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OFFICE OF THE CITY CLERK
OAKLAND

2016 FEB 25 AM 10:11

AGENDA REPORT

TO: Sabrina B. Landreth
City Administrator

FROM: Brooke A. Levin
Director, Public Works

SUBJECT: Rockridge Library Renovation
Construction Award

DATE: February 11, 2016

City Administrator Approval

Date:

2/24/16

RECOMMENDATION

Staff Recommends That The City Council Adopt A Resolution Rejecting All Bids, Waiving Further Advertising And Competitive Bidding, And Authorizing The City Administrator, Or Designee, To Negotiate And Execute A Construction Contract Up To The Amount Of Two Hundred Forty Nine Thousand Dollars (\$249,000.00) In The Open Market For The Rockridge Library Renovation (Project No. C465710) In Accordance With Project Plans And Specifications.

EXECUTIVE SUMMARY

Approval of this resolution will reject all bids received on January 7, 2016, for the Rockridge Library Renovation Project (Project), waive further advertising and competitive bidding, and authorize the City Administrator or designee to negotiate in the open market with a qualified contractor to execute a construction contract up to the amount of Two Hundred Forty Nine Thousand Dollars (\$249,000.00) in accordance with Oakland Municipal Code (OMC) Section 2.04.050.J.

BACKGROUND / LEGISLATIVE HISTORY

The Rockridge Library is located at 5366 College Avenue in Oakland and was constructed in 1994 (**Attachment A – Location Map**). The library is operated by the Oakland Public Library and has over 75,000 books, compact disks, DVDs, audio books, video games, and magazines and newspapers for all ages. Circulating materials are largely of popular interest, with a strong emphasis on practical how-to topics and fiction. Rockridge also offers popular children's and teen collections. The branch features 12 computers for public use with internet access and printing capability as well as 5 laptops for in-house use by the public.

Funding for this project is provided by Mello-Roos Community Facilities District Project fund. This fund was approved by the City Council as part of Resolution No. 67202 C.M.S. which provides funding for the Rockridge Library, in part, by levying a special tax on real property within the Rockridge Community Facilities District #1.

Item: _____
Public Works Committee
March 8, 2016

The Rockridge Library Renovation Project scope of work, in general, consists of the demolition; removal, disposal and replacement of existing ceiling lights with new light fixtures, interior painting, new carpet, and other related work indicated on the plans and specifications.

The Rockridge library will be closed during the construction (approximately three months) to better serve the public. The Rockridge Library Renovation Project construction needs to be completed as soon as possible before the summer high peak usage.

With the ability to negotiate and execute a contract, construction work is anticipated to begin in April 2016 and should be completed by early summer 2016. The contract specifies \$1,000.00 in liquidated damages per calendar day.

ANALYSIS

On January 7, 2016, the City Clerk received four bids for the Project as shown on **Attachment B: Bid Results**. Rodan Builder Inc., Saboo Inc. and Greentech Industry Inc. failed to meet the 50% L/SLBE participation requirements; and Rockridge Builders failed to sign the Schedule R-Subcontractor, Supplier, Trucking Listing form and the bid is 30.71% over Engineer's estimate. As a result, all four bids are determined to be non-responsive (see **Attachment C: Compliance Analysis, dated January 29, 2016**). Therefore, staff recommends rejecting all bids for the Project and authorizing negotiation of a construction contract in the open market with a qualified contractor.

Waiver of Advertising and Competitive Bidding Requirements

Oakland Municipal Code ("OMC") Section 2.04.050 requires advertising and competitive bidding for contracts for the purchase of services, supplies or combination required by the City in any one transaction that exceeds \$50,000, and the award of the contract to the lowest responsible, responsive bidder if award is made. OMC Section 2.04.050 I.5 provides an exception to the advertising and competitive bidding requirement of the OMC upon a finding and determination by the City Council that it is in the best interests of the City to do so. Staff recommends that it is in the City's best interests to waive advertising and competitive bidding, because if construction is not completed by the summer break, the library is forced to be close during its two busiest times of year, summer when school is out and youth most heavily use the library both for the summer reading program and summer lunch program or fall which is the beginning of the school year when students need the educational support, resources and after school programs that the library provides.

Additionally, OMC section 2.04.050 J allows the City Administrator to hire or have the services performed or to purchase the supplies in the open market when no valid bids are received after advertising as required. Thus in accordance with OMC 2.04.050 J, the City will begin by negotiating with the lowest bid contractor to secure a contract that is within the project budget and that meets the City contract compliance and program requirements.

FISCAL IMPACT

Approval of this resolution will result in executing a construction contract up to the amount of Two Hundred Forty Nine Thousand Dollars (\$249,000.00) for the Rockridge Library Renovation Project. The renovation of the Rockridge Library will extend the useful life of the building and will reduce maintenance requirements.

A breakdown of the project costs is as follows:

Cost Category	Description	Amount
Construction	Light fixtures, carpet replacement, and interior painting improvements	\$249,000.00
Contingency	Project construction contingency (10% of construction contract)	\$ 24,900.00
Total Project:		\$273,900.00

A breakdown of the project funding sources is as follows:

Fund Source	Organization	Account	Project	Program	Amount
Rockridge Library Assessment District Fund (5130)	PWA Capital Project Organization No. (92270)	Buildings: Additions and Improvements Account (57212)	Rockridge Library Light Renovation Project C465710	IN06	\$ 99,000
Rockridge Library Assessment District Fund (5130)	PWA Capital Project Organization No. (92270)	Buildings: Additions and Improvements Account (57212)	Rockridge Library Carpet Renovation Project C465720	IN06	\$100,300
Rockridge Library Assessment District Fund (5130)	PWA Capital Project Rockridge Library Interior Improvement Funding Organization No. (92270)	Buildings: Additions and Improvements Account (57212)	Rockridge Library Interior Renovation Project C465730	IN06	\$ 74,600
Total project:					\$273,900

COORDINATION

The work to be done under this contract was coordinated with:

- Oakland Public Library
- Oakland Public Works - Bureau of Infrastructure and Operations
- Oakland Public Works – Bureau of Facilities & Environment

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 March 8, 2016

In addition, the Office of the City Attorney and Controller's Bureau reviewed this report and resolution.

SUSTAINABLE OPPORTUNITIES

Economic: Through the construction contract, City of Oakland businesses will generate economic and job opportunities for Oakland residents, provide business tax, sales tax, other revenues for the City by those who work on the project.

Environmental: The contractor will be required to use recyclable construction materials to the extent feasible and is required to recycle construction debris in accordance with City standards.

Social Equity: The renovation will enhance the public's experience of and appreciation for the Oakland public library service.

CEQA

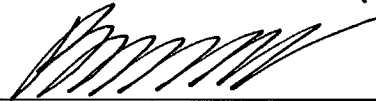
The project is exempt from environmental review as the work is limited to improvements to an existing facility.

ACTION REQUESTED OF THE CITY COUNCIL

Staff Recommends That The City Council Adopt A Resolution Rejecting All Bids, Waiving Further Advertising And Competitive Bidding, And Authorizing The City Administrator, Or Designee, To Negotiate And Execute A Construction Contract Up To The Amount Of Two Hundred Forty Nine Thousand Dollars (\$249,000.00) In The Open Market For The Rockridge Library Renovation (Project No. C465710) In Accordance With Project Plans And Specifications.

For questions regarding this report, please contact Danny Lau, Project Delivery Division Manager at (510) 238-7211.

Respectfully submitted,



BROOKE A. LEVIN
Director, Oakland Public Works

Reviewed by:
Michael J. Neary, P.E., Assistant Director
Bureau of Engineering and Construction

Reviewed by:
Danny Lau, Manager
Project Delivery Division

Prepared by:
Ha Nguyen, CIP Coordinator
Project Delivery Division

Attachments (3):

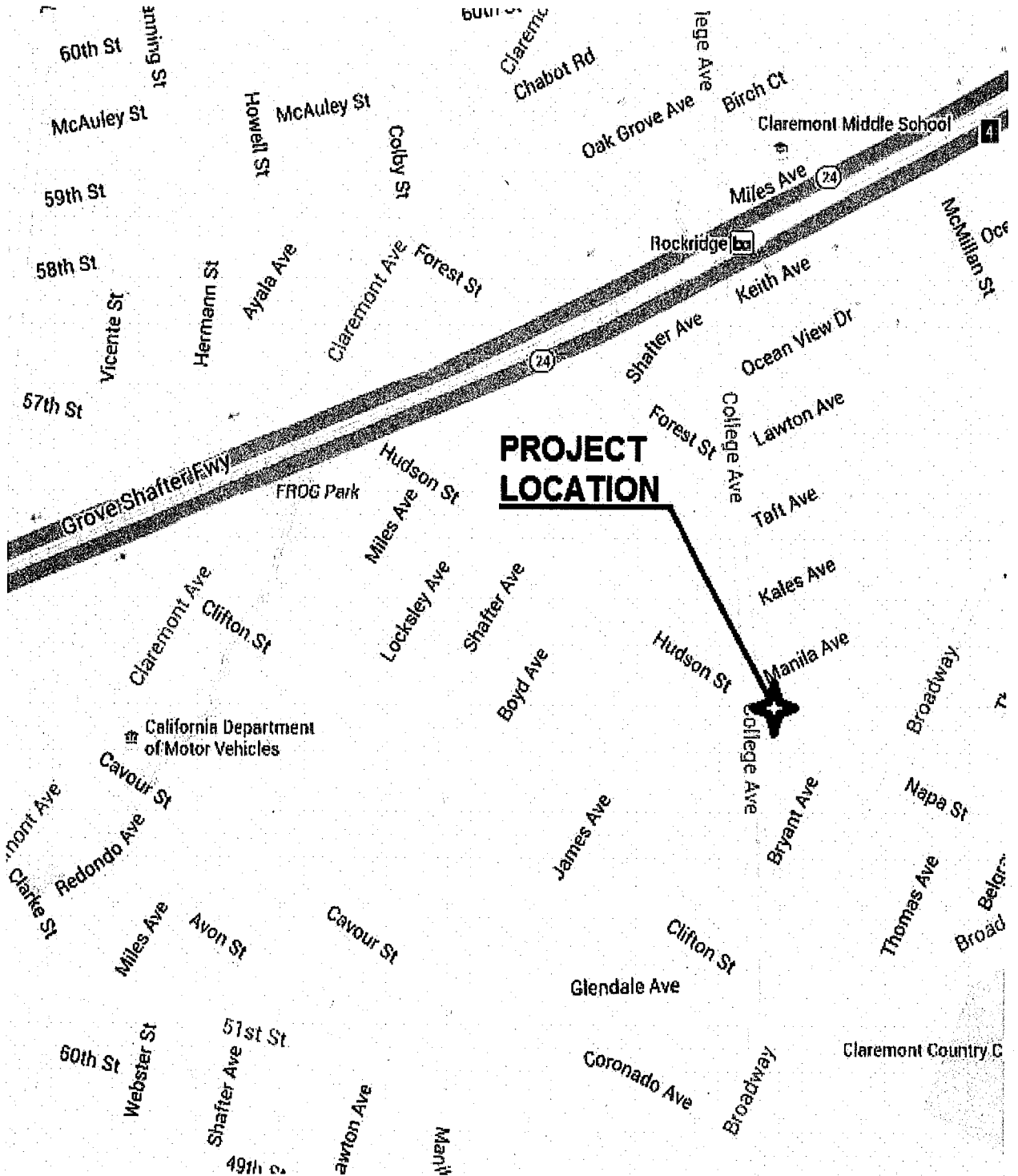
- A: Project Location Map*
- B: Bid Results*
- C: Contracts & Compliance Unit Compliance Evaluation*

Attachment A

The Rockridge Library Renovation (Project No. C465710)

Location Map

Not to Scale



CITY OF OAKLAND BID SUMMARY
Public Works Department - Contract Services

A) PROJECT NAME: **Rockridge Library Renovation Project**
 B) PROJECT NO: **C465710**
 C) BID OPENING DATE: **January 7, 2016**
 D) BASIS OF AWARD (BOA): **Base Bid**
 E) ENGINEER'S ESTIMATE OF BOA: **\$265,840.00**
 F) APPARENT LOW BIDDER PER BOA: **RODAN BUILDERS, INC.**
 G) PROJECT MANAGER: **Ha Nguyen**
 H) COMPLIANCE OFFICER: **Vivian Inman**
 I) ISSUED TO COMPLIANCE, PROJECT MANAGER AND ALL PRIME BIDDERS: **January 8, 2016**
 J) COMMENTS:

- 1) NOTE: Designation as 'apparent low bidder' in this Bid Summary is PRELIMINARY, as this precedes the Compliance Dept's forthcoming assessment of local business participation and 'bid discounts', if any.
- 2) Rodan did not complete Schedule O. Rodan's entry error for Bid Item #3 changed from \$9,000 to \$80,000. Base Bid Total remains unchanged.
- 3) Rockridge Builder's Schedule R was not signed.

Mandatory Bid Items	RODAN BUILDERS, INC.	GREENTECH INDUSTRY, INC.	ROCKRIDGE BUILDERS	SABCO, INC.
Contractor's Bid Form and Bid Schedule	Y	Y	Y	Y
Correct Bidder License Type and Active per CSLB? A OR B	Y	Y	Y	Y
Subcontractor Licenses Listed and Active per CSLB?	Y	Y	Y	Y
Prime & Subcontractors Registered with DIR?	Y	Y	Y	Y
Addendum acknowledgement	N/A	N/A	N/A	N/A
Bid Security Clause	Y	Y	Y	Y
Contractor Signature	Y	Y	Y	Y
Schedule O - Campaign Contribution Limits	Y	Y	Y	Y
Schedule R - Subcontractor, Supplier, Truckee Listing	Y	Y	Y	Y
If Trucking is required, was one listed? NOT REQUIRED	N/A	N/A	N/A	N/A
Bid Bond	Y	Y	Y	Y
Does EMR exceed 1.5?	N	N	N	N

Engineer's Estimate						RODAN BUILDERS, INC.		GREENTECH INDUSTRY, INC.		ROCKRIDGE BUILDERS		SABCO, INC.		
Item Number	Spec. Section	Quantity	Unit of Measure	Item Description	Unit Price	Total Amount	Unit Price	Total Amount	Unit Price	Total Amount	Unit Price	Total Amount	Unit Price	Total Amount
1		1	LS	Interior Finishes (paint walls and ceilings)	Lump Sum	107,840.00	Lump Sum	84,017.00	Lump Sum	134,750.00	Lump Sum	183,162.00	Lump Sum	100,000.00
2		1	LS	Floor Finishes (new carpet tile and other associate work involved)	Lump Sum	98,000.00	Lump Sum	84,000.00	Lump Sum	56,000.00	Lump Sum	101,394.00	Lump Sum	100,000.00
3		1	LS	Light Fixture Replacement	Lump Sum	60,000.00	Lump Sum	80,000.00	Lump Sum	69,000.00	Lump Sum	62,930.00	Lump Sum	100,000.00
Total of Base Bid Items per spreadsheet calculation						265,840.00		248,017.00		259,750.00		347,486.00		300,000.00
Total of Base Bid Items per Bidder calculation							248,017.00		259,750.00		347,486.00		300,000.00	
Bid Alternate 1:														
4	7-3	1	LS	ADD Cost of Commercial Liability Insurance Coverage	Lump Sum	-	Lump Sum	4,750.00	Lump Sum	19,500.00	Lump Sum	3,123.00	Lump Sum	8,000.00
5	7-3	1	LS	ADD Cost of Worker's Compensation Insurance Coverage	Lump Sum	-	Lump Sum	4,015.00	Lump Sum	35,100.00	Lump Sum	10,932.00	Lump Sum	15,000.00
6	7-3	1	LS	ADD Cost of Excess Liability or Umbrella Insurance Coverage	Lump Sum	-	Lump Sum	1,036.00	Lump Sum	3,800.00	Lump Sum	1,562.00	Lump Sum	10,000.00
Total of Bid Alternate 1						-		9,801.00		58,400.00		15,617.00		33,000.00
Bid Alternate 2:														
7		1	LS	Refresh Acoustic Panels	Lump Sum	30,000.00	Lump Sum	32,500.00	Lump Sum	42,750.00	Lump Sum	110,808.00	Lump Sum	30,000.00
Total of Bid Alternate 2 per spreadsheet calculation								32,500.00		42,750.00		110,808.00		30,000.00
Total of Bid Alternate 2 per Bidder calculation							32,500.00		42,750.00		110,808.00		30,000.00	
ADD Bid Alternate #1 if Bidder's EMR ≥ 1.5 (per Bid Instructions, Section 17)														
ADD Bid Alternates, if any, for Basis of Award bid comparison														
TOTAL BID (BOA)							248,017.00		259,750.00		347,486.00		300,000.00	
% Over / Under Engineer's Estimate							-6.70%		-2.29%		30.71%		12.85%	



INTER OFFICE MEMORANDUM

TO: Ha Nguyen

FROM: Deborah Barnes, Director
Contracts and Compliance

Deborah Barnes

SUBJECT: Compliance Analysis
Rockridge Library Renovation Project

DATE: January 29, 2016

City Administrator's Office, Contracts and Compliance Unit conducted compliance reviewed four (4) bids in response to the above referenced project. Below is the outcome of the compliance evaluation for the minimum 50% Local and Small Local Business Enterprise (L/SLBE) participation requirement. In addition, firms are reviewed for compliance with the Equal Benefits Ordinance (EBO).

Responsive to L/SLBE and/or EBO Policies		Total LBE/SLBE	Proposed Participation				Earned Credits and Discounts			EBO Compliant? Y/N
Company Name	Original Bid Amount		LBE	SLBE	*VSLBE/LPG	L/SLBE /VSLBE Trucking	Total Credited participation	Earned Bid Discounts	Adjusted Bid Amount	
Rockridge Builders	\$347,486	52.34%	16.22%	36.12%	0%	0	52.34%	2%	\$340,536.28	Y

Comments: As noted above, Rockridge Builders met the minimum 50% L/SLBE participation requirement. The firm is also EBO compliant.

Non-Responsive to L/SLBE and/or EBO Policies		Total LBE/SLBE	Proposed Participation				Earned Credits and Discounts			EBO Compliant? Y/N
Company Name	Original Bid Amount		LBE	SLBE	*VSLBE/LPG	L/SLBE /VSLBE Trucking	Total Credited participation	Earned Bid Discounts	Adjusted Bid Amount	
Rodan Builders Inc.	\$248,017	0%	0%	0%	0%	0%	0%	NA	NA	N
Greentech Industry, Inc.	\$259,750	0%	0%	0%	0%	0%	0%	NA	NA	N
Saboo, Inc.	\$300,000	0%	0%	0%	0%	0%	0%	NA	NA	N

Comments: As noted above, none of the firms met the minimum 50% L/SLBE participation requirement and none of the firms are EBO compliant. They will have to come into compliance prior to contract execution.

CONTRACTS AND COMPLIANCE UNIT

Contract Compliance Division



PROJECT EVALUATION FORM

PROJECT NO.: C465710

PROJECT NAME: Rockridge Library Renovation Project

CONTRACTOR: Rodan Builders, Inc.

<u>Engineer's Estimate:</u>	<u>Contractors' Original Bid Amount</u>	<u>Over/Under Engineer's Estimate</u>
\$265,840.00	\$248,017.00	\$17,823.00

<u>Discounted Bid Amount:</u>	<u>Amount of Bid Discount</u>	<u>Discount Percent</u>
NA	NA	0%

- 1. Did the 50% requirements apply? **YES**

- 2. Did the contractor meet the 50% requirement? **NO**
 - b) % of LBE participation **0.00%**
 - c) % of SLBE participation **0.00%**
 - d) % of VSLBE/LPG participation **0.00%**

- 3. Did the contractor meet the L/SLBE Trucking requirement? **NA**
 - a) Total L/SLBE trucking participation **0%**

- 4. Did the contractor receive bid discounts? **NO**
 - (If yes, list the percentage received) **0%**

- 5. Additional Comments.

Firm failed to meet the minimum 50% L/SLBE participation requirement. Therefore, the firm is deemed non-compliant.

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

Reviewing Officer:

[Signature]

Date:

1/29/2016

Date

1/29/2016

Approved By:

[Signature]

Date:

1/29/2016

LBE/SLBE PARTICIPATION

BIDDER 1

Project Name: **Rockridge Library Renovation Project**

C465710		Engineers Est: \$265,840.00					Under/Over Engineers Estimate: \$17,823.00				For Tracking Only		
Discipline	Prime & Subs	Location	Cert. Status	LBE	SLBE	**VSLBE/LPG	Total LBE/SLBE	L/SLBE Trucking	Total Trucking	TOTAL Original Bid Amount Dollars	Ethn.	MBE	WBE
PRIME Acoustics	Rodan Builders, Inc.	Burlingame	UB							220,017	C		
	Cal West	Petaluma	UB							28,000	C		
Project Totals				\$0 0.00%	\$0 0.00%	\$0 0.00%	\$0 0.00%	\$0 100%	\$0 100%	\$248,017 100%		\$0 0.00%	\$0 0.00%
Requirements: The 50% requirement is a combination of 25% LBE and 25% SLBE participation. An SLBE firm can be counted 100% towards achieving the 50% requirement. A VSLBE and LPG's participation is double counted toward meeting the requirement.										Ethnic AA = African American AI = Asian Indian AP = Asian Pacific C = Caucasian H = Hispanic NA = Native American O = Other NL = Not Listed MO = Multiple Ownership			
Legend LBE = Local Business Enterprise SLBE = Small Local Business Enterprise VSLBE = very Small Business Enterprise LPG = Locally Produced Goods 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			

CONTRACTS AND COMPLIANCE UNIT



Contract Compliance Division

PROJECT EVALUATION FORM

PROJECT NO.: C465710

PROJECT NAME: Rockridge Library Renovation Project

CONTRACTOR: Greentech Industry, Inc.

<u>Engineer's Estimate:</u>	<u>Contractors' Original Bid Amount</u>	<u>Over/Under Engineer's Estimate</u>
\$265,840.00	\$269,760.00	

<u>Discounted Bid Amount:</u>	<u>Amount of Bid Discount</u>	<u>Discount Percent</u>
NA	NA	0%

- 1. Did the 50% requirements apply? **YES**

- 2. Did the contractor meet the 50% requirement? **NO**
 - b) % of LBE participation **0.00%**
 - c) % of SLBE participation **0.00%**
 - d) % of VSLBE/LPG Participation **0%**

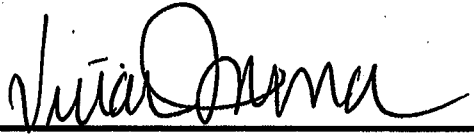
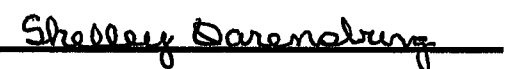
- 3. Did the contractor meet the L/SLBE Trucking requirement? **NA**
 - a) Total L/SLBE trucking participation **0%**

- 4. Did the contractor receive bid discounts? **NO**
 - (If yes, list the percentage received) **0.00%**

- 5. Additional Comments.

Bidder failed to meet the minimum 50% L/SLBE participation requirement. Therefore, the firm is deemed non compliant.

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

<u>Reviewing Officer:</u>		<u>Date:</u>	<u>1/29/2016</u> Date
<u>Approved By:</u>		<u>Date:</u>	<u>1/29/2016</u>

LBE/SLBE PARTICIPATION

BIDDER 2

Project Name: **Rockridge Library Renovation Project**

Project No.: C312510		Engineers Est: \$265,840.00					Under/Over Engineers Estimate: \$6,090.00					For Tracking Only		
Discipline	Prime & Subs	Location	Cert. Status	LBE	SLBE	**VSLBE/LPG	Total LBE/SLBE	L/SLBE Trucking	Total Trucking	TOTAL Original Bid Amount	Ethn.	MBE	WBE	
														PRIME
Demo Wall, Painting	B. Mongol	Oakland	UB							107,880	NL			
Electrical Construction	Rook Electric	Pittsburg	UB							55,200	C			
Project Totals				\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$259,750.00		\$0	\$0	
				0.00%	0.00%	0%	0.00%	0%	0%	100%		0.00%	0%	
Requirements: The 50% requirement is a combination of 25% LBE and 25% SLBE participation. An SLBE firm can be counted 100% towards achieving the 50% requirement. A VSLBE and LPG's participation is double counted toward meeting the requirement.											Ethnicity AA = African American AI = Asian Indian AP = Asian Pacific C = Caucasian H = Hispanic NA = Native American O = Other NL = Not Listed MO = Multiple Ownership			
Legend LBE = Local Business Enterprise SLBE = Small Local Business Enterprise VSLBE = Very Small Local Business Enterprise LPG = Locally Produced Goods 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			

CONTRACTS AND COMPLIANCE UNIT

Contract Compliance Division



PROJECT EVALUATION FORM

PROJECT NO.: C465710

PROJECT NAME: Rockridge Library Renovation Project

CONTRACTOR: Saboo, Inc.

<u>Engineer's Estimate:</u>	<u>Contractors' Bid Amount</u>	<u>Over/Under Engineer's Estimate</u>
\$285,840.00	\$300,000.00	

<u>Discounted Bid Amount:</u>	<u>Amount of Bid Discount</u>	<u>Discount Percent:</u>
NA	NA	0%

1. Did the 50% requirements apply? **YES**
2. Did the contractor meet the 50% requirement? **NO**
 - b) % of LBE participation **0.00%**
 - c) % of SLBE participation **0.00%**
 - d) % of VSLBE/LPG participation **0.00%**
3. Did the contractor meet the L/SLBE Trucking requirement? **NA**
 - a) Total L/SLBE trucking participation **0%**
4. Did the contractor receive bid discounts? **YES**

(If yes, list the percentage received) **0%**
5. Additional Comments.

The firm failed to meet the minimum 50% L/SLBE participation requirement. Therefore, the firm is deemed non-compliant.

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

1/29/2016
Date

Reviewing Officer:

Date:

1/29/2016

Approved By:

Date:

1/29/2016

LBE/SLBE PARTICIPATION

Bidder 3

Project Name: **Rockridge Library Renovation Project**

Project No.: C312510		Engineers Est: \$265,840.00					Under/Over Engineers Estimate: -\$34,160.00					For Tracking Only		
Discipline	Prime & Subs	Location	Cert. Status	LBE	SLBE	**VSLBE/LPG	Total	L/SLBE	Total	TOTAL Original Bid Amount	Ethn.	MBE	WBE	
							LBE/SLBE	Trucking	Trucking					
PRIME General Contracting	Saboo, Inc. Imaan Construction, Inc.	Brentwood	UB							100,000	C			
		Oakland	UB							200,000	H	200,000		
Project Totals				\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$300,000.00		\$200,000	\$0	
				0.00%	0.00%	0%	0.00%	0%	0%	100%		66.67%	0%	
Requirements: The 50% requirement is a combination of 25% LBE and 25% SLBE participation. An SLBE firm can be counted 100% towards achieving the 50% requirement. A VSLBE and LPG's participation is double counted toward meeting the requirement.										Ethnicity AA = African American AI = Asian Indian AP = Asian Pacific C = Caucasian H = Hispanic NA = Native American O = Other NL = Not Listed MO = Multiple Ownership.				
Legend														
LBE = Local Business Enterprise					UB = Uncertified Business									
SLBE = Small Local Business Enterprise					CB = Certified Business									
VSLBE = Very Small Local Business Enterprise					MBE = Minority Business Enterprise									
LPG = Locally Produced Goods					WBE = Women Business Enterprise									
Total LBE/SLBE = All Certified Local and Small Local Businesses														
NPLBE = NonProfit Local Business Enterprise														
NPSLBE = NonProfit Small Local Business Enterprise														

CONTRACTS AND COMPLIANCE UNIT

Contract Compliance Division



PROJECT EVALUATION FORM

PROJECT NO.: C465710

PROJECT NAME: Rockridge Library Renovation Project

CONTRACTOR: Rockridge Builders

<u>Engineer's Estimate:</u>	<u>Contractors' Bid Amount</u>	<u>Over/Under Engineer's Estimate</u>
\$265,840.00	\$347,486.00	

<u>Discounted Bid Amount:</u>	<u>Amount of Bid Discount</u>	<u>Discount Percent</u>
\$340,536.28	\$6,949.72	2%

1. Did the 50% requirements apply? **YES**
2. Did the contractor meet the 50% requirement? **YES**
 - b) % of LBE participation **16.22%**
 - c) % of SLBE participation **36.12%**
 - d) % of VSLBE/LPG participation **0.00%**
3. Did the contractor meet the L/SLBE Trucking requirement? **NA**
 - a) Total L/SLBE trucking participation **0%**
4. Did the contractor receive bid discounts? **YES**

(If yes, list the percentage received) **2%**
5. Additional Comments.

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

Reviewing Officer:

Date:

1/29/2016
Date

1/29/2016

Approved By:

Date:

1/29/2016

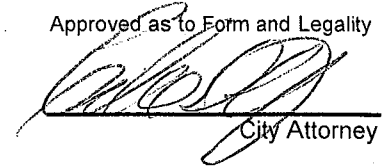
LBE/SLBE PARTICIPATION

Bidder 4

Project Name: **Rockridge Library Renovation Project**

Project No.: C312510		Engineers Est: \$265,840.00				Under/Over Engineers Estimate: -\$81,646.00					For Tracking Only			
Discipline	Prime & Subs	Location	Cert. Status	LBE	SLBE	**VSLBE/LPG	Total	L/SLBE	Total	TOTAL Original Bid Amount	Ethn.	MBE	WBE	
							LBE/SLBE	Trucking	Trucking					
PRIME	Rockridge Builders	Oakland	CB		125,514		125,514			125,514	C			
Electrical	County Electric	Walnut Creek	UB							32,000	C			
Flooring	Anderson's Carpet & Linoleum	Oakland	CB	56,372			56,372			56,372	C			
Painting	Excelco	SF	UB							133,600	C			
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.				\$56,372.00	\$125,514.00	\$0.00	\$181,886.00	\$0.00	\$0.00	\$347,486.00		\$0	\$0	
				16.22%	36.12%	0%	52.34%	0%	0%	100%		0.00%	0%	
Legend											Ethnicity			
LBE = Local Business Enterprise						UB = Uncertified Business						AA = African American		
SLBE = Small Local Business Enterprise						CB = Certified Business						AI = Asian Indian		
VSLBE = Very Small Local Business Enterprise						MBE = Minority Business Enterprise						AP = Asian Pacific		
LPG = Locally Produced Goods						WBE = Women Business Enterprise						C = Caucasian		
Total LBE/SLBE = All Certified Local and Small Local Businesses												H = Hispanic		
NPLBE = NonProfit Local Business Enterprise												NA = Native American		
NPSLBE = NonProfit Small Local Business Enterprise												O = Other		
												NL = Not Listed		
												MO = Multiple Ownership		

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City Attorney

OAKLAND CITY COUNCIL

RESOLUTION No. _____ C.M.S.

Introduced by Councilmember _____

RESOLUTION REJECTING ALL BIDS, WAIVING FURTHER ADVERTISING AND COMPETITIVE BIDDING, AND AUTHORIZING THE CITY ADMINISTRATOR, OR DESIGNEE, TO NEGOTIATE AND EXECUTE A CONSTRUCTION CONTRACT UP TO THE AMOUNT OF TWO HUNDRED FORTY NINE THOUSAND DOLLARS (\$249,000.00) IN THE OPEN MARKET FOR THE ROCKRIDGE LIBRARY RENOVATION (PROJECT NO. C465710) IN ACCORDANCE WITH PROJECT PLANS AND SPECIFICATIONS

WHEREAS, The Rockridge Library is located at 5366 College Ave, was constructed in 1994; and

WHEREAS, Oakland Public Library has sufficient funds from the Rockridge Library Assessment District fund for the work; and

WHEREAS, on January 7, 2016, the Office of the City Clerk of the City of Oakland received four bids for the Rockridge Library Renovation (Project No. C465710); and

WHEREAS, all four bids are determined to be non-responsive; and

WHEREAS, to better serve the public, the Rockridge Library Renovation Project construction needs to be completed as soon as possible before the summer high peak usage; and

WHEREAS, the Rockridge library will be closed during the construction (approximately three months); and

WHEREAS, Oakland Municipal Code (“OMC”) section 2.04.050 requires advertising and competitive bidding for contracts for the purchase of services, supplies or combination required by the City in any one transaction which exceeds \$50,000, and the award to the lowest responsible, responsive bidder if award is made; and

WHEREAS, OMC Title 2, Chapter 2.0, Article I; Section 2.04.050.I 5 provides an exception to this advertising and competitive bidding requirement when specifically authorized by the City Council after a finding and determination that it is in the best interests of the City; and

WHEREAS, it is in the best interest for the City to waive further advertising and competitive bidding for the project as prescribed in OMC section 2.04.050.I.5, and for the City Administrator, or designee, to negotiate and execute a construction contract in order to complete the construction to minimize library service impact on the public. If construction is not completed by the summer break, the library is forced to be close during its two busiest times of year, summer when school is out and youth most heavily use the library both for the summer reading program and summer lunch program or fall which is the beginning of the school year when students need the educational support, resources and after school programs that the library provides; and

WHEREAS, OMC section 2.04.050 J allows the City Administrator to hire or have the services performed or to purchase the supplies in the open market when no valid bids are received after advertising as required; and

WHEREAS, the City Council finds and determines 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

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 services; now therefore be it

RESOLVED: That all bids are hereby rejected; and be it

FURTHER RESOLVED: That the City Council finds and determines that it is in the best interest of the City to waive further advertising and competitive bidding as prescribed in OMC section 2.04.050.I 5 in order to complete the construction before the summer start to minimize library service impact to the public. If construction is not completed by the summer break, the library is forced to be close during its two busiest times of year, summer when school is out and youth most heavily use the library both for the summer reading program and summer lunch program or fall which is the beginning of the school year when students need the educational support, resources and after school programs that the library provides; and be it

FURTHER RESOLVED: That there are sufficient funds in the project budget for the work under the following sources:

- Rockridge Library Assessment District Fund (5130); Project Management Capital Projects Organization (92270); Capital Improvement – Buildings Additions & Improvements Account (57212); Facilities Minor CIP - Rockridge Library Light Renovation Project (C465710);
- Rockridge Library Assessment District Fund(5130); Project Management Capital Projects Organization (92270); Capital Improvement – Buildings Additions & Improvements Account (57212); Facilities Minor CIP - Rockridge Library Carpet

- Renovation Project (C465720);
- Rockridge Library Assessment District Fund(5130); Project Management Capital Projects Organization (92270); Capital Improvement – Buildings Additions & Improvements Account (57212); Facilities Minor CIP - Rockridge Library Interior Renovation Project (C465730); and be it

FURTHER RESOLVED: That the City Administrator, or designee, per OMC Section 2.04.050.J is hereby authorized to negotiate, award and execute a construction contract up to the amount of Two Hundred Forty Nine Thousand Dollars (\$249,000.00) in the open market for the Rockridge Library Renovation Project (No. C465710) in accordance with the project plans and specifications; and be it

FURTHER RESOLVED: That the City Council hereby approves the project plans and specifications prepared under the direction of the Assistant Director of the Oakland Public Works Department, including any subsequent changes during negotiations and construction; and be it

FURTHER RESOLVED: That the City Administrator, or designee, is hereby authorized to approve any subsequent amendments or modifications of the contract within the limitation of the project specifications without return to Council; and be it

FURTHER RESOLVED: That the successful contractor shall provide 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 prior to execution of the contract; 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, CAMPBELL WASHINGTON, GALLO, GUILLEN, KALB, KAPLAN, REID and PRESIDENT GIBSON MCELHANEY

NOES -

ABSENT -

ABSTENTION -

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