ATTACHMENT C

CONTRACT COMPLIANCE ANALYSIS MEMORANDUM MACARTHUR SMART CITY CORRIDOR 1 PROJECT CITY PROJECT NO. 1003981



INTER OFFICE MEMORANDUM

DATE:

July 8, 2024

TO: John Chin FROM: Vivian Inman, Vivian Inman

Engineer Assistant II, Department of Transportation Sr. Contract Compliance Officer

PREPARED BY: Paula Peav,

Contract Compliance Officer

SUBJECT: REVISED Compliance Analysis-

MacArthur Smart City Corridor 1

Project No. 1003981

The assigned Contract Compliance Officer conducted a compliance analysis of three (3) bids submitted to the City in response to the above referenced project. Below are the results of the compliance evaluations for the most recent L/SLBE Program for, (a) the minimum 50% Local and Small Local Business Enterprise (L/SLBE) participation requirement; and (b) preliminary review for compliance with the Equal Benefits Ordinance (EBO).

Responsive wi and/or EBC				PROP PARTIC	OSED IPATION	1	EARNED CREDITS AND DISCOUNTS					
Company Name	Original Bid Amount	Total L/SLBE	LBE	SLBE	*VSLBE	L/SLBE/V SLBE Trucking	Total Credited	Earned Bid Discounts	Adjusted Bid Amount	EBO Compliant ? Y/N		
Ray's Electric	\$13,481,390	74.96% * 79.17%	54.10%	16.65%	4.21% * 8.42%	100%	79.17%	4%	\$12,942,134.40	Y		

^{*}Double counted value is 8.42% for Very Small Local Business Enterprise (VSLBE)

Comments: Ray's Electric met the required L/SLBE requirement. The firm is EBO compliant.

Non-Respon L/SLBE and Polic	d/or EBO			PROP PARTIC	OSED IPATION	N	EARNED CREDITS AND DISCOUNTS					
Company Name	Original Bid Amount	Total L/SLBE	LBE	LBE SLBE *VSLBE			Total Credited	Earned Bid Discounts	Adjusted Bid Amount	EBO Compliant ? Y/N		
Phoenix Electric Company	\$12,625,787	36.43%	0.00%	36.43%	0.00%	100%	36.43%	0.00%	NA	N		
Tennyson Electric	\$14,803,185	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	NA	N		

<u>Comments:</u> As noted above, the firms failed to meet the minimum 50% L/SLBE participation requirement. Therefore, they are non-responsive to the L/SLBE participation requirement. Phoenix Electric Company and Tennyson Electric are not EBO Compliant.

For questions or comments, please contact Paula Peav, Contract Compliance Officer at (510) 238-3190 or ppeav@oaklandca.gov.

Project Name	: MacArthur Smart City	Corridor 1												
Project No.:	1003981	Engineer's Est	timate	\$9,580	5,278.01	Under/Over Engi	neers Estimate:	\$3,039,	508.69					
Discipline	Prime & Subs	Location	Cert. Status	LBE/LPG	SLBE	*VSLBE (2x Value)	Total LBE/SLBE	VSLBE Trucking	L/SLBE Trucking	Total Trucking	TOTAL Dollars	Ethn.	MBE I	WBE
PRIME	Phoenix Electric Company	San Francisco	UB			(2X Value)	LBL/3LBL	Trucking	Trucking	Trucking	5,672,217		IVIDE	VVDE
Trucking	S&S Trucking	Oakland	СВ		400,000		400,000		400,000	400,000	400,000	Н	400,000	
Roadway Striping	Chrisp CompanY	Fremont	UB								105,395	NL		
Concrete Traffic Signal &	McGuire and Hester	Oakland	UB								675,175	NL		
Fiber Optic	C&C Electric Inc Precision Directional	Oakland	СВ		4,200,000		4,200,000				4,200,000	NL		
Directional Boring	Boring	Templeton	UB								1,573,000	NL		
	Project	Totals		\$0 0.00%	\$4,600,000 36.43%	\$0 0.00%	\$4,600,000 36.43%	\$0 0.00%	\$400,000 100.00%	\$400,000 100.00%	\$12,625,787 100%		400,000.00 3.17%	0 0.00%
SLRF 25% VSLRF								TOTAL DOLLARS	A = As $AI = A$	African American ian Asian Indian				
SLBE = Small Local Business Enterprise UB = Uncertif VSLBE = Very Small Local Business Enterprise CB = Certified Total LBE/SLBE = All Certified Local and Small Local Businesses MBE = Minori								e	ise			C = Ca H = Hi NL = N	spanic Not Listed Native AmericAN	



7/5/2024

7/5/2024

Date:

Date:

DWES

PROJECT COMPLIANCE EVALUATION FOR: Project No. 1003981

Officer:

Approved By:

Paula Peav

Vivian Inman

· ·				
RE:	MacArthur Smart City Corrid	lor 1		
CONTRACTOR:	Phoenix Electric Company			
	Engineer's Estimate: \$9,586,278.01	Contractors' Bid \$12,625,78		Over/Under Engineer's Estimate \$3,039,508.69
	Discounted Bid Amount: \$0.00	Amt. of Bid Disco \$0.00	<u>ount</u>	<u>Discount Percentage:</u> 0.00%
	1. Did the 50% local/small local	requirement apply:		YES
		f LBE/LPG	0.00%	<u>NO</u>
		of SLBE participation of VSLBE participation	36.43% *0.00%	(Double Counted Value is 0.00%)
	3. Did the contractor meet the L	SLBE trucking requiren	nent?	YES
		E trucking participation E trucking participation	100.00% 0.00%	
	4. Did the contractor receive bid	discount percentage?		<u>NO</u>
	(If yes, list the per	centage received)	<u>NA</u>	
	5. Additional Comments. Firm failed to meet the minim the L/SLBE program.	um 50% L/SLBE parti	cipation requi	rement. Therefore, they are non-responsive to
	6. Date evaluation completed an	7/5/2024		g Dept.
Reviewing		Date		

						Diuu	<u> </u>							
Project Name:	MacArthur Smart City	Corridor 1												
Project No.:		Engineer's Est	timate	\$9,580	5,278.01	Under/Over Engi	neers Estimate:	\$3,895,1	111.99			•		
Discipline	Prime & Subs	Location	Cert.	LBE/LPG	SLBE	*VSLBE	Total	VSLBE	L/SLBE	Total	TOTAL	I		
'			Status			(2x Value)	LBE/SLBE	Trucking	Trucking	Trucking	Dollars	Ethn.	MBE	WBE
PRIME	Ray's Electric	Oakland	UB	7,294,092			7,294,092				7,294,092	С		
Truck & Disposal	Curbside Trucking	Oakland	СВ			141,000	141,000	141,000		141,000	141,000	AA	141,000	
Security	Diligence Security	Oakland	СВ		240,400		240,400				240,400	AA		240,400
Striping & Signage	Striping Graphics	Cotati	UB								92,270	С		
Electrical Material	JAM Services	Livermore	UB								1,853,215	С		
Concrete Material	Central Concrete	San Jose	UB								618,470	С		
Traffic Control (Partial)	CMC Traffic Control	San Francisco	UB								140,550	С		
Survey	Benchmark Engineering	Modesto	UB								45,900	С		
Boring	California Utility	Los Gatos	UB								387,000	С		
Fiber Optic Material	Accu-Tech	Alpharette	UB								134,493	С		
Street Sweeping	Action Sweeping	Manteca	UB								104,000	С		104,000
Electrical Installation (Partial)	OBR Electric	Oakland	СВ			426,400	426,400				426,400	Н	426,400	
Trenching & Restoration	Mosto Construction	Oakland	СВ		2,003,600		2,003,600				2,003,600	Н	2,003,600	
	Project	Totals	l	\$7,294,092 54.10%	\$2,244,000 16.65%	\$567,400 4.21%	\$10,105,492 74.96%	\$141,000 100.00%	\$0 0.00%	\$141,000 100.00%	\$13,481,390 100%		2,571,000 19.07%	344,400 2.55%
combination of 25	e 50% requirement can 5% LBE and 25% SLBE. e. A VLSBE's participati the requirement.	The SLBE is w	aived	LBE/LPG 25%	SLBE 25%	TOTAL VSLRF L/SLRF TDUCKING TOTAL						Ethnicity AA = African American		
Legend	LBE/LPG = Local Busines SLBE = Small Local Busin VSLBE = Very Small Loca Total LBE/SLBE = All Cer NPLBE = NonProfit Local Busi	ness Enterprise I Business Enter tified Local and S	prise			NPSLBE = NonProfit Small Local Business Enterprise UB = Uncertified Business CB = Certified Business MBE = Minority Business Enterprise WBE = Women Business Enterprise						C = Ca H = Hi NL = N	Not Listed Native AmericAN	

^{**} Proposed VSLBE particiation is valued at 4.21%, however per the L/SLBE Program a VSLBE's participation is double counted towards meeting the requirement. Double counted percentage is reflected on the evaluation form and cover memo.



DWES

PROJECT COMPLIANCE EVALUATION FOR: Project No. 1003981

RE:	MacArthur Smart City Corridor 1

CONTRACTOR: Ray's Electric

Engineer's Estimate: Contractors' Bid Amount Over/Under Engineer's Estimate

\$9,586,278.01 \$13,481,390.00 \$3,895,111.99

<u>Discounted Bid Amount:</u> <u>Amt. of Bid Discount</u> <u>Discount Percentage:</u>

\$12,942,134.40 \$539,255.60 4.00%

1. Did the 50% local/small local requirement apply: YES

2. Did the contractor meet the 50% requirement YES

a) % of LBE/LPG **54.10%**

b) % of SLBE participation 16.65%

c) % of VSLBE participation (Double Counted Value

 $\frac{4.21\%}{}$ is 8.42%)

3. Did the contractor meet the L/SLBE trucking requirement? YES

a) Total L/SLBE trucking participation a) Total VSLBE trucking participation 0.00%

4. Did the contractor receive bid discount percentage? <u>YES</u>

(If yes, list the percentage received) 4.00%

5. Additional Comments.

Proposed VSLBE participation is valued at 4.21%, however, per the L/SLBE Program, a VSLBE's participation is double counted towards meeting the requirement. Therefore the VSLBE value is 8.42%.

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

7/5/2024 Date

Keviewing

 Officer:
 Paula Peau
 Date:
 7/5/2024

 Approved By:
 Vivian Inman
 Date:
 7/5/2024

Project Name	MacArthur Smart Cit	y Corridor 1												
Project No.	1003981	Engineer's Es	imate	\$9,58	6,278.01	Under/Over Engi	neers Estimate:	\$5,216,	906.99					
Discipline	Prime & Subs	Location	Cert.	LBE/LPG	SLBE	*VSLBE	Total	VSLBE	L/SLBE	Total	TOTAL	1		
Biodipililo	Time a sase	20041011	Status	252721 0	0252	(2x Value)	LBE/SLBE	Trucking	Trucking	Trucking	Dollars	Ethn.	MBE	WBE
PRIME	Tennyson Electric	Livermore	UB								13,749,063	NL		
Signing & Striping	Chrisp Company	Fremont	UB								105,395	NL		
Fiber	Walker Telecomm Inc	Wheatland	UB								546,000	NL		
Concrete	Integrated Concrete Construction Inc	Hayward	UB								402,727	NL		
	Projec	t Totals		\$0 0.00%	\$0 0.00%	\$0 0.00%	\$0 0.00%	\$0 0.00%	\$0 0.00%	\$0 0.00%	\$14,803,185 100%		0	0
Requirements: The combination of 25 for Oakland prime towards meeting	SLBE 25%	VSLBE	TOTAL LBE/SLBE	VSLBE Trucking		FRUCKING	TOTAL DOLLARS	A = As	African American					
Legend LBE/LPG = Local Business Enterprise/Local Produced Goods SLBE = Small Local Business Enterprise UB = Uncertified Business VSLBE = Very Small Local Business Enterprise CB = Certified Business Total LBE/SLBE = All Certified Local and Small Local Businesses MBE = Minority Business Enterprise								ise			C = Ca H = Hi NL = N			
	NPLBE = NonProfit Local Busin		Jiliali Eoot	Duomicosco		WBE = Women Bu	•					O= Oth		



DWES

PROJECT COMPLIANCE EVALUATION FOR: Project No. 1003981

RE:	MacArthur Smart City Corridor 1

CONTRACTOR: Tennyson Electric

Engineer's Estimate: Contractors' Bid Amount Over/Under Engineer's Estimate

\$9,586,278.01 \$14,803,185.00 \$5,216,906.99

<u>Discounted Bid Amount:</u> <u>Amt. of Bid Discount</u> <u>Discount Percentage:</u>

\$0.00 \$0.00 0.00%

1. Did the 50% local/small local requirement apply: YES

2. Did the contractor meet the 50% requirement NO

a) % of LBE/LPG **0.00%**

b) % of SLBE participation **0.00%**

c) % of VSLBE participation (Double Counted Value

*0.00% is 0.00%)

3. Did the contractor meet the L/SLBE trucking requirement? <u>NO</u>

a) Total L/SLBE trucking participation 0.00%

a) Total VSLBE trucking participation <u>0.00%</u>

4. Did the contractor receive bid discount percentage? <u>NO</u>

(If yes, list the percentage received) <u>0.00%</u>

5. Additional Comments.

Firm failed to meet the minimum 50% L/SLBE participation requirement. Therefore, they are non-responsive to the L/SLBE program.

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

7/5/2024 Date

Keviewing

Officer: Paula Peav Date: 7/5/2024

Approved By:Vivian InmanDate:7/5/2024



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Trucking	S&S Trucking	Oakland	СВ		400,000		400,000		400,000	400,000	400,000	Н	400,000	
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Directional Boring	Boring	Templeton	UB								1,573,000	NL		
	Project	Totals		\$0 0.00%	\$4,600,000 36.43%	\$0 0.00%	\$4,600,000 36.43%	\$0 0.00%	\$400,000 100.00%	\$400,000 100.00%	\$12,625,787 100%		400,000.00 3.17%	0 0.00%
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	Discounted Bid Amount: \$0.00	Amt. of Bid Disco \$0.00	<u>ount</u>	<u>Discount Percentage:</u> 0.00%
	1. Did the 50% local/small local	requirement apply:		YES
		f LBE/LPG	0.00%	<u>NO</u>
		of SLBE participation of VSLBE participation	36.43% *0.00%	(Double Counted Value is 0.00%)
	3. Did the contractor meet the L	SLBE trucking requiren	nent?	YES
		E trucking participation E trucking participation	100.00% 0.00%	
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	(If yes, list the per	centage received)	<u>NA</u>	
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Project Name:	MacArthur Smart City	Corridor 1												
Project No.:		Engineer's Est	timate	\$9,580	5,278.01	Under/Over Engi	neers Estimate:	\$3,895,1	111.99			•		
Discipline	Prime & Subs	Location	Cert.	LBE/LPG	SLBE	*VSLBE	Total	VSLBE	L/SLBE	Total	TOTAL	I		
•			Status			(2x Value)	LBE/SLBE	Trucking	Trucking	Trucking	Dollars	Ethn.	MBE	WBE
PRIME	Ray's Electric	Oakland	UB	7,294,092			7,294,092				7,294,092	С		
Truck & Disposal	Curbside Trucking	Oakland	СВ			141,000	141,000	141,000		141,000	141,000	AA	141,000	
Security	Diligence Security	Oakland	СВ		240,400		240,400				240,400	AA		240,400
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Trenching & Restoration	Mosto Construction	Oakland	СВ		2,003,600		2,003,600				2,003,600	Н	2,003,600	
Project Totals \$7,294,092 \$2,244,000 \$567,400 \$10,105,492 \$141,000 \$0 \$141,000 \$13,481,390 54.10% 16.65% 4.21% 74.96% 100.00% 0.00% 100.00% 100.00%											2,571,000 19.07%	344,400 2.55%		
Requirements: The 50% requirement can be satisfied by a combination of 25% LBE and 25% SLBE. The SLBE is waived for Oakland prime. A VLSBE's participation is double counted towards meeting the requirement.						VSLBE	TOTAL LBE/SLBE	VSLBE Trucking		TRUCKING	Ethnicity AA = African American A = Asian AI = Asian Indian			
Legend LBE/LPG = Local Business Enterprise/Local Produced Goods SLBE = Small Local Business Enterprise UB = Uncertified Business VSLBE = Very Small Local Business Enterprise CB = Certified Business Total LBE/SLBE = All Certified Local and Small Local Businesses NPLBE = NonProfit Local Business Enterprise WBE = Women Business Enterprise										C = Ca H = Hi NL = N	Not Listed Native AmericAN			

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PROJECT COMPLIANCE EVALUATION FOR: Project No. 1003981

RE:	MacArthur Smart City Corridor 1

CONTRACTOR: Ray's Electric

Engineer's Estimate: Contractors' Bid Amount Over/Under Engineer's Estimate

\$9,586,278.01 \$13,481,390.00 \$3,895,111.99

<u>Discounted Bid Amount:</u> <u>Amt. of Bid Discount</u> <u>Discount Percentage:</u>

\$12,942,134.40 \$539,255.60 4.00%

1. Did the 50% local/small local requirement apply: YES

2. Did the contractor meet the 50% requirement YES

a) % of LBE/LPG **54.10%**

b) % of SLBE participation 16.65%

c) % of VSLBE participation (Double Counted Value

 $\frac{4.21\%}{}$ is 8.42%)

3. Did the contractor meet the L/SLBE trucking requirement? YES

a) Total L/SLBE trucking participation a) Total VSLBE trucking participation 0.00%

4. Did the contractor receive bid discount percentage? <u>YES</u>

(If yes, list the percentage received) 4.00%

5. Additional Comments.

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Project Name	MacArthur Smart Cit	y Corridor 1													
Project No.: 1003981		Engineer's Es	imate	\$9,58	6,278.01	Under/Over Engineers Estimate:		\$5,216,906.99							
Discipline	Location	Location Cert.		SLBE	*VSLBE Total		VSLBE	L/SLBE	Total	TOTAL	1				
Biodipililo	Prime & Subs	20041011	Status	LBE/LPG	02BE	(2x Value)	LBE/SLBE	Trucking	Trucking	Trucking	Dollars	Ethn.	MBE	WBE	
PRIME	Tennyson Electric	Livermore	UB								13,749,063	NL			
Signing & Striping	Chrisp Company	Fremont	UB								105,395	NL			
Fiber	Walker Telecomm Inc	Wheatland	UB								546,000	NL			
Concrete	Integrated Concrete Construction Inc	Hayward	UB								402,727	NL			
Project Totals				\$0 0.00%	\$0 0.00%	\$0 0.00%	\$0 0.00%	\$0 0.00%	\$0 0.00%	\$0 0.00%	\$14,803,185 100%		0	0	
Requirements: The 50% requirement can be satisfied by a combination of 25% LBE and 25% SLBE. The SLBE is waived for Oakland prime. A VLSBE's participation is double counted towards meeting the requirement.						VSLBE	TOTAL LBE/SLBE	VSLBE Trucking		TRUCKING TOTAL			Ethnicity AA = African American A = Asian AI = Asian Indian		
Legend	LBE/LPG = Local Busines SLBE = Small Local Busi VSLBE = Very Small Loca Total LBE/SLBE = All Cer	ness Enterprise al Business Enter	prise										AP = Asian Pacific C = Caucasian H = Hispanic NL = Not Listed NA= Native AmericAN		
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DWES

PROJECT COMPLIANCE EVALUATION FOR: Project No. 1003981

RE:	MacArthur Smart City Corridor 1

CONTRACTOR: Tennyson Electric

Engineer's Estimate: Contractors' Bid Amount Over/Under Engineer's Estimate

\$9,586,278.01 \$14,803,185.00 \$5,216,906.99

<u>Discounted Bid Amount:</u> <u>Amt. of Bid Discount</u> <u>Discount Percentage:</u>

\$0.00 \$0.00 0.00%

1. Did the 50% local/small local requirement apply: YES

2. Did the contractor meet the 50% requirement NO

a) % of LBE/LPG **0.00%**

b) % of SLBE participation **0.00%**

c) % of VSLBE participation (Double Counted Value

*0.00% is 0.00%)

3. Did the contractor meet the L/SLBE trucking requirement? <u>NO</u>

a) Total L/SLBE trucking participation 0.00%

a) Total VSLBE trucking participation <u>0.00%</u>

4. Did the contractor receive bid discount percentage? <u>NO</u>

(If yes, list the percentage received) <u>0.00%</u>

5. Additional Comments.

Firm failed to meet the minimum 50% L/SLBE participation requirement. Therefore, they are non-responsive to the L/SLBE program.

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

7/5/2024 Date

Keviewing

Officer: Paula Peav Date: 7/5/2024

Approved By:Vivian InmanDate:7/5/2024