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OFFICE OF THE CITY CLERK
OAKLAND

2014 MAY -1 PM 1:30

AGENDA REPORT

TO: FRED BLACKWELL
CITY ADMINISTRATOR

FROM: Brooke A. Levin
Interim Director, OPW

SUBJECT: Rehab of Sanitary Sewers

DATE: March 4, 2014

City Administrator
Approval

Date:

4/25/14

COUNCIL DISTRICT: 1, 3, 4

RECOMMENDATION

Staff recommends that the City Council adopt the following four contract award resolutions:

- 1) Resolution authorizing the City Administrator to award a construction contract to J. Howard Engineering, Inc. for the rehabilitation of sanitary sewers in the easement between Shepherd Canyon Road and Moore Drive, and in Larry Lane between Ascot Drive and Mastlands Drive (Project No. C329138) in accordance with plans and specifications for the project and with contractor's bid in the amount of Four Hundred Fifty-Six Thousand Nine Hundred Thirty-Nine Dollars (\$456,939.00)
- 2) Resolution authorizing the City Administrator to award a construction contract to Beliveau Engineering Contractor, Inc. for the rehabilitation of sanitary sewers at Lakeside Park Boat House (Project No. C455611) in accordance with plans and specifications for the project and with contractor's bid in the amount of One Hundred Sixty-Four Thousand Sixty Dollars (\$164,060.00)
- 3) Resolution authorizing the City Administrator to award a construction contract to Pacific Trenchless, Inc. for the rehabilitation of sanitary sewers in the area bounded by Broadway, Golden Gate Ave, and Contra Costa Rd (Project No. C329134) in accordance with plans and specifications for the project and with contractor's bid in the amount of Nine Hundred Fifty-Seven Thousand Thirty-Five Dollars (\$957,035.00)
- 4) Resolution authorizing the City Administrator to award a construction contract to J. Howard Engineering, Inc. for the rehabilitation of sanitary sewers in the area bounded by Ostrander Rd and Broadway Terrace, and the easement by Margarido Dr (Project No. C329137) in accordance with plans and specifications for the project and with contractor's bid in the amount of Two Hundred Ninety Three Thousand Four Hundred Fifty-Two Dollars (\$293,452.00)

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OUTCOME

Approval of these four resolutions will authorize the City Administrator to execute construction contracts with J. Howard Engineering, Inc. in the amounts of \$456,939.00 and \$293,452.00, Beliveau Engineering Contractors, Inc. in the amount of \$164,060.00, and Pacific Trenchless, Inc. in the amount of \$957,035.00. The work to be completed under these projects is part of the City's annual Sanitary Sewer Rehabilitation program. The work is located in Council Districts 3 and 4 as shown in *Attachment A1 and A2*.

BACKGROUND/LEGISLATIVE HISTORY

1. **The Rehabilitation of Sanitary Sewers in the Easement between Shepherd Canyon Road And Moore Drive, and in Larry Lane between Ascot Drive and Mastlands Drive (Project No. C329138):** The proposed work consists, in general, of the rehabilitation of 2,235 linear feet of existing sanitary sewers pipes by pipe-expanding method; rehabilitating sewer structures; reconnecting house connecting sewers; and other work specifically shown on the project plans or included in the Special Provisions.

On February 13, 2014, the City Clerk received two bids for this project in the amount of \$456,939.00 and \$468,049.00. J. Howard Engineering, Inc. is deemed the lowest responsive and responsible bidder and therefore is recommended for the award. The Engineer's estimate for the work is \$464,310.00.

Company	Bid Amount
J. Howard Engineering, Inc.	\$456,939.00
<i>Engineer's Estimate</i>	<i>\$464,310.00</i>
Pacific Trenchless, Inc.	\$468,049.00

2. **The Rehabilitation of Sanitary Sewers at Lakeside Park Boat House (Project No. C455611):** The proposed work consists, in general, of rehabilitating 591 linear feet of existing sanitary sewer pipes by removing 591 linear feet existing sewer pipes and construct new 6" Ductile Iron Pipe; rehabilitating and installing sewer structure; reconnecting house connection sewers; and other work specifically shown on the project plans or included in the Special Provisions.

On February 13, 2014, the City Clerk received five bids for this project in the amount of \$209,157.00, \$201,300.00, \$175,036.00, \$170,000.00 and \$164,060.00. Beliveau Engineering Contractors, Inc. is deemed the lowest responsive and responsible bidder,

and therefore is recommended for the award. The Engineer's estimate for the work is \$167,040.00.

Company	Bid Amount
Beliveau Engineering Contractors, Inc.	\$164,060.00
<i>Engineer's Estimate</i>	<i>\$167,040.00</i>
Cratus, Inc.	\$170,000.00
Bay Construction Company	\$175,036.80
Sanact Inc. dba Roto-Rooter	\$201,300.00
Pacific Trenchless Inc.	\$209,157.00

- 3. Rehabilitation of Sanitary Sewers in the area bounded by Broadway, Golden Gate Ave, and Contra Costa Rd (Project No. C329134):** The proposed work consists, in general, of rehabilitating 5,644 linear feet of existing sanitary sewers pipes by pipe-expanding method; rehabilitating sewer structures; reconnecting house connecting sewers; and other work specifically shown on the project plans or included in the Special Provisions.

On February 20, 2014, the City Clerk received two bids for this project in the amount of, \$957,035.00 and \$1,027,906.00. Pacific Trenchless, Inc. is deemed the lowest responsive and responsible bidder, and therefore is recommended for the award. The Engineer's estimate for the work is \$944,410.00.

Company	Bid Amount
<i>Engineer's Estimate</i>	<i>\$944,410.00</i>
Pacific Trenchless, Inc.	\$957,035.00
J. Howard Engineering, Inc	\$1,027,906.00

- 4. Rehabilitation of Sanitary Sewers in the area bounded by Ostrander Rd and Broadway Terrace, and the easement by Margarido Dr (Project No. C329137):** The proposed work consists, in general, of rehabilitating 1,620 linear feet of existing sanitary sewers pipes by pipe-expanding method; rehabilitating sewer structures;

reconnecting house connecting sewers; and other work specifically shown on the project plans or included in the Special Provisions.

On February 20, 2014, the City Clerk received three bids for this project in the amount of \$293,452.00, \$305,484.00 and \$342,100.00. J. Howard Engineering is deemed the lowest responsive and responsible bidder, and therefore is recommended for the award. The Engineer's estimate for the work is \$300,840.00.

Company	Bid Amount
J. Howard Engineering, Inc.	\$293,452.00
<i>Engineer's Estimate</i>	<i>\$300,840.00</i>
Pacific Trenchless, Inc.	\$305,484.00
Mosto Construction	\$342,100.00

These four projects were rebid because previous bids received on January 2, 2014 were deemed non-responsive and rejected.

ANALYSIS

Adoption of these resolutions will allow the City Administrator or his designee to execute two construction contracts with J. Howard Engineering, Inc., one construction contract with Beliveau Engineering Contractors, Inc. and one construction contract with Pacific Trenchless, Inc. for sewer rehabilitation at various locations as follows:

- 1. The Rehabilitation of Sanitary Sewers in the Easement between Shepherd Canyon Road And Moore Drive, and in Larry Lane between Ascot Drive and Mastlands Drive (Project No. C329138):** Under the proposed contract with J. Howard Engineering, Inc., the Local Business Enterprise/Small Local Business Enterprise (LBE/SLBE) participation of LBE/SLBE will be 91.25%, which exceeds the City's 50% LBE/SLBE requirement. The contractor shows L/SLBE (100%) for trucking, exceeding 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 are to be Oakland residents. The LBE/SLBE information has been verified by the Social Equity Division of the Department of Contracting and Purchasing, and is shown in *Attachment C1*.

Construction is scheduled to begin in July 2014 and should be completed by October 2014. The contract specifies \$1,000.00 in liquidated damages per calendar day if the

contract is not completed within 60 working days. The project schedule is shown in *Attachment B*.

2. **The Rehabilitation of Sanitary Sewers at Lakeside Park Boat House (Project No. C455611):** Under the proposed contract with Beliveau Engineering Contractors, Inc., the Local Business Enterprise and Small Local Business Enterprise (LBE/SLBE) participation will be 100%, which exceeds the City's 50% LBE/SLBE requirement. The contractor also shows a participation of 100% for trucking, which exceed the 50%. The LBE/SLBE information has been verified by the Social Equity Division of the Department of Contracting and Purchasing, and is shown in *Attachment C2*.

Construction is scheduled to begin in July 2014 and should be completed by August 2014. The contract specifies \$1,000.00 in liquidated damages per calendar day if the contract is not completed within 30 working days. The project schedule is shown in *Attachment B*.

3. **Rehabilitation of Sanitary Sewers in the area bounded by Broadway, Golden Gate Ave, and Contra Costa Rd (Project No. C329134):** Under the proposed contract with Pacific Trenchless, Inc., the Local Business Enterprise/Small Local Business Enterprise (LBE/SLBE) participation of LBE/SLBE will be 95.61%, which exceeds the City's 50% LBE/SLBE requirement. The contractor shows L/SLBE (100%) for trucking, exceeding 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 are to be Oakland residents. The LBE/SLBE information has been verified by the Social Equity Division of the Department of Contracting and Purchasing, and is shown in *Attachment C3*.

Construction is scheduled to begin in July 2014 and should be completed by January 2014. The contract specifies \$1,000.00 in liquidated damages per calendar day if the contract is not completed within 120 working days. The project schedule is shown in *Attachment B*.

4. **Rehabilitation of Sanitary Sewers in the area bounded by Ostrander Rd and Broadway Terrace, and the easement by Margarido Dr (Project No. C329137):** Under the proposed contract with J. Howard Engineering, Inc., the Local Business Enterprise/Small Local Business Enterprise (LBE/SLBE) participation of LBE/SLBE will be 90.8%, which exceeds the City's 50% LBE/SLBE requirement. The contractor shows L/SLBE (100%) for trucking, exceeding 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 are to be Oakland residents. The LBE/SLBE information has been verified by the Social Equity Division of the Department of Contracting and Purchasing, and is shown in *Attachment C4*.

Construction is scheduled to begin in July 2014 and should be completed by October 2014. The contract specifies \$1,000.00 in liquidated damages per calendar day if the contract is not completed within 60 working days. The project schedule is shown in *Attachment B*.

The Environmental Protection Agency (EPA) mandates the reduction of sanitary sewer flows during storm events. These projects are part of the City-wide program to improve pipe conditions and reduce wet weather peak flows in sanitary sewer system. Staff has reviewed the submitted bids for the work and has determined that the bids are reasonable for the current construction climate.

PUBLIC OUTREACH/INTEREST

The Home Owner Associations, Merchants Associations and residents in easements area have been notified in writing about this project. They will be notified again individually prior to construction.

COORDINATION

The work to be done under these contracts was coordinated with:

- Oakland Public Works – Bureau of Infrastructure and Operations
- Oakland Public Works – All of these projects were coordinated with the Paving Program
- In addition, the following reviewed this report and resolutions:
 - Office of the City Attorney
 - City Budget Office

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COST SUMMARY/IMPLICATIONS

1. AMOUNT OF RECOMMENDATION/COST OF PROJECT:

FUNDING SOURCE	AMOUNT
The Rehabilitation of Sanitary Sewers in the Easement between Shepherd Canyon Road and Moore Drive, and in Larry Lane between Ascot Drive and Mastlands Drive (Project No. C329138 REBID)	\$456,939.00
The Rehabilitation of Sanitary Sewers at Lakeside Park Boat House (Project No. C455611 REBID)	\$164,060.00
The Rehabilitation of Sanitary Sewers in the area bounded by Broadway, Golden Gate Ave, and Contra Costa Rd (Project No. C329134 REBID)	\$957,035.00
The Rehabilitation of Sanitary Sewers in the area bounded by Ostrander Rd and Broadway Terrace, and the easement by Margarido Dr (Project No. C329137 REBID)	\$293,452.00

2. COST ELEMENTS OF AGREEMENTS/CONTRACTS: \$1,858,315.00

3. SOURCE OF FUNDING:

FUNDING SOURCES	AMOUNT
Sewer Service Fund (3100); Capital Project – Sanitary Sewer Design Organization (92244); Sewers Account (57417); Project C329138 REBID	\$456,939.00
Sewer Service Fund (3100); Capital Project – Sanitary Sewer Design Organization (92244); Sewers Account (57417); Project C455611 REBID	\$164,060.00
Sewer Service Fund (3100); Capital Project – Sanitary Sewer Design Organization (92244); Sewers Account (57417); Project C329134 REBID	\$957,035.00
Sewer Service Fund (3100); Capital Project – Sanitary Sewer Design Organization (92244); Sewers Account (57417); Project C329137 REBID	\$293,452.00

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4. FISCAL IMPACT:

Approval of the four resolutions will authorize the City Administrator to execute construction contracts in the amount of \$456,393.00, \$164,060.00, \$944,410.00, and \$293,452.00. These projects will rehabilitate existing sewer pipes, reduce rain-related sewer overflows, and improve sewer pipe conditions in the area, and reduce ongoing maintenance costs.

PAST PERFORMANCE, EVALUATION AND FOLLOW-UP

The Contractor Performance Evaluation for J. Howard Engineering, Inc. is not available. Currently the contractor has been awarded two City contracts that are currently under construction. Work is progressing well.

The Contractor Performance Evaluation for Beliveau Engineering Contractors, Inc. from a previously completed project is satisfactory and is included as *Attachment D1*.

The Contractor Performance Evaluation for Pacific Trenchless from a previously completed project is satisfactory and is included as *Attachment D2*.

SUSTAINABLE OPPORTUNITIES

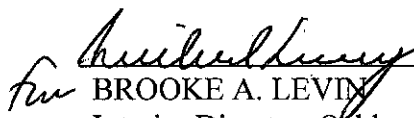
Economic: The contractors are all verified for Local Business Enterprise and Small Local Business Enterprise (LBE/SLBE) participation by the Social Equity Division of the Department of Contracting and Purchasing. The contractors are required to have 50% of the work hours performed by Oakland residents, and 50% of all new hires are to be Oakland residents, which will result in dollars being spent locally.

Environmental: Replacing sanitary sewers will minimize sewer leakage and overflows, thus preventing potential harm to property, groundwater resources and the bay. The contractor will be required to make every effort to reuse clean fill materials and use recyclable concrete and asphalt products. Best Management Practices for the protection of storm water runoff during construction will be required.

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

For questions regarding this report, please contact Gus Amirzehni, Engineering Design and Right-of-Way Manager at (510) 238-6601.

Respectfully submitted,


BROOKE A. LEVIN
Interim Director, Oakland Public Works

Reviewed by:

Michael Neary, P.E., Assistant Director,
OPW, Bureau of Engineering and Construction

Reviewed by:

Gus Amirzehni, P.E., Engineering Design and R.O.W.
Division Manager

Prepared by:

Jimmy Mach, P.E., Supervising Civil Engineer
Engineering Design and R.O.W. Management Division

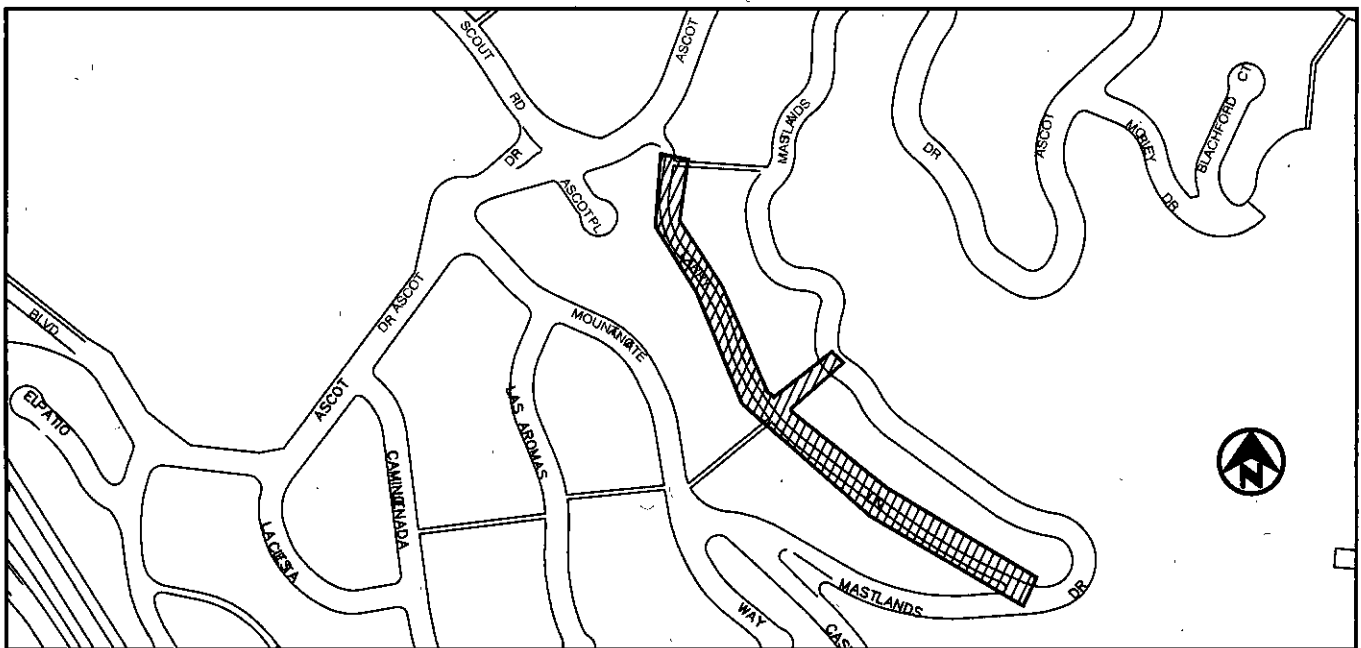
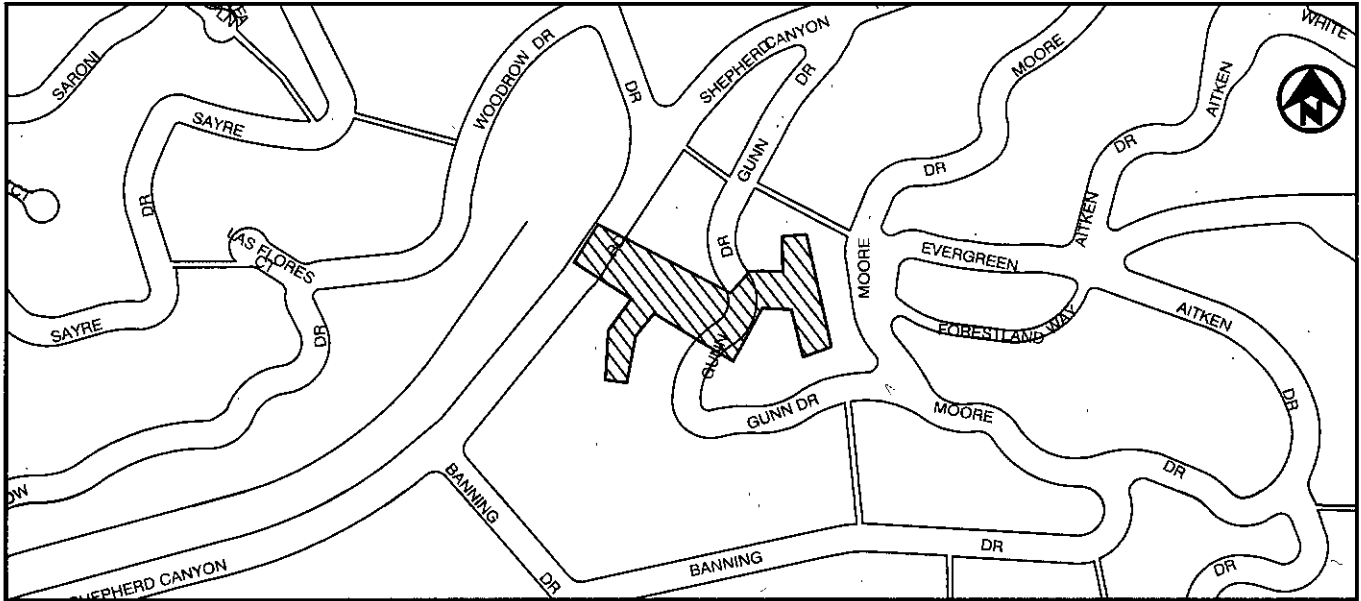
Attachments:

- Attachment A1, A2, A3, A4 – Project Location Map
- Attachment B – Project Construction Schedule
- Attachment C1, C2, C3, C4 – Contracts & Compliance Unit Compliance Evaluation
- Attachment D1 and D2 – Contractor Performance Evaluation

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REHABILITATION OF SANITARY SEWERS IN EASEMENT BETWEEN SHEPHERD CANYON ROAD AND MOORE DRIVE, AND IN LARRY LANE BETWEEN ASCOT DRIVE AND MASTLANDS DRIVE

CITY PROJECT NO. C329138



LOCATION MAP

NOT TO SCALE

LIMIT OF WORK 

Attachment A2

PLANS FOR THE REHABILITATION OF SANITARY SEWERS AT LAKESIDE PARK BOAT HOUSE

CITY PROJECT NO. C455611



LOCATION MAP

NOT TO SCALE

LIMIT OF WORK 

PLANS FOR THE REHABILITATION OF
SANITARY SEWERS
IN AREA BOUNDED BY BROADWAY,
GOLDEN GATE AVENUE, AND CONTRA COSTA ROAD
CITY PROJECT NO. C329134



LOCATION MAP

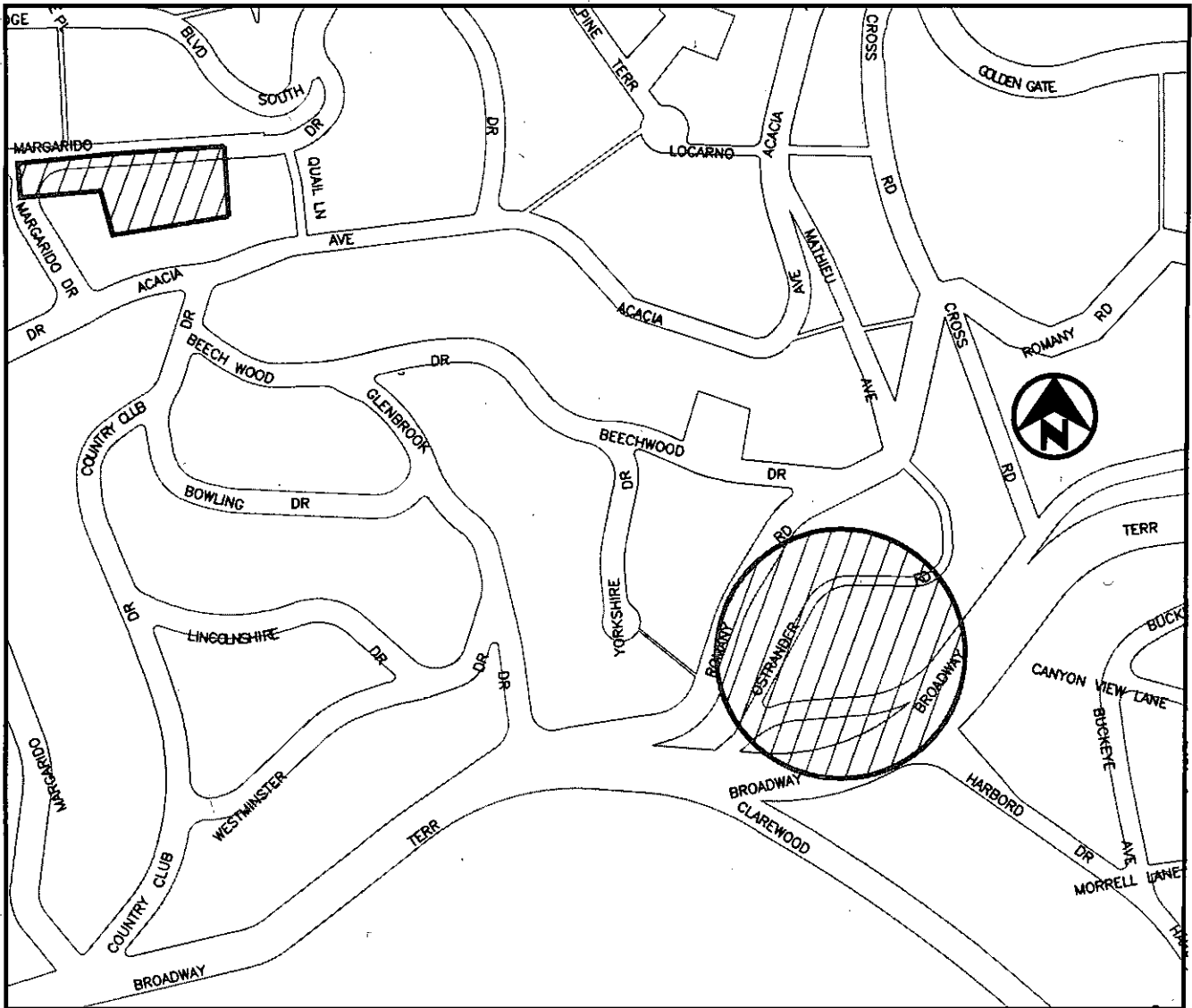
NOT TO SCALE

LIMIT OF WORK 

Attachment A4

REHABILITATION OF SANITARY SEWERS
IN AREA OF OSTRANDER ROAD AND BROADWAY
TERRACE, IN THE EASEMENT BY MARGARIDO DRIVE

CITY PROJECT NO. C329137



LOCATION MAP

NOT TO SCALE

LIMIT OF WORK 



INTER OFFICE MEMORANDUM

TO: Gunawan Santoso,
Civil Engineer

FROM: Deborah Barnes, Contracts and
Compliance Manager

SUBJECT: Compliance Analysis

DATE: February 27, 2014

Rebid-The Rehabilitation of Sanitary Sewers in the Easement between Shepherd Canyon Road and Moore Drive and in the Easement by Larry Lane
Project No. C329138

City Administrator's Office, Contracts and Compliance Unit reviewed two (2) 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.

Responsive to 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	Trucking	Total Credited participation	Earned Bid Discounts	Adjusted Bid Amount	
J. Howard Engineering, Inc.	\$456,939.00	91.25%	1.86%	89.39%	0.00%	100%	91.25%	5%	\$434,092.05	Y
Pacific Trenchless, Inc.	\$468,049.00	97.86%	0.00%	97.86%	0.00%	100%	97.86%	5%	\$444,646.55	Y

Comments: As noted above, all firms met and/or exceeded the minimum 50% L/SLBE participation requirement. All firms are EBO compliant.

Non-Responsive to 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	Trucking	Total Credited participation	Earned Bid Discounts	Adjusted Bid Amount	Adjusted Bid Amount	
NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA

Comments: NA

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: J. Howard Engineering, Inc.

Project Name: NA

Project No.: NA

50% Local Employment Program (LEP)

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

15% Oakland Apprenticeship Program

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

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			
NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	

Comments: No Local Employment Program (LEP) or Apprenticeship Program Utilization data is available for Root Tamers. They have not completed any project for the City of Oakland in the last fiscal year.

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



Contracts and Compliance Project Evaluation Report

Project No: C329138

Project Name: Rebid-The Rehabilitation of Sanitary Sewers in the Easement between Shepherd Canyon Road and Moore Drive and in the Easement by Larry Lane

Contractor: J. Howard Engineering, Inc.

<u>Engineer's Estimate:</u>	<u>Contractor's Bid Amount:</u>	<u>Under/Over Engineer's Estimate:</u>
\$464,310.00	\$456,939.00	\$7,371.00
<u>Discounted Bid Amount:</u>	<u>Amount of Bid Discount:</u>	<u>Discount Points:</u>
\$434,092.05	\$22,846.95	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 1.86%
- b) % of SLBE participation 89.39%
- c) % of VSLBE/LPG participation

3. Did the contractor meet the Trucking requirement? Yes

- a) % of SLBE/LBE trucking participation 100.00%
- b) % of VSLBE trucking participation

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. 2/26/2014

Reviewing Officer: Sophany Hang

Reviewing Officer Date: 2/26/2014

Approved By:

Shelley Orensburg

Approved By Date: 2/26/14

LBE/SLBE/VSLBE/LPG PARTICIPATION

Project Name: Rebid-The Rehabilitation of Sanitary Sewers in the Easement between Shepherd Canyon Road and Moore Drive and in the Easement by Larry Lane

Project No: C329138

Engineers Estimate: \$464,310.00

Under/Over Engineers Estimate: \$7,371.00

No.	Discipline	Contractor	Location	Cert. Status	LBE	SLBE	*VSLBE/LPG (2x value)	L/SLBE Trucking	UB Trucking	UB Dollars	For Tracking Only		
											Ethn	MBE	WBE
1	Prime	J. Howard Engineering, Inc.	Oakland	CB		398,439.00					C		
2	Trucking	Williams Trucking	Oakland	CB		10,000.00		10,000.00			AA	10,000.00	
3	Saw Cutting	Bay Line Cutting	Berkeley	UB						3,000.00	H	3,000.00	
4	Manhole Mate.	Old Castle Precast	Pleasanton	UB						4,000.00	C		
5	HDPE Pipe	P & F Distributors	Brisbane	UB						27,000.00	C		
6	Fittings	Mission Clay Prod.	Oakland	CB	5,000.00						C		
7	Concrete	Right Away Ready Mix	Oakland	CB	3,500.00						C		
8	Drain Rock	Inner City	Oakland	UB						2,000.00	C		
9	Drain Rock	Argent Materials	Oakland	UB						1,500.00	C		
10	Manhole	Contech of CA	Stockton	UB						2,500.00	C		
Project Totals:					8,500.00	408,439.00		10,000.00		40,000.00		13,000.00	
					1.86%	89.39%		100.00%		8.75%		2.85%	

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 firm can be counted double towards achieving the 50% requirements.

Total LBE \ SLBE Dollars and Percents: \$416,939.00 91.25% **Total Bid Amount: \$456,939.00**
Total VSLBE \ LPG Dollars and Percents:
Total LBE \ SLBE Trucking Dollars and Percents: \$10,000.00 100.00% **Total Participation of VSLBE / SLBE / LBE / LPG: 91.25%**

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



Contracts and Compliance Project Evaluation Report

Project No: C329138

Project Name: Rebid-The Rehabilitation of Sanitary Sewers in the Easement between Shepherd Canyon Road and Moore Drive and in the Easement by Larry Lane

Contractor: Pacific Trenchless, Inc.

<u>Engineer's Estimate:</u>	<u>Contractor's Bid Amount:</u>	<u>Under/Over Engineer's Estimate:</u>
\$464,310.00	\$468,049.00	(\$3,739.00)
<u>Discounted Bid Amount:</u>	<u>Amount of Bid Discount:</u>	<u>Discount Points:</u>
\$444,646.55	\$23,402.45	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 97.06%
- c) % of VSLBE/LPG participation

3. Did the contractor meet the Trucking requirement? Yes

- a) % of SLBE/LBE trucking participation 100.00%
- b) % of VSLBE trucking participation

4. Did the Contractor receive any bid discount? Yes

(if yes, list the percentage received) 5.00%

5. Additonal Comments

6. Date evaluation completed and returned to initiating department. 2/26/2014

Reviewing Officer: Sophany Hang

Reviewing Officer Date: 2/26/2014

Approved By: Sophany Hang

Approved By Date: 2/26/14

Wednesday, February 26, 2014

LBE/SLBE/VSLBE/LPG PARTICIPATION

Bidder 2

Project Name: Rebid-The Rehabilitation of Sanitary Sewers in the Easement between Shepherd Canyon Road and Moore Drive and in the Easement by Larry Lane

Project No: C329138

Engineers Estimate: \$464,310.00

Under/Over Engineers Estimate: (\$3,739.00)

No.	Discipline	Contractor	Location	Cert. Status	LBE	SLBE	*VSLBE/LPG (2x value)	L/SLBE Trucking	UB Trucking	UB Dollars	For Tracking Only			
											Ethn	MBE	WBE	
1	Prime	Pacific Trenchless, Inc.	Oakland	CB		454,849.00								
2	Trucking	Williams Trucking	Oakland	CB		3,200.00		3,200.00				AA	3,200.00	
3	HDPE Pipe	P & F Distributors	Brisbane	UB						13,000.00		C		
Project Totals:														
						458,049.00		3,200.00			13,000.00		3,200.00	
						97.86%		100.00%			2.78%		0.68%	

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 firm can be counted double towards achieving the 50% requirements.

Total LBE \ SLBE Dollars and Percents: \$458,049.00 97.86% **Total Bid Amount:** \$468,049.00
Total VSLBE \ LPG Dollars and Percents:
Total LBE \ SLBE Trucking Dollars and Percents: \$3,200.00 100.00% **Total Participation of VSLBE / SLBE / LBE / LPG:** 97.86%

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

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



INTER OFFICE MEMORANDUM

TO: Gunawan Santoso,
Civil Engineer

FROM: Deborah Barnes, Contracts and
Compliance Manager

SUBJECT: Compliance Analysis

DATE: March 7, 2014

**Rebid: The Rehabilitation of Sanitary Sewers at Lakeside Park Boat House
Project No. C455611**

City Administrator's Office, Contracts and Compliance Unit reviewed five (5) 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.

Responsive to 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	Trucking	Total Credited participation	Earned Bid Discounts	Adjusted Bid Amount	
Beliveau Engineering Contractors, Inc.	\$164,060.00	100%	0%	100%	0%	100%	100%	5%	\$155,857.00	Y
Cratus, Inc.	\$170,000.00	50.24%	25.06%	17.65%	7.53%	100%	50.24%	2%	\$166,600.00	N
Bay Construction Co. Pacific Trenchless, Inc.	\$176,036.80	99.43%	5.68%	93.75%	0%	100%	99.43%	5%	\$167,234.96	Y
	\$209,517.00	94.59%	0%	94.59%	0%	100%	94.59%	5%	\$199,041.15	Y

Comments: As noted above, all firms met and/or exceeded the minimum 50% L/SLBE participation requirement. All firms are EBO compliant except Cratus Inc. They will have to come into compliance prior to award.

*Proposed VSLBE/LPG participation is valued at 3.76%, however, per the L/SLBE Program a VSLBE/LPG's participation is double counted towards meeting the requirement. Therefore, the VSLBE/LPG value is 7.53%.

Non-Responsive to 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	Trucking	Total Credited participation	Earned Bid Discounts	Adjusted Bid Amount	Adjusted Bid Amount	
Sanact Inc. dba Roto-Rooter	\$201,300.00	0%	0%	0%	0%	0%	0%	0%	0%	0%	N

Comments: As noted above, Sanact Inc. dba Roto Rooter failed to meet the minimum 50% L/SLBE participation requirement. Therefore, they are deemed non-responsive.



Contracts and Compliance Project Evaluation Report

Project No: C455611

Project Name: Rebid-The Rehabilitation of Sanitary Sewers at Lakeside Park Boat House

Contractor: Beliveau Engineering Contractors, Inc.

<u>Engineer's Estimate:</u>	<u>Contractor's Bid Amount:</u>	<u>Under/Over Engineer's Estimate:</u>
\$167,040.00	\$164,060.00	\$2,980.00
<u>Discounted Bid Amount:</u>	<u>Amount of Bid Discount:</u>	<u>Discount Points:</u>
\$155,857.00	\$8,203.00	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

b) % of SLBE participation 100.00%

c) % of VSLBE/LPG participation

3. Did the contractor meet the Trucking requirement? Yes

a) % of SLBE/LBE trucking participation 100.00%

b) % of VSLBE trucking participation

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: 3/7/2014

Reviewing Officer: Sophany Hang

Reviewing Officer Date: 3/7/2014

Approved By: [Signature]

Approved By Date: 3/7/14

Tuesday, March 04, 2014

LBE/SLBE/VSLBE/LPG PARTICIPATION

Bidder 1

Project Name: Rebid-The Rehabilitation of Sanitary Sewers at Lakeside Park Boat House

Project No: **C455611**

Engineers Estimate: **\$167,040.00**

Under/Over Engineers Estimate: **\$2,980.00**

No: Discipline	Contractor	Cert. Location Status	LBE	SLBE	*VSLBE/LPG (2x value)	L/SLBE Trucking	UB Trucking	UB Dollars	For Tracking Only		
									Ethin	MBE	WBE
1 Prime	Beliveau Engineering Contractors, Inc.	Oakland CB		160,060.00					C		
2 Trucking	Williams Trucking	Oakland CB		4,000.00		4,000.00			AA	4,000.00	
Project Totals:					164,060.00	4,000.00				4,000.00	
				100.00%		100.00%				2.44%	

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 firm can be counted double towards achieving the 50% requirements.

Total LBE \ SLBE Dollars and Percents: **\$164,060.00 100.00%**
 Total VSLBE \ LPG Dollars and Percents:
 Total LBE \ SLBE Trucking Dollars and Percents: **\$4,000.00 100.00%**

Total Bid Amount: **\$164,060.00**
 Total Participation of VSLBE \ SLBE \ LBE \ LPG: **100.00%**

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

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: C455611

Project Name: Rebid: The Rehabilitation of Sanitary Sewers at Lakeside Park Boat House

Contractor: Cratus Inc.

<u>Engineer's Estimate:</u>	<u>Contractor's Bid Amount:</u>	<u>Under/Over Engineer's Estimate:</u>
\$167,040.00	\$170,000.00	(\$2,960.00)
<u>Discounted Bid Amount:</u>	<u>Amount of Bid Discount:</u>	<u>Discount Points:</u>
\$166,600.00	\$3,400.00	2.00%

1. Did the 50% Local/Small Local requirement apply? Yes

2. Did the contractor meet the 50% requirement? Yes

- a) % of LBE participation 25.06%
- b) % of SLBE participation 17.65%
- c) % of VSLBE/LPG participation 7.53%

3. Did the contractor meet the Trucking requirement? Yes

- a) % of SLBE/LBE trucking participation
- b) % of VSLBE trucking participation 7.53%

4. Did the Contractor receive any bid discount? Yes

(if yes, list the percentage received) 2.00%

5. Additional Comments *Proposed VSLBE/LPG participation is valued at 3.76%, however, per the L/SLBE Program a VSLBE/LPG's participation is double counted towards meeting the requirement. Therefore, the VSLBE/LPG value is 7.53%.

6. Date evaluation completed and returned to initiating department. 3/7/2014

Reviewing Officer: Sophany Hang

Reviewing Officer Date: 3/7/2014

Approved By: [Signature]

Approved By Date: _____

LBE/SLBE/VSLBE/LPG PARTICIPATION

Project Name: **Rebid-The Rehabilitation of Sanitary Sewers at Lakeside Park Boat House**

Project No: **C455611**

Engineers Estimate: **\$167,040.00**

Under/Over Engineers Estimate: **(\$2,960.00)**

No. Discipline	Contractor	Location	Cert. Status	LBE	SLBE	*VSLBE/LPG (2x value)	L/SLBE Trucking	UB Trucking	UB Dollars	For Tracking Only		
										Ethn	MBE	WBE
1 Prime	Cratus, Inc.	SF	UB						87,500.00	C		
2 Saw-Cutting	Bay Lin Saw-Cutting	Berkeley	UB						1,000.00	H	1,000.00	
3 Manhole Mat.	Old Castle Precast	Pleasanton	UB						2,500.00	C		
4 Pipe Supply	Pace Supply Inc.	Oakland	CB	15,500.00						C		
5 Trucking	Marchall Trucking	Oakland	CB			6,400.00				AA	6,400.00	
6 Concrete	Right Away Ready Mix	Oakland	CB	3,000.00						C		
7 Trucking	All City Trucking	Oakland	CB		30,000.00		30,000.00			AI	30,000.00	
8 Hertz	Hertz Equipment	Oakland	CB	18,000.00						C		
9 Material	Level Construction LLC	Oakland	CB	6,100.00						C		
Project Totals:				42,600.00	30,000.00	6,400.00	30,000.00		91,000.00		37,400.00	
				25.06%	17.65%	7.53%	100.00%		53.53%		22.00%	

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 firm can be counted double towards achieving the 50% requirements.

Total LBE \ SLBE Dollars and Percents: **\$72,600.00 42.71%**
 Total VSLBE \ LPG Dollars and Percents: **\$6,400.00 7.53%**
 Total LBE \ SLBE Trucking Dollars and Percents: **\$30,000.00 100.00%**

Total Bid Amount: **\$170,000.00**
 Total Participation of VSLBE / SLBE / LBE / LPG: **50.24%**

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

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: C455611

Project Name: Rebid-The Rehabilitation of Sanitary Sewers at Lakeside Park Boat House

Contractor: Bay Construction Company, Inc.

<u>Engineer's Estimate:</u> \$167,040.00	<u>Contractor's Bid Amount:</u> \$176,036.80	<u>Under/Over Engineer's Estimate:</u> (\$8,996.80)
<u>Discounted Bid Amount:</u> \$167,234.96	<u>Amount of Bid Discount:</u> \$8,801.84	<u>Discount Points:</u> 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 5.68%

b) % of SLBE participation 93.75%

c) % of VSLBE/LPG participation

3. Did the contractor meet the Trucking requirement? Yes

a) % of SLBE/LBE trucking participation 100.00%

b) % of VSLBE trucking participation

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. 3/7/2014

Reviewing Officer: Sophany Hang

Reviewing Officer Date: 3/7/2014

Approved By: [Signature]

Approved By Date: _____

Tuesday, March 04, 2014

LBE/SLBE/VSLBE/LPG PARTICIPATION

Bidder 3

Project Name: Rébid-The Rehabilitation of Sanitary Sewers at Lakeside Park Boat House

Project No: C455611

Engineers Estimate: \$167,040.00

Under/Over Engineers Estimate: (\$8,996.80)

No. Discipline	Contractor	Cert. Location Status	LBE	SLBE	*VSLBE/LPG (2x value)	I/SLBE Trucking	UB Trucking	UB Dollars	For Tracking Only		
									Ethn	MBE	WBE
1 Prime	Bay Construction Company, Inc.	Oakland CB		163,036.60					AP	163,036.80	
2 Trucking	Williams Trucking	Oakland CB		2,000.00		2,000.00			AA	2,000.00	
3 Piping	American Emperor	Oakland CB	10,000.00						AP	10,000.00	
Project Totals:			10,000.00	165,036.60		2,000.00				175,036.80	
			5.68%	93.75%		100.00%				99.43%	

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 firm can be counted double towards achieving the 50% requirements.

Total LBE \ SLBE Dollars and Percents: **\$175,036.60 99.43%**
 Total VSLBE \ LPG Dollars and Percents:
 Total LBE \ SLBE Trucking Dollars and Percents: **\$2,000.00 100.00%**

Total Bid Amount: **\$176,036.80**
 Total Participation of VSLBE / SLBE / LBE / LPG: **99.43%**

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

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



Contracts and Compliance Project Evaluation Report

Project No: C455611

Project Name: Rebid-The Rehabilitation of Sanitary Sewers at Lakeside Park Boat House

Contractor: Sanact Inc. dba Roto-Rooter

<u>Engineer's Estimate:</u>	<u>Contractor's Bid Amount:</u>	<u>Under/Over Engineer's Estimate:</u>
\$167,040.00	\$201,300.00	(\$34,260.00)
<u>Discounted Bid Amount:</u>	<u>Amount of Bid Discount:</u>	<u>Discount Points:</u>
\$201,300.00	\$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 0.00%

c) % of VSLBE/LPG participation

3. Did the contractor meet the Trucking requirement? Yes

a) % of SLBE/LBE trucking participation 0.00%

b) % of VSLBE trucking participation

4. Did the Contractor receive any bid discount? No

(if yes, list the percentage received) 0.00%

5. Additional Comments Contractor failed to meet the minimum 50% L/SLBE participation requirement. Therefore, they are deemed non-responsive.

6. Date evaluation completed and returned to initiating department. 3/7/2014

Reviewing Officer: Sophany Hang

Reviewing Officer Date: 3/7/2014

Approved By: [Signature]

Approved By Date: _____

Tuesday, March 04, 2014

LBE/SLBE/VSLBE/LPG PARTICIPATION

Bidder 4

Project Name: Rebid-The Rehabilitation of Sanitary Sewers at Lakeside Park Boat House

Project No: C455611

Engineers Estimate: \$167,040.00

Under/Over Engineers Estimate: (\$34,260.00)

No. Discipline	Contractor	Location	Cert. Status	LBE	SLBE	*VSLBE/LPG (2x value)	L/SLBE Trucking	UB Trucking	UB Dollars	For Tracking Only		
										Ethn	MBE	WBE
1 Prime	Sanact Inc. dba Roto-Rooter	Livermore	UB						166,700.00	C		
2 Hauling &	Ramirez Trucking aka Ramirez Transportation	Oakland	UB						34,600.00	H	34,600.00	
Project Totals:									201,300.00		34,600.00	
									100.00%		17.19%	

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 firm can be counted double towards achieving the 50% requirements.

Total LBE \ SLBE Dollars and Percents: \$0.00 0.00%
Total VSLBE \ LPG Dollars and Percents:
Total LBE \ SLBE Trucking Dollars and Percents:

Total Bid Amount: \$201,300.00

Total Participation of VSLBE / SLBE / LBE / LPG: 0 . 0 0 %

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

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: C455611

Project Name: Rebid-The Rehabilitation of Sanitary Sewers at Lakeside Park Boat House

Contractor: Pacific Trenchless Inc.

<u>Engineer's Estimate:</u>	<u>Contractor's Bid Amount:</u>	<u>Under/Over Engineer's Estimate:</u>
\$167,040.00	\$209,517.00	(\$42,477.00)
<u>Discounted Bid Amount:</u>	<u>Amount of Bid Discount:</u>	<u>Discount Points:</u>
\$199,041.15	\$10,475.85	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 94.59%

c) % of VSLBE/LPG participation

3. Did the contractor meet the Trucking requirement? Yes

a) % of SLBE/LBE trucking participation 100.00%

b) % of VSLBE trucking participation

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: 3/7/2014

Reviewing Officer: Sophany Hang

Reviewing Officer Date: 3/7/2014

Approved By: [Signature]

Approved By Date: _____

LBE/SLBE/VSLBE/LPG PARTICIPATION

Project Name: Rebid-The Rehabilitation of Sanitary Sewers at Lakeside Park Boat House

Project No: C455611

Engineers Estimate: \$167,040.00

Under/Over Engineers Estimate: (\$42,477.00)

No. Discipline	Contractor	Cert. Location	Status	LBE	SLBE	*VSLBE/LPG (2x value)	L/SLBE Trucking	UB Trucking	UB Dollars	For Tracking Only		
										Ethn	MBE	WBE
1 Prime	Pacific Trenchless Inc.	Oakland	CB		196,392.00					C		
2 Trucking	Williams Trucking	Oakland	CB		1,800.00		1,800.00			AA	1,800.00	
3 Iron Pipe	Groenger & Co.	Hayward	UB						11,325.00			
Project Totals:					198,192.00		1,800.00		11,325.00		1,800.00	
					94.59%		100.00%		5.41%		0.86%	

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 firm can be counted double towards achieving the 50% requirements.

Total LBE \ SLBE Dollars and Percents: \$198,192.00 94.59% **Total Bid Amount: \$209,517.00**
Total VSLBE \ LPG Dollars and Percents: \$1,800.00 100.00%
Total LBE \ SLBE Trucking Dollars and Percents: \$1,800.00 100.00% **Total Participation of VSLBE / SLBE / LBE / LPG: 94.59%**

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

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



INTER OFFICE MEMORANDUM

TO: Jimmy Mach,
Project Manager

FROM: Deborah Barnes, Contracts and
Compliance Manager *Deborah Barnes*

SUBJECT: Compliance Analysis

DATE: March 14, 2014

**Rebid- The Rehabilitation of Sanitary Sewers in the Area Bounded by Broadway, Golden Gate Avenue and Contra Costa Road
Project No. C329134**

City Administrator's Office, Contracts and Compliance Unit reviewed two (2) 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.

Responsive to 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	
Pacific Trenchless, Inc.	\$957,035.00	95.61%	0.00%	95.61%	0.00%	100%	95.61%	5%	\$909,183.25	Y
J. Howard Engineering, Inc.	\$1,027,906.00	94.21%	1.12%	93.09%	0.00%	100%	94.21%	3%	\$976,510.70	Y

Comments: As noted above, both firms met and/or exceeded the minimum 50% L/SLBE participation requirement. Both firms are EBO compliant.

Non-Responsive to 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	L/SLBE Trucking	Total Credited participation	Earned Bid Discounts	Adjusted Bid Amount	Adjusted Bid Amount	
NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA

Comments: NA



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: Pacific Trenchless

Project Name: Rehab. Of Sanitary Sewers between Moore, Saroni and Arrowhead

Project No: C329125

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	Core Workforce Hours Deducted	50% Local Employment Program (LEP)						15% Apprenticeship Program				
		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			
740	0	50%	370	100%	370	0	0	100%	111	15%	111	0

Comments: Pacific Trenchless exceeded the Local Employment Program's 50% resident hiring goal with 100% resident employment and met the 15% Oakland Apprenticeship Program goals with 56 on-site hours and 56 off-site hours.

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



Contracts and Compliance Project Evaluation Report

Project No: C329134

Project Name: Rebid-The Rehabilitation of Sanitary Sewers in the Area Bounded By Broadway,
Golden Gate Avenue and Contra Costa Road

Contractor: Pacific Trenchless, Inc.

<u>Engineer's Estimate:</u>	<u>Contractor's Bid Amount:</u>	<u>Under/Over Engineer's Estimate:</u>
\$944,410.00	\$957,035.00	(\$12,625.00)
<u>Discounted Bid Amount:</u>	<u>Amount of Bid Discount:</u>	<u>Discount Points:</u>
\$909,183.25	\$47,851.75	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 95.61%

c) % of VSLBE/LPG participation 0.00%

3. Did the contractor meet the Trucking requirement? Yes

a) % of SLBE/LBE trucking participation 100.00%

b) % of VSLBE trucking participation

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. 3/14/2014

Reviewing Officer: Sophany Hang

Reviewing Officer Date: 3/14/2014

Approved By: Shelley Darensting

Approved By Date: 3/14/14

Thursday, March 13, 2014

LBE/SLBE/VSLBE/LPG PARTICIPATION

Bidder 1

Project Name: Rebid-The Rehabilitation of Sanitary Sewers in the Area Bounded By Broadway, Golden Gate Avenue and Contra Costa Road

Project No: C329134

Engineers Estimate: \$944,410.00

Under/Over Engineers Estimate: (\$12,625.00)

No. Discipline	Contractor	Cert. Location-Status	LBE	SLBE	*VSLBE/LPG (2x value)	L/SLBE Trucking	UB Trucking	UB Dollars	For Tracking Only		
									Ethn	MBE	WBE
1 Prime	Pacific Trenchless, Inc.	Oakland CB		903,535.00					C		
2 Trucking	Williams Trucking	Oakland CB		11,500.00		11,500.00			AA	11,500.00	
3 HDPE Pipe	P & F Distributors	Brisbane CB						42,000.00	C		
Project Totals:				915,035.00		11,500.00		42,000.00		11,500.00	
				95.61%		100.00%		4.39%		1.20%	

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 firm can be counted double towards achieving the 50% requirements.

Total LBE \ SLBE Dollars and Percents: **\$915,035.00 95.61%**
 Total VSLBE \ LPG Dollars and Percents:
 Total LBE \ SLBE Trucking Dollars and Percents: **\$11,500.00 100.00%**

Total Bid Amount: **\$957,035.00**
 Total Participation of VSLBE / SLBE / LBE / LPG: **9.5..6.1%**

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

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: C329134

Project Name: Rebid- The Rehabilitation of Sanitary Sewers in the Area Bounded By Broadway, Golden Gate Avenue and Contra Costa Road

Contractor: J. Howard Engineering, Inc.

<u>Engineer's Estimate:</u>	<u>Contractor's Bid Amount:</u>	<u>Under/Over Engineer's Estimate:</u>
\$944,410.00	\$1,027,906.00	(\$83,496.00)
<u>Discounted Bid Amount:</u>	<u>Amount of Bid Discount:</u>	<u>Discount Points:</u>
\$976,510.70	\$51,395.30	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 1.12%

b) % of SLBE participation 93.09%

c) % of VSLBE/LPG participation 0.00%

3. Did the contractor meet the Trucking requirement? Yes

a) % of SLBE/LBE trucking participation 100.00%

b) % of VSLBE trucking participation

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. 3/14/2014

Reviewing Officer: Sophany Hang

Reviewing Officer Date: 3/14/2014

Approved By: Sherry Sorenson

Approved By Date: 3/14/14

Thursday, March 13, 2014

LBE/SLBE/VSLBE/LPG PARTICIPATION

Bidder 2

Project Name: Rebid-The Rehabilitation of Sanitary Sewers in the Area Bounded By Broadway, Golden Gate Avenue and Contra Costa Road

Project No: C329134

Engineers Estimate: \$944,410.00

Under/Over Engineers Estimate: (\$83,496.00)

No. Discipline	Contractor	Location	Cert Status	LBE	SLBE	VSLBE/LPG (2x value)	L/SLBE Trucking	UB Trucking	UB Dollars	Ethn	For Tracking Only	
											MBE	WBE
1 Prime	J. Howard Engineering, Inc.	Oakland	CB		936,906.00					C		
2 Trucking	Williams Trucking	Oakland	CB		20,000.00		20,000.00			AA	20,000.00	
3 Saw Cutting	Bay Line Cutting	Berkeley	UB						5,000.00	H	5,000.00	
4 Manhole	Old Castle Precast	Pleasanton	UB						8,000.00	C		
5 HDPE Pipe	P & F Distributors	Brisbane	UB						40,000.00	C		
6 Fittings	Mission Clay	Oakland	CB	5,000.00						C		
7 Concrete	Right Away/Ready Mix	Oakland	CB	6,500.00						C		
8 Recycle	Argent Materials	Oakland	UB						3,500.00	C		
9 Manhole	Contech of CA	Stockton	UB						3,000.00	C		
Project Totals:				11,500.00	956,906.00		20,000.00		59,500.00		25,000.00	
				1.12%	93.09%		100.00%		5.79%		2.43%	

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 firm can be counted double towards achieving the 50% requirements.

Total LBE \ SLBE Dollars and Percents: **\$968,406.00 94.21%**
 Total VSLBE \ LPG Dollars and Percents:
 Total LBE \ SLBE Trucking Dollars and Percents: **\$20,000.00 100.00%**

Total Bid Amount: **\$1,027,906.00**
 Total Participation of
 VSLBE / SLBE / LBE / LPG: **94.21%**

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

ETHNICITY:
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 MO = Multiple Ownership



INTER OFFICE MEMORANDUM

TO: Jimmy Mach,
Project Manager

FROM: Deborah Barnes, Contracts and Compliance Manager *Deborah Barnes*

SUBJECT: Compliance Analysis **DATE:** March 13, 2014
Rebid-The Rehabilitation of Sanitary Sewers in the Area of Ostrander Road and Broadway Terrace, and in the Easement by Margarido Drive
Project No. C329137

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.

Responsive to 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	Trucking	Total Credited participation	Earned Bid Discounts	Adjusted Bid Amount	
J. Howard Engineering, Inc.	\$293,452.00	90.80%	1.53%	89.27%	0.00%	100%	90.80%	5%	\$278,779.40	Y
Pacific Trenchless, Inc.	\$305,484.00	94.11%	0.00%	94.11%	0.00%	100%	94.11%	5%	\$290,209.80	Y
Mosto Construction	\$342,100.00	87.64%	0.44%	86.32%	0.88%	100%	87.64%	5%	\$324,995.00	Y

Comments: As noted above, all firms met and/or exceeded the minimum 50% L/SLBE participation requirement. All firms are EBO compliant.

*Proposed VSLBE/LPG participation is valued at 0.44%, however, per the L/SLBE Program a VSLBE/LPG's participation is double counted towards meeting the requirement. Therefore, the VSLBE/LPG value is 0.88%.

Non-Responsive to 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	Trucking	Total Credited participation	Earned Bid Discounts	Adjusted Bid Amount	
NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA

Comments: NA

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: J. Howard Engineering, Inc.

Project Name:

Project No.:

50% Local Employment Program (LEP)

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

15% Oakland Apprenticeship Program

Was the 15% Apprenticeship Goal achieved?	NA	If no, shortfall hours?	
Were shortfalls satisfied?	NA	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.

50% Local Employment Program (LEP)							15% Apprenticeship Program					
Total Project Hours	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
A	B	C		D		E	F	G	H	I		J
		Goal	Hours	Goal	Hours					Goal	Hours	
NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA

Comments: No Local Employment Program (LEP) or Apprenticeship Program Utilization data is available for J. Howard Engineering, Inc. They have not completed any project for the City of Oakland in the last fiscal year.

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



Contracts and Compliance Project Evaluation Report

Project No: C329137

Project Name: Re-bid The Rehabilitation of Sanitary Sewers in the area of Ostrander Road and Broadway Terrace, and in the Easement by Margarido Drive

Contractor: J. Howard Engineering, Inc.

<u>Engineer's Estimate:</u>	<u>Contractor's Bid Amount:</u>	<u>Under/Over Engineer's Estimate:</u>
\$300,840.00	\$293,452.00	\$7,388.00
<u>Discounted Bid Amount:</u>	<u>Amount of Bid Discount:</u>	<u>Discount Points:</u>
\$278,779.40	\$14,672.60	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 1.53%
- b) % of SLBE participation 89.27%
- c) % of VSLBE/LPG participation 0.00%

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: 3/13/2014

Reviewing Officer: Sophany Hang

Reviewing Officer Date: 3/13/2014

Approved By: Shelley Sorenson

Approved By Date: 3/14/14

Friday, March 14, 2014

LBE/SLBE/VSLBE/LPG PARTICIPATION

Bidder 1

Project Name: **Re-bid The Rehabilitation of Sanitary Sewers in the area of Ostrander Road and Broadway Terrace, and in the Easement by Margarido Drive**

Project No: **C329137**

Engineers Estimate: **\$300,840.00**

Under/Over Engineers Estimate: **\$7,388.00**

No. Discipline	Contractor	Location	Cert. Status	LBE	SLBE	VSLBE/LPG VSLBE Trucking	L/SLBE Trucking	UB Trucking	UB Dollars	Eth	For Tracking Only	
											MBE	WBE
1 Prime	J. Howard Engineering, Inc.	Oakland	CB		254,452.00					C		
2 Trucking	Williams Trucking	Oakland	CB		7,500.00		7,500.00			AA	7,500.00	
3 Saw Cutting	Bay Line Cutting	Berkeley	UB						2,000.00	H	2,000.00	
4 Manhole Mates	Old Castle Precast	Pleasanton	UB						3,000.00	C		
5 HDPE Pipe	P & F Distributors	Brisbane	UB						19,000.00	C		
6 Fittings	Mission Clay Products	Oakland	CB	2,500.00						C		
7 Concrete	Right Away Ready Mix	Oakland	CB	2,000.00						C		
8 Materials	Argent Materials	Oakland	UB						2,000.00	C		
9 Manhole	Contech of CA	Stockton	UB						1,000.00	C		
Project Totals:				4,500.00	261,952.00		7,500.00		27,000.00		9,500.00	
				1.53%	89.27%		100.00%		9.20%		3.24%	

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 %: **\$266,452.00 90.80%**
 Total LBE \ SLBE Trucking \$ and %: **\$7,500.00 100.00%**
 Total VSLBE\LPG\VSLBE Trucking \$ and %:
 Total Bid Amount: **\$293,452.00**
 Total Participation of VSLBE / SLBE / LBE / LPG: **90.80%**

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

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: C329137

Project Name: Re-bid - The Rehabilitation of Sanitary Sewers in the area of Ostrander Road and Broadway Terrace, and in the Easement by Margarido Drive

Contractor: Pacific Trenchless, Inc.

<u>Engineer's Estimate:</u> \$300,840.00	<u>Contractor's Bid Amount:</u> \$305,484.00	<u>Under/Over Engineer's Estimate:</u> (<u>\$4,644.00</u>)
<u>Discounted Bid Amount:</u> \$290,209.80	<u>Amount of Bid Discount:</u> \$15,274.20	<u>Discount Points:</u> 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 94.11%
- c) % of VSLBE/LPG participation 0.00%

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: 3/13/2014

Reviewing Officer: Sophany Hang

Reviewing Officer Date: 3/13/2014

Approved By: Shelley Darenstun

Approved By Date: 3/14/14

Wednesday, March 12, 2014

LBE/SLBE/VSLBE/LPG PARTICIPATION

Bidder 2

Project Name: Re-bid -The Rehabilitation of Sanitary Sewers in the area of Ostrander Road and Broadway Terrace, and in the Easement by Margarido Drive

Project No: C329137

Engineers Estimate: \$300,840.00

Under/Over Engineers Estimate: (\$4,644.00)

No. Discipline	Contractor	Location	Cert. Status	LBE	SLBE	VSLBE/LPG (2x value)	L/SLBE Trucking	UB Trucking	UB Dollars	Ethn	For Tracking Only	
											MBE	WBE
1 Prime	Pacific Trenchless, Inc.	Oakland	CB		285,984.00					C		
2 Trucking	Williams Trucking	Oakland	CB		1,500.00		1,500.00			AA	1,500.00	
3 HDPE Pipe	P & F Distributors	Brisbane	UB						18,000.00	C		
Project Totals:					287,484.00		1,500.00		18,000.00		1,500.00	
					94.11%		100.00%		5.89%		0.49%	

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 firm can be counted double towards achieving the 50% requirements.

Total LBE \ SLBE Dollars and Percents: **\$287,484.00 94.11%**
 Total VSLBE \ LPG Dollars and Percents:
 Total LBE \ SLBE Trucking Dollars and Percents: **\$1,500.00 100.00%**

Total Bid Amount: **\$305,484.00**
 Total Participation of VSLBE / SLBE / LBE / LPG: **94.11%**

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

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: 0329137

Project Name: Re-bid - The Rehabilitation of Sanitary Sewers in the area of Ostrander Road and Broadway Terrace, and in the Easement by Margarido Drive

Contractor: Mosto Construction

<u>Engineer's Estimate:</u>	<u>Contractor's Bid Amount:</u>	<u>Under/Over Engineer's Estimate:</u>
\$300,840.00	\$342,100.00	(\$41,260.00)
<u>Discounted Bid Amount:</u>	<u>Amount of Bid Discount:</u>	<u>Discount Points:</u>
\$324,995.00	\$17,105.00	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 44.00%
b) % of SLBE participation 86.32%
c) % of VSLBE/LPG participation 0.88%

3. Did the contractor meet the Trucking requirement? Yes

a) % of SLBE/LBE trucking participation
b) % of VSLBE trucking participation 100.00%

4. Did the Contractor receive any bid discount? Yes

(if yes, list the percentage received) 5.00%

5. Additional Comments: *Proposed VSLBE/LPG participation is valued at 0.44%, however, per the L/SLBE Program a VSLBE/LPG's participation is double counted towards meeting the requirement. Therefore the VSLBE/LPG value is 0.88%.

6. Date evaluation completed and returned to initiating department. 3/13/2014

Reviewing Officer: Sophany Hang

Reviewing Officer Date: 3/13/2014

Approved By: Sheddy Darenalung

Approved By Date: 3/14/14

Friday, March 14, 2014

LBE/SLBE/VSLBE/LPG PARTICIPATION

Bidder 3

Project Name: Re-bid -The Rehabilitation of Sanitary Sewers in the area of Ostrander Road and Broadway Terrace, and in the Easement by Margarido Drive

Project No: C329137

Engineers Estimate: \$300,840.00

Under/Over Engineers Estimate: (\$41,260.00)

No. Discipline	Contractor	Location	Cert. Status	LBE	SLBE	VSLBE/LPG VSLBE Trucking	L/SLBE Trucking	UB Trucking	UB Dollars	Ethn	For Tracking Only	
											MBE	WBE
1 Prime	Mosto Construction	Oakland	CB		295,300.00					H	295,300.00	
2 Trucking	Monroe Trucking	Oakland	CB			1,500.00				AA	1,500.00	
3 Manhole	Old Castle Precast	Pleasanton	UB						7,500.00	C		
4 HDPE Pipe	P & F Distributors	Brisbane	UB						18,000.00	C		
5 Fitting	Mission Clay Products	Oakland	CB	1,500.00						C		
6 Manhole	Con-Tech of CA	Stockton	UB						2,500.00	C		
7 AB and	Argent Materials	Oakland	UB						800.00	C		
8 Equipment	Ditch Witch Bay Area	Newark	UB						15,000.00	C		
Project Totals:				1,500.00	295,300.00	1,500.00			43,800.00		296,800.00	
				0.44%	86.32%	0.88%			12.80%			86.76%

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 %: \$296,800.00 86.76% Total Bid Amount: \$342,100.00
 Total LBE \ SLBE Trucking \$ and %:
 Total VSLBE/LPG/VSLBE Trucking \$ and %: \$1,500.00 0.88% Total Participation of VSLBE / SLBE / LBE / LPG: 87.64%

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
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 MBE = Minority Business Enterprise
 WBE = Women Business Enterprise

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Attachment D

Attachment D1

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

Project Number/Title: C390710
Work Order Number (if applicable): _____
Contractor: Beliveau Engineering Contractors, Inc.
Date of Notice to Proceed: 5/15/12
Date of Notice of Completion: 1/14/13
Date of Notice of Final Completion: _____
Contract Amount: \$983,500.00
Evaluator Name and Title: Sidney Kong

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

Unsatisfactory
Marginal
Satisfactory
Outstanding
Not Applicable

FINANCIAL

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	<p>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?</p> <p>Number of Claims: _____</p> <p>Claim amounts: \$ _____</p> <p>Settlement amount: \$ _____</p>				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	<p>Overall, how did the Contractor rate on financial issues?</p> <p>The score for this category must be consistent with the responses to the questions given above regarding financial issues and the assessment guidelines.</p> <p>Check 0, 1, 2, or 3.</p>	0 <input type="checkbox"/>	1 <input type="checkbox"/>	2 <input checked="" type="checkbox"/>	3 <input type="checkbox"/>	

COMMUNICATION

		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"/>	

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 <input checked="" type="checkbox"/>	No <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 <input type="checkbox"/>	No <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 <input type="checkbox"/>	No <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 <input type="checkbox"/>	No <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 <input type="checkbox"/>	1 <input type="checkbox"/>	2 <input checked="" type="checkbox"/>	3 <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</u>	X 0.25 =	<u>0.5</u>
2. Enter Overall score from Question 13	<u>2</u>	X 0.25 =	<u>0.5</u>
3. Enter Overall score from Question 18	<u>2</u>	X 0.20 =	<u>0.4</u>
4. Enter Overall score from Question 22	<u>2</u>	X 0.15 =	<u>0.3</u>
5. Enter Overall score from Question 28	<u>2</u>	X 0.15 =	<u>0.3</u>

TOTAL SCORE (Sum of 1 through 5): 2.0

OVERALL RATING: 2.0

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.*

 8/1/13
Contractor / Date

 8/1/13
Resident Engineer / Date

 8/1/13
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.

Attachment D2

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

C329125 / SS Rehab In Moore & Ailken, Saroni & Arrowhead, Glencourt & Homewood

Project Number/Title:	_____
Work Order Number (if applicable):	_____
Contractor:	Pacific Trenchless Inc.
Date of Notice to Proceed:	4/16/2011
Date of Notice of Completion:	1/16/2013
Date of Notice of Final Completion:	1/16/2013
Contract Amount:	\$320,405.00
Evaluator Name and Title:	Paul Tran, Resident Engineer

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 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"/>	

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

COMMUNICATION

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"/>	

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 <input checked="" type="checkbox"/>	No <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 <input type="checkbox"/>	No <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 <input type="checkbox"/>	No <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 <input type="checkbox"/>	No <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 <input type="checkbox"/>	1 <input type="checkbox"/>	2 <input checked="" type="checkbox"/>	3 <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</u>	X 0.25 =	<u>0.5</u>
2. Enter Overall score from Question 13	<u>2</u>	X 0.25 =	<u>0.5</u>
3. Enter Overall score from Question 18	<u>2</u>	X 0.20 =	<u>0.4</u>
4. Enter Overall score from Question 22	<u>2</u>	X 0.15 =	<u>0.3</u>
5. Enter Overall score from Question 28	<u>2</u>	X 0.15 =	<u>0.3</u>

TOTAL SCORE (Sum of 1 through 5): 2.0

OVERALL RATING: 2.0

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.*

 01/25/2013
Contractor / Date

 1/16/13
Resident Engineer / Date

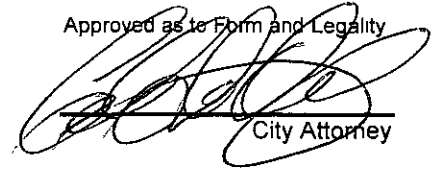
 1/16/13
Supervising Civil Engineer / Date

FILED
OFFICE OF THE CITY CLERK
OAKLAND

2014 MAY -1 PM 1:31

OAKLAND CITY COUNCIL

Approved as to Form and Legality



City Attorney

RESOLUTION NO. _____ C.M.S.

Introduced by Councilmember _____

RESOLUTION AUTHORIZING THE CITY ADMINISTRATOR TO AWARD A CONSTRUCTION CONTRACT TO J. HOWARD ENGINEERING, INC. FOR THE REHABILITATION OF SANITARY SEWERS IN THE EASEMENT BETWEEN SHEPHERD CANYON ROAD AND MOORE DRIVE, AND IN LARRY LANE BETWEEN ASCOT DRIVE AND MASTLANDS DRIVE (PROJECT NO. C329138) IN ACCORDANCE WITH PLANS AND SPECIFICATIONS FOR THE PROJECT AND WITH CONTRACTOR'S BID IN THE AMOUNT OF FOUR HUNDRED FIFTY-SIX THOUSAND NINE HUNDRED THIRTY-NINE DOLLARS (\$456,939.00)

WHEREAS, on February 13, 2014, two bids were received by the Office of the City Clerk of the City of Oakland for the Rehabilitation of Sanitary Sewers in the Easement between Shepherd Canyon Road And Moore Drive, and in Larry Lane between Ascot Drive and Mastlands Drive (Project No. C329138); and

WHEREAS, the project was first bid on January 2, 2014 but all bids were deemed non-responsive; and

WHEREAS, J. Howard Engineering, Inc., a certified SLBE bidding as a prime, is deemed the lowest responsive and responsible bidder for the project; and

WHEREAS, there are sufficient funds in the project budget for the work. Funding for this project is available in the following project account:

- Sewer Service Fund (3100); Capital Projects - Sanitary Sewer Design Organization (92244); Sewers Account (57417); Project No. C329138; \$456,939.00; and these funds were specifically allocated for this project; this project will help reduce the amount of sanitary sewer maintenance requirement; and

WHEREAS, the City Council finds and determines based on the representations set forth in the City Administrator's report accompanying this Resolution that the construction contract approved hereunder is temporary in nature; and

WHEREAS, the City lacks the equipment and qualified personnel to perform the necessary work, that the performance of this contract is in the public interest because of economy or better performance and that this contract is of a professional, scientific or technical nature; and

WHEREAS, J. Howard Engineering, Inc. complies with all LBE/SLBE and trucking requirements; and

WHEREAS, the City Council finds and determines that the performance of this contract shall not result in the loss of employment or salary by any person having permanent status in the competitive service now, therefore, be it

RESOLVED: That the City Administrator is authorized to award a construction contract for the Rehabilitation of Sanitary Sewers in the Easement between Shepherd Canyon Road and Moore Drive, and in Larry Lane between Ascot Drive and Mastlands Drive (Project No. C329138) to J. Howard Engineering, Inc., the lowest responsive and responsible bidder, in an amount of Four Hundred Fifty-Six Thousand Nine Hundred Thirty-Nine Dollars (\$456,939.00) in accord with plans and specifications for the Project and contractor's bid dated February 13, 2014; and be it

FURTHER RESOLVED: That the amount of the bond for faithful performance bond, \$456,939.00, and the bond to guarantee payment of all claims for labor and materials furnished and for the amount under the Unemployment Insurance Act, \$456,939.00, with respect to such work are hereby approved; and be it

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

FURTHER RESOLVED: That the City Administrator, or his designee, is hereby authorized to negotiate with the second lowest bidder and/or next lowest bidder for the same awarded amount, if J. Howard Engineering, Inc. fails to return the complete signed contract documents and supporting documents within the days specified in the Special Provision without going back to City Council; 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 his/her designee, are hereby approved; and be it

FURTHER RESOLVED: That the City Administrator, or his designee, is hereby authorized to reject all other bids; and be it

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

IN COUNCIL, OAKLAND, CALIFORNIA, _____, 20_____

PASSED BY THE FOLLOWING VOTE:

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

NOES -

ABSENT -

ABSTENTION -

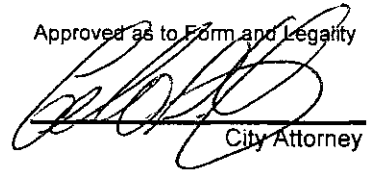
ATTEST: _____
LaTonda Simmons
City Clerk and Clerk of the Council
of the City of Oakland, California

FILED
OFFICE OF THE CITY CLERK
OAKLAND

2014 MAY -1 PM 1:31

OAKLAND CITY COUNCIL

Approved as to Form and Legality



City Attorney

RESOLUTION No. _____ C.M.S.

Introduced by Councilmember _____

RESOLUTION AUTHORIZING THE CITY ADMINISTRATOR TO AWARD A CONSTRUCTION CONTRACT TO BELIVEAU ENGINEERING CONTRACTORS, INC. FOR THE REHABILITATION OF SANITARY SEWERS AT LAKESIDE PARK BOAT HOUSE (PROJECT NO. C455611) IN ACCORDANCE WITH PLANS AND SPECIFICATIONS FOR THE PROJECT AND WITH CONTRACTOR'S BID IN THE AMOUNT OF ONE HUNDRED SIXTY-FOUR THOUSAND SIXTY DOLLARS (\$164,060.00)

WHEREAS, on February 13, 2014, two bids were received by the Office of the City Clerk of the City of Oakland for the Rehabilitation of Sanitary Sewers at Lakeside Park Boat House (Project No. C455611); and

WHEREAS, the project was first bid on January 2, 2014 but all bids were deemed non-responsive; and

WHEREAS, Beliveau Engineering Contractors, Inc., a certified SLBE bidding as a prime, is deemed the lowest responsive and responsible bidder for the project; and

WHEREAS, there are sufficient funds in the project budget for the work. Funding for this project is available in the following project account:

- Sewer Service Fund (3100); Capital Projects - Sanitary Sewer Design Organization (92244); Sewers Account (57417); Project No. C455611; \$164,060.00; and these funds were specifically allocated for this project; this project will help reduce the amount of sanitary sewer maintenance requirement; and

WHEREAS, the City Council finds and determines based on the representations set forth in the City Administrator's report accompanying this Resolution that the construction contract approved hereunder is temporary in nature; and

WHEREAS, the City lacks the equipment and qualified personnel to perform the necessary work, that the performance of this contract is in the public interest because of economy or better performance and that this contract is of a professional, scientific or technical nature; and

WHEREAS, Beliveau Engineering Contractors, Inc. complies with all LBE/SLBE and trucking requirements; and

WHEREAS, the City Council finds and determines that the performance of this contract shall not result in the loss of employment or salary by any person having permanent status in the competitive service now, therefore, be it

RESOLVED: That the City Administrator is authorized to award a construction contract for the Rehabilitation of Sanitary Sewers at Lakeside Park Boat House (Project No. C455611) to Beliveau Engineering Contractors, Inc., the lowest responsive and responsible bidder, in an amount of One Hundred Sixty-Four Thousand Sixty Dollars (\$164,060.00) in accord with plans and specifications for the Project and contractor's bid dated February 13, 2014; and be it

FURTHER RESOLVED: That the amount of the bond for faithful performance bond, \$164,060.00, and the bond to guarantee payment of all claims for labor and materials furnished and for the amount under the Unemployment Insurance Act, \$164,060.00, with respect to such work are hereby approved; and be it

FURTHER RESOLVED: That the City Administrator, or his 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 of the contract within the limitations of the project specifications; and be it

FURTHER RESOLVED: That the City Administrator, or his designee, is hereby authorized to negotiate with the second lowest bidder and/or next lowest bidder for the same awarded amount, if Beliveau Engineering Contractor, Inc. fails to return the complete signed contract documents and supporting documents within the days specified in the Special Provision without going back to City Council; 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 his/her designee, are hereby approved; and be it

FURTHER RESOLVED: That the City Administrator, or his designee, is hereby authorized to reject all other bids; and be it

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

IN COUNCIL, OAKLAND, CALIFORNIA, _____, 20____

PASSED BY THE FOLLOWING VOTE:

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

NOES -

ABSENT -

ABSTENTION -

ATTEST: _____

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

FILED
OFFICE OF THE CITY CLERK
OAKLAND

OAKLAND CITY COUNCIL

Approved as to Form and Legality

2014 MAY -1 PM 4:31 RESOLUTION No. _____ C.M.S.

City Attorney

Introduced by Councilmember _____

RESOLUTION AUTHORIZING THE CITY ADMINISTRATOR TO AWARD A CONSTRUCTION CONTRACT TO PACIFIC TRENCHLESS, INC. FOR THE REHABILITATION OF SANITARY SEWERS IN THE AREA BOUNDED BY BROADWAY, GOLDEN GATE AVE, AND CONTRA COSTA RD (PROJECT NO. C329134) IN ACCORDANCE WITH PLANS AND SPECIFICATIONS FOR THE PROJECT AND WITH CONTRACTOR'S BID IN THE AMOUNT OF NINE HUNDRED FIFTY-SEVEN THOUSAND THIRTY-FIVE DOLLARS (\$957,035.00)

WHEREAS, on February 20, 2014, two bids were received by the Office of the City Clerk of the City of Oakland for the Rehabilitation of Sanitary Sewers in the area bounded by Broadway, Golden Gate Ave, and Contra Costa Rd (Project No. C329134); and

WHEREAS, the project was first bid on January 2, 2014 but all bids were deemed non-responsive; and

WHEREAS, Pacific Trenchless, Inc., a certified SLBE bidding as a prime, is deemed the lowest responsive and responsible bidder for the project; and

WHEREAS, there are sufficient funds in the project budget for the work. Funding for this project is available in the following project account:

- Sewer Service Fund (3100); Capital Projects - Sanitary Sewer Design Organization (92244); Sewers Account (57417); Project No. C329134; \$944,410.00; and these funds were specifically allocated for this project; this project will help reduce the amount of sanitary sewer maintenance requirement; and

WHEREAS, the City Council finds and determines based on the representations set forth in the City Administrator's report accompanying this Resolution that the construction contract approved hereunder is temporary in nature; and

WHEREAS, the City lacks the equipment and qualified personnel to perform the necessary work, that the performance of this contract is in the public interest because of economy or better performance and that this contract is of a professional, scientific or technical nature; and

WHEREAS, Pacific Trenchless, Inc. complies with all LBE/SLBE and trucking requirements; and

WHEREAS, the City Council finds and determines that the performance of this contract shall not result in the loss of employment or salary by any person having permanent status in the competitive service now, therefore, be it

RESOLVED: That the City Administrator is authorized to award a construction contract for the Rehabilitation of Sanitary Sewers in the area bounded by Broadway, Golden Gate Ave, and Contra Costa Rd (Project No. C329134) to Pacific Trenchless, Inc., the lowest responsive and responsible bidder, in an amount of Nine Hundred Fifty-Seven Thousand Thirty-Five Dollars (\$957,035.00) in accord with plans and specifications for the Project and contractor's bid dated February 20, 2014; and be it

FURTHER RESOLVED: That the amount of the bond for faithful performance bond, \$957,035.00, and the bond to guarantee payment of all claims for labor and materials furnished and for the amount under the Unemployment Insurance Act, \$957,035.00, with respect to such work are hereby approved; and be it

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

FURTHER RESOLVED: That the City Administrator, or his designee, is hereby authorized to negotiate with the second lowest bidder and/or next lowest bidder for the same awarded amount, if Pacific Trenchless, Inc. fails to return the complete signed contract documents and supporting documents within the days specified in the Special Provision without going back to City Council; 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 his/her designee, are hereby approved; and be it

FURTHER RESOLVED: That the City Administrator, or his designee, is hereby authorized to reject all other bids; and be it

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

IN COUNCIL, OAKLAND, CALIFORNIA, _____, 20_____

PASSED BY THE FOLLOWING VOTE:

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

NOES -

ABSENT -

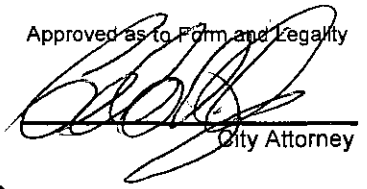
ABSTENTION -

ATTEST: _____

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

FILED
OFFICE OF THE CITY CLERK
OAKLAND

OAKLAND CITY COUNCIL


City Attorney

2014 MAY -1 PM 1:31

RESOLUTION No. _____ C.M.S.

Introduced by Councilmember _____

RESOLUTION AUTHORIZING THE CITY ADMINISTRATOR TO AWARD A CONSTRUCTION CONTRACT TO J. HOWARD ENGINEERING, INC. FOR THE REHABILITATION OF SANITARY SEWERS IN THE AREA BOUNDED BY OSTRANDER RD AND BROADWAY TERRACE, AND THE EASEMENT BY MARGARIDO DR (PROJECT NO. C329137) IN ACCORDANCE WITH PLANS AND SPECIFICATIONS FOR THE PROJECT AND WITH CONTRACTOR'S BID IN THE AMOUNT OF TWO HUNDRED NINETY-THREE THOUSAND FOUR HUNDRED FIFTY-TWO DOLLARS (\$293,452.00)

WHEREAS, on February 20, 2014, three bids were received by the Office of the City Clerk of the City of Oakland for the Rehabilitation of Sanitary Sewers in the area Bounded by Ostrander Rd and Broadway Terrace, and the easement by Margarido Dr (Project No. C329137); and

WHEREAS, the project was first bid on January 2, 2014 but all bids were deemed non-responsive; and

WHEREAS, J. Howard Engineering, Inc., a certified SLBE bidding as a prime, is deemed the lowest responsive and responsible bidder for the project; and

WHEREAS, there are sufficient funds in the project budget for the work. Funding for this project is available in the following project account:

- Sewer Service Fund (3100); Capital Projects - Sanitary Sewer Design Organization (92244); Sewers Account (57417); Project No. C329137; \$293,452.00; and these funds were specifically allocated for this project; this project will help reduce the amount of sanitary sewer maintenance requirement; and

WHEREAS, the City Council finds and determines based on the representations set forth in the City Administrator's report accompanying this Resolution that the construction contract approved hereunder is temporary in nature; and

WHEREAS, the City lacks the equipment and qualified personnel to perform the necessary work, that the performance of this contract is in the public interest because of economy or better performance and that this contract is of a professional, scientific or technical nature; and

WHEREAS, J. Howard Engineering, Inc. complies with all LBE/SLBE and trucking requirements; and

WHEREAS, the City Council finds and determines that the performance of this contract shall not result in the loss of employment or salary by any person having permanent status in the competitive service now, therefore, be it

RESOLVED: That the City Administrator is authorized to award a construction contract for the Rehabilitation of Sanitary Sewers in the area Bounded by Ostrander Rd and Broadway Terrace, and the easement by Margarido Dr (Project No. C329137) to J. Howard Engineering, Inc., the lowest responsive and responsible bidder, in an amount of Two Hundred Ninety Three Thousand Four Hundred Fifty-Two Dollars (\$293,452.00) in accord with plans and specifications for the Project and contractor's bid dated February 20, 2014; and be it

FURTHER RESOLVED: That the amount of the bond for faithful performance bond, \$293,452.00, and the bond to guarantee payment of all claims for labor and materials furnished and for the amount under the Unemployment Insurance Act, \$293,452.00; with respect to such work are hereby approved; and be it

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

FURTHER RESOLVED: That the City Administrator, or his designee, is hereby authorized to negotiate with the second lowest bidder and/or next lowest bidder for the same awarded amount, if J. Howard Engineering, Inc. fails to return the complete signed contract documents and supporting documents within the days specified in the Special Provision without going back to City Council; 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 his/her designee, are hereby approved; and be it

FURTHER RESOLVED: That the City Administrator, or his designee, is hereby authorized to reject all other bids; and be it

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

IN COUNCIL, OAKLAND, CALIFORNIA, _____, 20____

PASSED BY THE FOLLOWING VOTE:

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

NOES -

ABSENT -

ABSTENTION -

ATTEST: _____

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