

FILED
OFFICE OF THE CITY CLERK
OAKLAND

2004 OCT 28 PM 5

OAKLAND CITY COUNCIL

RESOLUTION No. 78897

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, NOV 16 2004, 2004

PASSED BY THE FOLLOWING VOTE:

AYES - ~~BROOKS~~, BRUNNER, CHANG, NADEL, QUAN, REID, WAN, AND
PRESIDENT DE LA FUENTE -7

NOES- ~~0~~

ABSENT- ~~0~~

ABSTENTION- ~~0~~

Excused - Brooks - 1

ATTEST: *Cecilia Simmons*
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

<i>Bay Construction</i>	
4026 Martin Luther King Jr.	
Oakland, CA 94609	
510-658-7225	
BASE BID	
\$175,000.00	
1	Rockridge Builders*
2	Bay Construction
ALTERNATE BID # 1	
\$5,000.00	
1	Rockridge Builders*
2	Bay Construction
ALTERNATE BID # 2	
\$10,000.00	
1	Rockridge Builders*
2	Bay Construction
ALTERNATE BID # 3	
\$90,000.00	
1	Rockridge Builders*
2	Bay Construction

BIDDERS NAME	
ENGINEER'S ESTIMATE:	
1	Rockridge Builders*
2	Bay Construction
ENGINEER'S ESTIMATE:	
1	Rockridge Builders*
2	Bay Construction
ENGINEER'S ESTIMATE:	
1	Rockridge Builders*
2	Bay Construction
ENGINEER'S ESTIMATE:	
1	Rockridge Builders*
2	Bay Construction

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 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%	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 SLBE = Small Local Business Enterprise Total LBE/SLBE = All Certified Local and Small Local Businesses NPLBE = NonProfit Local Business Enterprise NPSLBE = NonProfit Small Local Business Enterprise UB = Uncertified Business CB = Certified Business MBE = Minority Business Enterprise WBE = Women Business Enterprise								

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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	-26,652.00

<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% requirements? **YES**
 - a) % of LBE participation **0.00%**
 - b) % of SLBE participation **95.30%**

3. Did the contractor meet the Trucking requirements? **N/A**
 - a) Total trucking participation **0.00%**

4. Did the contractor receive bid discount points? **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: 

Date: 7/20/04

Approved By 

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	Bay Construction	Oakland	CB		178,120.00		178,120.00	178,120.00	A	62%
Painting	Citywide Painting	Oakland	CB		45,000.00		45,000.00	45,000.00	A	30%
Supplier/Wood	Victorana	San Francisco	UB					5,000.00		
Supplier/Wood	Haes Woodwork	San Francisco	UB					6,000.00		
Project Totals				0.00	223,120.00	0.00	223,120.00	234,120.00		0% 92%
				0.0%	95.30%	0.00%	95.30%			
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										

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CONTRACT COMPLIANCE & EMPLOYMENT SERVICES
PROJECT EVALUATION FORM

RE: Carron 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

Deborah Barner

Date: 7/21/04