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2016 MAR 31 PM 4:54

AGENDA REPORT

TO: Sabrina B. Landreth
City Administrator

FROM: Brooke A. Levin
Director, Public Works

SUBJECT: Contract Authorizations:
On-Call Sewer Cleaning Services

DATE: March 8, 2016

City Administrator
Approval

Date

3/31/16

RECOMMENDATION

Staff Recommends That The City Council Adopt A Resolution Awarding Construction Contracts In An Amount Not To Exceed One Million Five Hundred Thousand Dollars (\$1,500,000.00), Per Contract, From Fiscal Year 2016-17 to Fiscal Year 2018-19 to: 1) Nor-Cal Pipeline Services, 2) Pipe and Plant Solutions, 3) Andes Construction, Inc. And 4) Roto Rooter Sewer Services In Accordance with Plans and Specifications For On-Call Sewer Cleaning Services (Project No. A481310) For a Cumulative Project Allocation in An Amount Not to Exceed Six Million Dollars (\$6,000,000.00) For a Period of Three Years, With Three, One-Year Options to Negotiate And Renew Each of the Aforementioned Construction Contracts.

EXECUTIVE SUMMARY

Approval of this resolution will authorize the City Administrator to execute On-Call Sewer Cleaning Services contracts with Nor-Cal Pipeline Services, Pipe and Plant Solutions, Andes Construction, Inc. and Roto Rooter Sewer Services in the amount of \$1,500,000.00 per vendor, from FY 2016-17 through FY 2018-19. The on-call sewer cleaning service provisions are a necessary secondary precaution in order to ensure Oakland Public Work's ongoing compliance with the City of Oakland's 2014 Sewer Consent Decree.

BACKGROUND/LEGISLATIVE HISTORY

The City negotiated a Consent Decree (CD) with the Environmental Protection Agency (EPA) in response to Clean Water Act violations related to sanitary sewer discharges from regional facilities and sanitary sewer overflows from Oakland's sewer collection system. As part of the CD, the City of Oakland was required to implement its Asset Management Implementation Plan (AMIP); consisting of systematic sewer inspections, cleaning, repair, and rehabilitation within pre-defined maintenance schedules. The CD also prescribes specific goals for each element and stipulates penalties for non-performance.

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Oakland's sanitary sewer collection system serves approximately 400,000 people and includes approximately 929 miles of gravity sanitary sewer mains ranging in size from under 6 inches to larger than 66 inches in diameter. The sewer system connects to approximately 92,900 residential units, 8,600 commercial units, 600 industrial units, and 900 public authorities. One of the primary stipulations of the City's 2014 Consent Decree with the EPA are requirements for the City's entire sewer collection system to be cleaned on or before June 30, 2018, and every five years thereafter, through December 15, 2036. The Consent Decree also stipulates the Closed Circuit Televising (CCTV) of all sanitary sewer mains every 10 years; likewise through December 2036.

ANALYSIS

Issuance of Request for Qualifications

In November 2015, staff issued a Request of Qualifications (RFQ) for On-Call Sewer Cleaning Services (Project No. A481310). The City received a total of four (4) respondent applications, which in turn were evaluated relative to overall industry compliance standards and minimum qualification criteria. A pre-qualification process was utilized in accordance with Oakland Municipal Code (OMC) Chapter 2.04.045. All four responding firms, Nor-Cal Pipeline Services, Pipe and Plant Solutions, Andes Construction, Inc. and Roto Rooter Sewer Services were deemed qualified to provide all needed services, have the technical expertise to perform the work required and clearly demonstrated their understanding of the project's technical complexities and regulatory issues.

The overall RFQ scoring elements and rankings are:

Bidding Firm	Total Score	Total Average Score	Rank
Nor-Cal Pipeline Services	470	117.50	1
Pipe and Plant Solutions	460	115.00	2
Andes Construction, Inc.	456	114.00	3
Roto Rooter Sewer Services	431	107.75	4

Overview of Contractual Assignments

Oakland Public Works' Sewer Services Division currently has the capacity to clean sewer pipes up to a 36-inch diameter. The proposed contractors may be tasked with cleaning and televising all sanitary sewer pipes in excess of the 36-inch diameter threshold; representing approximately 5.59 miles (0.61%) of the City's 929 miles of gravity sanitary sewer mains. Contractual provisions may also include intermittent cleaning of other sanitary sewer mains at hard to reach easements.

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Chart 1A

Large Diameter Sewer Pipe Configurations (Contracted Services)			
Pipe Diameter (Inches)	Pipe Length (Feet)	Pipe Length (Miles)	% of Collection System by Length
39	3,310	0.63	0.07%
42	4,801	0.91	0.10%
45	1,437	0.27	0.03%
48	6,101	1.16	0.12%
51	276	0.05	0.01%
57	2,275	0.43	0.05%
58	347	0.07	0.01%
60	1,504	0.28	0.03%
63	1,005	0.19	0.02%
66	5,437	1.03	0.11%
Larger than 66	2,990	0.57	0.06
Total:	29,483	5.59	0.61%

Project Management and Allocation of Work Orders

All contracts will be managed by the Public Works' Bureau of Infrastructure and Operations (BIO). As each project arises, staff will obtain competitive bids from each contractor and will award the work to the lowest responsible, responsive bidder in accordance with Oakland Municipal Code Section 2.04.045(c).

Adoption of this resolution will authorize the City Administrator to execute contracts for On-Call Sewer Cleaning Services. All four contractors meet the minimum qualification standards of the original RFQ, and all will be required to meet or exceed the City's fifty-percent (50%) Local Hire and Apprenticeship Program provisions. The City's Local/Small Local Business Enterprise (L/SLBE) program requirements have been verified and waived by the Social Equity Division of the Department of Contracting and Purchasing (see **Attachment A**).

FISCAL IMPACT

Each of the four contracts will be executed in an amount not to exceed \$1,500,000.00 over the three-year period of FY2016-17 to FY 2018-19, for a cumulative project allocation not to exceed \$6,000,000.00.

Proposed Contracts For Service

Vendor Name	Annual Allocation	Contract Period	Total Contract Allocation
Nor-Cal Pipeline Services	\$500,000.00	3 years	\$1,500,000.00
Pipe and Plant Solutions	\$500,000.00	3 years	\$1,500,000.00
Andes Construction, Inc.	\$500,000.00	3 years	\$1,500,000.00
Roto Rooter Sewer Services	\$500,000.00	3 years	\$1,500,000.00
Total Costs:	\$2,000,000.00		\$6,000,000.00

Source of Project Funding

Contract expenditure allocations shall be expensed from FY 2016-17 to FY 2018-19 to the Oakland Public Works Sewer Service Division Fund (3100), Infrastructure Maintenance Sewer System Org. (30533), Miscellaneous Contract Services Account (54919), Sanitary Sewer Management Project (A481310).

PAST PERFORMANCE, EVALUATION AND FOLLOW-UP

A Contractor Performance Evaluation for Andes Construction, Inc. from a previously completed, but unrelated construction project was reviewed, deemed satisfactory and attached to this report as **Attachment B**. Nor-Cal Pipeline Services, Pipe and Plant Solutions, as well as Roto-Rooter Sewer Services have not performed any work in Oakland since the City's evaluation program was initiated. Accordingly, there are no Contractor Performance Evaluations for these latter contractors.

PUBLIC OUTREACH / INTEREST

The Request for Qualifications for the On-Call Sewer Cleaning Services initiative (Project No. A481310) was originally disseminated using both the City's web-based procurement system, iSupplier, as well as through formal advertisements in the Oakland Tribune and the San Francisco Chronicle. Additionally, staff likewise adhered to all terms and conditions of the current SEIU Local 1021 Labor Negotiations Agreement, Article 14.16.2 governing Contracting

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Out of professional services and provided due notice to labor representatives relative to the same prior to the formal issuance of the subject RFQ.

COORDINATION

Information contained within this report was developed on a collaborative basis between Oakland Public Works' Bureau of Infrastructure & Operations, the Bureau of Engineering and Construction, the Division of Contracts and Compliance, the City's Controller's Bureau and the Office of the City Attorney.

SUSTAINABLE OPPORTUNITIES

Economic: Implementation of the proposed contracts for service will ensure continuous upkeep and enhancement to the City's wastewater collection systems and minimize future maintenance costs.

Environmental: Cleaning sanitary sewer pipes will minimize sewer overflows; thus preventing potential harm to property, multiple water sources and resources, as well as the citizenry as a whole.

Social Equity: This project is part of the citywide program to eliminate wastewater overflows, for the direct benefit of all Oakland residents.

ACTION REQUESTED OF THE CITY COUNCIL

Staff recommends that the City Council adopt a resolution awarding construction contracts in an amount not to exceed \$1,500,000.00, per contract, from FY 2016-17 to FY 2018-19 to: 1) Nor-Cal Pipeline Services, 2) Pipe and Plant Solutions, 3) Andes Construction, Inc. and 4) Roto Rooter Sewer Services in accordance with plans and specifications for On-Call Sewer Cleaning Services (Project A481310) for a cumulative project allocation in an amount not to exceed \$6,000,000.00 for a period of three years. Staff also recommends that the City Council authorize three, one-year options to renew each of the aforementioned construction contracts.

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For questions regarding this report, please contact Lorenzo Smith, Operations Manager, Oakland Public Works, at (510) 615-5431.

Respectfully submitted,

Brooke A. Levin
Director, Oakland Public Works

Reviewed By:
Jason Mitchell
Assistant Director
Bureau of Infrastructure & Operations
Oakland Public Works

Reviewed By:
Lorenzo Smith
Operations Manager
Bureau of Infrastructure & Operations
Oakland Public Works

Prepared By:
Will Crowder
Program Analyst II
Bureau of Infrastructure & Operations
Oakland Public Works

Attachments (2):

- A: Contracts and Compliance Unit Compliance Analysis
- B: Contractor Performance Evaluation

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Attachment A

**On-Call Sewer Cleaning Services – Fiscal Year 2017-20
(Project No. A481310)**

**Department of Contracts and Compliance
Compliance Analysis**



INTER OFFICE MEMORANDUM

TO: William Crowder

FROM: Deborah Barnes, Director
Contracts and Compliance

SUBJECT: Compliance Analysis
RFQ for On-Call Sewer Cleaning Services

DATE: January 25, 2016

The City Administrator's Office, Contracts and Compliance Unit conducted a compliance review of four (4) proposals in response to the above referenced project. An availability analysis of the City's database of certified firms was performed for this project. The results indicated that there no certified firms to perform the scope of services. Therefore, the Local and Small Local Business Enterprise program requirements were waived.

This memorandum provides a preliminary review for compliance with the Equal Benefits Ordinance (EBO) and for information purposes any L/SLBE participation is noted below.

Responsive to EBO and L/SLBE Policies		Proposed Participation					Earned Credits and Discounts		Oakland Workforce Preference Points	EBO Compliant? Y/N
Company Name	Original Bid Amount	Total LBE/SLBE	LBE	SLBE	*VSLBE	Total Credited participation	L/SLBE Participation Preference Points	Years in Oakland Preference Points		
Andes Construction	NA	44%	0%	44%	0%	NA	NA	NA	NA	Y
Nor Cal Pipeline Services	NA	0%	0%	0%	0%	NA	NA	NA	NA	N
Pipe and Plant Solutions, Inc.	NA	0%	0%	0%	0%	NA	NA	NA	NA	N
Roto Rooter	NA	0%	0%	0%	0%	NA	NA	NA	NA	N

Comments: As noted above an availability analysis of the City's database of certified firms was performed for this project using NAICS code 562998, the results indicated that there were no certified firms to perform the scope of services. Therefore, the L/SLBE Program was waived. While Andes did not list this code in their certification profile, they responded that they have the experience to perform the scope of services.

Andes Construction is EBO compliant. All other firms will have to come into compliance prior to contract execution.

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



CONTRACTS AND COMPLIANCE

Compliance Division

PROJECT COMPLIANCE EVALUATION FOR :

RE: RFQ for On Call Sewer Cleaning Services

CONSULTANT/CONTRACTOR: Andes Construction

Engineer's Estimate:
NA

Contractors' Bid Amount
NA

Over/Under Engineer's Estimate
NA

Bid discounted amount:
N/A

Preference Points:
NA

- 1. Did the 50% local/small local requirement apply: **NO**
- 2. Did the contractor meet the 50% requirement **NA**
 - a) % of LBE participation **0%**
 - b) % of SLBE participation **44%**
 - c) % of VSLBE participation **0%**
- 3. Did the contractor receive bid discount/preference points? **NA**
(If yes, list the points received) **0 points**
- 4. Additional Comments.

An availability analysis of the City's database of certified firms was performed for this project using NAICS code 562998, the results indicated that there were no certified firms to perform the scope of services. Therefore, the L/SLBE Program was waived. While Andes did not list this code in their certification, they responded that they have the experience to perform the scope of services.

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

1/25/2016
Date

Reviewing Officer:

Vijai Arma

Date: 1/25/2016

Approved By:

Sherry Sassenburg

Date: 1/25/2016

LBE/SLBE Participation Andes Construction

Project Name: RFQ for On Call Sewer Cleaning Services

Project No.: NA		Engineer's Estimate					Under/Over Engineers Estimate:					
Discipline	Prime & Subs	Location	Cert. Status	LBE	SLBE	VSLBE	Total LBE/SLBE %	Total Percentages	For Tracking Only			
									Ethn	MBE	WBE	
PRIME Cleaning	Andes Construction	Oakland	CB		44%		44%	44%	H	44%		
	Polston Applied Tech-CA	Rancho Dominguez	UB					56%	C			
Project Totals				0%	44%	0%	44%	100%		44%	0%	
Requirements: The 50% requirement can be satisfied by a combination of 25% LBE and 25% SLBE. The SLBE requirement is waived for Oakland certified prime consultants. An VSLBE's participation is double counted toward meeting the requirement.									Ethnicity AA = African American A = Asian C = Caucasian H = Hispanic NA = Native American O = Other NL = Not Listed			
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							



CONTRACTS AND COMPLIANCE

Compliance Division

PROJECT COMPLIANCE EVALUATION FOR :

RE: RFQ for On Call Sewer Cleaning Services

CONSULTANT/CONTRACTOR: Nor Cal Pipeline Services

Engineer's Estimate:
NA

Contractors' Bid Amount
NA

Over/Under Engineer's Estimate
NA

Bid discounted amount:
N/A

Preference Points:
NA

- 1. Did the 50% local/small local requirement apply: **NO**
- 2. Did the contractor meet the 50% requirement **NA**
 - a) % of LBE participation **0.00%**
 - b) % of SLBE participation **0.00%**
 - c) % of VSLBE participation **0.00%**
- 3. Did the contractor receive bid discount/preference points? **NA**
(If yes, list the points received **0 points**)

4. Additional Comments.

An availability analysis of the City's database of certified firms was performed for this project using NAICS code 562998, the results indicated that there were no certified firms to perform the scope of services. Therefore, the L/SLBE Program was waived.

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

1/25/2016
Date

Reviewing Officer: *Wanda J. [Signature]*

Date: 1/25/2016

Approved By: *Shelley Darenburg*

Date: 1/25/2016

LBE/SLBE Participation Nor Cal Pipeline Services

Project Name: RFQ for On Call Sewer Cleaning Services

Project No.:	NA	Engineer's Estimate		Under/Over Engineers Estimate:							
Discipline	Prime & Subs	Location	Cert. Status	LBE	SLBE	VSLBE	Total LBE/SLBE %	Total Percentages	For Tracking Only		
									Ethn	MBE	WBE
PRIME	Nor Cal Pipeline Services	Fairfield	UB					100%	C		
Project Totals				0%	0%	0%	0%	100%		0%	0%
Requirements: The 50% requirement can be satisfied by a combination of 25% LBE and 25% SLBE. The SLBE requirement is waived for Oakland certified prime consultants. An VSLBE's participation is double counted toward meeting the requirement.									Ethnicity AA = African American A = Asian C = Caucasian H = Hispanic NA = Native American O = Other NL = Not Listed		
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CONTRACTS AND COMPLIANCE

Compliance Division

PROJECT COMPLIANCE EVALUATION FOR :

RE: RFQ for On Call Sewer Cleaning Services

CONSULTANT/CONTRACTOR: Pipe and Plant Solutions, Inc.

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

- 1. Did the 50% local/small local requirement apply: NO
- 2. Did the contractor meet the 50% requirement NA
 - a) % of LBE participation 0.00%
 - b) % of SLBE participation 0.00%
 - c) % of VSLBE participation 0.00%
- 3. Did the contractor receive bid discount/preference points? NA
(If yes, list the points received 0 points)

4. Additional Comments.

An availability analysis of the City's database of certified firms was performed for this project using NAICS code 562998, the results indicated that there were no certified firms to perform the scope of services. Therefore, the L/SLBE Program was waived.

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

1/25/2016
Date

Reviewing Officer: *Vivian Janna* **Date:** 1/25/2016

Approved By: *Shelley Darenburg* **Date:** 1/25/2016

LBE/SLBE Participation Pipe and Plant Solutions, Inc.

Project Name: RFQ for On Call Sewer Cleaning Services

Project No.:	NA	Engineer's Estimate			Under/Over Engineers Estimate:				For Tracking Only			
Discipline	Prime & Subs	Location	Cert. Status	LBE	SLBE	VSLBE	Total LBE/SLBE %	Total Percentages	Ethn	MBE	WBE	
PRIME	Pipe and Plant Solutions, Inc.	Berkeley	UB					100%	C			
Project Totals				0%	0%	0%	0%	100%		0%	0%	
Requirements: The 50% requirement can be satisfied by a combination of 25% LBE and 25% SLBE. The SLBE requirement is waived for Oakland certified prime consultants. An VSLBE's participation is double counted toward meeting the requirement.								Ethnicity AA = African American A = Asian C = Caucasian H = Hispanic NA = Native American O = Other NL = Not Listed				
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CONTRACTS AND COMPLIANCE

Compliance Division

PROJECT COMPLIANCE EVALUATION FOR :

RE: RFQ for On Call Sewer Cleaning Services

CONSULTANT/CONTRACTOR: Roto Rooter

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

- 1. Did the 50% local/small local requirement apply: NO
- 2. Did the contractor meet the 50% requirement NA
 - a) % of LBE participation 0.00%
 - b) % of SLBE participation 0.00%
 - c) % of VSLBE participation 0.00%
- 3. Did the contractor receive bid discount/preference points? NA
(If yes, list the points received) 0 points

4. Additional Comments.

An availability analysis of the City's database of certified firms was performed for this project using NAICS code 562998, the results indicated that there were no certified firms to perform the scope of services. Therefore, the L/SLBE Program was waived.

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

1/25/2016
Date

Reviewing Officer:

Victoria Janna

Date: 1/25/2016

Approved By:

Shelley Darenburg

Date: 1/25/2016

LBE/SLBE Participation Roto Rooter

Project Name: RFQ for On Call Sewer Cleaning Services

Project No.:	NA	Engineer's Estimate			Under/Over Engineers Estimate:						
Discipline	Prime & Subs	Location	Cert. Status	LBE	SLBE	VSLBE	Total LBE/SLBE %	Total Percentages	For Tracking Only		
									Ethn	MBE	WBE
PRIME	Roto Rooter	Hayward	UB					100%	C		
Project Totals				0%	0%	0%	0%	100%		0%	0%
Requirements: The 50% requirement can be satisfied by a combination of 25% LBE and 25% SLBE. The SLBE requirement is waived for Oakland certified prime consultants. An VSLBE's participation is double counted toward meeting the requirement.									Ethnicity AA = African American A = Asian C = Caucasian H = Hispanic NA = Native American O = Other NL = Not Listed		
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Attachment B

**On-Call Sewer Cleaning Services – Fiscal Year 2017-20
(Project No. A481310)**

**Contractor Performance Evaluation
Andes Construction, Inc.**

**Schedule L-2
City of Oakland
Public Works Agency
CONTRACTOR PERFORMANCE EVALUATION**

Project Number/Title: C329113 / On-Call SS Emergency Projects FY 2010-2011

Work Order Number (if applicable): Purchase Order No. 201003326

Contractor: Andes Construction Inc.

Date of Notice to Proceed: 3/24/2010

Date of Notice of Completion: 12/14/2011

Date of Notice of Final Completion: 12/14/2011

Contract Amount: \$340,384.57

Evaluator Name and Title: Paul Tran, Resident Engineer for Julius Kales, RE

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.

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 type="checkbox"/>	No <input checked="" 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 type="checkbox"/>	<input type="checkbox"/>	<input checked="" 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"/>	

TIMELINESS

Unsatisfactory
Marginal
Satisfactory
Outstanding
Not Applicable

8	Did the Contractor complete the work within the time required by the contract (including time extensions or amendments)? 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 checked="" 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 #10. 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"/>	

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: _____ Claim amounts: \$ _____ Settlement amount: \$ _____				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"/>	

Unsatisfactory
 Marginal
 Satisfactory
 Outstanding
 Not Applicable

COMMUNICATION

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.				<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
21	Were there any other significant issues related to communication issues? Explain on the attachment. Provide documentation.				<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
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"/>	

SAFETY

Unsatisfactory
Marginal
Satisfactory
Outstanding
Not Applicable

23	Did the Contractor's staff consistently wear personal protective equipment as appropriate? If "No", explain on the attachment.				Yes	No
					<input checked="" type="checkbox"/>	<input type="checkbox"/>
24	Did the Contractor follow City and OSHA safety standards? If "Marginal or Unsatisfactory", explain on the attachment.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
25	Was the Contractor warned or cited by OSHA for violations? If Yes, explain on the attachment.				Yes	No
					<input type="checkbox"/>	<input checked="" type="checkbox"/>
26	Was there an inordinate number or severity of injuries? Explain on the attachment. If Yes, explain on the attachment.				Yes	No
					<input type="checkbox"/>	<input checked="" type="checkbox"/>
27	Was the Contractor officially warned or cited for breach of U.S. Transportation Security Administration's standards or regulations? If "Yes", explain on the attachment.				Yes	No
					<input type="checkbox"/>	<input checked="" type="checkbox"/>
28	Overall, how did the Contractor rate on safety issues? The score for this category must be consistent with the responses to the questions given above regarding safety issues and the assessment guidelines. Check 0, 1, 2, or 3.	0	1	2	3	
		<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	

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	<u>2.0</u>	X 0.25 =	<u>0.50</u>
2. Enter Overall score from Question 13	<u>2.0</u>	X 0.25 =	<u>0.50</u>
3. Enter Overall score from Question 18	<u>2.0</u>	X 0.20 =	<u>0.40</u>
4. Enter Overall score from Question 22	<u>2.0</u>	X 0.15 =	<u>0.30</u>
5. Enter Overall score from Question 28	<u>2.0</u>	X 0.15 =	<u>0.30</u>

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-

responsible for any bids they submit for future City of Oakland projects within three years of the date of the last Unsatisfactory overall rating.


Any Contractor that receives an Unsatisfactory Overall Rating is required to attend a meeting with the City Administrator; or his/her designee, prior to returning to bidding on City projects. The Contractor is required to demonstrate improvements made in areas deemed Unsatisfactory in prior City of Oakland contracts.

The Public Works Agency Contract Administration Section will retain the final evaluation and any response from the Contractor for a period of five years. The City shall treat the evaluation as confidential, to the extent permitted by law.

COMMUNICATING THE EVALUATION: *The Contractor's Performance Evaluation has been communicated to the Contractor. Signature does not signify consent or agreement.*

 5/20/13
Contractor / Date

 5/9/13
Resident Engineer / Date

 5/9/13
Supervising Civil Engineer / Date

ATTACHMENT TO CONTRACTOR PERFORMANCE EVALUATION:

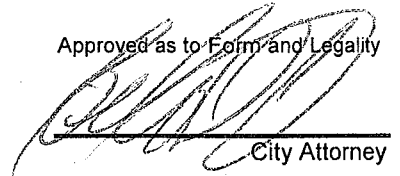
Use this sheet to provide any substantiating comments to support the ratings in the Performance Evaluation. Indicate before each narrative the number of the question for which the response is being provided. Attach additional sheets if necessary.

FILED
OFFICE OF THE CITY CLERK
OAKLAND

2016 MAR 31 PM 4:55

OAKLAND CITY COUNCIL

Approved as to Form and Legality



City Attorney

RESOLUTION No. _____ C.M.S.

Introduced by Councilmember _____

RESOLUTION AWARDDING CONSTRUCTION CONTRACTS IN AN AMOUNT NOT TO EXCEED ONE MILLION FIVE HUNDRED THOUSAND DOLLARS (\$1,500,000.00), PER CONTRACT, FROM FY 2016-17 TO FY 2018-19 TO: 1) NOR-CAL PIPELINE SERVICES, 2) PIPE AND PLANT SOLUTIONS, 3) ANDES CONSTRUCTION, INC. AND 4) ROTO ROOTER SEWER SERVICES IN ACCORDANCE WITH PLANS AND SPECIFICATIONS FOR ON-CALL SEWER CLEANING SERVICES (PROJECT NO. A481310) FOR A CUMULATIVE PROJECT ALLOCATION IN AN AMOUNT NOT TO EXCEED SIX MILLION DOLLARS (\$6,000,000.00) FOR A PERIOD OF THREE YEARS, WITH THREE, ONE-YEAR OPTIONS TO NEGOTIATE AND RENEW EACH OF THE AFOREMENTIONED CONSTRUCTION CONTRACTS

WHEREAS, in accordance with the City of Oakland's 2014 Consent Decree (CD) with the Environmental Protection Agency (EPA), Oakland is required to implement systematic sewer inspections, cleaning, repair and rehabilitation with pre-defined maintenance schedules; and

WHEREAS, on November 3, 2015, the City issued a Request for Qualifications (RFQ) for On-Call Sewer Cleaning Services (Project No. A481310); and

WHEREAS, Oakland Public Works' Sewer Services Division currently has the capacity to clean sewer pipes up to a 36-inch diameter; and

WHEREAS, proposed contractors may be tasked with cleaning and televising all sanitary sewer pipes in excess of the 36-diameter threshold. Contractors may also provide intermittent coverage of other sanitary sewer mains which pose a heightened safety risk due to the physical location of hard to reach easements; and

WHEREAS, on December 10, 2015, RFQ response applications were received from Nor-Cal Pipeline Services, Pipe and Plant Solutions, Andes Constructions, Inc. and Roto Rooter Sewer Services; and

WHEREAS, the City conducted a pre-qualification process in accordance with Oakland Municipal Code Chapter (OMC) 2.04.045; and

WHEREAS, all four contractors meet the requirements of OMC Chapter 2.04.045(a) for pre-qualification for the On-Call Sewer Cleaning Services Project; and

WHEREAS, as projects arise, staff will obtain competitive bids from each contractor and will award the work to the lowest responsible, responsive bidder in accordance with Oakland Municipal Code Section 2.04.045(c); and

WHEREAS, all four contractors shall be required to meet or exceed the City's fifty-percent (50%) Local Hire and Apprenticeship Program provisions; and

WHEREAS, the City's Local/Small Local Business Enterprise (L/SLBE) program requirements have been verified and waived by the Social Equity Division of the Department of Contracting and Purchasing, and

WHEREAS, the City Council finds and determines based on the representations set forth in the report accompanying this Resolution, that the construction contracts approved hereunder are temporary in nature; and

WHEREAS, the City Council finds and determines that the proposed construction contracts shall not result in the loss of salary or employment by any person having permanent status in the competitive service; and

WHEREAS, each of the proposed contracts will be executed in an amount not to exceed one million five hundred thousand dollars (\$1,500,000.00), per contract, over the three-year period of FY 2016-17 to FY 2018-19, for a cumulative allocation not to exceed \$6,000,000.00; and

WHEREAS, the City Council also authorizes three, one-year options to negotiate and renew each of the aforementioned contracts without returning to Council; and

WHEREAS, project funding for all contractual expenditure allocations shall be expensed from FY 2016-17 to FY 2018-19 to the Oakland Public Works Sewer Service Division Fund (3100), Infrastructure Maintenance Sewer System Org. (30533), Miscellaneous Contract Services Account (54919), Sanitary Sewer Management Project (A481310); now, therefore be it

RESOLVED: That the City Administrator or designee is hereby authorized to execute construction contracts in an amount not to exceed \$1,500,000.00, per contract, with 1) Nor-Cal Pipeline Services, 2) Pipe and Plant Solutions, 3) Andes Construction, Inc., and 4) Roto-Rooter Sewer Services for On-Call Sewer Cleaning Services (Project No. A481310) and in accordance with plans and specifications for the Project and contractor's bid dated December 10, 2015; and be it

FURTHER RESOLVED: That each of the proposed contracts will be executed in an amount not to exceed one million five hundred thousand dollars (\$1,500,000.00), per contract, over the three-year period of FY 2016-17 to FY 2018-19, for a cumulative allocation not to exceed \$6,000,000.00; and be it

FURTHER RESOLVED: That project funding for all contractual expenditure allocations shall be expensed from FY 2016-17 to FY 2018-19 to the Oakland Public Works Sewer Service Division Fund (3100), Infrastructure Maintenance Sewer System Org. (30533), Miscellaneous Contract Services Account (54919), Sanitary Sewer Management Project (A481310); and be it

FURTHER RESOLVED: That as projects arise, staff will obtain competitive bids from each contractor and will award the work to the lowest responsible, responsive bidder in accordance with Oakland Municipal Code Section 2.04.045(c); and be it

FURTHER RESOLVED: That the City Council also authorizes three, one-year options to negotiate and renew each of the aforementioned contracts without returning to Council; and be it

FURTHER RESOLVED: That each contractor shall provide performance and payment bonds for 100% of the value of the work assignment prior to the commencement of any work under its On-Call Sewer Cleaning Services contract when any assignment and/or task order exceeds a cumulative cost distinction of twenty-five thousand dollars (\$25,000.00); and be it

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

FURTHER RESOLVED: That all contracts shall be reviewed and approved by the City Attorney as to form and legality prior to execution and placed on file in the Office of the City Clerk.

IN COUNCIL, OAKLAND, CALIFORNIA, _____, 20_____

PASSED BY THE FOLLOWING VOTE:

AYES - BROOKS, CAMPBELL WASHINGTON, GALLO, GUILLEN, KALB, KAPLAN, REID, and PRESIDENT GIBSON MCELHANEY

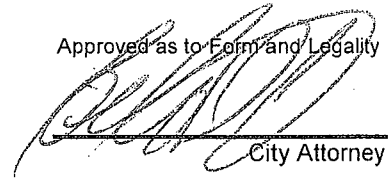
NOES -

ABSENT -

ABSTENTION -

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

OAKLAND CITY COUNCIL


City Attorney

RESOLUTION No. _____ C.M.S.

Introduced by Councilmember _____

RESOLUTION AWARDING CONSTRUCTION CONTRACTS IN AN AMOUNT NOT TO EXCEED ONE MILLION FIVE HUNDRED THOUSAND DOLLARS (\$1,500,000.00), PER CONTRACT, FROM FY 2016-17 TO FY 2018-19 TO: 1) NOR-CAL PIPELINE SERVICES, 2) PIPE AND PLANT SOLUTIONS, 3) ANDES CONSTRUCTION, INC. AND 4) ROTO ROOTER SEWER SERVICES IN ACCORDANCE WITH PLANS AND SPECIFICATIONS FOR ON-CALL SEWER CLEANING SERVICES (PROJECT NO. A481310) FOR A CUMULATIVE PROJECT ALLOCATION IN AN AMOUNT NOT TO EXCEED SIX MILLION DOLLARS (\$6,000,000.00) FOR A PERIOD OF THREE YEARS, WITH THREE, ONE-YEAR OPTIONS TO NEGOTIATE AND RENEW EACH OF THE AFOREMENTIONED CONSTRUCTION CONTRACTS

WHEREAS, in accordance with the City of Oakland’s 2014 Consent Decree (CD) with the Environmental Protection Agency (EPA), Oakland is required to implement systematic sewer inspections, cleaning, repair and rehabilitation with pre-defined maintenance schedules; and

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WHEREAS, on December 10, 2015, RFQ response applications were received from Nor-Cal Pipeline Services, Pipe and Plant Solutions, Andes Constructions, Inc. and Roto Rooter Sewer Services; and

WHEREAS, the City conducted a pre-qualification process in accordance with Oakland Municipal Code Chapter (OMC) 2.04.045; and

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WHEREAS, all four contractors shall be required to meet or exceed the City's fifty-percent (50%) Local Hire and Apprenticeship Program provisions; and

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WHEREAS, the City Council finds and determines based on the representations set forth in the report accompanying this Resolution, that the construction contracts approved hereunder are temporary in nature; and

WHEREAS, the City Council finds and determines that the proposed construction contracts shall not result in the loss of salary or employment by any person having permanent status in the competitive service; and

WHEREAS, each of the proposed contracts will be executed in an amount not to exceed one million five hundred thousand dollars (\$1,500,000.00), per contract, over the three-year period of FY 2016-17 to FY 2018-19, for a cumulative allocation not to exceed \$6,000,000.00; and

WHEREAS, the City Council also authorizes three, one-year options to negotiate and renew each of the aforementioned contracts without returning to Council; and

WHEREAS, project funding for all contractual expenditure allocations shall be expensed from FY 2016-17 to FY 2018-19 to the Oakland Public Works Sewer Service Division Fund (3100), Infrastructure Maintenance Sewer System Org. (30533), Miscellaneous Contract Services Account (54919), Sanitary Sewer Management Project (A481310); now, therefore be it

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IN COUNCIL, OAKLAND, CALIFORNIA, _____, 20_____

PASSED BY THE FOLLOWING VOTE:

AYES - BROOKS, CAMPBELL WASHINGTON, GALLO, GUILLEN, KALB, KAPLAN, REID, and PRESIDENT GIBSON MCELHANEY

NOES -

ABSENT -

ABSTENTION -

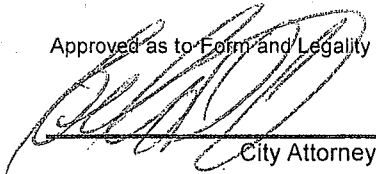
ATTEST: _____

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

FILED
OFFICE OF THE CITY CLERK
OAKLAND
2016 MAR 31 PM 4:57

OAKLAND CITY COUNCIL

Approved as to Form and Legality



City Attorney

RESOLUTION No. _____ C.M.S.

Introduced by Councilmember _____

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IN COUNCIL, OAKLAND, CALIFORNIA, _____, 20_____

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