



FILED
OFFICE OF THE CITY CLERK
OAKLAND

2012 AUG 29 AM 9:45

AGENDA REPORT

TO: DEANNA J. SANTANA
CITY ADMINISTRATOR

FROM: Vitaly B. Troyan, P.E.

SUBJECT: Preventive Maintenance work on Bridges DATE: August 20, 2012

City Administrator
Approval

Date:

8/28/12

COUNCIL DISTRICT: 2, 3 and 7

RECOMMENDATION

Staff recommends the City Council adopt the following four resolutions:

- 1) Resolution Authorizing the City Administrator to Award a Construction Contract to American Civil Constructors West Coast Inc. for the Preventive Maintenance of West Grand Avenue Bridge (Project No. G427010), in the Amount of Five Hundred Seventy Thousand, Six Hundred and Twenty-Five Dollars (\$570,625.00) in Accord with the Projects Plans and Specifications and the Contractor's Bids.
- 2) Resolution Authorizing the City Administrator to Award a Construction Contract to American Civil Constructors West Coast Inc. for the Preventive Maintenance of Hegenberger Road Bridge (Project No. G427020) in the Amount of Three Hundred Twelve Thousand, Nine Hundred and Fifty-Five Dollars (\$312,955.00) in Accord with the Projects Plans and Specifications and the Contractor's Bids.
- 3) Resolution Authorizing the City Administrator to Award a Construction Contract to American Civil Constructors West Coast Inc. for the Preventive Maintenance of East 8th Street Bridge (Project No. G427030) in the Amount of Three Hundred Fifty Nine Thousand, Four Hundred and Eighty Dollars (\$359,480.00) in Accord with the Projects Plans and Specifications and the Contractor's Bids.
- 4) Resolution Authorizing the City Administrator to Award a Construction Contract to American Civil Constructors West Coast Inc. for the Preventive Maintenance of Oakport Street Bridge (Project No. G427040) in the Amount of Seventy Nine Thousand, Four Hundred and Seventy Dollar (\$79,470.00) in Accord with the Projects Plans and Specifications and the Contractor's Bids.

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OUTCOME

Approval of the resolution will authorize the City Administrator to execute four construction contracts with American Civil Constructors West Coast Inc. in the amount of \$570,625.00, \$312,955.00, \$359,480.00, and \$79,470.00 for West Grand Avenue Bridge, Hegenberger Road Bridge, East 8th Street Bridge, and Oakport Street Bridge Preventive Maintenance contracts respectively. The bridges are located in Council Districts 2, 3 and 7 as shown in *Attachment A*.

BACKGROUND/LEGISLATIVE HISTORY

Staff successfully sought and received in 2011 federal grant funding through Caltrans Local Assistance Bridge Preventive Maintenance Program (BPMP) for four projects: West Grand Avenue; Hegenberger Road; E. 8th Street; and Oakport Street Bridges. Under this program, all non-toll public highway bridges with spans greater than 20 feet are eligible to receive Highway Bridge Program (HBP) funding for preventive maintenance activities. The purpose of the program is to help local agencies extend the life of their bridges by performing certain maintenance work on the bridges that have been pre-approved by the Federal Highway Administration.

The City Council appropriated the funds for these bridges as part of the Fiscal Year 2011-2013 Capital Improvement (CIP) Budget.

On May 24, 2012, the City Clerk received one bid for each of the four projects from American Civil Constructors West Coast Inc. in the amount of \$570,625.00 for West Grand Avenue Bridge, \$312,955.00 for Hegenberger Road Bridge, \$359,480.00 for East 8th Street Bridge, and \$79,470.00 for Oakport Street Bridge. The Engineer's estimates for each of the bridges were \$678,975.00, \$283,975.00, \$276,275.00, and \$59,920.00 for West Grand Avenue, Hegenberger Road, East 8th Street, and Oakport Street Bridges, respectively. The Contractor's combined bid amount for all four projects is 1.8% over the Engineer's Estimate. Staff has reviewed the bid results individually and has determined that the bids are reasonable for the current construction climate. Staff has also contacted the granting agency and has received approval for additional funding to cover the cost differences. Therefore, American Civil Constructors West Coast Inc., the only bidder, is deemed to be the responsive and responsible bidder for each of the projects and is recommended for the award for each contract.

ANALYSIS

Adoption of the four resolutions will allow the City Administrator to execute four construction contracts with American Civil Constructors West Coast Inc. All four projects are scheduled to begin in November, 2012 and be completed by December, 2012. The project schedules are shown in *Attachment B*.

Because these projects are funded by federal funds, the federal Race Conscious Underutilized Disadvantaged Business Enterprise (RC UDBE) Program must be used in lieu of the City's Local/Small Local Business Enterprise (LBE/SLBE) Program in determining qualified bidders.

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American Civil Constructors West Coast Inc. met and exceeded the UDBE percentage requirement on each of the four projects. The UDBE information has been verified by the Social Equity Division of the Department of Contracting and Purchasing, and are shown in *Attachment C*.

Staff has reviewed the submitted bid for this work and has determined that the bid is reasonable reflecting the current construction climate.

PUBLIC OUTREACH/INTEREST

Businesses and residents in the area will be notified in advance by the City about construction activities, schedule and information about the key contact person, regarding construction.

COORDINATION

The projects have been coordinated with the following agencies:

- Caltrans, AC Transit and Port of Oakland for West Grand Avenue Bridge.
- Port of Oakland and AC Transit for Hegenberger Road Bridge.
- Alameda County Flood Control Agency and AC Transit for East 8th Street Bridge.
- AC Transit for Oakport Street Bridge.

Offices consulted in the preparation of this report are the following:

- Office of the City Attorney
- City Budget Office
- Public Works Agency - Department of Engineering and Construction
- Public Works Agency – Department of Infrastructure and Operation

COST SUMMARY/IMPLICATIONS

Approval of these four resolutions will authorize the City Administrator to execute construction contract with American Civil Constructors West Coast Inc. in the amounts outlined in the table below:

1. AMOUNT OF RECOMMENDATION/COST OF PROJECT:

<u>BRIDGE NAME</u>	<u>CONTRACTOR'S BID AMOUNT</u>
West Grand Avenue Bridge	\$570,625.00
Hegenberger Road Bridge	\$312,955.00
East 8 th Street Bridge	\$359,480.00
Oakport Street Bridge	\$79,470.00

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2. COST ELEMENTS OF AGREEMENT/CONTRACT: The bid amount for all four projects is: \$1,322,530.00

3. SOURCE OF FUNDING:

<u>FUNDING SOURCE</u>	<u>AMOUNT</u>
West Grand Avenue Bridge: Department of Transportation Fund (2116); Engineering Design: Streets & Structures Organization (92242); Street Construction Account (57411); Project G427010	\$606,208.00
Measure B Fund (2211), Engineering Design: Streets & Structures Organization (92242); Street Construction Account (57411); Project G427011	\$78,540.00
Hegenberger Road Bridge: Department of Transportation Fund (2116); Engineering Design: Streets & Structures Organization (92242); Street Construction Account (57411); Project G427020	\$346,324.00
Measure B Fund (2211), Engineering Design: Streets & Structures Organization (92242); Street Construction Account (57411); Project G427021	\$44,870.00
East 8 th Street Bridge: Department of Transportation Fund (2116); Engineering Design: Streets & Structures Organization (92242); Street Construction Account (57411); Project G427030	\$397,810.00
Measure B Fund (2211), Engineering Design: Streets & Structures Organization (92242); Street Construction Account (57411); Project G427031	\$51,540.00
Oakport Street Bridge: Department of Transportation Fund (2116); Engineering Design: Streets & Structures Organization (92242); Street Construction Account (57411); Project G427040	\$87,944.00
Measure B Fund (2211), Engineering Design: Streets & Structures Organization (92242); Street Construction Account (57411); Project G427041	\$11,394.00

4. FISCAL IMPACT:

The City successfully sought and obtained federal funds in the amounts of \$606,208.00, \$346,324.00, \$397,810.00, and \$87,944.00 for West Grand Avenue Bridge, Hegenberger Road Bridge, East 8th Street Bridge, and Oakport Street Bridge respectively, which is 88.53%

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of the total cost for each bridge. The remaining 11.47% of the cost that constitutes the local match for the federal fund is covered using Measure B funds budgeted for this purpose. The total federal and local match funds will cover the construction cost, design support cost during construction, and construction management cost.

The City is currently responsible for maintenance of these bridges. The maintenance responsibility will continue, but maintenance costs should be reduced after the rehabilitation under this contract.

PAST PERFORMANCE, EVALUATION AND FOLLOW-UP

American Civil Constructors West Coast Inc. has performed satisfactorily in past projects. Recently, it ranked "Satisfactory" overall for the Rehabilitation of Adeline Street Overhead Project completed in February 2011. See *Attachment D* for a copy of the evaluation.

SUSTAINABLE OPPORTUNITIES

Economic: The implementation of the preventive maintenance improvements on these bridges will extend the life of the bridges and also reduce the future maintenance cost on these bridges.

Environmental: The preventive maintenance improvements on the bridges will extend the life of the bridges and hence prevent any long detours and traffic congestions on other City Streets.


Social Equity: The preventive maintenance improvements on the bridges will extend the life of the bridges and will enhance pedestrian and vehicular safety, thereby benefiting all Oakland residents.

CEQA

Because these projects are funded by federal funds, the National Environmental Policy Act (NEPA) requirements apply to these projects. The projects have been determined by Caltrans to have no significant effect on the human environment and, therefore, neither an environmental assessment nor an environmental impact statement was required. The NEPA documents for all four bridges were approved by Caltrans in the month of June and August, 2011.

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

Respectfully submitted,


VITALY B. TROYAN, P.E.
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.
Manager

Prepared by:

Jaime Heredia, P.E., Supervising Civil Engineer
Engineering Design and R.O.W. Management Division

Attachments:

- Attachment A - Project Location Map
- Attachment B - List of Bidders and Project Construction Schedule
- Attachment C - Contracts & Compliance Unit Compliance Evaluation
- Attachment D – Contractor’s Evaluation Report on past project

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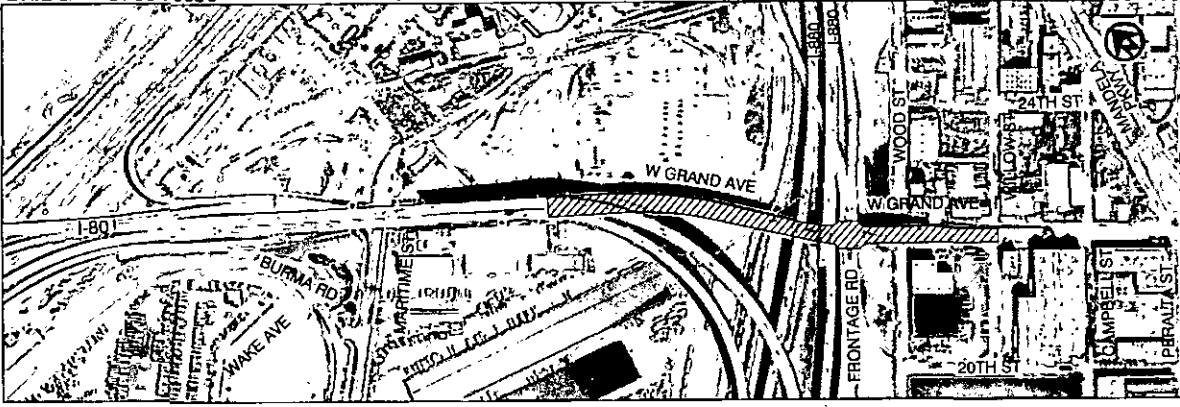
Attachment A

WEST GRAND AVENUE BRIDGE

BRIDGE NO. 33C0393

CITY PROJECT NO. G427010

CONSTRUCTION COST: \$678,875.00

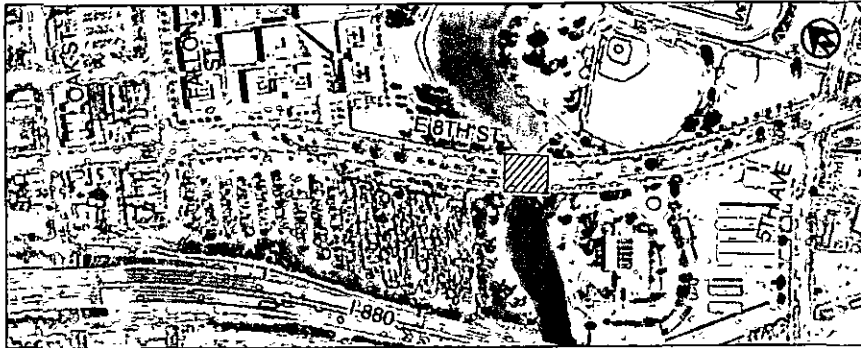


E 8TH STREET BRIDGE

BRIDGE NO. 33C0149

CITY PROJECT NO. G427030

CONSTRUCTION COST: \$267,275.00

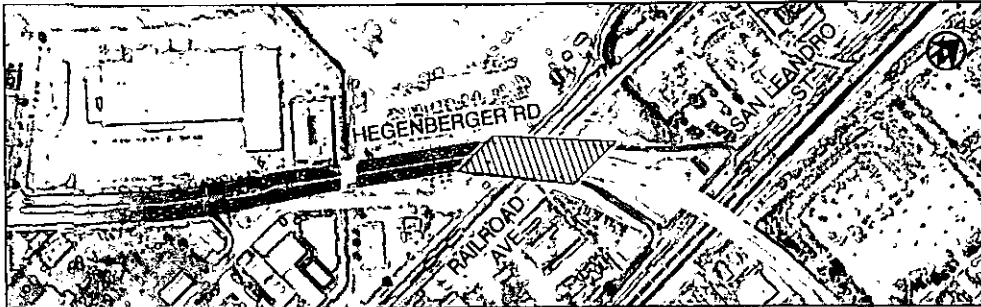


HEGENBERGER ROAD BRIDGE

BRIDGE NO. 33C0165

CITY PROJECT NO. G427020

CONSTRUCTION COST: \$340,770.00

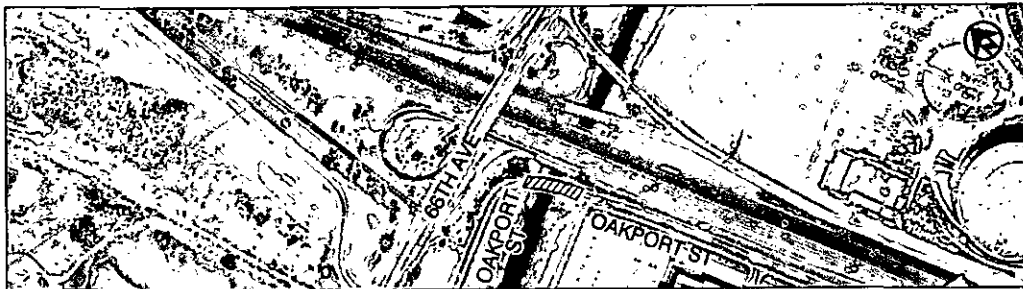


OAKPORT STREET BRIDGE

BRIDGE NO. 33C0031

CITY PROJECT NO. G427040

CONSTRUCTION COST: \$ 77,376.00



LOCATION MAP

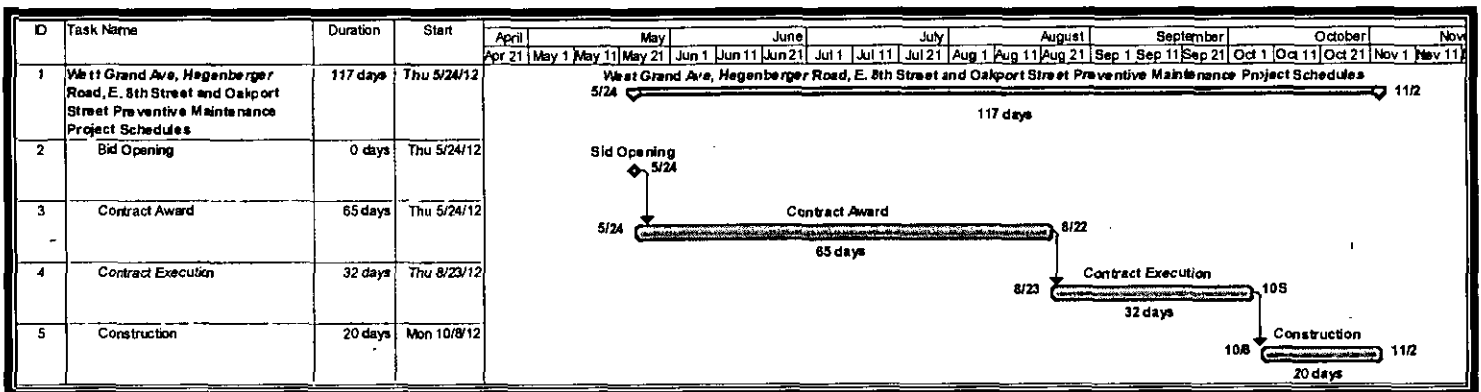
NOT TO SCALE

LIMIT OF WORK 

Attachment B

Contractor for All Four Bridges is: American Civil Constructor's West Coast Inc.

Project Name	Bid Amount	Engineer's Estimate
West Grand Ave Bridge	\$570,625.00	\$678,975.00
Hegenberger Road Bridge	\$312,955.00	\$283,975.00
E. 8 th Street Bridge	\$359,480.00	\$267,275.00
Oakport Street Bridge	\$79,470.00	\$59,920.00



Attachment C

Memo



City Administrator's Office

Contracts and Compliance Unit

To: Mohammad Barati, Civil Engineer
From: Vivian Inman, Contract Compliance Officer
Through: Deborah Barnes – Manager, Contracts & Compliance Unit
 Shelley Darenburg - Sr. Contract Compliance Officer *S. Darenburg*
CC: Calvin Hao, Supervisor, PWA Contracts
Date: June 6, 2012
Re: G427010 – West Grand Avenue Bridge Preventive Maintenance

The City Administrator's Office, Contracts and Compliance Unit, reviewed one (1) bid in response to the above referenced project. Below is the outcome of the compliance evaluation for the Race Conscious Underutilized Disadvantaged Business Enterprise (UDBE) program and a preliminary review for compliance with the Equal Benefits Ordinance (EBO). There is a race conscious UDBE goal of 4.33% for this project.

Responsive		Proposed Participation				Earned Credits and Discounts			EBO Compliant? Y/N
Company Name	Original Bid Amount	RC UDBE Total	LBE	SLBE	Trucking	Total Credited participation	Earned Bid Discounts	Adjusted Bid Amount	
American Civil Constructors West Coast, Inc.	\$570,625	4.86%	0%	3.77%	NA	NA	NA	NA	Y

Comments: As noted above, American Civil Constructors West Coast, Inc. exceeded the minimum 4.33% RC UDBE participation goals. The firm is EBO compliant.

Non-Responsive		Proposed Participation				Earned Credits and Discounts			EBO Compliant? Y/N
Company Name	Original Bid Amount	RC UDBE Total	LBE	SLBE	Trucking	Total Credited participation	Earned Bid Discounts	Adjusted Bid Amount	
NA	NA	NA	NA	NA	NA	NA	NA	NA	NA

Comments: There were no non-responsive firms.

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 last completed City of Oakland project.

Contractor Name: American Civil Constructors West Coast, Inc.
 Project Name: The Rehabilitation of Adeline Street Overhead
 Project No: C319710

50% Local Employment Program (LEP)

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

15% Oakland Apprenticeship Program

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

Comments: The last completed project by American Civil Constructors West Coast, Inc. was the Adeline Street Overhead project. This project was a DBE project therefore there were no Local Employment or 15% Apprenticeship requirements on the project.

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

City Administrator's Office
Contracts and Compliance Unit



PROJECT COMPLIANCE EVALUATION FOR:

Construction Services Under-Utilized Disadvantaged Business Enterprise (UDBE)

PROJECT NO.: G427010

PROJECT NAME: West Grand Avenue Bridge Preventive Maintenance

CONTRACTOR: American Civil Constructors West Coast, Inc.

Engineer's Estimate:

\$678,875.00

Contractors' Bid Amount

\$570,625.00

Over/Under Engineer's Estimate

\$108,250.00

Discounted Bid Amount:

N/A

Amt. of Bid Discount

N/A

Discount Points:

N/A

- | | |
|---|------------------------|
| 1. Did the RC UDBE Program apply? | <u>YES</u> |
| a) Race Conscious? | <u>YES</u> |
| b) Race Neutral | <u>YES</u> |
| 2. Did the contractor meet the RC UDBE goal of 4.33%? | <u>YES</u> |
| a) % of RC UDBE participation | <u>4.86%</u> |
| b) % of RN DBE participation | <u>4.86%</u> |
| c) % of LBE participation | <u>0.00%</u> |
| d) % of SLBE participation | <u>3.77%</u> |
| 3. Was Good Faith Effort (GFE) Documentation submitted? | <u>NO</u> |
| 4. Did the contractor meet the L/SLBE Trucking requirement? | <u>N/A</u> |
| a) Total L/SLBE trucking participation | <u>0.00%</u> |
| 5. Did the contractor receive bid discounts? | <u>N/A</u> |
| (if yes, list the percentage received) | <u>N/A</u> |
| 6. Additional Comments. | |
| 7. Date evaluation completed and returned to Contract | <u>6/6/2012</u> |

Reviewing Officer:

Vivian [Signature]

Date: **6/6/2012**

Approved By:

Shelley [Signature]

Date: **6/6/2012**

Bidder 1

Project Name: West Grand Avenue Bridge Preventive Maintenance													
Project No.: G427010		Engineer's Est \$578,875.00						\$108,250.00					
Discipline	Prims & Subs	Location	Cert Status	LBE Dollars	SLBE Dollars	Total LBE/SLBE Dollars	DBE Dollars	RC UDBE Dollars	Total Dollars	Certified DBE/WBE			
										Ethn.	DBE	RC UDBE	WBE
PRIME	American Civil Constructors West Coast, Inc.	Benicia	UB						428,812.00	C			
Public Safety Plan	Adanta, Inc.	Sacramento	CB				11,700.00	11,700.00	11,700.00	NA	11,700.00	11,700.00	11,700.00
Traffic Control	CMC Construction	San Francisco	CB				18,035.00	18,035.00	18,035.00	C	18,035.00	18,035.00	18,035.00
Striping	Lineation Markings	Oakland	UB		21,500.00	21,500.00			21,500.00	C			
Furnish Methacryl	Kwik Bond Polymers	Benicia	UB						85,784.00	C			
Furnish Hinge Plates	Ulmer Industries	Fontana	UB						8,814.00	C			
Project Totals				\$0.00	\$21,500.00	\$21,800.00	\$27,735.00	\$27,735.00	\$570,825.00		\$27,735.00	\$27,735.00	\$27,735.00
				0.00%	3.77%	3.77%	4.88%	4.88%	100.00%		4.88%	4.88%	4.88%
							DBE Dollars	RC UDBE Dollars	Total Dollars	Ethnicity AA = African American AI = Asian Indian AP = Adm Pacific C = Caucasian H = Hispanic NA = Native American O = Other NL = Not Listed			
Legend	UB = Underutilized Business CS = Certified Business DSE = Disadvantaged Business Enterprise WBE = Women Business Enterprise UDBE = Underutilized Disadvantaged Business Enterprise												

Memo

City Administrator's Office

Contracts and Compliance Unit

To: Mohammad Barati, Civil Engineer
From: Vivian Inman, Contract Compliance Officer
Through: Deborah Barnes – Manager, Contracts & Compliance Unit
 Shelley Darenburg - Sr. Contract Compliance Officer *S. Darenburg*
CC: Calvin Hao, Supervisor, PWA Contracts
Date: June 6, 2012
Re: G427020 – Hegenberger Road Bridge Preventive Maintenance

The City Administrator's Office, Contracts and Compliance Unit, reviewed one (1) bid in response to the above referenced project. Below is the outcome of the compliance evaluation for the Race Conscious Underutilized Disadvantaged Business Enterprise (UDBE) program and a preliminary review for compliance with the Equal Benefits Ordinance (EBO). There is a race conscious UDBE goal of 2.41% for this project.

Responsive		Proposed Participation				Earned Credits and Discounts			EBO Compliant? Y/N
Company Name	Original Bid Amount	RC UDBE Total	LBE	SLBE	Trucking	Total Credited participation	Earned Bid Discounts	Adjusted Bid Amount	
American Civil Constructors West Coast, Inc.	\$312,955	2.65%	0%	4.31%	NA	NA	NA	NA	Y

Comments: As noted above, American Civil Constructors West Coast, Inc. exceeded the minimum 2.41% RC UDBE participation goals. The firm is EBO compliant.

Non-Responsive		Proposed Participation				Earned Credits and Discounts			EBO Compliant? Y/N
Company Name	Original Bid Amount	RC UDBE Total	LBE	SLBE	Trucking	Total Credited participation	Earned Bid Discounts	Adjusted Bid Amount	
NA	NA	NA	NA	NA	NA	NA	NA	NA	NA

Comments: There were no non-responsive firms.

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 last completed City of Oakland project.

Contractor Name: American Civil Constructors West Coast, Inc.
 Project Name: The Rehabilitation of Adeline Street Overhead
 Project No: C319710

50% Local Employment Program (LEP)

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

15% Oakland Apprenticeship Program

Was the 15% Apprenticeship Goal achieved?	NA	If no, shortfall hours?	
Were shortfalls satisfied?	NA	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	Core Workforce Hours Deducted	50% Local Employment Program (LEP)						15% Apprenticeship Program					
		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
NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA

Comments: The last completed project by American Civil Constructors West Coast, Inc. was the Adeline Street Overhead project. This project was a DBE project therefore there were no Local Employment or 15% Apprenticeship requirements on the project.

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



City Administrator's Office
Contracts and Compliance Unit

PROJECT COMPLIANCE EVALUATION FOR :

Construction Services Under-Utilized Disadvantaged Business Enterprise (UDBE)

PROJECT NO.: G427020

PROJECT NAME: Hegenberger Road Bridge Preventive Maintenance

CONTRACTOR: American Civil Constructors West Coast, Inc.

Engineer's Estimate:

	<u>Contractors' Bid Amount</u>	<u>Over/Under Engineer's Estimate</u>
\$283,975.00	\$312,955.00	-\$28,980.00

Discounted Bid Amount:

Amt. of Bid Discount

Discount Points:

N/A

N/A

N/A

- | | |
|---|-----------------|
| 1. Did the RC UDBE Program apply? | <u>YES</u> |
| a) Race Conscious? | <u>YES</u> |
| b) Race Neutral | <u>YES</u> |
| 2. Did the contractor meet the RC UDBE goal of 2.90% | <u>YES</u> |
| a) % of RC UDBE participation | <u>2.65%</u> |
| b) % of RN DBE participation | <u>2.65%</u> |
| c) % of LBE participation | <u>0.00%</u> |
| d) % of SLBE participation | <u>4.31%</u> |
| 3. Was Good Faith Effort (GFE) Documentation submitted? | <u>YES</u> |
| 4. Did the contractor meet the L/SLBE Trucking requirement? | <u>N/A</u> |
| a) Total L/SLBE trucking participation | <u>0.00%</u> |
| 5. Did the contractor receive bid discounts? | <u>N/A</u> |
| (If yes, list the percentage received) | <u>N/A</u> |
| 6. Additional Comments. | |
| 7. Date evaluation completed and returned to Contract | <u>6/6/2012</u> |

Reviewing
Officer:

Maria MA

Date: 6/6/2012

Approved By:

Shelley Darenbury

Date: 6/6/2012

Bidder 1

Project Name: Hegenberger Road Bridge Preventive Maintenance													
Project No.: G427020		Engineer's Est \$283,976.00						-\$28,980.00					
Discipline	Prime & Subs	Location	Cert Status	LBE Dollars	SLBE Dollars	Total LBE/SLBE Dollars	DBE Dollars	RC UDBE Dollars	Total Dollars	Certified DBE/WBE			
										Ethn.	DBE	RC UDBE	WBE
PRIME Public Safety Plan Methacrylate Supply Removal & Striping	American Civil Constructors West Coast, Inc	Benicia	UB						267,887.00	C			
	Adanta, Inc	Sacramento	CB				8,300.00	8,300.00	8,300.00	NA	8,300.00	8,300.00	8,300.00
	Kwik Bond Polymers	Benicia	UB						23,268.00	C			
	Uneation Markings	Oakland	US		13,500.00	13,500.00			13,500.00	C			
Project Totals				\$0.00 0.00%	\$13,500.00 4.31%	\$13,500.00 4.31%	\$8,300.00 2.65%	\$8,300.00 2.65%	\$312,055.00 100.00%		\$8,300.00 2.65%	\$8,300.00 2.65%	\$8,300.00 2.65%
							DBE Dollars	RC UDBE Dollars	Total Dollars	Ethnicity AA = African American AJ = Asian Indian AP = Asian Pacific C = Caucasian H = Hispanic NA = Native American O = Other NL = Not Listed			
Legend UB = Uncertified Business CB = Certified Business DBE = Disadvantaged Business Enterprise WBE = Women Business Enterprise UDBE = Underutilized Disadvantaged Business Enterprise													

Memo



City Administrator's Office

Contracts and Compliance Unit

To: Mohammad Barati, Civil Engineer
From: Vivian Inman, Contract Compliance Officer
Through: Deborah Barnes – Manager, Contracts & Compliance Unit
 Shelley Darensburg - Sr. Contract Compliance Officer *S. Darensburg*
CC: Calvin Hao, Supervisor, PWA Contracts
Date: June 6, 2012
Re: G427030 – East 8th Street Bridge Preventive Maintenance

The City Administrator's Office, Contracts and Compliance Unit, reviewed one (1) bid in response to the above referenced project. Below is the outcome of the compliance evaluation for the Race Conscious Underutilized Disadvantaged Business Enterprise (UDBE) program and a preliminary review for compliance with the Equal Benefits Ordinance (EBO). There is a race conscious UDBE goal of 4.18% for this project.

Responsive		Proposed Participation				Earned Credits and Discounts			EBO Compliant? Y/N
Company Name	Original Bid Amount	RC UDBE Total	LBE	SLBE	Trucking	Total Credited participation	Earned Bid Discounts	Adjusted Bid Amount	
American Civil Constructors West Coast, Inc.	\$359,480	4.30%	0%	3.53%	NA	NA	NA	NA	Y

Comments: As noted above, American Civil Constructors West Coast, Inc. exceeded the minimum 4.18% RC UDBE participation goals. The firm is EBO compliant.

Non-Responsive		Proposed Participation				Earned Credits and Discounts			EBO Compliant? Y/N
Company Name	Original Bid Amount	RC UDBE Total	LBE	SLBE	Trucking	Total Credited participation	Earned Bid Discounts	Adjusted Bid Amount	
NA	NA	NA	NA	NA	NA	NA	NA	NA	NA

Comments: There were no non-responsive firms.

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 last completed City of Oakland project.

Contractor Name: American Civil Constructors West Coast, Inc.
 Project Name: The Rehabilitation of Adeline Street Overhead
 Project No: C319710

50% Local Employment Program (LEP)

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

15% Oakland Apprenticeship Program

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

Comments: The last completed project by American Civil Constructors West Coast, Inc. was the Adeline Street Overhead project. This project was a DBE project therefore there were no Local Employment or 15% Apprenticeship requirements on the project.

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



City Administrator's Office
Contracts and Compliance Unit

PROJECT COMPLIANCE EVALUATION FOR :

Construction Services Under-Utilized Disadvantaged Business Enterprise (UDBE)

PROJECT NO.: G427030

PROJECT NAME: East 8th Street Bridge Preventive Maintenance

CONTRACTOR: American Civil Constructors West Coast, Inc.

Engineer's Estimate:

<u>Engineer's Estimate:</u>	<u>Contractors' Bid Amount</u>	<u>Over/Under Engineer's Estimate</u>
\$267,275.00	\$359,480.00	-\$92,205.00

<u>Discounted Bid Amount:</u>	<u>Amt. of Bid Discount</u>	<u>Discount Points:</u>
N/A	N/A	N/A

- 1. Did the RC UDBE Program apply? **YES**
 - a) Race Conscious? **YES**
 - b) Race Neutral **YES**
- 2. Did the contractor meet the RC UDBE goal of 4.18% **YES**
 - a) % of RC UDBE participation **4.30%**
 - b) % of RN DBE participation **4.30%**
 - c) % of LBE participation **0.00%**
 - d) % of SLBE participation **3.53%**
- 3. Was Good Faith Effort (GFE) Documentation submitted? **YES**
- 4. Did the contractor meet the L/SLBE Trucking requirement? **N/A**
 - a) Total L/SLBE trucking participation **0.00%**
- 5. Did the contractor receive bid discounts? **N/A**
(If yes, list the percentage received) **N/A**

6. Additional Comments.

7. Date evaluation completed and returned to Contract 6/6/2012

Reviewing Officer:

[Signature]

Date: 6/6/2012

Approved By:

[Signature]

Date: 6/6/2012

Bidder 1

Project Name: **East 8th Street Bridge Preventive Maintenance**

Project No.: G427030		Engineer's Est \$287,275.00						- \$82,205.00					
Disciplina	Prima & Subs	Location	Cert. Status	LBE Dollars	SLBE Dollars	Total LBE/SLBE Dollars	DBE Dollars	RC UDBE Dollars	Total Dollars	Certified DBE/WBE			
										Ethn.	DBE	RC UDBE	WBE
PRIME	American Civil Constructors West Coast, Inc.	Bankia	UB						249,219.00	C			
Stripe Removal	Lineation Markings	Oakland	UB		9,500.00	9,500.00			9,500.00	C			
Traffic Control & T/C Plan	CMC Traffic Control	San Francisco	CB				7,360.00	7,360.00	7,360.00	C	7,360.00	7,360.00	7,360.00
Public Safety	Adanta Inc.	Sacramento	CB				4,900.00	4,900.00	4,900.00	NA	4,900.00	4,900.00	4,900.00
Trucker	Sudden Sam's Trucking	Oakland	CB		3,200.00	3,200.00	3,200.00	3,200.00	3,200.00	AA	3,200.00	3,200.00	3,200.00
Furnish Poly Concrete	Kwik Bond	Benecia	UB						65,301.00	C			
Project Totals				\$0.00	\$12,700.00	\$12,700.00	\$15,460.00	\$15,460.00	\$359,480.00		\$15,460.00	\$15,460.00	\$15,460.00
				0.00%	3.53%	3.53%	4.30%	4.30%	100.00%		4.30%	4.30%	4.30%
							DBE Dollars	RC UDBE Dollars	Total Dollars	Ethnicity AA = African American AI = Asian Indian AP = Asian Pacific C = Caucasian H = Hispanic NA = Native American O = Other NL = Not Listed			
Legend		UB = Uncertified Business CB = Certified Business DBE = Disadvantaged Business Enterprise WBE = Women Business Enterprise UDBE = Underserved Disadvantaged Business Enterprise											

Memo



City Administrator's Office

Contracts and Compliance Unit

To: Mohammad Barati, Civil Engineer
From: Vivian Inman, Contract Compliance Officer
Through: Deborah Barnes – Manager, Contracts & Compliance Unit
 Shelley Darenburg - Sr. Contract Compliance Officer *S. Darenburg*
CC: Calvin Hao, Supervisor, PWA Contracts
Date: June 6, 2012
Re: G427040 – Oakport Street Bridge Preventive Maintenance

The City Administrator's Office, Contracts and Compliance Unit, reviewed one (1) bid in response to the above referenced project. Below is the outcome of the compliance evaluation for the Race Conscious Underutilized Disadvantaged Business Enterprise (UDBE) program and a preliminary review for compliance with the Equal Benefits Ordinance (EBO). There is a race conscious UDBE goal of 4.92% for this project.

Responsive		Proposed Participation				Earned Credits and Discounts			EBO Compliant? Y/N
Company Name	Original Bid Amount	RC UDBE Total	LBE	SLBE	Trucking	Total Credited participation	Earned Bid Discounts	Adjusted Bid Amount	
American Civil Constructors West Coast, Inc.	\$79,470	5.35%	0%	13.84%	NA	NA	NA	NA	Y

Comments: As noted above, American Civil Constructors West Coast, Inc. exceeded the minimum 4.92% RC UDBE participation goal. The firm is EBO compliant.

Non-Responsive		Proposed Participation				Earned Credits and Discounts			EBO Compliant? Y/N
Company Name	Original Bid Amount	RC UDBE Total	LBE	SLBE	Trucking	Total Credited participation	Earned Bid Discounts	Adjusted Bid Amount	
NA	NA	NA	NA	NA	NA	NA	NA	NA	NA

Comments: There were no non-responsive firms.

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 last completed City of Oakland project.

Contractor Name: American Civil Constructors West Coast, Inc.
 Project Name: The Rehabilitation of Adeline Street Overhead
 Project No: C319710

50% Local Employment Program (LEP)

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

15% Oakland Apprenticeship Program

Was the 15% Apprenticeship Goal achieved?	NA	If no, shortfall hours?	
Were shortfalls satisfied?	NA	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.

		50% Local Employment Program (LEP)							15% Apprenticeship Program			
Total Project Hours	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
NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA

Comments: The last completed project by American Civil Constructors West Coast, Inc. was the Adeline Street Overhead project. This project was a DBE project therefore there were no Local Employment or 15% Apprenticeship requirements on the project.

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



City Administrator's Office
Contracts and Compliance Unit

PROJECT COMPLIANCE EVALUATION FOR :

Construction Services Under-Utilized Disadvantaged Business Enterprise (UDBE)

PROJECT NO.: G427040

PROJECT NAME: Oakport Street Bridge Preventive Maintenance

CONTRACTOR: American Civil Constructors West Coast, Inc.

Engineer's Estimate:

	<u>Contractors' Bid Amount</u>	<u>Over/Under Engineer's Estimate</u>
\$59,520.00	\$79,470.00	-\$19,950.00

Discounted Bid Amount:

Amt. of Bid Discount

Discount Points:

N/A

N/A

N/A

- | | |
|---|---------------|
| 1. Did the RC UDBE Program apply? | <u>YES</u> |
| a) Race Conscious? | <u>YES</u> |
| b) Race Neutral | <u>YES</u> |
| 2. Did the contractor meet the RC UDBE goal of 4.92% | <u>NO</u> |
| a) % of RC UDBE participation | <u>5.35%</u> |
| b) % of RN DBE participation | <u>5.35%</u> |
| c) % of LBE participation | <u>0.00%</u> |
| d) % of SLBE participation | <u>13.84%</u> |
| 3. Was Good Faith Effort (GFE) Documentation submitted? | <u>YES</u> |
| 4. Did the contractor meet the L/SLBE Trucking requirement? | <u>N/A</u> |
| a) Total L/SLBE trucking participation | <u>0.00%</u> |
| 5. Did the contractor receive bid discounts? | <u>N/A</u> |
| (if yes, list the percentage received) | <u>N/A</u> |
| 6. Additional Comments. | |

7. Date evaluation completed and returned to Contract 6/6/2012

Reviewing Officer:

Vivian [Signature]

Date: 6/6/2012

Approved By:

Shelley Darenburg

Date: 6/6/2012

Bidder 1

Project Name: Oakport Street Bridge Preventive Maintenance													
Project No.: G427040		Engineer's Est \$59,520.00						-\$19,050.00					
Discipline	Prime & Subs	Location	Cert Status	LBE Dollars	SLBE Dollars	Total LBE/SLBE Dollars	DBE Dollars	RC UDBE Dollars	Total Dollars	Certified DBE/WBE			
										Ethn.	DBE	RC UDBE	WBE
PRIME Public Safety Plan Furnish Methacryl Removals & Striping Traffic Control & Plan	American Civil Constructors West Coast, Inc.	Benicia	UB						61,763.00	C			
	Adanta, Inc.	Sacramento	CB				3,200.00	3,200.00	3,200.00	NA	3,200.00	3,200.00	3,200.00
	Kwik Bond Polymers	Benicia	UB						2,457.00	C			
	Uneation Markings	Oakland	UB		11,000.00	11,000.00			11,000.00	C			
	CMC Traffic Control	San Francisco	CB				1,050.00	1,050.00	1,050.00	C	1,050.00	1,050.00	1,050.00
Project Totals				\$0.00	\$11,000.00	\$11,000.00	\$4,250.00	\$4,250.00	\$79,470.00		\$4,250.00	\$4,250.00	\$4,250.00
				0.00%	13.84%	13.84%	5.35%	5.35%	100.00%		5.35%	5.35%	5.35%
							DBE Dollars	RC UDBE Dollars	Total Dollars	Ethnicity AA = African American AI = Asian Indian AP = Asian Pacific C = Caucasian H = Hispanic NA = Native American O = Other HL = Not Listed			
Legend UB = Uncertified Business CB = Certified Business DBE = Disadvantaged Business Enterprise WBE = Woman Business Enterprise UDBE = Undersized Disadvantaged Business Enterprise													

Attachment D

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

Project Number/Title: C3197100-Rehabilitation of Adeline Street Overhead.

Work Order Number (if applicable): _____

Contractor: American Civil Constructors West Coast

Date of Notice to Proceed: 11/15/2010

Date of Notice of Completion: 2/8/2011

Date of Notice of Final Completion: 2/8/2011

Contract Amount: \$580,953.20

Evaluator Name and Title: David Ng, 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.

WORK PERFORMANCE

		Unsatisfactory	Marginal	Satisfactory	Outstanding	Not Applicable
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 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 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 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 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	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"/>	

COMMUNICATION

		Unsatisfactory	Marginal	Satisfactory	Outstanding	Not Applicable
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 X	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"/>	X	<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 X
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 X
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 X
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 X	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 X 0.25 = 0.5

2. Enter Overall score from Question 13 2 X 0.25 = 0.5

3. Enter Overall score from Question 18 2 X 0.20 = 0.4

4. Enter Overall score from Question 22 2 X 0.15 = 0.3

5. Enter Overall score from Question 28 2 X 0.15 = 0.3

TOTAL SCORE (Sum of 1 through 5): 2.0

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.*



Contractor / Date

 8/1/2011

Resident Engineer / Date

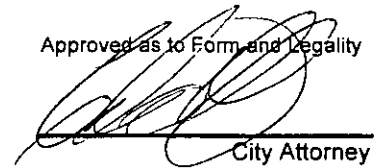
 8/2/11

Supervising Civil Engineer / Date

ATTACHMENT TO CONTRACTOR PERFORMANCE EVALUATION:

Use this sheet to provide any substantiating comments to support the ratings in the Performance Evaluation. Indicate before each narrative the number of the question for which the response is being provided. Attach additional sheets if necessary.

FILED
OFFICE OF THE CITY CLERK
OAKLAND


City Attorney

OAKLAND CITY COUNCIL

2012 AUG 29 AM 9:47

RESOLUTION No. _____ C.M.S.

Introduced by Councilmember _____

RESOLUTION AUTHORIZING THE CITY ADMINISTRATOR TO AWARD A CONSTRUCTION CONTRACT FOR PREVENTIVE MAINTENANCE OF EAST 8TH STREET BRIDGE (PROJECT NO. G427030) TO AMERICAN CIVIL CONSTRUCTORS WEST COAST INC., THE LOWEST RESPONSIVE AND RESPONSIBLE BIDDER, IN THE AMOUNT OF THREE HUNDRED FIFTY NINE THOUSAND, FOUR HUNDRED AND EIGHTY DOLLARS (\$359,480.00) IN ACCORD WITH THE PROJECT PLANS AND SPECIFICATIONS AND THE CONTRACTOR'S BID

WHEREAS, the City of Oakland was awarded federal funds for Preventive Maintenance work on East 8th Street Bridge (Project No. G427030); and

WHEREAS, the local match for the federal fund is 11.47 percent and is available from Measure B funds (Project No. G427031); and

WHEREAS, on May 24, 2012, one bid was received by the Office of the City Clerk of the City of Oakland for this project; and

WHEREAS, American Civil Constructors West Coast Inc., bidding as a prime, is deemed the lowest responsive and responsible bidder for the project; and

WHEREAS, American Civil Constructors West Coast Inc., complies with the federal Underutilized Disadvantaged Business Enterprise (UDBE) Program requirements; and

WHEREAS, there are sufficient funds in the project budget for the work that will be available in the following project accounts:

- Department of Transportation Fund (2116); Engineering Design: Streets & Structures Organization (92242); Street Construction Account (57411); Project G427030; \$318,248.00
- Measure B Fund (2211); Engineering Design: Streets & Structures Organization (92242); Street Construction Account (57411); Project G427011; \$41,232.00

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, 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 Preventive Maintenance of East 8th Street Bridge (Project No. G427030) to American Civil Constructors West Coast Inc., the lowest responsive and responsible bidder, in the amount of Three Hundred Fifty Nine Thousand, Four Hundred and Eighty Dollars (\$359,480.00) in accord with the project plans and specifications and the contractor's bid dated May 24, 2012; and be it

FURTHER RESOLVED: That the City Council hereby approves the plans and specifications prepared at the direction of the Assistant Director of the Public Works Agency for this project; and be it

FURTHER RESOLVED: That the City Administrator is authorized to execute any amendments or modifications of the contract with American Civil Constructors West Coast Inc. within the limitations of the project specifications; 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 faithful performance bond and a bond to guarantee payment of all claims for labor and materials furnished and for the amount of 100% of the contract price and due under the Unemployment Insurance Act submitted 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 for form and legality prior to execution and placed on file in the Office of the City Clerk.

IN COUNCIL, OAKLAND, CALIFORNIA, _____.

PASSED BY THE FOLLOWING VOTE:

AYES - BROOKS, BRUNNER, DE LA FUENTE, KAPLAN, KERNIGHAN, NADEL, SCHAAF and PRESIDENT REID

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

2012 AUG 29 AM 9:47

OAKLAND CITY COUNCIL

RESOLUTION No. _____ C.M.S.

Introduced by Councilmember _____

Approved as to Form and Legality

City Attorney

RESOLUTION AUTHORIZING THE CITY ADMINISTRATOR TO AWARD A CONSTRUCTION CONTRACT FOR PREVENTIVE MAINTENANCE OF HEGENBERGER ROAD BRIDGE (PROJECT NO. G427020) TO AMERICAN CIVIL CONSTRUCTORS WEST COAST INC., THE LOWEST RESPONSIVE AND RESPONSIBLE BIDDER, IN THE AMOUNT OF THREE HUNDRED TWELVE THOUSAND NINE HUNDRED AND FIFTY-FIVE DOLLARS (\$312,955.00) IN ACCORD WITH THE PROJECT PLANS AND SPECIFICATIONS AND THE CONTRACTOR'S BID

WHEREAS, the City of Oakland was awarded federal funds for Preventive Maintenance work on Hegenberger Road Bridge (Project No. G427020); and

WHEREAS, the local match for federal fund is 11.47 percent and is available from Measure B funds (Project No. G427021); and

WHEREAS, on May 24, 2012, one bid was received by the Office of the City Clerk of the City of Oakland for this project; and

WHEREAS, American Civil Constructors West Coast Inc., bidding as a prime, is deemed the lowest responsive and responsible bidder for the project; and

WHEREAS, American Civil Constructors West Coast Inc., complies with the federal Underutilized Disadvantaged Business Enterprise (UDBE) Program requirements; and

WHEREAS, there are sufficient funds in the project budget for the work that will be available in the following project accounts:

- Department of Transportation Fund (2116); Engineering Design: Streets & Structures Organization (92242); Street Construction Account (57411); Project G427020; \$277,059.00
- Measure B Fund (2211); Engineering Design: Streets & Structures Organization (92242); Street Construction Account (57411); Project G427021; \$35,896.00

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, 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 Preventive Maintenance of Hegenberger Road Bridge (Project No. G427020) to American Civil Constructors West Coast Inc., the lowest responsive and responsible bidder, in the amount of Three Hundred Twelve Thousand, Nine and Fifty-Five (\$312,955.00) in accordance with the project plans and specifications and the contractor's bid dated May 24, 2012; and be it

FURTHER RESOLVED: That the City Council hereby approves the plans and specifications prepared at the direction of the Assistant Director of the Public Works Agency for this project; and be it

FURTHER RESOLVED: That the City Administrator is authorized to execute any amendments or modifications of the contract with American Civil Constructors West Coast Inc. within the limitations of the project specifications; 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 faithful performance bond and a bond to guarantee payment of all claims for labor and materials furnished and for the amount of 100% of the contract price and due under the Unemployment Insurance Act submitted 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 for form and legality prior to execution and placed on file in the Office of the City Clerk.

IN COUNCIL, OAKLAND, CALIFORNIA, _____

PASSED BY THE FOLLOWING VOTE:

AYES - BROOKS, BRUNNER, DE LA FUENTE, KAPLAN, KERNIGHAN, NADEL, SCHAAF and PRESIDENT REID

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


City Attorney

2012 AUG 29 AM 9:47

RESOLUTION No. _____ C.M.S.

Introduced by Councilmember _____

RESOLUTION AUTHORIZING THE CITY ADMINISTRATOR TO AWARD A CONSTRUCTION CONTRACT FOR PREVENTIVE MAINTENANCE OF OAKPORT STREET BRIDGE (PROJECT NO. G427040) TO AMERICAN CIVIL CONSTRUCTORS WEST COAST INC., THE LOWEST RESPONSIVE AND RESPONSIBLE BIDDER, IN THE AMOUNT OF SEVENTY NINE THOUSAND, FOUR HUNDRED AND SEVENTY DOLLARS (\$79,470.00) IN ACCORD WITH THE PROJECT PLANS AND SPECIFICATIONS AND THE CONTRACTOR'S BID

WHEREAS, the City of Oakland was awarded federal funds for Preventive Maintenance work on Oakport Street Bridge (Project No. G427040); and

WHEREAS, the local match for the federal fund is 11.47 percent and is available from Measure B funds (Project No. G427041); and

WHEREAS, on May 24, 2012, one bid was received by the Office of the City Clerk of the City of Oakland for this project; and

WHEREAS, American Civil Constructors West Coast Inc., bidding as a prime, is deemed the lowest responsive and responsible bidder for the project; and

WHEREAS, American Civil Constructors West Coast Inc., complies with the federal Underutilized Disadvantaged Business Enterprise (UDBE) Program requirements; and

WHEREAS, there are sufficient funds in the project budget for the work that will be available in the following project accounts:

- Department of Transportation Fund (2116); Engineering Design: Streets & Structures Organization (92242); Street Construction Account (57411); Project G427040; \$70,355.00
- Measure B Fund (2211); Engineering Design: Streets & Structures Organization (92242); Street Construction Account (57411); Project G427041; \$9,115.00

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, 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 Preventive Maintenance of Oakport Street Bridge (Project No. G427040) to American Civil Constructors West Coast Inc., the lowest responsive and responsible bidder, in the amount of Seventy Nine Thousand, Four Hundred and Seventy Dollars (\$79,470.00) in accord with the project plans and specifications and the contractor's bid dated May 24, 2012; and be it

FURTHER RESOLVED: That the City Council hereby approves the plans and specifications prepared at the direction of the Assistant Director of the Public Works Agency for this project; and be it

FURTHER RESOLVED: That the City Administrator is authorized to execute any amendments or modifications of the contract with American Civil Constructors West Coast Inc. within the limitations of the project specifications; 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 faithful performance bond and a bond to guarantee payment of all claims for labor and materials furnished and for the amount of 100% of the contract price and due under the Unemployment Insurance Act submitted 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 for form and legality prior to execution and placed on file in the Office of the City Clerk.

IN COUNCIL, OAKLAND, CALIFORNIA, _____

PASSED BY THE FOLLOWING VOTE:

AYES - BROOKS, BRUNNER, DE LA FUENTE, KAPLAN, KERNIGHAN, NADEL, SCHAAF and PRESIDENT REID

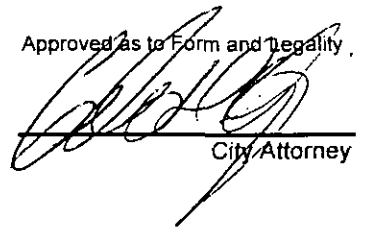
NOES -

ABSENT -

ABSTENTION -

ATTEST: _____

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



 City Attorney

 FILED
 OFFICE OF THE CITY CLERK
 OAKLAND

OAKLAND CITY COUNCIL

2012 AUG 29 AM 9:15

RESOLUTION NO. _____ C.M.S.

 Introduced by Councilmember _____

RESOLUTION AUTHORIZING THE CITY ADMINISTRATOR TO AWARD A CONSTRUCTION CONTRACT FOR THE PREVENTIVE MAINTENANCE OF WEST GRAND AVENUE BRIDGE (PROJECT NO. G427010) TO AMERICAN CIVIL CONSTRUCTORS WEST COAST INC., THE LOWEST RESPONSIVE AND RESPONSIBLE BIDDER, IN THE AMOUNT OF FIVE HUNDRED SEVENTY THOUSAND SIX HUNDRED AND TWENTY-FIVE DOLLARS (\$570,625.00) IN ACCORDANCE WITH THE PROJECT PLANS AND SPECIFICATIONS AND THE CONTRACTOR'S BID

WHEREAS, the City of Oakland was awarded federal funds for Preventive Maintenance work on West Grand Avenue Bridge (Project No. G427010); and

WHEREAS, the local match for the federal fund is 11.47 percent and is available from Measure B funds (Project No. G427011); and

WHEREAS, on May 24, 2012, one bid was received by the Office of the City Clerk of the City of Oakland for this project; and

WHEREAS, American Civil Constructors West Coast Inc., bidding as a prime, is deemed the lowest responsive and responsible bidder for the project; and

WHEREAS, American Civil Constructors West Coast Inc., complies with the federal Underutilized Disadvantaged Business Enterprise (UDBE) Program requirements; and

WHEREAS, there are sufficient funds in the project budget for the work that will be available in the following project accounts:

- Department of Transportation Fund (2116); Engineering Design: Streets & Structures Organization (92242); Street Construction Account (57411); Project G427010; \$505,171.00
- Measure B Fund (2211); Engineering Design: Streets & Structures Organization (92242); Street Construction Account (57411); Project G427011; \$65,451.00

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, 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 Preventive Maintenance of West Grand Avenue Bridge (Project No. G427010 to American Civil Constructors West Coast Inc., the lowest responsive and responsible bidder, in the amount of Five Hundred Seventy Thousand, Six Hundred and Twenty- Two dollars (\$570,622.00) in accord with the project plans and specifications and the contractor's bid dated May 24, 2012; and be it

FURTHER RESOLVED: That the City Council hereby approves the plans and specifications prepared at the direction of the Assistant Director of the Public Works Agency for this project; and be it

FURTHER RESOLVED: That the City Administrator is authorized to execute any amendments or modifications of the contract with American Civil Constructors West Coast Inc. within the limitations of the project specifications; 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 faithful performance bond and a bond to guarantee payment of all claims for labor and materials furnished and for the amount of 100% of the contract price and due under the Unemployment Insurance Act submitted 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 for form and legality prior to execution and placed on file in the Office of the City Clerk.

IN COUNCIL, OAKLAND, CALIFORNIA, _____

PASSED BY THE FOLLOWING VOTE:

AYES - BROOKS, BRUNNER, DE LA FUENTE, KAPLAN, KERNIGHAN, NADEL, SCHAAF and PRESIDENT REID

NOES -

ABSENT -

ABSTENTION -

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