,354,367.00; and these funds were specifically allocated for this project; this project will help reduce the amount of sanitary sewer maintenance requirement; and

**WHEREAS**, the City Council finds and determines based on the representations set forth in the City Administrator's report accompanying this Resolution that the construction contract approved hereunder is temporary in nature; and

**WHEREAS**, the City lacks the equipment and qualified personnel to perform the necessary work, that the performance of this contract is in the public interest because of economy or better performance and that this contract is of a professional, scientific or technical nature; and

**WHEREAS**, Pacific Trenchless, Inc. complies with all LBE/SLBE and trucking requirements; 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 service now, therefore, be it

**RESOLVED:** That the City Administrator is authorized to award a construction contract for the Rehabilitation of Sanitary Sewers bounded by MacArthur Boulevard, Maple Avenue, Bamer Avenue, and Frye Street (Project No. C428510, Sub-Basin 80-102) to Pacific Trenchless, Inc., the lowest responsive and responsible bidder, in an amount of One Million Three Hundred Fifty-four Thousand Three Hundred Sixty-Seven Dollars (\$1,354,367.00) in accord with plans and specifications for the Project and contractor's bid dated September 26, 2013; and be it

**FURTHER RESOLVED:** That the amount of the bond for faithful performance bond, \$1,354,367.00, and the bond to guarantee payment of all claims for labor and materials furnished and for the amount under the Unemployment Insurance Act, \$1,354,367.00, with respect to such work are hereby approved; and be it

**FURTHER RESOLVED:** That the City Administrator, or her designee, is hereby authorized to enter into a contract with Pacific Trenchless, Inc. on behalf of the City of Oakland and to execute any amendments or modifications of the contract within the limitations of the project specifications; and be it

**FURTHER RESOLVED:** That the City Administrator, or her designee, is hereby authorized to negotiate with the second lowest bidder and/or next lowest bidder for the same awarded amount, if Pacific Trenchless, Inc. fails to return the complete signed contract documents and supporting documents within the days specified in the Special Provision without going back to City Council; and be it

**FURTHER RESOLVED:** That the City Administrator, or her designee, is hereby authorized to reject all other bids; 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.

IN COUNCIL, OAKLAND, CALIFORNIA, \_\_\_\_\_, 20\_\_\_\_\_

PASSED BY THE FOLLOWING VOTE:

AYES – BROOKS, GALLO, KALB, KAPLAN, GIBSON MCELHANEY, REID, SCHAAF, and  
PRESIDENT KERNIGHAN

NOES -

ABSENT -

ABSTENTION -

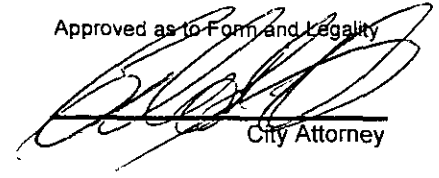
ATTEST: \_\_\_\_\_  
LaTonda Simmons  
City Clerk and Clerk of the Council  
of the City of Oakland, California

FILED  
OFFICE OF THE CITY CLERK  
OAKLAND

2013 NOV 21 AM 9:23

# OAKLAND CITY COUNCIL

Approved as to Form and Legality



City Attorney

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

**RESOLUTION AUTHORIZING THE CITY ADMINISTRATOR TO AWARD A CONSTRUCTION CONTRACT TO J. HOWARD ENGINEERING, INC., THE LOWEST RESPONSIVE AND RESPONSIBLE BIDDER FOR THE REHABILITATION OF SANITARY SEWERS IN THE AREA BOUNDED BY EMBARCADERO STREET, DENNISON STREET, KING STREET, FREDERICK STREET, AND KENNEDY STREET (PROJECT NO. C428610 SUB-BASIN 61-01) IN ACCORD WITH PLANS AND SPECIFICATIONS FOR THE PROJECT AND CONTRACTOR'S BID IN THE AMOUNT OF EIGHT HUNDRED NINETY-SIX THOUSAND EIGHTY-SIX DOLLARS (\$896,086.00)**

**WHEREAS**, on October 10, 2013, three bids were received by the Office of the City Clerk of the City of Oakland for the Rehabilitation of Sanitary Sewers in the area bounded by Embarcadero Street, Dennison Street, King Street, Frederick Street, and Kennedy Street (Project No. C428610, Sub-Basin 61-01); and

**WHEREAS**, J. Howard Engineering, Inc., a certified SLBE bidding as a prime, is deemed the lowest responsive and 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 following project account:

- Sewer Service Fund (3100); Capital Projects - Sanitary Sewer Design Organization (92244); Sewers Account (57417); Project No. C428610; \$896,086.00; and these funds were specifically allocated for this project; this project will help reduce the amount of sanitary sewer maintenance requirement; and

**WHEREAS**, the City Council finds and determines based on the representations set forth in the City Administrator's report accompanying this Resolution that the construction contract approved hereunder is temporary in nature; and

**WHEREAS**, the City lacks the equipment and qualified personnel to perform the necessary work, that the performance of this contract is in the public interest because of economy or better performance and that this contract is of a professional, scientific or technical nature; and

**WHEREAS**, J. Howard Engineering, Inc. complies with all LBE/SLBE and trucking requirements; 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 service now, therefore, be it

**RESOLVED:** That the City Administrator is authorized to award a construction contract for the Rehabilitation of Sanitary Sewers in the area bounded by Embarcadero Street, Dennison Street, King Street, Frederick Street, and Kennedy Street (Project No. C428610, Sub-Basin 61-01) to J. Howard Engineering, Inc., the lowest responsive and responsible bidder, in an amount of Eight Hundred Ninety-six Thousand Eighty-Six Dollars (\$896,086.00) in accord with plans and specifications for the Project and contractor's bid dated October 10, 2013; and be it

**FURTHER RESOLVED:** That the amount of the bond for faithful performance bond, \$896,086.00, and the bond to guarantee payment of all claims for labor and materials furnished and for the amount under the Unemployment Insurance Act, \$896,086.00, with respect to such work are hereby approved; and be it

**FURTHER RESOLVED:** That the City Administrator, or her designee, is hereby authorized to enter into a contract with J. Howard Engineering, Inc. on behalf of the City of Oakland and to execute any amendments or modifications of the contract within the limitations of the project specifications; and be it

**FURTHER RESOLVED:** That the City Administrator, or her designee, is hereby authorized to negotiate with the second lowest bidder and/or next lowest bidder for the same awarded amount, if J. Howard Engineering, Inc. fails to return the complete signed contract documents and supporting documents within the days specified in the Special Provision without going back to City Council; and be it

**FURTHER RESOLVED:** That the City Administrator, or her designee, is hereby authorized to reject all other bids; 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.

IN COUNCIL, OAKLAND, CALIFORNIA, \_\_\_\_\_, 20\_\_\_\_\_

PASSED BY THE FOLLOWING VOTE:

AYES – BROOKS, GALLO, KALB, KAPLAN, GIBSON MCELHANEY, REID, SCHAAF, and  
PRESIDENT KERNIGHAN

NOES -

ABSENT -

ABSTENTION -

ATTEST: \_\_\_\_\_  
LaTonda Simmons  
City Clerk and Clerk of the Council  
of the City of Oakland, California