

# CITY OF OAKLAND

## AGENDA REPORT

FILED  
OFFICE OF THE CITY CLERK  
OAKLAND

2010 MAR 10 PM 4:00

TO: Office of the City Administrator  
ATTN: Dan Lindheim  
FROM: Community and Economic Development Agency  
DATE: March 23, 2010

RE: **Resolution Awarding A Construction Contract For The Elmhurst Library Renovation Project In Accord With Specification No. B273610 And Contractor's Bid To B-Side Construction, Inc., In The Amount Of One Hundred Sixty-Three Thousand Twenty-Four Dollars (\$163,024.00)**

### SUMMARY

A resolution has been prepared authorizing the City Administrator, or designee, to award a construction contract to B-Side Construction, Inc., for the Elmhurst Library Renovation Project (B273610) in the amount of \$163,024.00. Ten bids were received on December 17, 2009, for the project involving a public restroom renovation, new drinking fountain, accessible path of travel upgrades, interior remodeling and exterior security improvements. B-Side Construction, Inc., a certified small local business, is the lowest responsive, responsible bidder, and has met the City's Local and Small Local Business Enterprise (L/SLBE) Program requirements and Equal Benefits Ordinance. The project is located at 1427 88<sup>th</sup> Avenue in Council District 7.

### FISCAL IMPACT

The resolution will authorize a construction contract for \$163,024.00 with B-Side Construction, Inc., and includes change order authorization of 25% for decreases or increases over the contract price for changes in estimated materials and labor. The engineer's estimate for the work is \$170,000.00. There are sufficient funds for the work, including contingency, in the project budget. The table below summarizes the sources of funding for this contract. The public art fee has already been allocated.

- \$100,000.00 District 7 Council Pay-Go (5510), Project No. B273610, Capital Project Management Organization (92270)
- \$10,218.00 District 7 Council Pay-Go (1010), Project No. B01140, Capital Project Management Organization (92270)
- \$24,396.00 Coliseum Redevelopment (7780), Project No. C351010, Capital Project Management Organization (92270)
- \$10,000.00 At-Large Council Pay-Go (1010), Project No. B01240, Capital Project Management Organization (92270)
- \$55,250.00 ADA Transition Plan (5200), Project No. C274231, Capital Project Management Organization (92270)

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\$199,864.00 Total Construction Funding

Item: \_\_\_\_\_  
Public Works Committee  
March 23, 2010

## **BACKGROUND**

The Office of the City Clerk received ten bids for the project on December 17, 2009 ranging from \$163,024.00 to \$245,319.50. B-Side Construction, Inc.'s Base Bid with Alternate No. 2 (attic ventilation fans) of \$163,024.00 is the lowest responsive bid. Alternate No. 1 is a deductive alternate to omit the window security screen and trellis, but this is not being considered because funds are sufficient for this scope of work. B-Side Construction, Inc., has met the City's Local/Small Local Business Enterprise (L/SLBE) Program requirements with 100% participation and will be required to comply with the Local Employment Program (LEP) and Oakland Apprenticeship Workforce Development Partnership System (OAWDPS). LEP establishes a goal of 50% of work hours to be performed by Oakland residents on a craft-by-craft basis, and also requires that 50% of all new hires for the project be Oakland residents. OAWDPS requires that 15% of the hours be worked on a craft-by-craft basis by Oakland resident apprentices. Bid summaries with compliance evaluations are provided in *Attachment A*.

## **KEY ISSUES AND IMPACTS**

The duration of the construction work is 80 working days from the date of the Notice to Proceed. With approval of this resolution, the anticipated start of construction is in Summer 2010 with completion in Fall 2010. The construction contract specifies \$500.00 in liquidated damages per calendar day if the contract completion time is exceeded.

## **PROJECT DESCRIPTION**

The Elmhurst Library, at 3,220 square feet, is one of the smaller branches in the Oakland Public Library system. It was constructed through a bond measure approved by voters in 1945 along with the current Lakeview Branch and Main Library. Dedicated in 1949, the branch has undergone very little change since then. Renovations are necessary to make the restroom, drinking fountain, path of travel, and entry and rear doors compliant with the Americans with Disabilities Act. Minor interior modifications will improve the functionality of the staff office. The project will also add a decorative security screen over the front window, repair ventilating side windows, repaint the exterior, and install a building sign.

## **SUSTAINABLE OPPORTUNITIES**

**Economic:** The project will generate business tax, sales tax, and other revenues for the City for work on the project. The project will provide the opportunity to use local contractors, which offer employment to Oakland residents, thereby strengthening the local economy.

**Environmental:** The project will incorporate “green building” strategies that promote reduction in use of natural resources, incorporate use of recycled-material finishes and products, enhance energy efficiency, improve indoor environmental quality, and increase water conservation. The renovated building and improved site amenities will enhance the neighborhood and the City.

**Social Equity:** The project will provide upgraded facilities for Oakland residents, especially young people, to support the development of skills they need to assure equity in educational, employment, housing, and community opportunities. Construction work on this project will provide jobs for local residents through the local employment and apprenticeship programs, with resultant positive economic impacts to the local community.

## **DISABILITY AND SENIOR CITIZEN ACCESS**

Accessibility improvements include a disabled parking zone and curb ramp, a pathway to the front entrance, a new entrance with an automatic door opener, upgraded restroom, and drinking fountains.

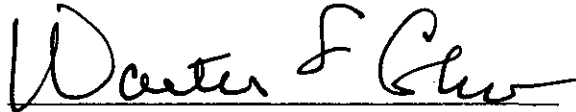
## **RECOMMENDATION AND RATIONALE**

It is recommended that the City Administrator, or designee, be authorized to award a construction contract to B-Side Construction, Inc., for the Elmhurst Library Renovation Project (B273610) in the amount of \$163,024.00. B-Side Construction, Inc., is the lowest responsive, responsible bidder and has met the City’s local business and employment program requirements. The firm is compliant with the City’s Equal Benefits Ordinance. There are sufficient funds to construct this project.

**ACTION REQUESTED OF THE CITY COUNCIL**

Staff recommends that the City Council approve the resolution.

Respectfully submitted,



Walter S. Cohen, Director  
Community and Economic Development Agency

Reviewed by:  
Michael J. Neary, P.E., Deputy Director  
Department of Engineering and Construction

Prepared by:  
Calvin Hao, CIP Coordinator  
Project Delivery Division

APPROVED AND FORWARDED  
TO THE PUBLIC WORKS COMMITTEE:



Office of the City Administrator

Attachment A: Dept. of Contracting and Purchasing Memo dated February 1, 2010

Item: \_\_\_\_\_  
Public Works Committee  
March 23, 2010

*Memo*

Department of Contracting and Purchasing  
Social Equity Division



To: Calvin Hao, Project Manager  
 From: Vivian Inman, Contract Compliance Officer  
 Through: Deborah Barnes - DCP Director  
 Shelley Darensburg - Sr. Contract Compliance Officer *Vivian Inman*  
 CC: Gwen McCormick - Contract Administrator Supervisor  
 Date: February 1, 2010  
 Re: B273610 - Elmhurst Library Renovation

The Department of Contracting and Purchasing (DC&P), Division of Social Equity, reviewed ten (10) bids in response to the above referenced project. Below is the outcome of the compliance evaluation for the minimum 20% 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		Proposed Participation				Earned Credits and Discounts			Banked Credits Eligibility	EBO Compliant? Y/N
Company Name	Original Bid Amount	Total LBE/SLBE	LBE	SLBE	Trucking	Total Credited participation	Earned Bid Discounts	Adjusted Bid Amount		
B-Side Construction	\$158,024.00	100%	0%	100%	NA	100%	5%	\$150,122.80	2%	Y
VS Construction	\$177,220.00	81.99%	0%	81.99%	NA	81.99%	5%	\$168,539.00	2%	N
Oliver Transbay Construction	\$184,200.00	34.40%	7.97%	26.42%	NA	34.40%	3%	\$178,674.00	0%	N
Rockridge Builders	\$198,575.00	78.43%	.45%	77.99%	NA	78.43%	5%	\$188,646.25	2%	Y

**Comments:** As noted above, all firms exceeded the minimum 20% Local/Small Local Business Enterprise participation requirement. The firm is EBO compliant.

Non-Responsive		Proposed Participation				Earned Credits and Discounts			Banked Credits Eligibility	EBO Compliant? Y/N
Company Name	Original Bid Amount	Total LBE/SLBE	LBE	SLBE	Trucking	Total Credited participation	Earned Bid Discounts	Adjusted Bid Amount		
FDC Construction Co.	\$168,650	25.70%	3.82%	21.88%	NA	0%	0%	NA	0%	N
Advanced Engineering Sales, Inc. dba AES Construction	\$195,092	7.28%	0%	7.28%	NA	0%	0%	NA	0%	N

Revised

Rockaway Construction	\$242,728.85	16.16%	2.24%	13.92%	NA	0%	0%	NA	0%	N
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Non-Responsive (Cont'd)		Proposed Participation				Earned Credits and Discounts			Banked Credits Eligibility	EBO Compliant? Y/N
Company Name	Original Bid Amount	Total LBE/SLBE	LBE	SLBE	Trucking	Total Credited participation	Earned Bid Discounts	Adjusted Bid Amount		
Hung Construction	\$210,000	4.05%	0%	4.05%	NA	0%	0%	NA	0%	N
Innovation Construction	\$226,919	10.82%	1.89%	8.93%	NA	0%	0%	NA	0%	N
Sarco Construction	\$242,728.85	63.01%	3.23%	59.77%	NA	0%	0%	NA	0%	N

**Comments:** As noted above, FDC and Sarco Construction met or exceeded the L/SLBE participation, however both firms were deemed non responsive by Contract Administration. FDC failed to acknowledge Addendum No. 1 and Sarco Construction failed to submit any type of bid security. All other firms failed to meet the 20% L/SLBE participation requirement and therefore, are deemed non responsive.

**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: B-Side Construction**

**Project Name:**

**Project No:**

**50% Local Employment Program (LEP)**

Was the 50% LEP Goal achieved?	NA	If no, shortfall hours?	0
Were all shortfalls satisfied?	NA	If no, penalty amount	0

**15% Oakland Apprenticeship Program**

Was the 15% Apprenticeship Goal achieved?	NA	If no, shortfall hours?	0
Were shortfalls satisfied?	NA	If no, penalty amount?	0

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

**Comments:** No Local Employment Program (LEP) or 15% Apprenticeship Program utilization data is available for B-Side Construction they have not previously performed work for the City of Oakland.

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



**DEPARTMENT OF CONTRACTING AND PURCHASING**

**Social Equity Division**

**PROJECT COMPLIANCE EVALUATION FOR :**

Project No. B273610

RE: Elmhurst Library Renovation

**CONSULTANT/CONTRACTOR: B Side Construction**

<u>Engineer's Estimate:</u> \$170,000	<u>Contractors' Bid Amount</u> \$158,024	<u>Over/Under Engineer's Estimate</u> \$11,976
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<u>Discounted Bid Amount:</u> \$150,123	<u>Amount of Bid Discount</u> \$7,901	<u>Discount Points:</u> 5%
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1. Did the 20% local/small local requirement apply: **YES**

2. Did the contractor meet the 20% requirement **YES**

a) % of LBE participation **0%**

b) % of SLBE participation **100%**

3. Did the contractor meet the Trucking requirement? **NA**

a) Total LBE/SLBE Trucking participation **100%**

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

(If yes, list the points received) **5%**

5. Additional Comments.

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

1/19/2010

Date

Reviewing Officer:

[Signature]

Date: 1/19/2010

Approved By

[Signature]

Date: 1/19/10



## LBE/SLBE Participation Bidder 1

Project Name: **Elmhurst Library Renovation**

Project No.: B273610		Engineer's Estimate \$170,000				Under/Over Engineers Estimate: \$11,976							
Discipline	Prime & Subs	Location	Cert. Status	LBE	SLBE	Total LBE/SLBE	S/LBE Trucking	Total Trucking	TOTAL Dollars	For Tracking Only			
										Ethn	MBE	WBE	
PRIME Trucking	B Side Construction	Oakland	CB		155,024	155,024			155,024	AA	155,024		
	Irvin Trucking	Oakland	CB		3,000	3,000	3,000	3,000	3,000	AA	3,000		
<b>Project Totals</b>				\$0	\$158,024	\$158,024	\$3,000	\$3,000	\$158,024		\$158,024	\$0	
				0%	100%	100%	100%	100%	100%		100%	0%	
<b>Requirements:</b> The 20% requirements is a combination of 10% LBE and 10% SLBE participation. An SLBE firm can be counted 100% towards achieving 20% requirements.				LBE 10%	SLBE 10%	TRUCKING 20%	LBE/SLBE 20%			<b>Ethnicity</b> AA = African American AI = Asian Indian AP = Asian Pacific C = Caucasian H = Hispanic NA = Native American O = Other NL = Not Listed MO = Multiple Ownership			
<b>Legend</b>				LBE = Local Business Enterprise				UB = Uncertified Business					
				SLBE = Small Local Business Enterprise				CB = Certified Business					
				Total LBE/SLBE = All Certified Local and Small Local Businesses				MBE = Minority Business Enterprise					
				NPLBE = NonProfit Local Business Enterprise				WBE = Women Business Enterprise					
				NPSLBE = NonProfit Small Local Business Enterprise									



**DEPARTMENT OF CONTRACTING AND PURCHASING**

**Social Equity Division**

**PROJECT COMPLIANCE EVALUATION FOR :**

Project No. B273610

RE: Elmhurst Library Renovation

**CONSULTANT/CONTRACTOR:** FDC Construction Co.

<u>Engineer's Estimate:</u> \$170,000	<u>Contractors' Bid Amount</u> \$168,650	<u>Over/Under Engineer's Estimate</u> \$1,350
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<u>Discounted Bid Amount:</u> \$0	<u>Amount of Bid Discount</u> \$0	<u>Discount Points:</u> 0%
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- 1. Did the 20% local/small local requirement apply: **YES**
- 2. Did the contractor meet the 20% requirement **YES**
  - a) % of LBE participation **3.82%**
  - b) % of SLBE participation **21.88%**

- 3. Did the contractor meet the Trucking requirement? **NA**
  - a) Total LBE/SLBE Trucking participation **0.00%**

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

5. Additional Comments.  
Per Contract Administration firm is deemed non responsive for failure to acknowledge Addendum 1.

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

1/19/2010

Date

Reviewing Officer:

Mica Jara

Date: 1/19/2010

Approved By

Shelley Sorensberg

Date: 1/19/10

## LBE/SLBE Participation Bidder 2

Project Name: Elmhurst Library Renovation

Project No.: B273610		Engineer's Estimate: 170,000.00				Under/Over Engineers Estimate: \$1,350.00						
Discipline	Prime & Subs	Location	Cert. Status	LBE	SLBE	Total LBE/SLBE	S/LBE Trucking	Total Trucking	TOTAL Dollars	For Tracking Only		
										Ethn	MBE	WBE
<b>PRIME</b>	FDC Construction, Inc.	San Francisco	UB						81,610	AP	81,610	
Electrical	Ho's Elec & Const.	Oakland	CB		36,900	36,900			36,900	AP	36,900	
Plumbing	POP Plumbing	Millbrae	UB						7,200	AP	7,200	
Elec & Plumbing	American Emperor	Oakland	CB	6,440		6,440			6,440	AP	6,440	
Door & Lumber	Sierra Point Lumber	Brisbane	UB						11,900	NL		
Trucking	Associated Trucking	San Francisco	UB					4,000	4,000	O		
Auto Doctr	ASAP	Oakland	UB						4,600	C		
Steel Works	IBS Usa, Inc.	San Francisco	UB						4,000	AP	4,000	
Painting	AJS Painting	San Francisco	UB						12,000	AA	12,000	
<b>Project Totals</b>				\$6,440	\$36,900	\$43,340	\$0	\$4,000	\$168,650		\$148,150	\$0.00
				3.82%	21.88%	25.70%	0.00%	100%	100.00%		87.84%	
<b>Requirements:</b> The 20% requirements is a combination of 10% LBE and 10% SLBE participation. An SLBE firm can be counted 100% towards achieving 20% requirements.				LBE 10%	SLBE 10%	TRUCKING 20%	LBE/SLBE 20%			<b>Ethnicity</b> AA = African American AI = Asian Indian AP = Asian Pacific C = Caucasian H = Hispanic NA = Native American O = Other NL = Not Listed MO = Multiple Ownership		
<b>Legend</b>	LBE = Local Business Enterprise SLBE = Small Local Business Enterprise Total LBE/SLBE = All Certified Local and Small Local Businesses NPLBE = NonProfit Local Business Enterprise NPSLBE = NonProfit Small Local Business Enterprise			UB = Uncertified Business CB = Certified Business MBE = Minority Business Enterprise WBE = Women Business Enterprise								



DEPARTMENT OF CONTRACTING AND PURCHASING

Social Equity Division

PROJECT COMPLIANCE EVALUATION FOR :

Project No. B273610

RE: Elmhurst Library Renovation

CONSULTANT/CONTRACTOR:

VS Construction

Engineer's Estimate:  
\$170,000.00

Contractors' Bid Amount  
\$177,220.00

Over/Under Engineer's Estimate  
-\$7,220.00

Discounted Bid Amount:  
\$168,359

Amount of Bid Discount  
\$8,861

Discount Points:  
5%

- 1. Did the 20% local/small local requirement apply: YES
- 2. Did the contractor meet the 20% requirement YES
  - a) % of LBE participation 0.00%
  - b) % of SLBE participation 81.99%
- 3. Did the contractor meet the Trucking requirement? NA
  - a) Total LBE/SLBE Trucking participation 0.00%
- 4. Did the contractor receive bid discount points? NO
  - (If yes, list the points received) 0%
- 5. Additional Comments.
- 6. Date evaluation completed and returned to Contract Admin./Initiating Dept.

1/19/2010

Date

Reviewing  
Officer:

Vivian Ann

Date: 1/19/2010

Approved By

Shelley Darenburg

Date: 1/26/10

## LBE/SLBE Participation Bidder 3

Project Name: Elmhurst Library Renovation

Project No.: B273610		Engineer's Estimate: 170,000.00			Under/Over Engineers Estimate: -7,220.00							
Discipline	Prime & Subs	Location	Cert. Status	LBE	SLBE	Total LBE/SLBE	S/LBE Trucking	Total Trucking	TOTAL Dollars	Ethnicity (Trucking Only)		
										AP	MBE	WBE
PRIME	VS Construction	Oakland	CB		\$145,311.46	\$145,311.46			\$145,311.46	AP	\$145,311.46	
Tile	International Tile	San Jose	UB						\$9,400.00	NL		
Drapery	Fashion Drapery	San Francisco	UB						\$1,589.00	NL		
Toilet	Reppold Distributors	Fremont	UB						\$1,109.00	NL		
Accessories												
Signage	Thomas Swan	Richmond	UB						\$6,790.54	NL		
Steel Work	Tom's Metal	San Francisco	UB						\$11,570.00	NL		
Carpet (Flooring)	Joe-Wang Carpet	So. San Francisco	UB						\$1,450.00	NL		
<b>Project Totals</b>				\$0.00	\$145,311.46	\$145,311.46	\$0.00	\$0.00	\$177,220.00		\$145,311.46	\$0.00
				0.00%	81.99%	81.99%	0.00%	0.00%	100.00%		81.99%	
<b>Requirements:</b> The 20% requirements is a combination of 10% LBE and 10% SLBE participation. An SLBE firm can be counted 100% towards achieving 20% requirements.				LBE 10%	SLBE 10%	TRUCKING 20%	LBE/SLBE 20%			<b>Ethnicity</b> AA = African American AI = Asian Indian AP = Asian Pacific C = Caucasian H = Hispanic NA = Native American O = Other NL = Not Listed MO = Multiple Ownership		
<b>Legend</b>	LBE = Local Business Enterprise SLBE = Small Local Business Enterprise Total LBE/SLBE = All Certified Local and Small Local Businesses NPLBE = NonProfit Local Business Enterprise NPSLBE = NonProfit Small Local Business Enterprise			UB = Uncertified Business CB = Certified Business MBE = Minority Business Enterprise WBE = Women Business Enterprise								



DEPARTMENT OF CONTRACTING AND PURCHASING

Social Equity Division

PROJECT COMPLIANCE EVALUATION FOR :

Project No. B273610

RE: Elmhurst Library Renovation

CONSULTANT/CONTRACTOR: Oliver Transbay Construction

<u>Engineer's Estimate:</u> \$170,000.00	<u>Contractors' Bid Amount</u> \$184,200.00	<u>Over/Under Engineer's Estimate</u> -\$14,200.00
<u>Discounted Bid Amount:</u> \$180,516	<u>Amount of Bid Discount</u> \$3,684	<u>Discount Points:</u> 2%

1. Did the 20% local/small local requirement apply: YES

2. Did the contractor meet the 20% requirement YES

a) % of LBE participation 7.97%

b) % of SLBE participation 16.92%

3. Did the contractor meet the Trucking requirement? NA

a) Total LBE/SLBE Trucking participation 0.00%

4. Did the contractor receive bid discount points? YES

(If yes, list the points received) 2%

5. Additional Comments.

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

1/19/2010

Date

Reviewing Officer:

[Signature]

Date: 1/19/2010

Approved By

Shelley Dorensburg

Date: 1/19/10

## LBE/SLBE Participation Bidder 4

Project Name: Elmhurst Library Renovation

Project No.: B273610		Engineer's Estimate \$170,000.00				Under/Over Engineers Estimate: -14,200.00						
Discipline	Prime & Subs	Location	Cert. Status	LBE	SLBE	Total	S/LBE	Total	TOTAL	For Tracking Only		
						LBE/SLBE	Trucking	Trucking	Dollars	Ethn	MBE	WBE
PRIME	Oliver Transbay Construction	San Francisco	UB						90,052.16	AA	90,052.16	
Tile	Jones Tile	Oakland	CB		1,262.00	1,262.00			1,262.00	AA	1,262.00	
Metal	Tom's Metal	San Francisco	UB						11,570.00	NL		
Electrical	Summerhill Electric	Oakland	CB		29,910.00	29,910.00			29,910.00	AA	29,910.00	
Painting	Milan Pro Painting	Oakland	UB						17,500.00	NL		
Plumbing	Dire Inc.	San Francisco	UB						6,650.00	NL		
Flooring	Anderson Carpets	Oakland	CB	1,125.00		1,125.00			1,125.00	C		
Supplier	Economy Lumber	Oakland	CB	13,559.84		13,559.84			13,559.84	C		
Automatic Door	Automated Service & Products	Emeryville	UB						8,988.00	NL		
Toilet Accessories	Repcold Distributors	Fremont	UB						1,109.00	NL		
Traffic Controls	United Stiping	Denngrove	UB						885.00	NL		
Roller Shades	Fashion Drapery	San Francisco	UB						1,589.00			
<b>Project Totals</b>				\$14,684.84	\$31,172.00	\$45,856.84	\$0.00	\$0.00	\$184,200.00		\$121,224.16	\$0.00
				7.97%	16.92%	24.90%	0.00%	0.00%	100.00%		65.81%	
<b>Requirements:</b> The 20% requirements is a combination of 10% LBE and 10% SLBE participation. An SLBE firm can be counted 100% towards achieving 20% requirements.				LBE 10%	SLBE 10%	TRUCKING 20%	LBE/SLBE 20%		<b>Ethnicity</b> AA = African American AI = Asian Indian AP = Asian Pacific C = Caucasian H = Hispanic NA = Native American O = Other NL = Not Listed MO = Multiple Ownership			
<b>Legend</b>				LBE = Local Business Enterprise				UB = Uncertified Business				
				SLBE = Small Local Business Enterprise				CB = Certified Business				
				Total LBE/SLBE = All Certified Local and Small Local Businesses				MBE = Minority Business Enterprise				
				NPLBE = NonProfit Local Business Enterprise				WBE = Women Business Enterprise				
				NPSLBE = NonProfit Small Local Business Enterprise								



**DEPARTMENT OF CONTRACTING AND PURCHASING**

**Social Equity Division**

**PROJECT COMPLIANCE EVALUATION FOR :**

Project No. B273610

RE: **Elmhurst Library Renovation**

**CONSULTANT/CONTRACTOR:** Advanced Engineering Sales, Inc. dba AES Construction

<u>Engineer's Estimate:</u>	<u>Contractors' Bid Amount</u>	<u>Over/Under Engineer's Estimate</u>
\$170,000.00	\$195,092.00	-\$25,092.00
<u>Discounted Bid Amount:</u>	<u>Amount of Bid Discount</u>	<u>Discount Points:</u>
\$0	\$0	0%

1. Did the 20% local/small local requirement apply: YES

2. Did the contractor meet the 20% requirement NO

a) % of LBE participation 0.00%

b) % of SLBE participation 7.28%

3. Did the contractor meet the Trucking requirement? NA

a) Total LBE/SLBE Trucking participation 0.00%

4. Did the contractor receive bid discount points? NO

(If yes, list the points received) 0%

5. Additional Comments.

**Contractor failed to meet the minimum 20% local/small local business participation requirement. Therefore, the firm is deemed non-responsive.**

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

1/19/2010

Date

Reviewing Officer:

*Vivian...*

Date: 1/19/2010

Approved By

*Shelley Darenburg*

Date: 1/19/10



## LBE/SLBE Participation Bidder 5

Project Name: Elmhurst Library Renovation

Project No.: B273610		Engineer's Estimate: 170,000.00				Under/Over Engineers Estimate: -25,092.00						
Discipline	Prime & Subs	Location	Cert. Status	LBE	SLBE	Total LBE/SLBE	S/LBE Trucking	Total Trucking	TOTAL Dollars	For Tracking Only		
										Ethn.	MBE	WBE
PRIME	Advanced Engineering Sales, Inc. dba AES Construction	San Rafael	UB						\$111,976.00	C		
Demolition	Reliance	Redwood City	UB						\$9,600.00	NL		
Structural Steel	Ahlborn	San Rafael	UB						\$16,428.00	NL		
Painter	Allied Painters	Oakland	CB		\$12,998.00	\$12,998.00			\$12,998.00	C		
Tile	Structure Tile	Cerres	UB						\$17,450.00	NL		
Signage	Arix	Fremont	UB						\$1,195.00	NL		
Electrical	Summerhill Electric	Oakland	CB		\$1,195.00	\$1,195.00			\$1,195.00	NL		
Doors	City Lumber	San Francisco	UB						\$22,800.00	NL		
Floors	Joe Wang Floors	San Francisco	UB						\$1,450.00	NL		
<b>Project Totals</b>				\$0.00	\$14,193.00	\$14,193.00	\$0.00	\$0.00	\$195,092.00		\$0.00	\$0.00
				0.00%	7.28%	7.28%	0.00%	0.00%	100.00%		0.00%	
<b>Requirements:</b> The 20% requirements is a combination of 10% LBE and 10% SLBE participation. An SLBE firm can be counted 100% towards achieving 20% requirements.				LBE 10%	SLBE 10%	TRUCKING 20%	LBE/SLBE 20%			<b>Ethnicity</b> AA = African American AI = Asian Indian AP = Asian Pacific C = Caucasian H = Hispanic NA = Native American O = Other NL = Not Listed MO = Multiple Ownership		
<b>Legend</b>	LBE = Local Business Enterprise SLBE = Small Local Business Enterprise Total LBE/SLBE = All Certified Local and Small Local Businesses NPLBE = NonProfit Local Business Enterprise NPSLBE = NonProfit Small Local Business Enterprise			UB = Uncertified Business CB = Certified Business MBE = Minority Business Enterprise WBE = Women Business Enterprise								



**DEPARTMENT OF CONTRACTING AND PURCHASING**

**Social Equity Division**

**PROJECT COMPLIANCE EVALUATION FOR :**

Project No. B273610

RE: Elmhurst Library Renovation

**CONSULTANT/CONTRACTOR: Rockaway Construction**

<u>Engineer's Estimate:</u> \$170,000.00	<u>Contractors' Bid Amount</u> \$242,728.85	<u>Over/Under Engineer's Estimate</u> -\$72,728.85
<u>Discounted Bid Amount:</u> \$0	<u>Amount of Bid Discount</u> \$0	<u>Discount Points:</u> 0%

1. Did the 20% local/small local requirement apply: **YES**
2. Did the contractor meet the 20% requirement **YES**
  - a) % of LBE participation **2.24%**
  - b) % of SLBE participation **13.92%**
3. Did the contractor meet the Trucking requirement? **NA**
  - a) Total LBE/SLBE Trucking participation **0.00%**
4. Did the contractor receive bid discount points? **NO**

(If yes, list the points received) **0%**
5. Additional Comments.  
**Contractor failed to meet the minimum 20% local/small local business participation requirement. Therefore, the firm is deemed non-responsive.**
6. Date evaluation completed and returned to Contract Admin./Initiating Dept.

1/19/2010

Date

Reviewing Officer:

*Sydney Hung*

Date: 1/19/2010

Approved By

*Michael Alvar*

Date: *2/1/10*

## LBE/SLBE Participation Bidder 6

Project Name: Elmhurst Library Renovation

Project No.: B273610		Engineer's Estimate: 170,000.00			Under/Over Engineers Estimate: -72,728.85							
Discipline	Prime & Subs	Location	Cert. Status	LBE	SLBE	Total LBE/SLBE	S/LBE Trucking	Total Trucking	TOTAL Dollars	For Tracking Only		
										Ethnic	MBE	WBE
PRIME	Rockaway Construction	San Rafael	UB						81,089.85	C		
Concrete	Dryco	Fremont	UB						32,788.00	C		
Metal	Tom's Metal	San Francisco	UB						11,570.00	AI	11,570.00	
Millwork	BK Mill	Newark	UB						13,125.00	C		
Tile	Jones Tile and Marble	Oakland	CB		8,258.00	8,258.00			8,258.00	AA	8,258.00	
Flooring	GF Floor	San Francisco	UB						1,634.00	NL		
Paint	KBI	Petaluma	UB						11,725.00	NL		
Plumbing	Assurance Pl.	Oakland	CB		16,530.00	16,530.00			16,530.00	C		
Window Covering	Fashion Drapery	San Francisco	UB						1,589.00	C		
Signage	Priority	San Francisco	UB						6,600.00	C		
Accessories	JD Specialty	Stockton	UB						591.00	C		
Electric	Young Electric	San Francisco	UB						19,989.00	C		
Lighting	16500	Oakland	CB		9,000.00	9,000.00			9,000.00	C		
DEH	City Lumber	San Francisco	UB						22,800.00	AI	22,800.00	
Demo	Bayview	Oakland	CB	5,440.00		5,440.00			5,440.00	C		
<b>Project Totals</b>				\$5,440.00	\$33,788.00	\$39,228.00	\$0.00	\$0.00	\$242,728.85		\$42,628.00	\$0.00
				2.24%	13.92%	16.16%	0.00%	0.00%	100.00%		17.56%	
<b>Requirements:</b> The 20% requirements is a combination of 10% LBE and 10% SLBE participation. An SLBE firm can be counted 100% towards achieving 20% requirements.				LBE 10%	SLBE 10%	TRUCKING 20%	LBE/SLBE 20%			<b>Ethnicity</b> AA = African American AI = Asian Indian AP = Asian Pacific C = Caucasian H = Hispanic NA = Native American O = Other NL = Not Listed MO = Multiple Ownership		
<b>Legend</b>				LBE = Local Business Enterprise				UB = Uncertified Business				
				SLBE = Small Local Business Enterprise				CB = Certified Business				
				Total LBE/SLBE = All Certified Local and Small Local Businesses				MBE = Minority Business Enterprise				
				NPLBE = NonProfit Local Business Enterprise				WBE = Women Business Enterprise				
				NPSLBE = NonProfit Small Local Business Enterprise								



DEPARTMENT OF CONTRACTING AND PURCHASING

Social Equity Division

PROJECT COMPLIANCE EVALUATION FOR :

Project No. B273610

RE: Elmhurst Library Renovation

CONSULTANT/CONTRACTOR: Rockridge Builders

Engineer's Estimate:  
\$170,000.00

Contractors' Bid Amount  
\$198,575.00

Over/Under Engineer's Estimate  
-\$28,575.00

Discounted Bid Amount:  
\$188,646

Amount of Bid Discount  
\$9,929

Discount Points:  
5%

1. Did the 20% local/small local requirement apply: YES

2. Did the contractor meet the 20% requirement YES

a) % of LBE participation 0.45%

b) % of SLBE participation 77.99%

3. Did the contractor meet the Trucking requirement? NA

a) Total LBE/SLBE Trucking participation 0.00%

4. Did the contractor receive bid discount points? YES

(If yes, list the points received) 5%

5. Additional Comments.

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

1/19/2010

Date

Reviewing Officer:

Vitala [Signature]

Date: 1/19/2010

Approved By

Shelley Darenburg

Date: 1/19/10

## LBE/SLBE Participation Bidder 7

Project Name: Elmhurst Library Renovation

Project No.: B273610		Engineer's Estimate: 170,000.00				Under/Over Engineers Estimate: 165,067.00						
Discipline	Prime & Subs	Location	Cert. Status	LBE	SLBE	Total LBE/SLBE	S/LBE Trucking	Total Trucking	TOTAL Dollars	For Tracking Only		
										Ethn	MBE	WBE
PRIME	Rockrdige Builders	Oakland	CB		103,261.00				103,261.00	C		
Concrete & Site Work	AJW Construction	Oakland	CB		23,500.00	23,500.00			23,500.00	H	23,500.00	
Painling	George Irving	Alamo	UB						11,000.00	C		
Doors & Hardware	Piedmont Lumber	Oakland	CB		14,300.00	14,300.00			14,300.00	C		
Window Shades	Burris Window Shades	Oakland	UB						1,071.00	C		
Flooring	Anderson Carpet & Linoleum Sales	Oakland	CB	885.00		885.00			885.00	C		
Sheetwork & Finish	John Gullak Wallscapes	Oakland	UB						3,000.00	C		
Electrical	County Electric	Walnut Creek	UB						13,525.00	C		
Aug. Door Operier	Integrated Door Solutions	Santa Clara	UB						4,933.00	C		
Plumbing	Paul's Plumbing	Oakland	CB		13,800.00	13,800.00			13,800.00	C		
Ceramic Tile Install	George's Tile Co.	Walnut Creek	UB						4,300.00	C		
Exterior Sign	JSJ Electrical Display Corporation	Fairfield	UB						5,000.00	C		
<b>Project Totals</b>				\$885.00	\$154,861.00	\$52,485.00	\$0.00	\$0.00	\$198,575.00		\$23,500.00	\$0.00
				0.45%	77.99%	78.43%	0.00%	0.00%	100.00%		11.83%	
<b>Requirements:</b> The 20% requirements is a combination of 10% LBE and 10% SLBE participation. An SLBE firm can be counted 100% towards achieving 20% requirements.				LBE 10%	SLBE 10%	TRUCKING 20%	LBE/SLBE 20%		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			
<b>Legend</b>				LBE = Local Business Enterprise SLBE = Small Local Business Enterprise Total LBE/SLBE = All Certified Local and Small Local Businesses NPLBE = NonProfit Local Business Enterprise NPSLBE = NonProfit Small Local Business Enterprise				UB = Uncertified Business CB = Certified Business MBE = Minority Business Enterprise WBE = Women Business Enterprise				



DEPARTMENT OF CONTRACTING AND PURCHASING

Social Equity Division

PROJECT COMPLIANCE EVALUATION FOR :

Project No. B273610

RE: Elmhurst Library Renovation

CONSULTANT/CONTRACTOR: Hung Construction

<u>Engineer's Estimate:</u> \$170,000.00	<u>Contractors' Bid Amount</u> \$210,000.00	<u>Over/Under Engineer's Estimate</u> -\$40,000.00
<u>Discounted Bid Amount:</u> \$0	<u>Amount of Bid Discount</u> \$0	<u>Discount Points:</u> 0%

1. Did the 20% local/small local requirement apply: YES
2. Did the contractor meet the 20% requirement NO
  - a) % of LBE participation 0.00%
  - b) % of SLBE participation 4.05%
3. Did the contractor meet the Trucking requirement? NA
  - a) Total LBE/SLBE Trucking participation 0.00%
4. Did the contractor receive bid discount points? NO

(If yes, list the points received) 0%

5. Additional Comments.  
Contractor failed to meet the minimum 20% local/small local business participation requirement. Therefore, the firm is deemed non-responsive.

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

1/19/2010

Date

Reviewing  
Officer:

*Vivian [Signature]*

Date: 1/19/2010

Approved By

*Shelley [Signature]*

Date: 1/19/10

## LBE/SLBE Participation Bidder 8

Project Name: Elmhurst Library Renovation

Project No.: B273610		Engineer's Estimate 170,000.00			Under/Over Engineers Estimate: -40,000.00							
Discipline	Prime & Subs	Location	Cert. Status	LBE	SLBE	Total LBE/SLBE	S/LBE Trucking	Total Trucking	TOTAL Dollars	For Tracking Only		
										Ethnic	MBE	WBE
PRIME Demo Metal Ceramic Tile Instill Painting Signage Plumbing  Electrical Flooring Doo	Hung Construction	Oakland	UB						99,102.00	C		
	AMG	Oakland	CB		8,500.00	8,500.00			8,500.00	AA	8,500.00	
	Ahborn	Santa Rosa	UB						16,428.00	NL		
	CTI	San Jose	UB						4,800.00	NL		
	AM Wood Construction	Oakland	UB						9,000.00	NL		
	Hackley	Hayward	UB						6,500.00	NL		
	Keenan Plumbing	San Francisco	UB						17,500.00	NL		
	Eman Electric	Oakland	UB						23,920.00	NL		
	Joe Wang Carpet	So. San Francisco	UB						1,450.00	NL		
	City Lumber	San Jose	UB						22,800.00	NL		
<b>Project Totals</b>				\$0.00	\$8,500.00	\$8,500.00	\$0.00	\$0.00	\$210,000.00		\$8,500.00	\$0.00
				0.00%	4.05%	4.05%	0.00%	0.00%	100.00%		4.05%	
<b>Requirements:</b> The 20% requirements is a combination of 10% LBE and 10% SLBE participation. An SLBE firm can be counted 100% towards achieving 20% requirements.				LBE: 10%	SLBE: 10%	TRUCKING: 20%	LBE/SLBE: 20%			<b>Ethnicity</b> AA = African American AI = Asian Indian AP = Asian Pacific C = Caucasian H = Hispanic NA = Native American O = Other NL = Not Listed MO = Multiple Ownership		
<b>Legend</b>				LBE = Local Business Enterprise SLBE = Small Local Business Enterprise Total LBE/SLBE = All Certified Local and Small Local Businesses NPLBE = NonProfit Local Business Enterprise NPSLBE = NonProfit Small Local Business Enterprise				UB = Uncertified Business CB = Certified Business MBE = Minority Business Enterprise WBE = Women Business Enterprise				



DEPARTMENT OF CONTRACTING AND PURCHASING

Social Equity Division

PROJECT COMPLIANCE EVALUATION FOR :

Project No. B273610

RE: Elmhurst Library Renovation

CONSULTANT/CONTRACTOR:

Innovation Construction

<u>Engineer's Estimate:</u>	<u>Contractors' Bid Amount</u>	<u>Over/Under Engineer's Estimate</u>
\$170,000.00	\$226,918.81	-\$56,918.81
<u>Discounted Bid Amount:</u>	<u>Amount of Bid Discount</u>	<u>Discount Points:</u>
\$0	\$0	0%

1. Did the 20% local/small local requirement apply: YES
2. Did the contractor meet the 20% requirement
  - a) % of LBE participation 1.89%
  - b) % of SLBE participation 8.93%
3. Did the contractor meet the Trucking requirement? NA
  - a) Total LBE/SLBE Trucking participation 0.00%
4. Did the contractor receive bid discount points? NO

(If yes, list the points received) 0%
5. Additional Comments.  
Contractor failed to meet the minimum 20% local/small local business participation requirement. Therefore, the firm is deemed non-responsive.
6. Date evaluation completed and returned to Contract Admin./Initiating Dept.

1/19/2010

Date

Reviewing Officer:

Nancy [Signature]

Date: 1/19/2010

Approved By

Shelley Darenburg

Date: 1/19/10



## LBE/SLBE Participation Bidder 9

Project Name: Elmhurst Library Renovation

Project No.: B273610		Engineer's Estimate: 170,000.00				Under/Over Engineers Estimate: 170,000.00									
Discipline	Prime & Subs	Location	Cert. Status	LBE	SLBE	Total LBE/SLBE	S/LBE Trucking	Total Trucking	TOTAL Dollars	For Tracking Only					
										Ethn.	MBE	WBE			
<b>PRIME</b>	Innovation Construction	San Leandro	UB						122,297.07	AP	122,297.07				
Concrete	AJW Construction	Oakland	CB		23,500.00	23,500.00			23,500.00	H	23,500.00				
Signage	Hackley Arch. Signage	Hayward	UB						6,505.12	NL					
Meta Works	Tom's Metal Specialists	San Francisco	UB						11,570.00	NL					
Plumbing	Brown "3:" Plumbing Co.	Oakland	CB		18,000.00	18,000.00			18,000.00	AA	18,000.00				
Lumber Yard	Economy Lumber	Oakland	CB	15,136.62		15,136.62			15,136.62	C					
Electrical	Summerhill Electric	Oakland	CB		29,910.00	29,910.00			29,910.00	AA	29,910.00				
<b>Project Totals</b>				\$15,136.62	\$71,410.00	\$86,546.62	\$0.00	\$0.00	\$226,918.81		\$193,707.07	\$0.00			
				6.67%	31.47%	38.14%	0.00%	0.00%	100.00%		85.36%				
<b>Requirements:</b> The 20% requirements is a combination of 10% LBE and 10% SLBE participation. An SLBE firm can be counted 100% towards achieving 20% requirements.				LBE 10%	SLBE 10%	TRUCKING 20%	LBE/SLBE 20%			<b>Ethnicity</b> AA = African American AI = Asian Indian AP = Asian Pacific C = Caucasian H = Hispanic NA = Native American O = Other NL = Not Listed MO = Multiple Ownership					
<b>Legend</b>				LBE = Local Business Enterprise				UB = Uncertified Business							
				SLBE = Small Local Business Enterprise				CB = Certified Business							
				Total LBE/SLBE = All Certified Local and Small Local Businesses				MBE = Minority Business Enterprise							
				NPLBE = NonProfit Local Business Enterprise				WBE = Women Business Enterprise							
				NPSLBE = NonProfit Small Local Business Enterprise											



**DEPARTMENT OF CONTRACTING AND PURCHASING**

**Social Equity Division**

**PROJECT COMPLIANCE EVALUATION FOR :**

Project No. B273610

RE: **Elmhurst Library Renovation**

**CONSULTANT/CONTRACTOR: Sarco Construction**

<b><u>Engineer's Estimate:</u></b> \$170,000.00	<b><u>Contractors' Bid Amount</u></b> \$242,728.85	<b><u>Over/Under Engineer's Estimate</u></b> -\$72,728.85
<b><u>Discounted Bid Amount:</u></b> \$0	<b><u>Amount of Bid Discount</u></b> \$0	<b><u>Discount Points:</u></b> 0%

1. Did the 20% local/small local requirement apply: **YES**
2. Did the contractor meet the 20% requirement **NO**
  - a) % of LBE participation **3.23%**
  - b) % of SLBE participation **59.77%**
3. Did the contractor meet the Trucking requirement? **NA**
  - a) Total LBE/SLBE Trucking participation **0.00%**
4. Did the contractor receive bid discount points? **NO**  
(If yes, list the points received) **0%**

5. Additional Comments.  
**Per Contract Administration the contractor is deemed nonresponsive for failure to submit bid security.**

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

1/19/2010

Date

Reviewing Officer:

*[Signature]*

Date: 1/19/2010

Approved By

*[Signature]*

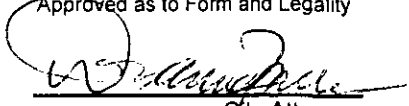
Date: 2/1/10

## LBE/SLBE Participation Bidder 10

Project Name: Elmhurst Library Renovation

Project No.: B273610		Engineer's Estimate: 170,000.00				Under/Over Engineers Estimate: -72,728.85							
Discipline	Prime & Subs	Location	Cert. Status	LBE	SLBE	Total LBE/SLBE	S/LBE Trucking	Total Trucking	TOTAL Dollars	For Tracking Only			
										Ethnic	MBE	WBE	
PRIME	Sarco Construction	Oakland	CB		121,022.47				121,022.47	C			
Plumbing	Assurance	Oakland	CB		16,370.00	16,370.00			16,370.00	C		16,370.00	
Doors	Truit & White	Berkeley	UB						14,851.63	C			
Doors Hardware	Wilco Supply	Oakland	UB						6,375.00	C			
Doors	Economy Lumber	Oakland	CB	7,852.00		7,852.00			7,852.00	C			
Tile	Jones Tile & Marble	Oakland	CB		7,690.00	7,690.00			7,690.00	AA	7,690.00		
Signage/Metal	Graphic Visions	Berkeley	UB						13,279.75	C			
Concrete	Dryco	Fremont	UB						37,288.00	C			
Abatement	PAS	Richmond	UB						18,000.00	C			
<b>Project Totals</b>				\$7,852.00	\$145,082.47	\$31,912.00	\$0.00	\$0.00	\$242,728.85		\$7,690.00	\$16,370.00	
				3.23%	59.77%	63.01%	0.00%	0.00%	100.00%		3.17%	6.74%	
<b>Requirements:</b> The 20% requirements is a combination of 10% LBE and 10% SLBE participation. An SLBE firm can be counted 100% towards achieving 20% requirements.				LBE:10%	SLBE:10%	TRUCKING:20%	LBE/SLBE 20%			<b>Ethnicity</b> AA = African American AI = Asian Indian AP = Asian Pacific C = Caucasian H = Hispanic NA = Native American O = Other NL = Not Listed MO = Multiple Ownership			
<b>Legend</b>				LBE = Local Business Enterprise		SLBE = Small Local Business Enterprise		Total LBE/SLBE = All Certified Local and Small Local Businesses		NPLBE = NonProfit Local Business Enterprise		NPSLBE = NonProfit Small Local Business Enterprise	
				UB = Uncertified Business		CB = Certified Business		MBE = Minority Business Enterprise		WBE = Women Business Enterprise			

FILED  
OFFICE OF THE CITY CLERK  
OAKLAND

Approved as to Form and Legality  
  
City Attorney

2010 MAR 11 PM 4:00 **OAKLAND CITY COUNCIL**

**RESOLUTION No. \_\_\_\_\_ C.M.S.**

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**RESOLUTION AWARDING A CONSTRUCTION CONTRACT FOR THE ELMHURST LIBRARY RENOVATION PROJECT, IN ACCORD WITH SPECIFICATION NO. B273610 AND WITH CONTRACTOR'S BID, TO B-SIDE CONSTRUCTION, INC. IN THE AMOUNT OF ONE HUNDRED SIXTY-THREE THOUSAND TWENTY-FOUR DOLLARS (\$163,024.00)**

**WHEREAS**, ten bids were received by the Office of the City Clerk on December 17, 2009, for the Elmhurst Library Renovation Project; and

**WHEREAS**, B-Side Construction, Inc., a certified small local business, is the lowest responsible, responsive bidder, and has met the City's Local Business Program requirements and Equal Benefits Ordinance; and

**WHEREAS**, there are sufficient funds of \$199,864.00 available for the construction contract and contingency for the Elmhurst Library Renovation Project in the following project accounts:

- District 7 Council Pay-Go (Fund 5510); Project No. B273610; Capital Project Management Organization (92270) - \$100,000.00
- District 7 Council Pay-Go (Fund 1010); Project No. B01140; Capital Project Management Organization (92270) - \$10,218.00
- Coliseum Redevelopment Agency (Fund 7780); Project No. C351010; Capital Project Management Organization (92270) - \$24,396.00
- At-Large Council Pay-Go (Fund 1010); Project No. B01240; Capital Project Management Organization (92270) - \$10,000.00
- ADA Transition Plan (Fund 5200); Project No. C274231; Capital Project Management Organization (92270) - \$55,250.00; 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 technical and temporary in nature; and

**WHEREAS**, the City lacks the equipment and qualified personnel to perform the necessary work; 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 construction contract for the Elmhurst Library Renovation Project is awarded to B-Side Construction, Inc. in accord with Specification No. B273610, which includes change order authorization of 25% to decrease or increase the contract price to account for changes in estimated materials and labor, and contractor's bid dated December 17, 2009, in the amount of one hundred sixty-three thousand twenty-four dollars (\$163,024.00); and be it

**FURTHER RESOLVED:** That all other bids for said project are hereby rejected; and be it

**FURTHER RESOLVED:** That the amount of the bond for faithful performance, \$163,024.00, and the amount for a bond to guarantee payment of all claims for labor and material furnished and for the amount due under the Unemployment Insurance Act, \$163,024.00, with respect to such work are hereby approved; and be it

**FURTHER RESOLVED:** That the City Council hereby approves the plans and specifications for the Elmhurst Library Renovation Project (No. B273610), and authorizes the City Administrator to execute any amendments or modifications of said contract within the limitations of the project specifications; and be it

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

IN COUNCIL, OAKLAND, CALIFORNIA, \_\_\_\_\_.

**PASSED BY THE FOLLOWING VOTE:**

AYES - BROOKS, DE LA FUENTE, KAPLAN, KERNIGHAN, NADEL, QUAN, REID, and PRESIDENT BRUNNER

NOES -

ABSENT -

ABSTENTION -

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