

2006 SEP 14 PM 12:19

CITY OF OAKLAND
AGENDA REPORT

TO: Office of the City Administrator
ATTN: Deborah Edgerly
FROM: Public Works Agency
DATE: September 26, 2006

RE: **Resolution Authorizing The City Administrator, Or Her Designee, To Award A Construction Contract To R.V. Stich Construction, Inc., For The Lakeside Park Fire Hydrant Project (No.# C242113) In The Amount Of Three Hundred Eighty Eight Thousand Four Hundred Seventy Four Dollars (\$388,474.00) In Accordance With The Specifications For The Project And Contractor's Bid**

SUMMARY

A resolution has been prepared authorizing the City Administrator, or her designee, to award a construction contract to R.V. Stich Construction, Inc., for the Lakeside Park Fire Hydrant Project (No. # C242113) in the amount of \$388,474.00. R.V. Stich Construction, Inc., is the lowest responsive and responsible bidder and has met the City's Local Business Program requirements. This project involves installation of three new fire hydrants and 2,751 feet of 8 and 6 inch waterline to improve the fire protection system within Lakeside Park and will serve the areas adjacent to Children's Fairyland, the Garden Center, and the Sailboat House. Funds are budgeted and available for this project under the "Oakland Trust for Clean Water and Safe Parks" general obligation bond (Measure DD).

The Lakeside Fire Hydrant Project is consistent with the Mayoral and City Council Goal to "Build Community and Foster Livable Neighborhoods," by providing for clean and well-maintained facilities, amenities, parks and recreational facilities. The project is located in Council District 3.

FISCAL IMPACT

In accordance with Council's direction on March 22, 2005, a portion of the funding from the Lake Merritt Systemwide Improvements project was allocated to the Lakeside Park Fire Hydrant (fire suppression) project. Funding of \$245,000.00 is available from the Measure DD Bond Fund (5320) Series A, Lake Merritt Systemwide/Lakeside Fire Hydrant Project (No. C242113), in the Capital Project Management Organization (92270). In addition, \$520,000.00 will be available to the project from Series B, Lake Merritt Systemwide/Lakeside Fire Hydrant Project. This resolution will authorize a \$388,474.00 contract with R.V. Stich Construction, Inc.

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In the event the issuance of the Measure DD Series B Bond Fund is delayed and not available in time for the payment of the construction contract, funding will be advanced from existing Measure DD Series A Lake Merritt Systemwide Improvement funds that have not been spent or from the projects which are on hold, and will be recovered from the Series B Bond when the funds do become available.

The Contract Compliance fee of \$42,075.00 and the Public Art fee of \$11,475.00 will be assessed within Project No. C242113. Public Works Agency will include the additional operating and maintenance costs for the fire hydrants, which will be minimal, in the 2007-2009 Budget.

BACKGROUND

On July 10, 2006, the City Clerk received two bids for the Lakeside Fire Hydrant Project. R.V. Stich Construction, Inc. (Richmond), and Andes Construction Company (Oakland), submitted bids of \$388,474.00 and \$471,525.00, respectively. Refer to *Attachment A* for a summary of bids. The engineer's estimate for the base bid is \$460,000.00. The lowest responsive and responsible bid of \$388,474.00 was submitted by R. V. Stich Construction, Inc., and is within the project budget.

The City's L/SLBE and local trucking programs have been met by R.V. Stich Construction, Inc. There will be L/SLBE participation of \$94,799.00 (24.4%), which exceeds the 20% L/SLBE requirements, and the local trucking participation will be \$34,604.00 (100%). 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 L/SLBE information has been verified by the Contract Compliance & Employment Services Division of the City Administrator's Office and is included as *Attachment B*.

KEY ISSUES AND IMPACTS

As part of the Fire Code requirements to make Measure DD improvements at Fairyland and the Sailboat House, these new fire hydrants are required to provide fire protection to these facilities. The existing fire hydrants in Lakeside Park are not part of the EBMUD system, are undersized and are connected to the irrigation system. The three new fire hydrants will meet the fire code for flow requirements, and fire protection will be improved at the park. Children's Fairyland, the Garden Center, and the Sailboat House facilities will be better served and protected as a result of this project.

Upon approval of the resolution, a contract will be awarded and construction can begin in October 2006. The project duration is 45 working days from the date of the Notice to Proceed and completion is anticipated by January 2007.

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The construction contract specifies \$500.00 in liquidated damages per calendar day if the contract completion time of 45 working days is exceeded. The project schedule is shown on *Attachment A*.

PROJECT DESCRIPTION

The project will consist of three fire hydrants and the installation of 2,751 linear feet of 8 and 6 inch new pipeline. The new waterline will run from Children’s Fairyland, past the Garden Center, to the Sailboat House. Fire protection will be improved at all of these locations.

SUSTAINABLE OPPORTUNITIES

Economic: The project will generate jobs for Oakland residents, and business tax, sales tax and other revenues for the City by those who work on the project.

Environmental: The contractor will be required to use recyclable construction materials to the extent feasible and is required to recycle construction debris.

Social Equity: There are no social equity issues related to this project.

DISABILITY AND SENIOR CITIZEN ACCESS

This project consists of the installation of three new fire hydrants. There are no impacts to the accessibility features or to senior citizen access in Lakeside Park.

RECOMMENDATION AND RATIONALE

It is recommended that the City Administrator, or her designee, be authorized to award a construction contract for the Lakeside Park Fire Hydrant project to R.V. Stich Construction, Inc., in the amount of \$388,474.00. R.V. Stich Construction, Inc., exceeded the City’s 20% L/SLBE requirements, and there are sufficient funds available to construct this project.

ACTION REQUESTED OF THE CITY COUNCIL

Staff recommends that the City Council approve the resolution.

Respectfully submitted,




Raul Godinez, II, H.E.
Director, Public Works Agency

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

Prepared by:
Sandra Ousley
Project Manager
Project Delivery Division

APPROVED AND FORWARDED
TO THE PUBLIC WORKS COMMITTEE



OFFICE OF THE CITY ADMINISTRATOR

Attachments:

- A. List of Bidders/Schedule
- B. Contract Compliance Memo

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ATTACHMENT A

Lakeside Park Fire Hydrant Project

Project No. C242113

List of Bidders

<u>Company/Bidder</u>	<u>Status</u>	<u>Location</u>	<u>Base Bid Amount</u>
Andes Construction Company	SLBE	Oakland	\$471,525
R.V. Stich Construction, Inc.		Richmond	\$388,474

Project Schedule

ID	Task Name	Start	Finish	2005												2006											
				J	J	A	S	O	N	D	J	F	M	A	M	J	J	A	S	O	N	D	J	F			
1	Lakeside Park Fire Hydrant Project	6/9/05	1/31/07	[Gantt bar spanning from June 2005 to January 2007]																							
2	Design	6/9/05	4/28/06	[Gantt bar spanning from June 2005 to April 2006]																							
3	Bid/Award	5/1/06	10/20/06	[Gantt bar spanning from May 2006 to October 2006]																							
4	Construction	10/23/06	1/31/07	[Gantt bar spanning from October 2006 to January 2007]																							

Attachment B



OFFICE OF THE CITY ADMINISTRATOR
 Contract Compliance & Employment Services Division

Memo

To: Gwen McCormick - Contract Administrator Supervisor
From: Dasco Munoz - CC&ES Contract Compliance Officer
Through: Deborah Barnes - CC&ES Manager *Deborah Barnes*
CC: Project Manager
Date: September 12, 2006
Re: Lakeside Park Fire Hydrant Project (Revised)

On July 21, 2006 Contract Compliance & Employment Services reviewed two (2) bids in response to the above referenced project. Below is the outcome of our compliance evaluation for the twenty percent (20%) minimum participation requirement and a revised review for compliance with the Equal Benefits Ordinance (EBO).

Company Name	Bid Amount	Proposed Participation							Banked Credits Eligibility	EBO Compliant ? Y/N
		Total L/SLBE	LBE	SLBE	Trucking	Total Credited	Adjusted Bid Amount	Bid Discounts		
Andes Construction	\$471,525.00	100.00%	0.00%	100.00%	100%	100.00%	\$447,949	5%	2%	Y
R.V. Stich Construction	\$388,474.00	24.40%	0.00%	24.40%	100%	10.00%	\$388,474	2%	0%	Y

As noted above, R.V. Stich met the minimum 20% L/SLBE requirement and is EBO certified.

Should you have any questions you may contact Dasco Munoz at 238-3970

Contract Compliance and Employment Services Evaluation Form

Project No.: C242113

Project Name: Lakeside Park Fire Hydrant Project

Contractor: R.V. Stich Construction

Contractor's Bid Amount: 388,474.00

Engineer's Estimate: 460,000.00

Over/Under the Engineers Estimate: 71,526.00

Bid Discounted Amount: \$7,769.48

Discount Points: 2%

Discounted Bid Price: \$380,704.52

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

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

a) % of LBE **0.00%**
b) % of SLBE **24.40%**

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

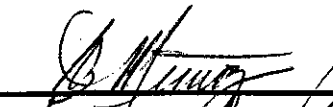
a) % of Local Trucking **100%**

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

5. Additional Comments.

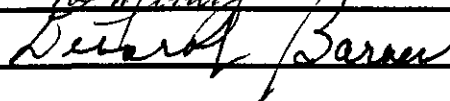
6. Date evaluation completed and returned to Contact Admin./Initiating Dept. **7/21/2006**

**Reviewing
Officer:**



Date: 7/21/2006

Approved By:



Date: 7/21/06

Attachment B

Contract Compliance and Employment Services Evaluation Form

Project No.: C242113

Project Name: Lakeside Park Fire Hydrant Project

Contractor: Andes Construction

Contractor's Bid Amount: 471,525.00

Engineer's Estimate: 460,000.00

Over/Under the Engineers Estimate: 11,525.00

Bid Discounted Amount: \$23,576.25

Discount Points: 5%

Discounted Bid Price: \$447,948.75

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

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

a) % of LBE **0.00%**

b) % of SLBE **100.00%**

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

a) % of Local Trucking **100.00%**


4. Did the contractor received bid discount points?
(If yes, list the points received) **YES**
5%

5. Additional Comments.

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

7/21/2006

**Reviewing
Officer:**



Date: **7/21/2006**

Approved By:



Date: **7/21/06**

LBE/SLBE Participation Bidder 1

Project Name: Lakeside Park Fire Hydrant Project

Project No.: C242113		Engineers Est: 460,000.00				Under/Over Engineers Estimate: 11,525.00				For Tracking Only		
Discipline	Prime & Subs	Location	Cert. Status	LBE	SLBE	Total LBE/SLBE	S/LBE Trucking	Total Trucking	TOTAL Dollars			
										Ethn.	MBE	WBE
PRIME	Andes Construction	Oakland	CB		451,525.00	451,525.00			451,525.00	H	451,525.00	
Saw Cut	Bayline Construction	Oakland	CB		5,000.00	5,000.00			5,000.00	H	\$5,000.00	
Trucking	Irving Trucking	Oakland	CB		15,000.00	15,000.00	15,000.00	15,000.00	15,000.00	AA	\$15,000.00	
Project Totals				0.00	471,525.00	471,525.00	15,000.00	15,000.00	471,525.00		\$471,525.00	
				0.00%	100.00%	100.00%	100%	100%				
Requirements: The 20% requirements is a combination of 10% LBE and 10% SLBE participation. An SLBE firm can be counted 100% towards achieving 20% requirements.				LBE 10%	SLBE 10%	TRUCKING 20%	LBE/SLBE 20%			Ethnicity AA = African American AI = Asian Indian AP = Asian Pacific C = Caucasian H = Hispanic NA = Native American O = Other NL = Not Listed		
Legend				LBE = Local Business Enterprise SLBE = Small Local Business Enterprise Total LBE/SLBE = All Certified Local and Small Local Businesses NPLBE = NonProfit Local Business Enterprise NPSLBE = NonProfit Small Local Business Enterprise UB = Uncertified Business CB = Certified Business MBE = Minority Business Enterprise WBE = Women Business Enterprise								

LBE/SLBE Participation Bidder 2

Project Name: Lakeside Park Fire Hydrant Project

Project No.: C242113		Engineers Est: 460,000.00				Under/Over Engineers Estimate: 71,526.00						
Discipline	Prime & Subs	Location	Cert. Status	LBE	SLBE	Total LBE/SLBE	S/LBE Trucking	Total Trucking	TOTAL Dollars	For Tracking Only		
										Ethn.	MBE	WBE
Prime	R.V. Stich Construction	Richmond	UB						235,034.00	C		
Asphalt	AJW Construction	Oakland	CB		46,538.00	46,538.00			46,538.00	H	\$46,538.00	
Pipe & Materials	Groeniger & Company	Oakland	UB						58,641.00	NL		
Trucking	Williams Trucking	Oakland	CB		34,604.00	34,604.00	34,604.00	34,604.00	34,604.00	AA	\$34,604.00	
Class II AB/Backfill	Specialty Crushing	Oakland	CB		13,657.00	13,657.00			13,657.00	C		
Project Totals				0.00	94,799.00	94,799.00	34,604.00	34,604.00	388,474.00		\$81,142.00	\$0.00
				0.0%	24.40%	24.40%	100.00%	100.00%				
Requirements: The 20% requirements is a combination of 10% LBE and 10% SLBE participation. An SLBE firm can be counted 100% towards achieving 20% requirements.				LBE 10%	SLBE 10%	TRUCKING 20%	LBE/SLBE 20%			Ethnicity AA = African American AI = Asian Indian AP = Asian Pacific C = Caucasian H = Hispanic NA = Native American O = Other NL = Not Listed		
Legend				LBE = Local Business Enterprise		UB = Uncertified Business						
				SLBE = Small Local Business Enterprise		CB = Certified Business						
				Total LBE/SLBE = All Certified Local and Small Local Businesses		MBE = Minority Business Enterprise						
				NPLBE = NonProfit Local Business Enterprise		WBE = Women Business Enterprise						
				NPSLBE = NonProfit Small Local Business Enterprise								

Approved as to Form and Legality
[Signature]
OFFICE OF THE CITY ATTORNEY'S OFFICE
CITY CLERK

OAKLAND CITY COUNCIL

2006 SEP 14 PM 12:19

RESOLUTION No: _____ C.M.S.

RESOLUTION AUTHORIZING THE CITY ADMINISTRATOR, OR HER DESIGNEE, TO AWARD A CONSTRUCTION CONTRACT TO R.V. STICH CONSTRUCTION, INC., FOR THE LAKESIDE PARK FIRE HYDRANT PROJECT (NO. C242113) IN THE AMOUNT OF THREE HUNDRED EIGHTY EIGHT THOUSAND FOUR HUNDRED SEVENTY FOUR DOLLARS (\$388,474.00)

WHEREAS, on July 10, 2006, two bids were received by the Office of the City Clerk for the Lakeside Park Fire Hydrant project; and

WHEREAS, R.V. Stich Construction, Inc. (Richmond), is the lowest responsible bidder and has met the City's L/SLBE program requirements; and

WHEREAS, sufficient funds totaling \$388,474.00 are available for the contract from the Measure DD Series A and expected to be available from Series B Bond Fund (5320) in the Lakeside Park Fire Hydrant Project (No. C242113) and the Capital Project Management Organization (92270); and

WHEREAS, the City lacks the equipment and qualified personnel to perform the necessary work; and

WHEREAS, the City Council finds and determines that the performance of this contract is in the public interest because of economy; and

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

WHEREAS, the City Council finds and determines that the performance of 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, or her designee, is hereby authorized to award a construction contract on behalf of the City of Oakland for the Lakeside Park Fire Hydrant Project to R.V. Stich Construction, Inc. in the amount of Three Hundred Eighty Eight Thousand Four Hundred Seventy Four Dollars (\$388,474.00) and to execute any amendments or modifications of said contract within the limitations of the project specifications; and be it

FURTHER RESOLVED: That in the event the issuance of the Measure DD Series B Bond Fund is delayed and not available in time for the payment of the construction contract, funding will be advanced from existing Measure DD Series A Lake Merritt Systemwide Improvement funds that have not been spent or from the projects which are on hold, and will be recovered from the Series B Bond when the funds do become available; and be it

FURTHER RESOLVED: That the plans and specifications prepared by the Director of Public Works for this project are hereby approved; and be it

FURTHER RESOLVED: That the City Administrator is hereby authorized to reject all other bids; and be it

FURTHER RESOLVED: The amount of the bond for faithful performance, \$388,474.00, and the amount for a bond to guarantee payment of all claims for labor and material furnished and for the amount due under the Unemployment Insurance Act, \$388,474.00, with respect to such work are hereby approved; and be it

FURTHER RESOLVED: That the contract shall be reviewed and approved by the City Attorney and placed on file in the Office of the City Clerk; and be it

IN COUNCIL, OAKLAND, CALIFORNIA, _____, 2006

PASSED BY THE FOLLOWING VOTE:

AYES - BROOKS, BRUNNER, CHANG, KERNIGHAN, NADEL, QUAN, REID,
AND PRESIDENT OF THE COUNCIL DE LA FUENTE

NOES -

ABSENT -

ABSTENTION -

ATTEST: _____
LATONDA SIMMONS
City Clerk and Clerk of the
Council of the City of Oakland,
California