

**CITY OF OAKLAND
AGENDA REPORT**

FILED
OFFICE OF THE CITY CLERK
OAKLAND
2004 OCT 28 PM 4:09

TO: Office of the City Administrator
ATTN: Deborah Edgerly
FROM: Public Works Agency
DATE: November 9, 2004

RE: RESOLUTION AUTHORIZING THE CITY ADMINISTRATOR TO REJECT ALL BIDS FOR THE CAMRON-STANFORD HOUSE RESTORATION, WAIVE THE FORMAL BID PROCESS, AND NEGOTIATE AND AWARD A CONTRACT FOR A NOT TO EXCEED AMOUNT OF ONE HUNDRED SEVENTY FIVE THOUSAND DOLLARS (\$175,000) WITHOUT RETURN TO COUNCIL (PROJECT NO. C198910)

SUMMARY

A resolution has been prepared authorizing the City Administrator to reject all bids, waive the competitive bid process, and negotiate and award a contract for painting and minor repairs of Camron-Stanford House located at 1418 Lakeside Drive, without return to Council. The proposed project to paint and repair exterior elements of the structure will preserve and enhance the appearance of this historic building and allow its continued use as a rental venue.

On June, 21, 2004, the City Clerk received 2 bids for the project and both were unacceptable. One bid was over the project's budget and the second bid was submitted without a bid bond.

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

FISCAL IMPACT

Approval of this resolution would authorize the City Administrator to negotiate and award a contract in an amount not to exceed \$175,000 to a historic preservation contractor to repair and paint the exterior of the Camron-Stanford House.

The total cost of the project is \$195,000, which will include the \$175,000 for the contract, and the balance for the contingency, project management, and construction administration. This project was approved in the fiscal year 2002-03 budget. Funding for this project is available in the Municipal Capital Improvement Fund (5500), Camron Stanford House Project, (C198910) \$99,000; District 3 "Pay-Go" (B00700): \$50,000; At-Large Council "Pay-Go" (B01200): \$25,000; and HJKCC Improvements (C40830): \$21,000.

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The required assessments of Contract Compliance will be set aside in the appropriate accounts upon approval of this resolution. This project will not increase operations and maintenance costs.

BACKGROUND

Camron-Stanford House, also known as Old Oakland Public Museum is an Oakland Landmark listed on the National Register of Historic Places. It was built in 1876 and is located next to Lake Merritt. The building exterior was last painted in 1992. Three years ago, the solarium window was painted and the roof gutters and siding trims were replaced. The earlier repairs did not include dry rot repairs of finish paint due to funding constraints.

The City of Oakland Landmarks Preservation Advisory Board recommended that only qualified contractors be engaged in the repairs of this building because of the historic nature of this structure. The contract specifications required the bidders have at least 10 years experience in the restoration of historic buildings and have completed at least three projects of similar type facilities and the scope/scale of the Camron-Stanford House Remodeling project.

On June 21, 2004, two bids were received by the City Clerk for the project from Bay Construction and Rockridge Builders. Rockridge Builders' bid of \$148,348 was rejected because no bid bond was submitted. Bay Construction's bid of \$234,120 is \$59,120 over the engineer's estimate and is beyond the project's funding. In addition, the projects referenced by Bay Construction were not similar to the type and scope of this project.

KEY ISSUES AND IMPACTS

The proposed contract will include the restoration of the facade's architectural woodwork, repair of the solarium window, and complete repainting of the building's exterior. The exterior paint on the south and west facades are currently peeling off. The unpainted architectural woodworks are subject to deterioration due to weather exposure. The solarium window is in poor condition and the water leaking through the wood frame may cause damage to the exterior wall and interior finishes. As part of the project, immediate interim measures will be taken to protect the solarium window from further deterioration and possible interior water damage. If the project is delayed for re-bidding, the solarium window could be damaged beyond repair and replacement would change this major historic feature of the building. Further irrecoverable damage to this valuable structure could significantly affect the final cost of restoration.

The building is used as a rental venue for special occasions and leasing to local business. Educational programs feature guided tours focusing on Oakland history, architecture, 19th century cultural life and decorative arts for general public, schools, and arranged bus tours. This building has approximately 6,000 visitors a year and is a tourist attraction.

SUSTAINABLE OPPORTUNITIES

Economic: The selected contractor shall achieve the LBE/SLBE requirements. Thus the project

will generate work for Oakland residents. It also stimulates local tourism and generates business tax.

Social Equity: Restoration of this building will benefit the immediate neighborhood by improving an important and historic social venue on Lake Merritt.

Environmental: The contractor will be required to use low volatile organic compound paint (VOC) and to recycle or dispose of all removed debris, paints, solvents, and waste water in a manner that will minimize all impacts to the environment.

RECOMMENDATION AND RATIONALE

It is recommended that the City Council authorize the City Administrator to reject all bids, waive the competitive bid process, and to negotiate and award a contract for a not to exceed price of \$175,000 for the retrofit of the Camron-Stanford House without return to Council. This action will safeguard this valuable property and prevent additional delay in repair of the building.

ACTION REQUESTED OF THE CITY COUNCIL

Staff recommends that the resolution be approved.

Respectfully submitted,

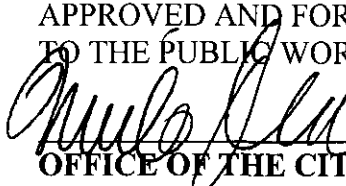


RAUL GODINEZ II, P.E.
Director, Public Works Agency

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

Prepared by:
Keihan Ehsanipour, AIA, CID
Assistant City Architect
Facility Services Division

APPROVED AND FORWARDED
TO THE PUBLIC WORKS COMMITTEE



OFFICE OF THE CITY ADMINISTRATOR

Item _____
Public Works Committee
November 9, 2004

FILED
OFFICE OF THE CITY CLERK
OAKLAND

OAKLAND CITY COUNCIL



2004 OCT 28 PM 5

RESOLUTION No. _____

C.M.S.

Requires the two-thirds vote of the Council

RESOLUTION AUTHORIZING THE CITY ADMINISTRATOR TO REJECT ALL BIDS FOR THE CAMRON-STANFORD HOUSE RESTORATION, WAIVE THE COMPETITIVE BID PROCESS, AND NEGOTIATE AND AWARD A CONTRACT FOR A NOT TO EXCEED AMOUNT OF ONE HUNDRED SEVENTY FIVE THOUSAND DOLLARS (\$175,000) WITHOUT RETURN TO COUNCIL (PROJECT NO. C198910)

WHEREAS, on June 21, 2004, two bids were received by the Office of the City Clerk of the City of Oakland for the painting and minor repairs of the Camron-Stanford House located at 1418 Lakeside Drive (Project No. C198910); and

WHEREAS, Rockridge Builders, the low bidder, with a bid of \$148,000, was deemed non-responsive; and

WHEREAS, Bay Construction's bid of \$234,120 is \$59,120 over the engineers estimate; and

WHEREAS, any further delays will significantly increase the project costs and may cause irrecoverable damages to the building, because the historic features of the building may deteriorate beyond repair; and

WHEREAS, there are sufficient funds of \$195,000 in the project for this work; and

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

WHEREAS, the City Council is authorized to waive the competitive bid process after a finding and determination that calling for bids on a competitive basis is impractical, unavailing or impossible, and it is in the best interests of the City to waive the competitive bid process; 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 is authorized to reject all bids for the Camron-Stanford House Restoration; and be it

FURTHER RESOLVED: That the City hereby finds and determines that pursuant to Chapter 2.04, Article I, section 2.04.050.I (2) of the Oakland Municipal Code that calling for bids on a competitive basis for a second time is impractical, unavailing or impossible; and be it

FURTHER RESOLVED: That, pursuant to Chapter 2.04, Article I, section 2.04.050 I (5) it is in the best interests of the City to waive the bidding requirements of section 2.04.050 of the Oakland Municipal Code; and be it

FURTHER RESOLVED: That the City Administrator is authorized to negotiate a bid and to enter into a contract with a qualified contractor, experienced in the restoration of historic buildings, without return to or further approval of the City Council for a not to exceed amount of \$175,000; and be it

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

FURTHER RESOLVED: That the City Administrator is hereby authorized to execute any amendments or modifications of said contract within the limitations of the project specifications, except for increases in the contract amount; and be it

FURTHER RESOLVED: That the amount of the bond for faithful performance of this contract and the amount for a bond to guarantee payment of all claims for labor and material furnished under this contract will be 100% of the contract amount, and the amount due under the Unemployment Insurance Act with respect to such work is also hereby approved; and be it

FURTHER RESOLVED: That the approval of this Resolution requires a two-thirds vote of the Council members; 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.

IN COUNCIL, OAKLAND, CALIFORNIA, _____, 2004

PASSED BY THE FOLLOWING VOTE:

**AYES - BROOKS, BRUNNER, CHANG, NADEL, QUAN, REID, WAN, AND
PRESIDENT DE LA FUENTE**

NOES-

ABSENT-

ABSTENTION-

**ATTEST: _____
CEDA FLOYD**

**City Clerk and Clerk of Council
of the City of Oakland, California**

INTEROFFICE MEMORANDUM

TO: Gwen McCormick, PWA - Contract Administration

CC: Vivian Inman

FROM: Deborah Barnes, Contract Compliance & Employment Services

Deborah Barnes

DATE: July 19, 2004

SUBJECT: Compliance Evaluation - Camron Stanford House Remodeling

Contract Compliance & Employment Services (CC&ES) reviewed the two bids for the above referenced project. An analysis of the L/SLBE Participation, starting with the lowest bidder, is as follows:

<u>Company Name</u>	<u>LBE</u>	<u>SLBE</u>	<u>Total</u>	<u>Bid Discounts</u>	<u>Discount Amount</u>
Rockridge Builders	0%	100%	100%	5%	\$140,348
Bay Construction	0%	92.30%	92.30%	5%	\$222,414

Rockridge Builders, the lowest bidder achieved 100% small local business participation. The apparent second lowest bidder, Bay Construction achieved 92.30% small local business participation. Rockridge Builders, per Contract Administration, has been deemed non-responsive for failure to submit a bid bond.

Should you have any questions you may contact Vivian Inman at extension 6261.

CITY OF OAKLAND
PUBLIC WORKS AGENCY
CONTRACT ADMINISTRATION
CANVASS OF BIDS

PROJECT TITLE: CAMRON STANFORD HOUSE REMODELING

BID DATE: June 21, 2004

PROJECT #: C198910

ENGINEER'S ESTIMATE: \$175,000.00

WORKING DAYS: 100

Bay Construction
4026 Martin Luther King Jr.
Oakland, CA 94609
510-658-7225

BIDDERS NAME		BASE BID
ENGINEER'S ESTIMATE:		\$175,000.00
1	Rockridge Builders*	\$148,348.00
2	Bay Construction	\$234,120.00
		ALTERNATE BID # 1
ENGINEER'S ESTIMATE:		\$5,000.00
1	Rockridge Builders*	\$49,000.00
2	Bay Construction	\$15,000.00
		ALTERNATE BID # 2
ENGINEER'S ESTIMATE:		\$10,000.00
1	Rockridge Builders*	\$6,000.00
2	Bay Construction	\$8,000.00
		ALTERNATE BID # 3
ENGINEER'S ESTIMATE:		\$90,000.00
1	Rockridge Builders*	\$125,000.00
2	Bay Construction	\$160,000.00

Approved by:  **Date:** 7/13/2004 Revised

* Rockridge Builders did not submit a Bid Bond or a Campaign Contribution Form and is deemed Non-Responsive

LBE/SLBE Participation Rockridge Builders

Project Name: Camron Stanford House Remodeling

Project No.: P130130		Engineers Estimate: 175,000.00			Under/Over Engineers Estimate: -26,652.00						
Discipline	Prime & Subs	Location	Cert. Status	LBE	SLBE	LOCAL TRUCKING	TOTAL LBE/SLBE	TOTAL Dollars			
PRIME	Rockridge Builders	Oakland	CB		148,348.00		148,348.00	148,348.00			
Project Totals				0.00	148,348.00	0.00	148,348.00	148,348.00		0%	0%
				0.0%	100.00%	0.00%	100.00%				
Bid Discounts on percentage over the 20% requirement	20% requirement acheivment points		2%						Ethnicity AA = African American A = Asian C = Caucasian H = Hispanic NA = Native American O = Other		
	10% over 20% requirement		3%								
	20% over 20% requirement		4%	0.0%	80.0%			\$140,930.60			
	30% over 20% requirement		5%	0.0%							
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 firms can only be counted up to 10% of the total contract amount.											
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											

REV 11.00 4/07/07/11



**CONTRACT COMPLIANCE & EMPLOYMENT SERVICES
PROJECT EVALUATION FORM**

RE: Camron Stanford House Remodeling

CONTRACTOR: Rockridge Builders

<u>Engineer's Estimate:</u>	<u>Contractors' Bid Amount</u>	<u>Over/Under Engineer's Estimate</u>
\$175,000	\$148,348	<u>-26,652.00</u>

<u>Bid discounted amount:</u>	<u>Discount/Points:</u>
\$140,348	5%

1. Did the 20% requirements apply? YES

2. Did the contractor meet the 20% requirement YES

a) % of LBE participation	<u>0.00%</u>
b) % of SLBE participation	<u>95.30%</u>

3. Did the contractor meet the Trucking requirement N/A

a) Total trucking participation	<u>0.00%</u>
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4. Did the contractor receive bid discount point YES
 (If yes, list the points received) 5%

5. Additional Comments.

Per Contract Administration this contractor deemed nonresponsive for failure to submit bid bond.

6. Date evaluation completed and returned to Contract Admin./Initiating Dept. 7/20/2004

Reviewing Officer:

[Signature]

Date: 7/20/04

Approved By

[Signature]

Date: July 21, 2004

LBE/SLBE Participation Bay Construction

Project Name: Camron Stanford House Remodeling

Project No.: P130130		Engineers Estimate: 175,000.00			Under/Over Engineers Estimate: 59,120.00					
Discipline	Prime & Subs	Location	Cert. Status	LBE	SLBE	LOCAL TRUCKING	TOTAL LBE/SLBE	TOTAL Dollars		
PRIME Painting Supplier/Wood Supplier/Wood	Bay Construction	Oakland	CB		178,120.00		178,120.00	178,120.00	A	62%
	Citywide Painting	Oakland	CB		45,000.00		45,000.00	45,000.00	A	30%
	Victorana	San Francisco	UB					5,000.00		
	Haes Woodwork	San Francisco	UB					6,000.00		
Project Totals				0.00	223,120.00	0.00	223,120.00	234,120.00		
				0.0%	95.30%	0.00%	95.30%		0%	92%
Bid Discounts on percentage over the 20% requirement	20% requirement achievement points		2%						Ethnicity AA = African American A = Asian C = Caucasian H = Hispanic NA = Native American O = Other	
	10% over 20% requirement		3%							
	20% over 20% requirement		4%	0.0%	75.3%			\$222,414.00		
	30% over 20% requirement		5%	0.0%						
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 firms can only be counted up to 10% of the total contract amount.										
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										

MAY 11 11:00 AM '07

CONTRACT COMPLIANCE & EMPLOYMENT SERVICES
PROJECT EVALUATION FORM

RE: Camron Stanford House Remodeling

CONTRACTOR: Bay Construction

<u>Engineer's Estimate:</u>	<u>Contractors' Bid Amount</u>	<u>Over/Under Engineer's Estimate</u>
\$175,000	\$234,120	\$59,120

<u>Bid discounted amount:</u>	<u>Discount/ Points:</u>
\$222,414	5%

1. Did the 20% requirements apply? YES

2. Did the contractor meet the 20% requirement YES

a) % of LBE participation	<u>0.00%</u>
b) % of SLBE participation	<u>95.30%</u>

3. Did the contractor meet the Trucking requirement? N/A

a) Total trucking participation	<u>0.00%</u>
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4. Did the contractor receive bid discount points? YES

(If yes, list the points received) 5%

5. Additional Comments.

6. Date evaluation completed and returned to Contact Admin./Initiating Dept. 7/20/2004

**Reviewing
Officer:**



Date: 7/20/04

Approved By



Date: 7/21/04