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OFFICE OF THE CITY CLERK
OAKLAND

AGENDA REPORT

2017 JAN 12 PM 6:59

TO: Sabrina B. Landreth
City Administrator

FROM: Brooke A. Levin
Director, Public Works

SUBJECT: Lake Merritt Improvement Project

DATE: January 10, 2017

City Administrator Approval

Date:

7/12/17

RECOMMENDATION

Staff recommends that the City Council Adopt the Following Resolutions:

- 1) **Adopt A Resolution Authorizing The City Administrator, Or Designee, To Award A Construction Contract To McGuire And Hester, Inc., The Lowest Responsible, Responsive Bidder In Accordance With Project Plans And Specifications For The Lake Merritt Improvement Project (Project No. C394010), And With Contractor's Bid In The Amount Of Two Million Thirty-Eight Thousand Two Hundred Twenty-Five Dollars (\$2,038,225.00).**
- 2) **Adopt A Resolution Waiving The Competitive Request For Proposal/Qualification Process And Authorizing An Amendment To Increase The Agreement With Bottomley Associates For As-Needed Landscape Architectural Services In An Amount Not-to-Exceed One Hundred Fifty Thousand Dollars (\$150,000.00) Bringing the Total Contract Amount To Six Hundred Fifty Thousand Dollars (\$650,000.00).**

REASON FOR SUPPLEMENTAL

The purpose of this supplemental report is to provide clarification of the attachments associated with the agenda report and to add Attachment D, which was not printed with the original agenda report. The agenda report did not make reference to the correct **Attachment B Project Area Map**. It also incorrectly refers to Attachment B as Compliance Analysis, dated November 14, 2016 and Attachment C as Compliance Analysis for As-Needed Landscape Architectural Services, including Amendment 2, dated June 9, 2016. The correct **Attachment C** is the Compliance Analysis for the construction contract award and **Attachment D**, which was not attached to the original report, is the Compliance Analysis for Bottomley Design & Planning As-Needed Landscape Architectural Services, dated January 9, 2017.

BACKGROUND / LEGISLATIVE HISTORY

On January 10, 2017, the Public Works Committee considered the two resolutions associated with construction of the Lake Merritt Improvement Project. There were incorrect references to the attachments associated with the Agenda Report and the amendment number of the Bottomley Design & Planning As-Needed Landscape Architectural Services contract.

Item: _____
City Council
January 17, 2017

This report clarifies the title and order of each of the four attachments associated with the Agenda Report and corrects the Amendment number of the Bottomley Design & Planning As Needed Landscape Architectural Services contract to Amendment 3.

FISCAL IMPACT

There is no fiscal impact to the City's Finances; this action is cost neutral.

ACTION REQUESTED OF THE CITY COUNCIL

- 1) Adopt A Resolution Authorizing The City Administrator, Or Designee, To Award A Construction Contract To McGuire And Hester, Inc., The Lowest Responsible, Responsive Bidder In Accordance With Project Plans And Specifications For The Lake Merritt Improvement Project (Project No. C394010), And with Contractor's Bid In The Amount Of Two Million Thirty Eight Thousand, Two Hundred Twenty Five Dollars (\$2,038,225.00).
- 2) Adopt A Resolution Waiving The Competitive Request For Proposal/Qualification Process and Authorizing An Amendment to Increase the Agreement with Bottomley Design & Planning For As-Needed Landscape Architectural Services For An Amount No-to-Exceed One Hundred Fifty Thousand Dollars (\$150,000.00) Bringing the Total Contract Amount To Six Hundred Thousand Dollars (\$650,000.00)

For questions regarding this report, please contact Ali Schwarz, Capital Improvement Project Coordinator, at (510) 238-7310.

Respectfully submitted,



BROOKE A. LEVIN
Director, Oakland Public Works

Reviewed by:
Danny Lau, Acting Assistant Director
Bureau of Engineering & Construction

Prepared by:
Ali Schwarz, Project Delivery C.I.P. Coordinator
Bureau of Engineering & Construction

*Attachment (1):
D: Contract Compliance Analysis Memo, January 9, 2017*

Item: _____
Public Works Committee
January 17, 2017



INTER OFFICE MEMORANDUM

TO: Alison Schwarz

FROM: Deborah Barnes, Director
Contracts & Compliance

SUBJECT: Compliance Analysis
RFP for As Needed Landscape Architectural
Services Tier II – (Including Amendment No. 3)

DATE: January 9, 2017

The City Administrator's Office, Contracts and Compliance Unit conducted a compliance review of one (1) amendment to the above referenced project. The original proposals were evaluated on November 20, 2009. At which time, the City's 20% Local and Small Local Business Enterprise (L/SLBE) was applicable. Below are the results of the compliance evaluation for the minimum 20% Local and Small Local Business Enterprise (L/SLBE) participation requirement.

Responsive to EBO and L/SLBE Policies		Proposed Participation					Earned Credits and Discounts			EBO Compliant? Y/N
Company Name	Original Bid Amount	Total LBE/SLBE	LBE	SLBE	*VSLBE	Total Credited participation	L/SLBE Participation Preference Points	Years in Oakland Preference Points	Oakland Workforce Preference Points	
Bottomley Design & Planning	NA	100%	30.77%	69.23%	0%	100%	5 pts.	NA	NA	Y

Comments: The Bottomley Design & Planning exceeded the minimum 20% L/SLBE participation requirement. The firm is EBO compliant.


 Deborah Barnes, Director
 Contracts & Compliance

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

OFFICE OF THE CITY ADMINISTRATOR



CONTRACTS & COMPLIANCE UNIT

PROJECT COMPLIANCE EVALUATION FOR :

Project No. NA

RE: **RFP for As-Needed Landscape Architectural Services Tier II (Including Amendment No. 3)**

CONSULTANT/CONTRACTOR: Bottomley Design & Planning

<u>Engineer's Estimate:</u>	<u>Contractors' Bid Amount</u>	<u>Over/Under Engineer's Estimate</u>
NA	NA	NA
<u>Bid discounted amount:</u>	<u>Discount/Preference Points:</u>	
N/A	5	

1. Did the 20% local/small local requirement apply: **YES**
2. Did the contractor meet the 20% requirement **YES**
 - a) % of LBE participation **30.77%**
 - b) % of SLBE participation **69.23%**
3. Did the contractor receive bid discount/preference points? **YES**
(If yes, list the points received) **5 points**
4. Additional Comments.

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

1/9/2017

Reviewing Officer: *Vitali Arzoo* **Date:** 1/9/17
Approved By: *Shelley Sarenburg* **Date:** 1/9/17

Bottomley Design & Planning

Project Name: RFP for As-Needed Landscape Architectural Services Tier II (Including Amendment No. 3)

Project No.: NA		Engineer's Estimate				Under/Over Engineers Estimate:					
Discipline	Prime & Subs	Location	Cert. Status	LBE	SLBE	Total	Total	For Tracking Only			
						LBE/SLBE %	Percentages	Ethn	MBE	WBE	
PRIME	Bottomley Design & Planning	Oakland	CB		400,000	400,000	400,000	C			
Civil/Traffic Engineering	DKS Associates	Oakland	CB	100,000		100,000	100,000	C			
Civil/Structural Engineering	Baseline Engineering	Alameda	UB	100,000		100,000	100,000	AP	100,000		
Surveying & Mapping	PLS Surveys	Oakland	CB		50,000	50,000	50,000	C		50,000	
Project Totals					\$200,000.00	\$450,000.00	\$650,000.00		\$100,000.00	\$50,000.00	
					30.77%	69.23%	100.00%		15.38%	7.69%	
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.								Ethnicity AA = African American AP = Asian Pacific AI = Asian Indian C = Caucasian H = Hispanic NA = Native American O = Other NL = Not Listed			
Legend											
LBE = Local Business Enterprise				UB = Uncertified Business							
SLBE = Small Local Business Enterprise				CB = Certified Business							
Total LBE/SLBE = All Certified Local and Small Local Businesses				MBE = Minority Business Enterprise							
NPLBE = NonProfit Local Business Enterprise				WBE = Women Business Enterprise							
NPSLBE = NonProfit Small Local Business Enterprise											