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OFFICE OF THE CITY CLERK
OAKLAND

2014 OCT 16 PM 1:18

AGENDA REPORT

TO: HENRY L. GARDNER
INTERIM CITY ADMINISTRATOR

FROM: Brooke A. Levin

SUBJECT: Safe Routes to School (SR2S) Cycle 10

DATE: September 18, 2014

City Administrator
Approval

Date:

10/14/14

COUNCIL DISTRICT: 5, 6, 7

RECOMMENDATION

Staff recommends that the City Council adopt a resolution authorizing the City Administrator to award a construction contract to Beliveau Engineering Contractors, Inc. for Safe Routes to School Cycle 10 (SR2S10) Project (Project No. C471910) in accordance with project plans, specifications, state requirements and with contractor's bid in the amount of One Hundred Forty-Three Thousand One Hundred Sixty-Eight Dollars (\$143,168.00).

OUTCOME

Adoption of the resolution will allow the City to execute a construction contract with Beliveau Engineering Contractors to construct safety improvements at and around several schools, as part of the subject project.

BACKGROUND/LEGISLATIVE HISTORY

The construction work includes sidewalk extensions, curb and gutter, Americans with Disabilities Act (ADA) compliant curb ramps, flashing beacons and signs for school crosswalks, pavement markings, striping, and other related work as indicated on the plans and specifications. The projects were selected by the City for the grant application funding as noted in Resolution No. 84372 from May 2013. The three project sites are at the intersections of Ney Avenue/Ritchie Street near Parker Elementary School; Fruitvale Avenue/East 16th Street near World and Achieve Academies, Urban Promise Academy; and 98th Avenue/Cherry Street near Elmhurst Community Prep School, in Council Districts 5, 6 and 7, as shown in Attachment A.

This project is part of the City's effort to improve traffic and pedestrian safety along various routes to schools including school crosswalks. The matching fund of \$24,200.00 from Measure B Fund 2011, in the planning phase, was approved in Resolution No. 84372. The matching fund increased to \$37,200.00 due to additional safety features and additional design effort. Construction work is anticipated to begin in February 2015 and should be completed by August

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2015. The contract specifies \$500 in liquidated damages per calendar day if work completion is delayed by the contractor without justification.

ANALYSIS

On August 28, 2014, the City Clerk received three bids on the project in the amount of \$131,034.00, \$143,168.00 and \$175,636.00 from AJW Construction, Beliveau Engineering Contractors, Inc. and Ray's Electric respectively. AJW is the lowest bidder but is non-compliant with the City's LBE/SLBE requirements. Beliveau is the next lowest bidder, and is deemed responsive and responsible. Beliveau's bid of \$143,168.00 is 14.26% above the Engineer's estimate of \$125,295.00. Staff has reviewed the bids and has deemed that it is reflective of the current construction bidding environment. Beliveau is the lowest responsive and responsible bidder and therefore is recommended for the award. The list of bidders with the project schedule is shown in *Attachment B*.

Under the proposed contract with Beliveau Engineering Contractors, Inc., the Local Business Enterprise and Small Local Business Enterprise (LBE/SLBE) participation will be 90.49%, which exceeds the City's 50% LBE/SLBE requirement. Beliveau also shows a participation of 100% for trucking, which exceeds the 50% Local Trucking requirement. The contractor is required to have 50% of the work hours performed by Oakland residents and 50% of all new hires on the project (on a craft-by-craft basis) are to be Oakland residents. The LBE/SLBE information has been verified by the Social Equity Division of the City Administrator's Office Contracts and Compliance Division and is shown in *Attachment C*.

PUBLIC OUTREACH/INTEREST

Transportation Services Division worked with TransForm, the Oakland Police Department and the school site parents and administration in identifying potential improvements and in submitting proposals for grant funding.

COORDINATION

The work to be done under this contract has been coordinated with:

- Oakland Public Works, Bureau of Infrastructure and Operations
- Pacific Gas & Electric Company
- In addition, the following offices reviewed this report and resolution:
 - ◆ Office of the City Attorney
 - ◆ City Controller's Bureau

COST SUMMARY/IMPLICATIONS

Approval of this resolution will authorize the City Administrator to execute a construction contract with Beliveau Engineering Contractors, Inc. in the amount of \$143,168.00.

1. AMOUNT OF RECOMMENDATION/COST OF PROJECT:
Construction Contract - \$143,168.00

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2. COST ELEMENTS OF AGREEMENT/CONTRACT: \$143,168.00
3. SOURCE OF FUNDING:
Safe Routes to School Cycle 10 (SR2S10) State grant \$174,000.00. State of California, Department of Transportation, Fund (2140); Project (C471910); Oakland local match \$37,200.00. Measure B Fund (2211); Projects C471920 and C370010.
4. FISCAL IMPACT:
This project will improve traffic and pedestrian safety at school routes and crossings outside six schools, reduce the number of collisions, lessen severity of collisions, and minimize City's liability at these locations.

The Resolution No. 84732 CMS authorizing the acceptance and appropriation of Caltrans Funds of \$216,000 is shown in *Attachment D*.

PAST PERFORMANCE, EVALUATION AND FOLLOW-UP

Contractor Performance Evaluation for Beliveau Engineering Contractors, Inc. from a previously completed project was satisfactory and is included as *Attachment E*.

SUSTAINABLE OPPORTUNITIES

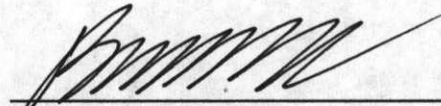
Economic: The SR2S10 Project improves traffic and pedestrian safety, and enhances mobility and well being of all users. Construction contracts create job opportunities for local contractors. This will strengthen the local communities and improve the business climate.

Environmental: Best practices will be employed during construction to protect the environment. Grindings from the asphalt paving will be recycled whenever possible.

Social Equity: The SR2S10 Project improves the City's infrastructure, enhance public access and protect the public from hazardous conditions. Grant and local match funds are spent in a manner that is cost effective.

For questions regarding this report, please contact Wladimir Wlassowsky, P.E., Transportation Services Manager at (510) 238-6383.

Respectfully submitted,



BROOKE A. LEVIN
Director, Oakland Public Works

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

Reviewed by:
Wladimir Wlassowsky, P.E., Transportation Services Manager
Transportation Services Division

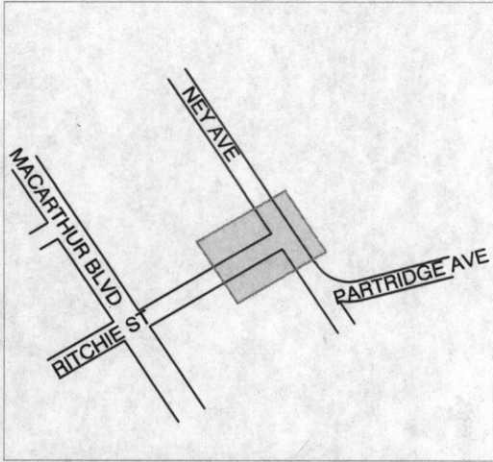
Prepared by:
Ade Oluwasogo, P.E., Supervising Transportation Engineer
Transportation Services Division

Attachments:

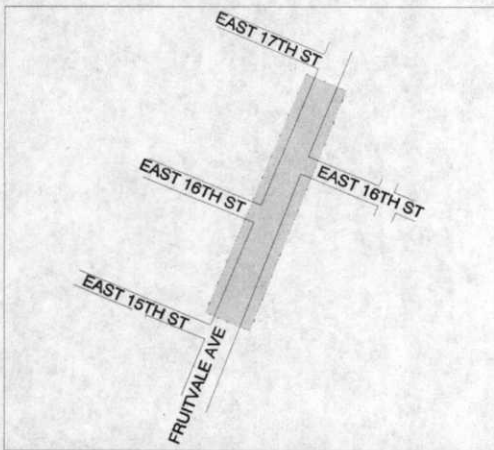
- Attachment A - Location Map
- Attachment B - Canvass of Bids
- Attachment C - Contracts & Compliance Analysis Report
- Attachment D - Council Resolution 84372
- Attachment E - Contractor Performance Evaluation

ATTACHMENT A LOCATION MAP

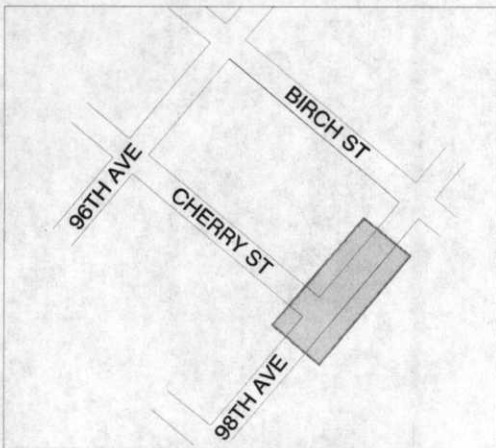
SAFE ROUTES TO SCHOOL CYCLE 10 (SR2S10) PROJECT
STATE PROJECT NO. SR2SL-5012(116)
CITY PROJECT NO. C471910



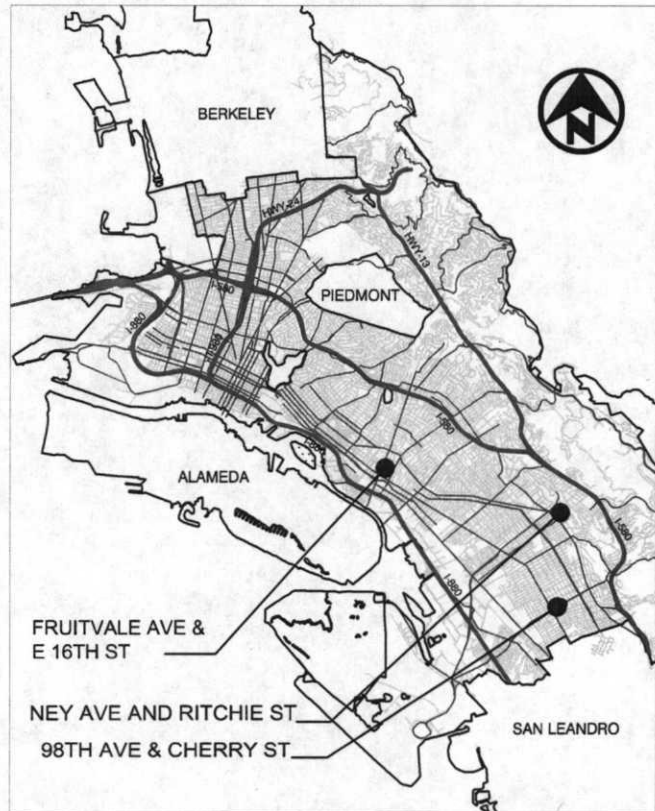
NEY AVE & RITCHIE ST



FRUITVALE AVE & EAST 16TH ST



98TH AVE & CHERRY ST



CITY OF OAKLAND MAP

ATTACHMENT B CANVASS OF BIDS

SAFE ROUTES TO SCHOOL CYCLE 10 (SR2S10) PROJECT STATE PROJECT NO. SR2SL-5012 (116) CITY PROJECT NO. C471910

PROJECT NAME: Safe Routes to School (SR2S) Cycle 10
PROJECT NO: C471910
BID DATE: August 28, 2014
ENGINEER'S ESTIMATE: \$125,295.00
BASIS OF AWARD: base bid
PROJECT MANAGER: Si Lau
COMPLIANCE OFFICER: Vivian Inman
APPARENT LOW BIDDER: BELIVEAU ENGINEERING CONTRACTOR, INC.
**ISSUED TO COMPLIANCE,
PROJECT MANAGER AND ALL
PRIME BIDDERS:** September 2, 2014
COMMENTS: 1) AJW Construction did not comply with minimum 50% self-performance requirement.
 2) AJW Construction did not provide credit for insurance coverage per Bid Items 25-27.

| Documents Required With Bid | AJW CONSTRUCTION | | BELIVEAU ENGINEERING CONTRACTORS, INC. | | RAY'S ELECTRIC | |
|---|------------------|---|--|---|----------------|---|
| Contractor's Bid Form and Bid Schedule | Y | | Y | | Y | |
| Correct Bidder License and Active per CSLB? | A | Y | A | Y | A, C-10 | Y |
| Addendum acknowledgement | NA | | NA | | NA | |
| Bid Bond | Y | | Y | | Y | |
| Schedule K - Pending Dispute Disclosure | Y | | Y | | Y | |
| Schedule O - Campaign Contribution Limits | Y | | Y | | Y | |
| Schedule R - Subcontractor, Supplier, Trucker Listing | Y | | Y | | Y | |
| If Trucking is required, was one listed? | Y | | Y | | Y | |

| Engineer's Estimate | | | | | | | AJW CONSTRUCTION | | BELIVEAU ENGINEERING CONTRACTORS, INC. | | RAY'S ELECTRIC | |
|---------------------|---------------|----------|-----------------|---|------------|--------------|------------------|--------------|--|--------------|----------------|--------------|
| Item No. | Spec. Section | Quantity | Unit of Measure | Item Description | Unit Price | Total Amount | Unit Price | Total Amount | Unit Price | Total Amount | Unit Price | Total Amount |
| 1 | 302-1.12 | 2,994 | SF | Cold Mill AC Pavement | \$5.00 | 14,970.00 | 4.00 | 11,976.00 | 2.00 | 5,988.00 | 3.50 | 10,479.00 |
| 2 | 302-5.9 | 2,994 | SF | Asphalt Concrete Overlay | \$5.00 | 14,970.00 | 5.00 | 14,970.00 | 3.00 | 8,982.00 | 6.00 | 17,964.00 |
| 3 | 303-5.9h | 8 | EA | Curb Ramp | \$2,750.00 | 22,000.00 | 1,400.00 | 11,200.00 | 2,500.00 | 20,000.00 | 3,500.00 | 28,000.00 |
| 4 | 303-5.9i | 723 | SF | Concrete Sidewalk | \$15.00 | 10,845.00 | 12.00 | 8,676.00 | 15.00 | 10,845.00 | 20.00 | 14,460.00 |
| 5 | 303-5.9l | 173 | LF | Concrete Curb & Gutter | \$37.00 | 6,401.00 | 40.00 | 6,920.00 | 50.00 | 8,650.00 | 45.00 | 7,785.00 |
| 6 | 303-5.9m | 55 | LF | Concrete Curb | \$37.00 | 2,035.00 | 30.00 | 1,650.00 | 75.00 | 4,125.00 | 35.00 | 1,925.00 |
| 7 | 303-5.9o | 2 | EA | Detectable Warning Dome Pavers | \$560.00 | 1,120.00 | 700.00 | 1,400.00 | 3,000.00 | 6,000.00 | 500.00 | 1,000.00 |
| 8 | 307-10.4 | 1 | EA | Type 1-B Pole (13' Tall) & Foundation | \$600.00 | 600.00 | 2,600.00 | 2,600.00 | 2,000.00 | 2,000.00 | 3,500.00 | 3,500.00 |
| 9 | 307-10.4 | 2 | EA | Replace Existing Pole with Type 1-B Pole (13' Tall) | \$200.00 | 400.00 | 1,265.00 | 2,530.00 | 1,500.00 | 3,000.00 | 2,500.00 | 5,000.00 |
| 10 | 307-10.4 | 1 | EA | Type 15TS Pole & Foundation | \$5,000.00 | 5,000.00 | 5,050.00 | 5,050.00 | 5,000.00 | 5,000.00 | 5,500.00 | 5,500.00 |
| 11 | 307-10.4 | 1 | EA | Remove Existing Street Light and Wood Pole | \$200.00 | 200.00 | 400.00 | 400.00 | 1,500.00 | 1,500.00 | 500.00 | 500.00 |
| 12 | 307-11.3 | 3 | EA | Pull Box | \$600.00 | 1,800.00 | 520.00 | 1,560.00 | 700.00 | 2,100.00 | 600.00 | 1,800.00 |

| Engineer's Estimate | | | | | | | AJW CONSTRUCTION | | BELIVEAU ENGINEERING CONTRACTORS, INC. | | RAY'S ELECTRIC | |
|--|---------------|----------|-----------------|---|------------|----------------------|----------------------|----------------------|--|----------------------|----------------------|----------------------|
| Item No. | Spec. Section | Quantity | Unit of Measure | Item Description | Unit Price | Total Amount | Unit Price | Total Amount | Unit Price | Total Amount | Unit Price | Total Amount |
| 13 | 307-12.6 | 130 | LF | Conduit and Cables/Conductors | \$100.00 | 13,000.00 | 110.00 | 14,300.00 | 75.00 | 9,750.00 | 100.00 | 13,000.00 |
| 14 | 307-14.6 | 1 | EA | Service Pedestal | \$5,000.00 | 5,000.00 | 6,500.00 | 6,500.00 | 5,000.00 | 5,000.00 | 6,000.00 | 6,000.00 |
| 15 | 307-14.6 | 1 | EA | PG&E Box | \$1,000.00 | 1,000.00 | 900.00 | 900.00 | 2,000.00 | 2,000.00 | 1,000.00 | 1,000.00 |
| 16 | 307-16.8.6 | 1 | EA | Luminair | \$500.00 | 500.00 | 750.00 | 750.00 | 1,500.00 | 1,500.00 | 600.00 | 600.00 |
| 17 | 307-24.2 | 2 | EA | AC Powered Bi-Directional RRFB System | \$7,500.00 | 15,000.00 | 17,000.00 | 34,000.00 | 22,000.00 | 44,000.00 | 24,000.00 | 48,000.00 |
| 18 | 310-5.6.10 | 682 | SF | Crosswalk & Pavement Marking | \$7.00 | 4,774.00 | 4.00 | 2,728.00 | 4.00 | 2,728.00 | 9.00 | 6,138.00 |
| 19 | 310-5.6.10 | 30 | LF | Curb Painting | \$7.00 | 210.00 | 2.00 | 60.00 | 10.00 | 300.00 | 11.00 | 330.00 |
| 20 | 312-4 | 6 | EA | Pavement Marker | \$20.00 | 120.00 | 14.00 | 84.00 | 50.00 | 300.00 | 30.00 | 180.00 |
| 21 | 313-2 | 18 | EA | Furnish and Install Sign | \$250.00 | 4,500.00 | 135.00 | 2,430.00 | 200.00 | 3,600.00 | 200.00 | 3,600.00 |
| 22 | 313-2 | 1 | EA | Furnish and Install Sign Pole | \$250.00 | 250.00 | 50.00 | 50.00 | 200.00 | 200.00 | 325.00 | 325.00 |
| 23 | 313-2 | 1 | EA | Relocate Sign Pole | \$300.00 | 300.00 | 100.00 | 100.00 | 200.00 | 200.00 | 250.00 | 250.00 |
| 24 | 313-2 | 2 | EA | Remove Sign Pole with Signs | \$150.00 | 300.00 | 100.00 | 200.00 | 200.00 | 400.00 | 150.00 | 300.00 |
| 25 | 7-3 | 1 | LS | DEDUCT Cost of Commercial Liability Insurance Coverage* | - | - | 0.00 | 0.00 | (1,500.00) | (1,500.00) | (500.00) | (500.00) |
| 26 | 7-3 | 1 | LS | DEDUCT Cost of Worker's Compensation Insurance Coverage* | - | - | 0.00 | 0.00 | (2,500.00) | (2,500.00) | (1,000.00) | (1,000.00) |
| 27 | 7-3 | 1 | LS | DEDUCT Cost of Excess Liability or Umbrella Insurance Coverage* | - | - | 0.00 | 0.00 | (1,000.00) | (1,000.00) | (500.00) | (500.00) |
| Total of Base Bid Items per spreadsheet calculation | | | | | | \$ 125,295.00 | | \$ 131,034.00 | | \$ 143,168.00 | | \$ 175,636.00 |
| Total of Base Bid Items per contractor calculation | | | | | | | \$ 131,034.00 | | \$ 143,168.00 | | \$ 175,636.00 | |
| % Self - Performed (applies to engineering projects only) | | | | | | | | 48.98% | | 88.74% | | 86.46% |
| % Over / Under Engineer's Estimate | | | | | | | | 4.58% | | 14.26% | | 40.18% |
| Insurance Credit as % of total Bid | | | | | | | | 0.00% | | -3.49% | | -1.14% |



ATTACHMENT C

INTER OFFICE MEMORANDUM

TO: Philip Ho

FROM: Deborah Barnes, *Deborah Barnes*
Director, Contracts & Compliance

SUBJECT: Compliance Analysis
Safe Routes to School (SR2S) Cycle 10 Project
Project No. C471910

DATE: September 15, 2014

The City Administrator's Office, Contracts and Compliance Unit reviewed three (3) 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, a preliminary review for compliance with the Equal Benefits Ordinance (EBO), and a brief overview of the lowest responsible bidder's compliance with the 50% Local Employment Program (LEP) and the 15% Oakland Apprenticeship Program on the bidder's most recently completed City of Oakland project.

| Compliant with L/SLBE and/or EBO Policies | | Proposed Participation | | | | | Earned Credits and Discounts | | | EBO Compliant? Y/N |
|---|---------------------|------------------------|-----|--------|------------|-----------------|------------------------------|----------------------|---------------------|-----------------------|
| Company Name | Original Bid Amount | Total LBE/SLBE | LBE | SLBE | *VSLBE/LPG | L/SLBE Trucking | Total Credited participation | Earned Bid Discounts | Adjusted Bid Amount | |
| Beliveau Engineering, Inc. | \$143,168 | 90.49% | 0% | 90.49% | 0% | 100% | 90.49% | 5 | \$136,009.60 | Y |
| Ray's Electric | \$175,636 | 91.29% | 0% | 91.29% | 0% | 100% | 91.29% | 5 | \$166,854.20 | Y |

Comments: Beliveau Engineering, Inc. and Ray's Electric met and/or exceeded the minimum 50% L/SLBE participation requirement. Both firms are EBO compliant.

| Non-Compliant with L/SLBE and/or EBO Policies | | Proposed Participation | | | | | Earned Credits and Discounts | | | EBO Compliant? Y/N |
|---|---------------------|------------------------|-----|--------|------------|-----------------|------------------------------|----------------------|---------------------|-----------------------|
| Company Name | Original Bid Amount | Total LBE/SLBE | LBE | SLBE | *VSLBE/LPG | L/SLBE Trucking | Total Credited participation | Earned Bid Discounts | Adjusted Bid Amount | |
| AJW Construction | \$131,034 | 48.98% | 0% | 48.98% | 0% | 0% | 0% | 0% | NA | Y |

Comments: As noted above, AJW Construction failed to meet the minimum 50% L/SLBE participation and 50% L/SLBE trucking requirement.



For Informational Purposes

Listed below is the lowest responsible bidder's compliance with the 50% Local Employment Program (LEP) and the 15% Oakland Apprenticeship Program for the lowest bidder's most recently completed City of Oakland project.

Contractor Name: Peralta Hacienda Park De Anza Improvement Project
Project Name: Beliveau Engineering
Project No. C284540

50% Local Employment Program (LEP)

| | | | |
|--------------------------------|-----|-------------------------|--|
| Was the 50% LEP Goal achieved? | Yes | If no, shortfall hours? | |
| Were all shortfalls satisfied? | Yes | If no, penalty amount | |

15% Oakland Apprenticeship Program

| | | | |
|---|-----|-------------------------|--|
| Was the 15% Apprenticeship Goal achieved? | Yes | If no, shortfall hours? | |
| Were shortfalls satisfied? | Yes | If no, penalty amount? | |

The spreadsheet below provides details of the 50% LEP and 15% Apprenticeship Programs. Information provided includes the following data: A) total project hours, B) core workforce hours deducted, C) LEP project employment and work hour goal; D) LEP employment and work hours achieved; E)# resident new hires; F) shortfall hours; G) percent LEP compliance; H) total apprentice hours; I) apprenticeship goal and hours achieved; and J) Apprentice shortfall hours.

| Total Project Hours | 50% Local Employment Program (LEP) | | | | | | | 15% Apprenticeship Program | | | | |
|---------------------|------------------------------------|--|-------|--|-------|----------------------|-----------------|----------------------------|---|-------------------------------|-------|----------------------------|
| | Core Workforce Hours Deducted | LEP Project Employment and Work Hours Goal | | LEP Employment and Work Hours Achieved | | # Resident New Hires | Shortfall Hours | % LEP Compliance | Total Oakland Apprenticeship Hours Achieved | Apprenticeship Goal and Hours | | Apprentice Shortfall Hours |
| | | Goal | Hours | Goal | Hours | | | | | Goal | Hours | |
| A | B | C | D | E | F | G | H | I | J | | | |
| 6896 | 0 | 50% | 3448 | 100% | 3448 | 0 | 0 | 100% | 1034 | 15% | 1034 | 0 |

Comments: Beliveau Engineering met the Local Employment Program's 50% resident hiring goal with 100% resident employment and met the 15% Oakland Apprenticeship Program goals with 516 on-site hours and 516 off-site hours.

Should you have any questions, you may contact Vivian Inman, Contract Compliance Officer at (510) 238-6261.



Contracts and Compliance Project Evaluation Report

Project No: C471910

Project Name: Safe Routes to School (SR2S) Cycle 10 Project

Contractor: Beliveau Engineering Contractors

| | | |
|-------------------------------|---------------------------------|--|
| <u>Engineer's Estimate:</u> | <u>Contractor's Bid Amount:</u> | <u>Under/Over Engineer's Estimate:</u> |
| \$125,295.00 | \$143,168.00 | (\$17,873.00) |
| <u>Discounted Bid Amount:</u> | <u>Amount of Bid Discount:</u> | <u>Discount Points:</u> |
| \$136,009.60 | \$7,158.40 | 5.00% |

1. Did the 50% Local/Small Local requirement apply? Yes
2. Did the contractor meet the 50% requirement? Yes
 - a) % of LBE participation 0.00%
 - b) % of SLBE participation 90.49%
 - c) % of VSLBE/LPG participation 0.00% 0.00% (double counted value)
3. Did the contractor meet the Trucking requirement? Yes
 - a) % of SLBE/LBE trucking participation 100.00%
 - b) % of VSLBE trucking participation 0.00%
4. Did the Contractor receive any bid discount? Yes

(if yes, list the percentage received) 5.00%
5. Additional Comments
6. Date evaluation completed and returned to initiating department. 9/15/2014

Reviewing Officer: Vivian Inman

Reviewing Officer Date: 9/15/2014

Approved By: Shelley Darenburg

Approved By Date: 9/15/14

Monday, September 15, 2014

LBE/SLBE/VSLBE/LPG PARTICIPATION

Bidder 2

Project Name: Safe Routes to School (SR2S) Cycle 10 Project

Project No: C471910

Engineers Estimate: \$125,295.00

Under/Over Engineers Estimate: (\$17,873.00)

| No. Discipline | Contractor | Location | Cert. Status | LBE | SLBE | VSLBE/LPG | L/SLBE Trucking | UB Trucking | UB Dollars | For Tracking Only | | | |
|------------------------|----------------------------------|-----------|--------------|-----|------------|-----------|-----------------|-------------|------------|-------------------|-----|----------|--|
| | | | | | | | | | | Ethn | MBE | WBE | |
| 1 Prime | Beliveau Engineering Contractors | Oakland | CB | | 127,051.00 | | | | | | C | | |
| 2 Trucking | All City Trucking | Oakland | CB | | 2,500.00 | | 2,500.00 | | | | AI | 2,500.00 | |
| 3 Striping | Lineation Markings | Oakland | UB | | | | | | 4,255.00 | | C | | |
| 4 Supply Beacon | Statewide Traffic | Fairfield | UB | | | | | | 9,362.00 | | C | | |
| Project Totals: | | | | | 129,551.00 | | 2,500.00 | | 13,617.00 | | | 2,500.00 | |
| | | | | | 90.49% | | 100.00% | | 9.51% | | | 1.75% | |

REQUIREMENTS: The 50% Requirements, is a combination of 25% LBE and 25% SLBE participation. An SLBE firm can be counted 100% towards achieving the 50% requirements and a VSLBE/LPG/VSLBE Trucking firm can be counted double towards achieving the 50% requirements.

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
 NPSLBE = NonProfit Small Local Business Enterprise
 NPLBE = NonProfit Local Business Enterprise

ETHNICITY:
 AA = African American NA = Native American
 AI = Asian Indian O = Other
 AP = Asian Pacific NL = Not Listed
 C = Caucasian MO = Multiple Ownership
 H = Hispanic

Total LBE \ SLBE \$ and %: **\$129,551.00 90.49%** Total Bid Amount: **\$143,168.00**
 Total LBE \ SLBE Trucking \$ and %: **\$2,500.00 100.00%** Total Participation of
 Total VSLBE/LPG \$ and %: VSLBE / SLBE / LBE / LPG: **90.49%**

** Note:*



Contracts and Compliance Project Evaluation Report

Project No: C471910

Project Name: Safe Routes to School (SR2S) Cycle 10 Project

Contractor: Ray's Electric

| | | |
|-------------------------------|---------------------------------|--|
| <u>Engineer's Estimate:</u> | <u>Contractor's Bid Amount:</u> | <u>Under/Over Engineer's Estimate:</u> |
| \$125,295.00 | \$175,636.00 | (\$50,341.00) |
| <u>Discounted Bid Amount:</u> | <u>Amount of Bid Discount:</u> | <u>Discount Points:</u> |
| \$166,854.20 | \$8,781.80 | 5.00% |

1. Did the 50% Local/Small Local requirement apply? Yes
2. Did the contractor meet the 50% requirement? Yes
 - a) % of LBE participation 0.00%
 - b) % of SLBE participation 91.29%
 - c) % of VSLBE/LPG participation 0.00% 0.00% (double counted value)
3. Did the contractor meet the Trucking requirement? Yes
 - a) % of SLBE/LBE trucking participation 100.00%
 - b) % of VSLBE trucking participation 0.00%
4. Did the Contractor receive any bid discount? Yes

(if yes, list the percentage received) 5.00%
5. Additional Comments
6. Date evaluation completed and returned to initiating department. 9/15/2014

Reviewing Officer: Vivian Inman

Reviewing Officer Date: 9/15/2014

Approved By: Shelley Darenburg

Approved By Date: 9/15/14

Monday, September 15, 2014

LBE/SLBE/VSLBE/LPG PARTICIPATION

Bidder 3

Project Name: Safe Routes to School (SR2S) Cycle 10 Project

Project No: C471910

Engineers Estimate: \$125,295.00

Under/Over Engineers Estimate: (\$50,341.00)

| No. Discipline | Contractor | Cert. Location Status | LBE | SLBE | VSLBE/LPG | L/SLBE Trucking | UB Trucking | UB Dollars | For Tracking Only | | |
|------------------------|--------------------------|-----------------------|-----|------------|-----------|-----------------|-------------|------------|-------------------|-----|-----|
| | | | | | | | | | Ethn | MBE | WBE |
| 1 Prime | Ray's Electric | Oakland CB | | 158,059.00 | | | | | C | | |
| 2 Striping | Chrip Co. | Fremont UB | | | | | | 9,865.00 | C | | |
| 3 Trucking | S&S Trucking | Oakland CB | | 2,280.00 | | 2,280.00 | | | C | | |
| 4 Cold Mill | FMG | San Jose UB | | | | | | 3,000.00 | C | | |
| 5 RRFB | Statewide Traffic Safety | Fairfield UB | | | | | | 9,632.00 | C | | |
| Project Totals: | | | | 160,339.00 | | 2,280.00 | | 22,497.00 | | | |
| | | | | 91.29% | | 100.00% | | 12.81% | | | |

REQUIREMENTS: The 50% Requirements, is a combination of 25% LBE and 25% SLBE participation. An SLBE firm can be counted 100% towards achieving the 50% requirements and a VSLBE/LPG/VSLBE Trucking firm can be counted double towards achieving the 50% requirements.

Total LBE \ SLBE \$ and %: \$160,339.00 **91.29%** **Total Bid Amount: \$175,636.00**
Total LBE \ SLBE Trucking \$ and %: \$2,280.00 **100.00%** **Total Participation of VSLBE / SLBE / LBE / LPG: 91.29%**
Total VSLBE\LPG \$ and %:

LBE = Local Business Enterprise
 SLBE = Small Local Business Enterprise
 VSLBE = Very Small Local Business Enterprise
 LPG = Locally Produced Goods
 NPSLBE = NonProfit Small Local Business Enterprise
 NPLBE = NonProfit Local Business Enterprise
 UB = Uncertified Business
 CB = Certified Business
 MBE = Minority Business Enterprise
 WBE = Women Business Enterprise

** Note:*

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



Contracts and Compliance Project Evaluation Report

Project No: C471910

Project Name: Safe Routes to School (SR2S) Cycle 10 Project

Contractor: AJW Construction Inc.

| | | |
|-------------------------------|---------------------------------|--|
| <u>Engineer's Estimate:</u> | <u>Contractor's Bid Amount:</u> | <u>Under/Over Engineer's Estimate:</u> |
| \$125,295.00 | \$131,034.00 | (\$5,739.00) |
| <u>Discounted Bid Amount:</u> | <u>Amount of Bid Discount:</u> | <u>Discount Points:</u> |
| \$131,034.00 | \$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 participation 0.00%
 - b) % of SLBE participation 48.98%
 - c) % of VSLBE/LPG participation 0.00% 0.00% (double counted value)
3. Did the contractor meet the Trucking requirement? Yes
 - a) % of SLBE/LBE trucking participation 0.00%
 - b) % of VSLBE trucking participation 0.00%
4. Did the Contractor receive any bid discount? No

(if yes, list the percentage received) 0.00%
5. Additional Comments Firm failed to meet the minimum 50% L/SLBE and 50% trucking requirement. Therefore, the firm is deemed non compliant.
6. Date evaluation completed and returned to initiating department. 9/15/2014

Reviewing Officer: Vivian Inman

Reviewing Officer Date: 9/15/2014

Approved By: Shelley Darenburg

Approved By Date: 9/15/14

LBE/SLBE/VSLBE/LPG PARTICIPATION

Project Name: **Safe Routes to School (SR2S) Cycle 10 Project**

Project No: **C471910**

Engineers Estimate: **\$125,295.00**

Under/Over Engineers Estimate: **(\$5,739.00)**

| No. Discipline | Contractor | Location | Cert. Status | LBE | SLBE | VSLBE/LPG | L/SLBE Trucking | UB Trucking | UB Dollars | For Tracking Only | | |
|------------------------|-----------------------|-------------|--------------|-----|-----------|-----------|-----------------|-------------|------------|-------------------|-----|----------|
| | | | | | | | | | | Ethn | MBE | WBE |
| 1 Prime | AJW Construction Inc. | Oakland | CB | | 64,184.00 | | | | | | | |
| 2 Trucking | UJ Trucking | Oakland | UB | | | | | 3,000.00 | | | H | 3,000.00 |
| 3 Electrical | St. Francis Electric | San Leandro | UB | | | | | | 59,595.00 | | C | |
| 4 Striping | Lineation Markings | Oakland | UB | | | | | | 4,255.00 | | | |
| Project Totals: | | | | | 64,184.00 | | | 3,000.00 | 63,850.00 | | | 3,000.00 |
| | | | | | 48.98% | | | 2.29% | 48.73% | | | 2.29% |

REQUIREMENTS: The 50% Requirements, is a combination of 25% LBE and 25% SLBE participation. An SLBE firm can be counted 100% towards achieving the 50% requirements and a VSLBE/LPG/VSLBE Trucking firm can be counted double towards achieving the 50% requirements.

LBE = Local Business Enterprise
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 LPG = Locally Produced Goods
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UB = Uncertified Business
 CB = Certified Business
 MBE = Minority Business Enterprise
 WBE = Women Business Enterprise

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

Total LBE \ SLBE \$ and %: **\$64,184.00 48.98%**

Total LBE \ SLBE Trucking \$ and %:

Total VSLBE/LPG \$ and %:

Total Bid Amount: **\$131,034.00**

Total Participation of VSLBE / SLBE / LBE / LPG: **48.98%**

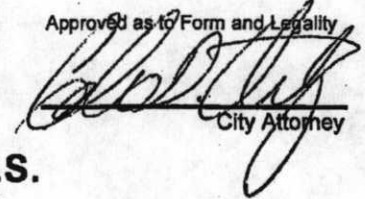
** Note:*

ATTACHMENT D

OFFICE OF THE CITY CLERK
OAKLAND

OAKLAND CITY COUNCIL

Approved as to Form and Legality


City Attorney

13 MAY -2 PM 1:36 RESOLUTION No. 84372 C.M.S.

Introduced by Councilmember _____

ADOPT A RESOLUTION AUTHORIZING THE CITY ADMINISTRATOR, OR HER DESIGNEE, THE DIRECTOR OF PUBLIC WORKS, TO ACCEPT AND APPROPRIATE TWO-HUNDRED SIXTEEN THOUSAND DOLLARS (\$216,000) IN SAFE ROUTES TO SCHOOLS CYCLE 10 GRANT FUNDS FOR PEDESTRIAN SAFETY IMPROVEMENTS NEAR PARKER ELEMENTARY SCHOOL, WORLD ACADEMY, ACHIEVE ACADEMY, URBAN PROMISE ACADEMY, AND ELMHURST COMMUNITY PREP SCHOOL

WHEREAS, the State of California Department of Transportation (Caltrans) disbursed Safe Routes to Schools (SR2S) Cycle 10 funds to eligible jurisdictions for projects that improve pedestrian and bicyclist safety along walk and bike routes to schools serving students from kindergarten through high school; and

WHEREAS, the City of Oakland desires to accept and appropriate \$216,000 in SR2S Cycle 10 funds into Caltrans Fund (2140) and Public Works Agency's Transportation Services Division Organization (92246) to address identified school pedestrian safety issues; and

WHEREAS, said funds will be used to construct a variety of pedestrian safety improvements near Parker Elementary School, World Academy, Achieve Academy, Urban Promise Academy, Alliance Academy, and Elmhurst Community Prep School including but not limited to ADA-compliant curb ramps, sidewalk extensions, warning lights for school crosswalks, and signs for school crosswalks; and

WHEREAS, a required local match in the amount of \$24,200 will be provided by Safe Routes to Schools Matching Funds in Transportation Services Division Organization (92246), Fund 2211 (Measure B), Project C268810; and

WHEREAS, the Public Works Agency has requested a waiver of the 1.5% public art fee for this project because SR2S guidelines restrict funding uses to only safety improvements and prohibit the use of funds for public art; now, therefore be it

RESOLVED, that the City Council hereby authorizes acceptance and appropriation of Safe Routes to Schools Cycle 10 funds in an amount not to exceed \$216,000 for the aforementioned school safety improvements; and be it

FURTHER RESOLVED, that these grant funds will be deposited to Caltrans Fund (2140), Transportation Services Division Organization (92246); and be it

FURTHER RESOLVED, that the City Administrator, or her designee, is authorized, on behalf of the City of Oakland to execute and submit all documents, payment requests, and related actions, as well as to appropriate any additional grant funds received for the completion of this project.

IN COUNCIL, OAKLAND, CALIFORNIA, MAY 21 2013

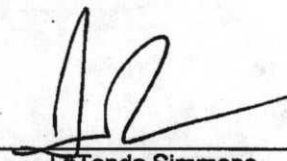
PASSED BY THE FOLLOWING VOTE:

AYES - BROOKS, GALLO, GIBSON MCELHANEY, KALB, KAPLAN, REID, SCHAAF and PRESIDENT KERNIGHAN - 8

NOES - 0

ABSENT - 0

ABSTENTION - 0

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

ATTACHMENT E

City of Oakland CONTRACTOR PERFORMANCE EVALUATION

Project Number/Title: SIDEWALK IMPROVEMENT @ 66th & 69th AVE
Work Order Number (if applicable): #2 & #3
Contractor: BELVOU ENGINEERING CONTRACTORS INC.
Date of Notice to Proceed: 2/25/11
Date of Notice of Completion: 4/4/11
Date of Notice of Final Completion: 4/4/11
Contract Amount: \$ 180,505.00
Evaluator Name and Title: JAN OSALBO, CONSTRUCTION COORDINATOR

The City's Resident Engineer most familiar with the Contractor's performance must complete this evaluation and submit it to Manager, PWA Project Delivery Division, within 30 calendar days of the issuance of the Final Payment.

Whenever the Resident Engineer finds the Contractor is performing below Satisfactory for any category of the Evaluation, the Resident Engineer shall discuss the perceived performance shortfall at the periodic site meetings with the Contractor. An Interim Evaluation will be performed if at any time the Resident Engineer finds that the overall performance of a Contractor is Marginal or Unsatisfactory. An Interim Evaluation is required prior to issuance of a Final Evaluation Rating of Unsatisfactory. The Final Evaluation upon Final Completion of the project will supersede interim ratings.

The following list provides a basic set of evaluation criteria that will be applicable to all construction projects awarded by the City of Oakland that are greater than \$50,000. Narrative responses are required to support any evaluation criteria that are rated as Marginal or Unsatisfactory, and must be attached to this evaluation. If a narrative response is required, indicate before each narrative the number of the question for which the response is being provided. Any available supporting documentation to justify any Marginal or Unsatisfactory ratings must also be attached.

If a criterion is rated Marginal or Unsatisfactory and the rating is caused by the performance of a subcontractor, the narrative will note this. The narrative will also note the General Contractor's effort to improve the subcontractor's performance.

ASSESSMENT GUIDELINES:

| | |
|------------------------------|---|
| Outstanding (3 points) | Performance among the best level of achievement the City has experienced. |
| Satisfactory (2 points) | Performance met contractual requirements. |
| Marginal (1 point) | Performance barely met the lower range of the contractual requirements or performance only met contractual requirements after extensive corrective action was taken. |
| Unsatisfactory (0 points) | Performance did not meet contractual requirements. The contractual performance being assessed reflected serious problems for which corrective actions were ineffective. |

Contractor: BELVOU Project No. C291210

C14

WORK PERFORMANCE

Unsatisfactory
Marginal
Satisfactory
Outstanding
Not Applicable

| | | | | | | |
|----|---|-------------------------------|-------------------------------|--|---------------------------------|---|
| 1 | Did the Contractor perform all of the work with acceptable Quality and Workmanship? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| 1a | If problems arose, did the Contractor provide solutions/coordinate with the designers and work proactively with the City to minimize impacts? If "Marginal or Unsatisfactory", explain on the attachment. Provide documentation. | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| 2 | Was the work performed by the Contractor accurate and complete? If "Marginal or Unsatisfactory", explain on the attachment and provide documentation. Complete (2a) and (2b) below. | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| 2a | Were corrections requested? If "Yes", specify the date(s) and reason(s) for the correction(s). Provide documentation. | | | Yes <input checked="" type="checkbox"/> | No <input type="checkbox"/> | N/A <input type="checkbox"/> |
| 2b | If corrections were requested, did the Contractor make the corrections requested? If "Marginal or Unsatisfactory", explain on the attachment. Provide documentation. | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| 3 | Was the Contractor responsive to City staff's comments and concerns regarding the work performed or the work product delivered? If "Marginal or Unsatisfactory", explain on the attachment. Provide documentation. | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| 4 | Were there other significant issues related to "Work Performance"? If Yes, explain on the attachment. Provide documentation. | | | | Yes <input type="checkbox"/> | No <input checked="" type="checkbox"/> |
| 5 | Did the Contractor cooperate with on-site or adjacent tenants, business owners and residents and work in such a manner as to minimize disruptions to the public. If "Marginal or Unsatisfactory", explain on the attachment. | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| 6 | Did the personnel assigned by the Contractor have the expertise and skills required to satisfactorily perform under the contract? If "Marginal or Unsatisfactory", explain on the attachment. | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| 7 | Overall, how did the Contractor rate on work performance? The score for this category must be consistent with the responses to the questions given above regarding work performance and the assessment guidelines. Check 0, 1, 2, or 3. | 0 <input type="checkbox"/> | 1 <input type="checkbox"/> | 2 <input checked="" type="checkbox"/> | 3 <input type="checkbox"/> | |

Contractor: BEC

Project No. 2 C291210

Unsatisfactory
Marginal
Satisfactory
Outstanding
Not Applicable

TIMELINESS

| | | | | | | |
|----|---|-------------------------------|-------------------------------|--|---|---------------------------------|
| 8 | Did the Contractor complete the work within the time required by the contract (including time extensions or amendments)? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| | If "Marginal or Unsatisfactory", explain on the attachment why the work was not completed according to schedule. Provide documentation. | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| 9 | Was the Contractor required to provide a service in accordance with an established schedule (such as for security, maintenance, custodial, etc.)? If "No", or "N/A", go to Question #8. If "Yes", complete (9a) below. | | | Yes <input checked="" type="checkbox"/> | No <input type="checkbox"/> | N/A <input type="checkbox"/> |
| 9a | Were the services provided within the days and times scheduled? If "Marginal or Unsatisfactory", explain on the attachment and specify the dates the Contractor failed to comply with this requirement (such as tardiness, failure to report, etc.). Provide documentation. | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| 10 | Did the Contractor provide timely baseline schedules and revisions to its construction schedule when changes occurred? If "Marginal or Unsatisfactory", explain on the attachment. Provide documentation. | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| 11 | Did the Contractor furnish submittals in a timely manner to allow review by the City so as to not delay the work? If "Marginal or Unsatisfactory", explain on the attachment. Provide documentation. | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| 12 | Were there other significant issues related to timeliness? If yes, explain on the attachment. Provide documentation. | | | Yes <input type="checkbox"/> | No <input checked="" type="checkbox"/> | |
| 13 | Overall, how did the Contractor rate on timeliness? The score for this category must be consistent with the responses to the questions given above regarding timeliness and the assessment guidelines. Check 0, 1, 2, or 3. | 0 <input type="checkbox"/> | 1 <input type="checkbox"/> | 2 <input checked="" type="checkbox"/> | 3 <input type="checkbox"/> | |

Contractor: BEC

Project No. C291210

C14b

FINANCIAL

Unsatisfactory
Marginal
Satisfactory
Outstanding
Not Applicable

| | | | | | | |
|----|---|-------------------------------|-------------------------------|--|---------------------------------|---|
| 14 | Were the Contractor's billings accurate and reflective of the contract payment terms? If "Marginal or Unsatisfactory", explain on the attachment. Provide documentation of occurrences and amounts (such as corrected invoices). | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| 15 | Were there any claims to increase the contract amount? If "Yes", list the claim amount. Were the Contractor's claims resolved in a manner reasonable to the City? Number of Claims: <u>0</u> Claim amounts: \$ <u>0</u> Settlement amount: \$ <u>0</u> | | | | Yes <input type="checkbox"/> | No <input checked="" type="checkbox"/> |
| 16 | Were the Contractor's price quotes for changed or additional work reasonable? If "Marginal or Unsatisfactory", explain on the attachment. Provide documentation of occurrences and amounts (such as corrected price quotes). | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| 17 | Were there any other significant issues related to financial issues? If Yes, explain on the attachment and provide documentation. | | | | Yes <input type="checkbox"/> | No <input checked="" type="checkbox"/> |
| 18 | Overall, how did the Contractor rate on financial issues? The score for this category must be consistent with the responses to the questions given above regarding financial issues and the assessment guidelines. Check 0, 1, 2, or 3. | 0 <input type="checkbox"/> | 1 <input type="checkbox"/> | 2 <input checked="" type="checkbox"/> | 3 <input type="checkbox"/> | |

Contractor: BEC

Project No. C291210

COMMUNICATION

Unsatisfactory
Marginal
Satisfactory
Outstanding
Not Applicable

| | | Unsatisfactory | Marginal | Satisfactory | Outstanding | Not Applicable |
|-----|---|-------------------------------|-------------------------------|--|---------------------------------|---|
| 19 | Was the Contractor responsive to the City's questions, requests for proposal, etc.? If "Marginal or Unsatisfactory", explain on the attachment. | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| 20 | Did the Contractor communicate with City staff clearly and in a timely manner regarding: | | | | | |
| 20a | Notification of any significant issues that arose? If "Marginal or Unsatisfactory", explain on the attachment. | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| 20b | Staffing issues (changes, replacements, additions, etc.)? If "Marginal or Unsatisfactory", explain on the attachment. | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| 20c | Periodic progress reports as required by the contract (both verbal and written)? If "Marginal or Unsatisfactory", explain on the attachment. | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| 20d | Were there any billing disputes? If "Yes", explain on the attachment. | | | | Yes <input type="checkbox"/> | No <input checked="" type="checkbox"/> |
| 21 | Were there any other significant issues related to communication issues? Explain on the attachment. Provide documentation. | | | | Yes <input type="checkbox"/> | No <input checked="" type="checkbox"/> |
| 22 | Overall, how did the Contractor rate on communication issues? The score for this category must be consistent with the responses to the questions given above regarding communication issues and the assessment guidelines. Check 0, 1, 2, or 3. | 0 <input type="checkbox"/> | 1 <input type="checkbox"/> | 2 <input checked="" type="checkbox"/> | 3 <input type="checkbox"/> | |

Contractor: BEC

Project No. C291210

C14d

OVERALL RATING

Based on the weighting factors below, calculate the Contractor's overall score using the scores from the four categories above.

- 1. Enter Overall score from Question 7 2 X 0.25 = .50
- 2. Enter Overall score from Question 13 2 X 0.25 = .50
- 3. Enter Overall score from Question 18 2 X 0.20 = .40
- 4. Enter Overall score from Question 22 2 X 0.15 = .30
- 5. Enter Overall score from Question 28 2 X 0.15 = .30

TOTAL SCORE (Sum of 1 through 5): 2.0

OVERALL RATING: Satisfactory

- Outstanding: Greater than 2.5
- Satisfactory: Greater than 1.5 & less than or equal to 2.5
- Marginal: Between 1.0 & 1.5
- Unsatisfactory: Less than 1.0

PROCEDURE:

The Resident Engineer will prepare the Contractor Performance Evaluation and submit it to the Supervising Civil Engineer. The Supervising Civil Engineer will review the Contractor Performance Evaluation to ensure adequate documentation is included; the Resident Engineer has followed the process correctly, the Contractor Performance Evaluation has been prepared in a fair and unbiased manner, and the ratings assigned by the Resident Engineer are consistent with all other Resident Engineers using consistent performance expectations and similar rating scales.

The Resident Engineer will transmit a copy of the Contractor Performance Evaluation to the Contractor. Overall Ratings of Outstanding or Satisfactory are final and cannot be protested or appealed. If the Overall Rating is Marginal or Unsatisfactory, the Contractor will have 10 calendar days in which they may file a protest of the rating. The Public Works Agency Assistant Director, Design & Construction Services Department, will consider a Contractor's protest and render his/her determination of the validity of the Contractor's protest. If the Overall Rating is Marginal, the Assistant Director's determination will be final and not subject to further appeal. If the Overall Rating is Unsatisfactory and the protest is denied (in whole or in part) by the Assistant Director, the Contractor may appeal the Evaluation to the City Administrator, or his/her designee. The appeal must be filed within 14 calendar days of the Assistant Director's ruling on the protest. The City Administrator, or his/her designee, will hold a hearing with the Contractor within 21 calendar days of the filing of the appeal. The decision of the City Administrator regarding the appeal will be final.

Contractors who receive an Unsatisfactory Overall Rating (i.e., Total Score less than 1.0) will be allowed the option of voluntarily refraining from bidding on any City of Oakland projects within one year from the date of the Unsatisfactory Overall Rating, or of being categorized as non-responsible for any projects the Contractor bids on for a period of one year from the date of the Unsatisfactory Overall Rating. Two Unsatisfactory Overall Ratings within any five year period will result in the Contractor being categorized by the City Administrator as non-

Contractor: BEC Project No. C291210

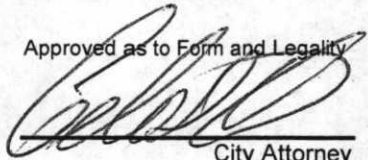
C14f

ATTACHMENT TO CONTRACTOR PERFORMANCE EVALUATION:

Use this sheet to provide any substantiating comments to support the ratings in the Performance Evaluation. Indicate before each narrative the number of the question for which the response is being provided. Attach additional sheets if necessary.

Contractor: BEC Project No. C291210

C14h

Approved as to Form and Legality

City Attorney

FILED
OFFICE OF THE CITY CLERK
OAKLAND

OAKLAND CITY COUNCIL

2014 OCT 16 PM 1:18 RESOLUTION No. _____ C.M.S.
Introduced by Councilmember _____

RESOLUTION AUTHORIZING THE CITY ADMINISTRATOR TO AWARD A CONSTRUCTION CONTRACT TO BELIVEAU ENGINEERING CONTRACTORS, INC. FOR SAFE ROUTES TO SCHOOL CYCLE 10 (SR2S10) PROJECT (PROJECT NO. C471910) IN ACCORDANCE WITH PROJECT PLANS, SPECIFICATIONS, STATE REQUIREMENTS AND WITH CONTRACTOR'S BID IN THE AMOUNT OF ONE HUNDRED FORTY-THREE THOUSAND ONE HUNDRED SIXTY-EIGHT DOLLARS (\$143,168.00)

WHEREAS, on August 28, 2014, three (3) bids were received by the City of Oakland Office of the City Clerk from AJW Construction, Beliveau Engineering Contractors, Inc., and Ray's Electric in the amounts of \$131,034.00, \$143,168.00 and \$175,636.00 respectively, in response to the Notice To Bidders for the construction of the Safe Routes to School Cycle 10 (SR2S10) Project; and

WHEREAS, the City of Oakland was awarded with Safe Routes to School Cycle 10 (SR2S10) State grant which is administered by State of California, Department of Transportation, and the funding for the grant was accepted and appropriated by City Council on May 21, 2013 per Resolution No. 84372 C.M.S.; and

WHEREAS, Beliveau Engineering Contractors, Inc. submitted the lowest responsible and responsive bid, and the bid complies with the City's LBE/SLBE 50% participation requirements; and

WHEREAS, there is sufficient fund in the project budget for the work. Funding for the construction contract work will be available in the following project accounts; and

- Safe Routes to School Cycle 10 (SR2S10) State grant \$174,000.00. State of California, Department of Transportation, Fund (2140); Project (C471910);
- Oakland local match \$37,200.00. Measure B Fund (2211); Projects C471920 and C370010.

WHEREAS, the engineer's estimate for the work is \$125,295.00; and

WHEREAS, the City Council finds that the City lacks the equipment and qualified personnel to perform the necessary work and that the performance of this contract is in the public interest because of economy or better performance; and

WHEREAS, the City Administrator has determined that the performance of this contact 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 the contract for the construction of Safe Routes to School Cycle 10 (SR2S10) Project (Project No. C471910) is hereby awarded to Beliveau Engineering Contractors, Inc. in accordance with the project plans, specifications, state requirements and with contractor's bid in the amount of One Hundred Forty-Three Thousand One Hundred Sixty-Eight Dollars (\$143,168.00); and be it

FURTHER RESOLVED, That the plans and specifications prepared including any subsequent changes during construction, that will be reviewed and adopted by the Director or his/her designee for this project are hereby approved; and be it

FURTHER RESOLVED, That the contractor shall provide a faithful performance bond and payment bond to guarantee payment of all claims for labor and materials furnished and for the amount due under the Unemployment Insurance Act, for one hundred percent (100%) of the contract amount prior to execution of the contract; and be it

FURTHER RESOLVED, That the City Administrator, or designee, is hereby authorized to enter into a contract with Beliveau Engineering Contractors, Inc. on behalf of the City of Oakland and to execute any amendments or modifications to said agreement within the limitations of the project specifications; and be it

FURTHER RESOLVED, That all other bids are hereby rejected; and be it

FURTHER RESOLVED, That the contract shall be reviewed and approved by the City Attorney for form and legality and place on file in the Office of the City Clerk.

IN COUNCIL, OAKLAND, CALIFORNIA, _____, 2014

PASSED BY THE FOLLOWING VOTE:

AYES - KALB, GIBSON MCELHANEY, SCHAAF, GALLO, BROOKS, REID, KAPLAN, and
PRESIDENT KERNIGHAN

NOES -

ABSENT -

ABSTENTION -

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