

CITY OF OAKLAND

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OFFICE OF THE CITY CLERK  
OAKLAND  
2015 SEP -2 AM 9:44

# AGENDA REPORT

**TO:** Sabrina B. Landreth  
City Administrator

**FROM:** Brooke A. Levin

**SUBJECT:** Rehabilitation of Sanitary Sewers

**DATE:** July 22, 2015

City Administrator  
Approval

Date:

8/31/15

**COUNCIL DISTRICT:** 2

## RECOMMENDATION

Staff recommends that the City Council adopt:

A Resolution Awarding A Construction Contract To Andes Construction, Inc., The Lowest Responsive, Responsible Bidder, In Accordance With Plans And Specifications For The Rehabilitation Of Sanitary Sewers In The Area Bounded By E. 24<sup>th</sup> Street, 19<sup>th</sup> Avenue, Beaumont Avenue And E. 33<sup>rd</sup> Street (Project No. C329151) And With Contractor's Bid In The Amount Of Four Million Fifty-Three Thousand Seven Hundred Seventy-Five Dollars (\$4,053,775.00).

## OUTCOME

Approval of this resolution will authorize the City Administrator to execute a construction contract with Andes Construction, Inc. in the amount of \$4,053,775.00. The work to be completed under this project is part of the City's annual Sanitary Sewer Rehabilitation program and is required under the 2014 Sewer Consent Decree. The work is located in Council District 2 as shown in *Attachment A*.

## BACKGROUND/LEGISLATIVE HISTORY

On June 18, 2015, the City Clerk received three bids for this project in the amounts of \$4,053,775.00, \$4,872,685.00, and \$5,409,203.00. Andes Construction, Inc. is deemed the lowest responsive and responsible bidder and therefore is recommended for the award. The Engineer's estimate for the work is \$4,139,095.00. The proposed work consists, in general, of rehabilitating approximately 27,012 linear feet of existing sewer pipes, ranging in size from 8-inch in diameter to 30-inch in diameter, by pipe-expanding or cured-in-place method; rehabilitating sewer structures; reconnecting house connection sewers; rehabilitating house connections sewers, and

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other related work as indicated on the plans and specifications. This project is part of the City's annual Sanitary Sewer Rehabilitation program intended to improve the sanitary system conditions throughout Oakland, and is required under the 2014 Sewer Consent Decree.

### **ANALYSIS**

Adoption of this resolution will allow the City Administrator or designee to execute a construction contract with Andes Construction, Inc., for the rehabilitation of sanitary sewers in the area bounded by E. 24<sup>th</sup> Street, 19<sup>th</sup> Avenue, Beaumont Avenue and E. 33<sup>rd</sup> Street (Project No. C329151). Under the proposed contract with Andes Construction, Inc., the Local Business Enterprise/Small Local Business Enterprise (LBE/SLBE) participation will be 92.60%, which exceeds the City's 50% LBE/SLBE requirement. Trucking participation is 100% and exceeds the 50% 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 Contracts and Compliance Division of the City Administrator's Office, and is shown in *Attachment C*.

Construction is scheduled to begin in October 2015 and should be completed by May 2016. The contract specifies \$1,000.00 in liquidated damages per calendar day if the contract is not completed within 140 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. This project is part of the City-wide program to improve pipe conditions and reduce wet weather peak flows in sanitary sewer system.

### **PUBLIC OUTREACH/INTEREST**

The Homeowner Associations and Merchants Associations in the area have been notified in writing about this project. Prior to starting construction, residents who are affected by work in the easement will be notified individually of the construction schedule, planned activities, and City Resident Engineer and Contractor's contact information.

### **COORDINATION**

The work to be done under this contract was coordinated with Oakland Public Works - Bureau of Infrastructure and Operations and Contracts and Compliance Division. In addition, the Office of City Attorney and the Controller's Bureau have reviewed this report and resolution.

**COST SUMMARY/IMPLICATIONS**

1. AMOUNT OF RECOMMENDATION/COST OF PROJECT:

FUNDING SOURCE	AMOUNT
The Rehabilitation of Sanitary Sewers in the Area Bounded By E. 24th Street, 19th Avenue, Beaumont Avenue And E. 33rd Street (Project No. C329151)	\$4,053,775.00

2. COST ELEMENTS OF AGREEMENTS/CONTRACTS: \$4,053,775.00

3. SOURCE OF FUNDING:

FUNDING SOURCES (FY 2015-16 CIP budget)	AMOUNT
Sewer Service Fund (3100); Capital Project – Sanitary Sewer Design Organization (92244); Sewers Account (57417); Project C329151	\$4,053,775.00

4. FISCAL IMPACT:

Approval of this resolution will authorize the City Administrator or designee to execute a construction contract in the amount of \$4,053,775.00. Funding for this project is included in the Fiscal Year 2015-16 Capital Improvement Project budget.

**PAST PERFORMANCE, EVALUATION AND FOLLOW-UP**

The Contractor Performance Evaluation for Andes Construction, Inc. from a previously completed project is satisfactory and is included as ***Attachment D***.

**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.

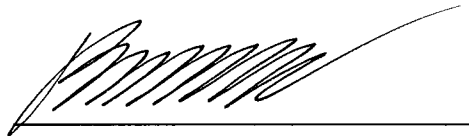
**Environmental:** Replacing sanitary sewers will minimize sewer leakage and overflows, thus preventing potential harm to property, groundwater resources and the bay. The contractor will be required to make every effort to reuse clean fill materials and use recyclable concrete and asphalt products. Best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

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**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  
Director, Oakland Public Works

Reviewed by:  
Michael J. Neary, P.E., Assistant Director  
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 (4)

Attachment A: Project Location Map

Attachment B: Project Construction Schedule

Attachment C: Contracts & Compliance Unit Compliance Evaluation

Attachment D: Contractor Performance Evaluation

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*Attachment A*


**PLANS FOR THE REHABILITATION OF SANITARY SEWERS  
IN THE AREA BOUNDED BY E. 24TH AVE, 19TH AVE,  
BEAUMONT AVE AND E. 33TH ST (SUB-BASIN 58-02)**

CITY PROJECT NO. C329151



**LOCATION MAP**

NOT TO SCALE

LIMIT OF WORK 

**Attachment B**

**Project Construction Schedules**

ID	Task Name	Start	Finish	2015												2016											
				Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec			
				1	Project No. C329151	Mon 10/26/15	Fri 5/6/16																				
2	Construction	Mon 10/26/15	Fri 5/6/16																								





# INTER OFFICE MEMORANDUM

**TO:** David Ng,  
Civil Engineer

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

**SUBJECT:** Compliance Analysis

**DATE:** July 2, 2015

The Rehabilitation of Sanitary Sewers in the area bounded by E. 24<sup>th</sup> St, 19<sup>th</sup> Ave.  
Beaumont Ave and E. 33<sup>rd</sup> St (Sub-basin 58-02)  
Project No. C329151

The City Administrator's Office, Contracts and Compliance Unit reviewed three (3) bids in response to the above referenced project. Below is the outcome of the compliance evaluation for the minimum 50% Local and Small Local Business Enterprise (L/SLBE) participation requirement, a preliminary review for compliance with the Equal Benefits Ordinance (EBO), and a brief overview of compliance with the 50% Local Employment Program (LEP) and the 15% Oakland Apprenticeship Program by the lowest compliant bidder on their most recently completed City of Oakland project.

Responsive to L/SLBE and/or EBO Policies		Proposed Participation					Earned Credits and Discounts			EBO Compliant?
Company Name	Original Bid Amount	Total LBE/SLBE	LBE	SLBE	*VSLBE/LPG	L/SLBE Trucking	Total Credited participation	Earned Bid Discounts	Adjusted Bid Amount	
Andes Construction	\$4,053,775.00	92.60%	0.00%	89.89%	2.71%	100.00%	92.60%	5%	\$3,972,669.50	Y
J. Howard Engineering, Inc.	\$4,872,685.00	91.79%	0.00%	90.85%	0.94%	100.00%	91.79%	5%	\$4,629,050.75	Y
Pacific Trenchless Inc.	\$5,409,203.00	92.05%	0.00%	92.05%	0.00%	100.00%	92.05%	5%	\$5,138,742.85	Y

*Andes Construction and J. Howard Engineering, Inc's proposed VSLBE/LPG participation values are 2.71 and 0.94%. However, per the L/SLBE Program a VSLBE/LPG is double counted towards meeting the requirement. Therefore, the VSLBE/LPG value for Andes Construction and J. Howard Engineering, Inc. are 5.43% and 1.89% respectively.*

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



**For Informational Purposes**

Listed below is the overview of compliance with the 50% Local Employment Program (LEP) and the 15% Oakland Apprenticeship Program by the lowest compliant bidder on their most recently completed City of Oakland project.

**Contractor Name:** Andes Construction

**Project Name:** Rehab of Sanitary Sewers in the Area Bounded by Shattuck, 59<sup>th</sup>, Telegraph and Woolsey (Sub-Basin 10)

**Project No.** C312310

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

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

**15% Oakland Apprenticeship Program**

Was the 15% Apprenticeship Goal achieved?	No	If no, shortfall hours?	182
Were shortfalls satisfied?	No	If no, penalty amount?	\$4848.85

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			
8197	0	50%	4099	50%	4099	0	0	100%	1048	15%	1230	182

**Comments:** Andes Construction exceeded the Local Employment Program's 50% resident hiring goal with 100% resident employment and did not meet the 15% Oakland Apprenticeship Program.

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



**CITY ADMINISTRATOR'S OFFICE**



**Contracts and Compliance Unit**

**PROJECT COMPLIANCE EVALUATION FOR :**

**Project No. C329151**

**RE:**

**The Rehabilitation of Sanitary Sewers in the area Bounded by E. 24th St, 19th Ave, Beaumont Ave. and E. 33rd Street**

**CONTRACTOR:**

**Pacific Trenchless Inc.**

<b><u>Engineer's Estimate:</u></b>	<b><u>Contractors' Bid Amount</u></b>	<b><u>Over/Under Engineer's Estimate</u></b>
\$4,139,095.00	\$5,409,203.00	(\$1,270,108.00)
<b><u>Discounted Bid Amount:</u></b>	<b><u>Amt. of Bid Discount</u></b>	<b><u>Discount Points:</u></b>
\$5,138,742.85	\$270,460.15	5.00%
1. Did the 50% local/small local requirement apply:		<b><u>YES</u></b>
2. Did the contractor meet the 50% requirement		<b><u>YES</u></b>
a) % of LBE participation	<b><u>0.00%</u></b>	
b) % of SLBE participation	<b><u>92.05%</u></b>	
c) % of VSLBE participation	<b><u>0.00%</u></b>	<b>0.00%</b> (double counted value)
3. Did the contractor meet the Trucking requirement?		<b><u>YES</u></b>
a) Total L/SLBE trucking participation	<b><u>100.00%</u></b>	
a) Total VSLBE trucking participation	<b><u>0.00%</u></b>	
4. Did the contractor receive bid discount points?		<b><u>YES</u></b>
(If yes, list the points received)	<b><u>5%</u></b>	
5. Additional Comments.		
6. Date evaluation completed and returned to Contract Admin./Initiating Dept.		

7/2/2015

Date

**Reviewing Officer:**

**Date:** 7/2/2015

**Approved By:**

**Date:** 7/2/2015

## LBE/SLBE Participation Bidder 3

Project Name:														
<b>The Rehabilitation of Sanitary Sewers in the area Bounded by E. 24th St, 19th Ave, Beaumont Ave. and E. 33rd Street</b>														
Project No.: C329151		Engineer's Estimate 2,564,945.00			Under/Over Engineers Estimate: -2,844,258.00									
Discipline	Prime & Subs	Location	Cert. Status	LBE	SLBE	*VSLBE/LPG (2x Value)	Total LBE/SLBE	VSLBE Trucking	L/SLBE Trucking	Total Trucking	TOTAL Dollars	Ethnicity		
												Ethn.	MBE	WBE
PRIME	Pacific Trenchless Inc.	Oakland	CB		4,946,068.00		4,946,068.00				4,946,068.00	C		
Trucking	All City Trucking	Oakland	CB		33,000.00		33,000.00		33,000.00	33,000.00	33,000.00	AI	33,000.00	
Cipp Lining	Christian Bros. Lining	Fairfield	UB								78,135.00	C		
HDPE Pipe	P & F Distributors	Brisbane	UB								300,000.00	C		
Manhole Lining	Con-Tech of California	Stockton	UB								25,000.00	C		
Pipe Couplings	Mission Clay	Oakland	UB								15,000.00	C		
Manhole Sections	Oldcastle Precast	Pleasanton	UB								12,000.00	C		
<b>Project Totals</b>				0.00 0.00%	4,979,068.00 92.05%	0.00 0.00%	4,979,068.00 92.05%	0.00 0.00%	33,000.00 100.00%	33,000.00 100%	5,409,203.00 100%		33,000.00 0.61%	0.00 0.00%
<b>Requirements:</b> The 50% requirements is a combination of 25% LBE and 25% SLBE participation. An SLBE firm can be counted 100% towards achieving 50% requirements and a VSLBE/LPP firm can be counted double towards achieving the 50% requirement.				LBE 25%	SLBE 25%	VSLBE/LPG	TOTAL LBE/SLBE	VSLBE Trucking	L/SLBE TRUCKING	TOTAL DOLLARS	<b>Ethnicity</b> AA = African American A = Asian AI = Asian Indian AP = Asian Pacific C = Caucasian AP - Asian Pacific H = Hispanic NA = Native American O = Other NL = Not Listed			
<b>Legend</b>				LBE = Local Business Enterprise SLBE = Small Local Business Enterprise VSLBE-Very Small Local Business Enterprise LPG = Locally Produced Goods Total LBE/SLBE = All Certified Local and Small Local Businesses NPLBE = NonProfit Local Business Enterprise NPSLBE = NonProfit Small Local Business Enterprise		UB = Uncertified Business CB = Certified Business MBE = Minority Business Enterprise WBE = Women Business Enterprise								

**CITY ADMINISTRATOR'S OFFICE**

**Contracts and Compliance Unit**



**PROJECT COMPLIANCE EVALUATION FOR :**

**Project No. C329151**

**RE:**

**The Rehabilitation of Sanitary Sewers in the area Bounded by E. 24th St, 19th Ave, Beaumont Ave. and E. 33rd Street**

**CONTRACTOR: J. Howard Engineering, Inc.**

<b><u>Engineer's Estimate:</u></b>	<b><u>Contractors' Bid Amount</u></b>	<b><u>Over/Under Engineer's Estimate</u></b>
\$4,139,095.00	\$4,872,685.00	(\$733,590.00)
<b><u>Discounted Bid Amount:</u></b>	<b><u>Amt. of Bid Discount</u></b>	<b><u>Discount Points:</u></b>
\$4,629,050.75	\$243,634.25	5.00%
1. Did the 50% local/small local requirement apply:		<b><u>YES</u></b>
2. Did the contractor meet the 50% requirement		<b><u>YES</u></b>
a) % of LBE participation	<b><u>0.00%</u></b>	
b) % of SLBE participation	<b><u>90.85%</u></b>	
c) % of VSLBE participation	<b><u>0.94%</u></b>	<b>1.89%</b> (double counted value)
3. Did the contractor meet the Trucking requirement?		<b><u>YES</u></b>
a) Total L/SLBE trucking participation	<b><u>100.00%</u></b>	
a) Total VSLBE trucking participation	<b><u>0.00%</u></b>	
4. Did the contractor receive bid discount points?		<b><u>YES</u></b>
(If yes, list the points received)	<b><u>5%</u></b>	
5. Additional Comments.		
<b>Proposed VSLBE/LPG participation is valued at 0.94%, however, per the L/SLBE Program a VSLBE/LPG's participation is double counted towards meeting the requirement. Therefore, the VSLBE/LPG value is 1.89%.</b>		
6. Date evaluation completed and returned to Contract Admin./Initiating Dept.		

7/2/2015

Date

**Officer:**

**Date:**

7/2/2015

**Approved By:**

**Date:**

7/2/2015

## LBE/SLBE Participation Bidder 2

<b>Project Name:</b>		<b>The Rehabilitation of Sanitary Sewers in the area Bounded by E. 24th St, 19th Ave, Beaumont Ave. and E. 33rd Street</b>												
<b>Project No.:</b> C329151		<b>Engineer's Estimate</b> 2,564,945.00				<b>Under/Over Engineers Estimate:</b> -2,307,740.00								
Discipline	Prime & Subs	Location	Cert. Status	LBE	SLBE	*VSLBE/LPG (2x Value)	Total LBE/SLBE	VSLBE Trucking	L/SLBE Trucking	Total Trucking	TOTAL Dollars	Ethnicity		
												Ethn.	MBE	WBE
PRIME	J. Howard Engineering, Inc.	Oakland	CB		4,406,685.00		4,406,685.00				4,406,685.00	C		
Trucking	CJC Trucking	Oakland	CB		20,000.00		20,000.00		20,000.00	20,000.00	20,000.00	AA	20,000.00	
Saw Cutting	Bay Line Cutting	Berkeley	UB								7,000.00	H	7,000.00	
HDPE Pipe	P & F Distributors	Brisbane	UB								300,000.00	C		
Precast MH Mat.	Old Castle Precast	Pleasanton	UB								10,000.00	C		
AC Paving	Gallagher & Burk	Oakland	CB			15,000.00	15,000.00				15,000.00	C		
AB, Drainrock	Argent Materials	Oakland	CB			8,000.00	8,000.00				8,000.00	C		
Pipe & Fittings	Pace Supply	Oakland	UB								6,500.00	C		
Couplings	Mission Clay	Oakland	UB								4,500.00	C		
MH Rehab Mat.	Con-Tech of CA	Stockton	UB								15,000.00	C		
CIPP Liner	Christian Bros.	Fairfield	UB								80,000.00	C		
<b>Project Totals</b>				0.00 0.00%	4,426,685.00 90.85%	23,000.00 0.94%	4,449,685.00 91.79%	0.00 0.00%	20,000.00 100.00%	20,000.00 100%	4,872,685.00 100%		27,000.00 0.55%	0.00 0.00%
<b>Requirements:</b> The 50% requirements is a combination of 25% LBE and 25% SLBE participation. An SLBE firm can be counted 100% towards achieving 50% requirements and aVSLBE/LPP firm can be counted double towards achieving the 50% requirement.				<b>LBE 25%</b>	<b>SLBE 25%</b>	<b>VSLBE/LPG</b>	<b>TOTAL LBE/SLBE</b>	<b>VSLBE Trucking</b>	<b>L/SLBE TRUCKING</b>	<b>TOTAL DOLLARS</b>	<b>Ethnicity</b> AA = African American A = Asian AI = Asian Indian AP = Asian Pacific			

\*\* Proposed VSLBE/LPG participation is valued at 0.94%, however per the L/SLBE Program a VSLBE/LPG's participation is double counted towards meeting the requirement. Double counted percentages are reflected on the evaluation form and cover memo.

**CITY ADMINISTRATOR'S OFFICE**

**Contracts and Compliance Unit**



**PROJECT COMPLIANCE EVALUATION FOR :**

**Project No. C329151**

**RE: The Rehabilitation of Sanitary Sewers in the area Bounded by E. 24th St, 19th Ave, Beaumont Ave. and E. 33rd Street**

**CONTRACTOR: Andes Construction**

<b>Engineer's Estimate:</b>	<b>Contractors' Bid Amount</b>	<b>Over/Under Engineer's Estimate</b>	
\$4,139,095.00	\$4,053,775.00	\$85,320.00	
<b>Discounted Bid Amount: Amt. of Bid Discount</b>		<b>Discount Points:</b>	
\$3,972,699.50	\$81,075.50	2.00%	
1. Did the 50% local/small local requirement apply:		<b>YES</b>	
2. Did the contractor meet the 50% requirement		<b>YES</b>	
a) % of LBE participation	<b>0.00%</b>		
b) % of SLBE participation	<b>89.89%</b>		
c) % of VSLBE participation	<b>2.71%</b>		
		5.43%	(double counted value)
3. Did the contractor meet the Trucking requirement?		<b>YES</b>	
a) Total L/SLBE trucking participation	<b>0.00%</b>		
a) Total VSLBE trucking participation	<b>100.00%</b>		
4. Did the contractor receive bid discount points?		<b>YES</b>	
(If yes, list the points received)	<b>5%</b>		
5. Additional Comments.			
Proposed VSLBE/LPG participation is valued at 2.71%, however, per the L/SLBE Program a VSLBE/LPG's participation is double counted towards meeting the requirement. Therefore, the VSLBE/LPG value is 5.43%.			
6. Date evaluation completed and returned to Contract Admin./Initiating Dept.			

**Reviewing Officer:**  7/2/2015  
Date

**Approved By:**  7/2/2015  
Date

## LBE/SLBE Participation Bidder 1

Project Name:		The Rehabilitation of Sanitary Sewers in the area Bounded by E. 24th St, 19th Ave, Beaumont Ave. and E. 33rd Street													
Project No.: C329151		Engineer's Estimate			4,139,095.00		Under/Over Engineers		85,320.00						
		Estimate:													
Discipline	Prime & Subs	Location	Cert. Status	LBE	SLBE	*VSLBE/LPG (2x Value)	Total LBE/SLBE	VSLBE Trucking	L/SLBE Trucking	Total Trucking	TOTAL Dollars				
												Ethn.	MBE	WBE	
PRIME	Andes Construction	Oakland	CB		3,643,775.00		3,643,775.00				3,643,775.00	H	3,643,775.00		
Saw Cutting	Bay Line Cutting	Berkeley	UB								15,000.00	H	15,000.00		
Trucking	Foston Trucking	Oakland	CB			25,000.00	25,000.00	25,000.00		25,000.00	25,000.00	AA	25,000.00		
MH Precast	Old Castle	Pleasanton	UB								20,000.00	C			
AC	Gallagher & Burk	Oakland	CB			30,000.00	30,000.00				30,000.00	C			
AB	Inner City	Oakland	UB								50,000.00	C			
Rock	Dutra	San Rafael	UB								25,000.00	C			
MH Rehab Mat.	Con-Tech	Stockton	UB								40,000.00	C			
Feit	Masterfiner	Hammond	UB								10,000.00	C			
Resin	Composite One	W.Sacramento	UB								15,000.00	C			
HDPE Pipe	P&F Distributors	Brisbane	UB								180,000.00	C			
<b>Project Totals</b>				0.00	3,643,775.00	55,000.00	3,698,775.00	25,000.00	0.00	25,000.00	4,053,775.00		3,683,775.00	0.00	
				0.00%	89.89%	2.71%	92.60%	100.00%	0.00%	100%	100%		90.87%	0.00%	
<b>Requirements:</b> The 50% requirements is a combination of 25% LBE and 25% SLBE participation. An SLBE firm can be counted 100% towards achieving 50% requirements and aVSLBE/LPG firm can be counted double towards achieving the 50% requirement.				<b>LBE 25%</b>	<b>SLBE 25%</b>	<b>VSLBE/LPG</b>	<b>TOTAL LBE/SLBE</b>	<b>VSLBE Trucking</b>	<b>L/SLBE TRUCKING</b>	<b>TOTAL DOLLARS</b>	<b>Ethnicity</b> AA = African American A = Asian AI = Asian Indian AP = Asian Pacific C = Caucasian AP - Asian Pacific H = Hispanic NA = Native American O = Other NL = Not Listed				
<b>Legend</b>				LBE = Local Business Enterprise		SLBE = Small Local Business Enterprise		VSLBE-Very Small Local Business Enterprise		LPG = Locally Produced Goods		Total LBE/SLBE = All Certified Local and Small Local Businesses			
				NPLBE = NonProfit Local Business Enterprise		NPSLBE = NonProfit Small Local Business Enterprise		UB = Uncertified Business		CB = Certified Business		MBE = Minority Business Enterprise			
								WBE = Women Business Enterprise							

\*\* Proposed VSLBE/LPG participation is valued at 2.71%, however per the L/SLBE Program a VSLBE/LPG's participation is double counted towards meeting the requirement. Double counted percentages are reflected on the evaluation form and cover memo.

**SCHEDULE R  
SUBCONTRACTOR, SUPPLIER, TRUCKING LISTING FOR BASE BID**

By request, Contracts and Compliance can email an electronic copy of Schedule R to your firm or go to <http://www2.oaklandnet.com/oakca1/groups/contracting/documents/form/oak023389.pdf>

Date

6/18/15



**Note:**  
The contractor herewith must list all subcontractors and suppliers with values in excess of one-half of 1 percent of the prime contractor's total bid or ten thousand dollars (\$10,000) whichever is greater and all trucking regardless of tier and dollar amount to be used on the project. The contractor agrees that no changes will be made in this list without the approval of the City of Oakland. Provide the address, type of work, dollar amount and check all boxes that apply. Bidders that do not list all subcontractors and suppliers with values greater than one half of one percent and all truckers regardless of tier and dollar amount shall be deemed non-responsive.

Prime Contractor: Andes Construction Inc  
Project No.: C329151  
Project Name: The SS Rehab of 19th St & Beaumont  
Signature: Jynthia Dooxo

Contractor's License #	Type of Work	Company Name	Address and City	Phone Number	Dollar Amount	Supplier	Trucking	LBE	SLBE	VSLBE \ LPG	* Ethnicity	** Gender	*** Alternate #
809060-A	Saw Cutting	Baylene	P.O. Box 5D108 Oakland, CA	5D-385-9075	15,000.00			✓			F	F	
159119	Trucking VSLB	Foston Trucking	P.O. Box 70487 Oakland, CA	5D-601-9025	25,000.00		✓	✓			AA	F	
	MH Precast	Old Castle	3786 Valley Ave Pleasanton CA	925-896-8183	20,000.00	✓					CM		
	AC VSLBE	E: Burk	P.O. Box 7727 Oakland CA	925-803-4258	30,000.00	✓		✓			CM		
	AB Exp.	Inner City	9009 Railroad Ave Oakland CA	510-568-7625	50,000.00	✓		✓			CM		
	Rock	Dutra	1000 Pt. San Pablo Rd. San Rafael	415-959-7700	25,000.00	✓					CM		
	MH Rehab Mat.	Dom-Tech	211 Navy Dr. Stockton CA	209-941-8324	40,000.00	✓					CM		
	Left	Masterworks	43205 S. Airport Rd Hammond LA	985-300-3006	10,000.00	✓					CM		
	Ruin	Composite One	3121 Airport Blvd W. Sacramento	916-371-2000	15,000.00	✓					CM		
	HOPE Pipe	P:F	571 Tunnel Ave Brisbane, CA	415-467-4670	180,000.00	✓					CM		

Attach additional page(s) if necessary.  
(LBE - Local Business Enterprise) (SLBE - Small Local Business Enterprise) (VSLBE - Very Small Local Business Enterprise) (LPG - Locally Produced Goods)  
Contractors are required to identify the ethnicity and gender of all listed firms majority owner. This information will be used for tracking purposes only.  
\* Ethnicity - (AA=African American) (AI=Asian Indian) (AP=Asian Pacific) (C=Caucasian) (H=Hispanic) (NA=Native American) (O=Other) (NL=Not Listed)  
\*\* Gender - (M = Male) (F = Female)  
\*\*\* Alternate (if applicable) - Please indicate in alternate box either 1, 2 or 3 and so on for alternate line items.

**SCHEDULE R  
SUBCONTRACTOR, SUPPLIER, TRUCKING LISTING FOR BASE BID**

By request, Contracts and Compliance can email an electronic copy of Schedule R to your firm or go to <http://www2.oaklandnet.com/oakca1/groups/contracting/documents/form/oak023389.pdf>

Date JUNE 18, 2015 SLBE



**Note:**  
The contractor herewith must list all subcontractors and suppliers with values in excess of one-half of 1 percent of the prime contractor's total bid or ten thousand dollars (\$10,000) whichever is greater and all trucking regardless of tier and dollar amount to be used on the project. The contractor agrees that no changes will be made in this list without the approval of the City of Oakland. Provide the address, type of work, dollar amount and check all boxes that apply. Bidders that do not list all subcontractors and suppliers with values greater than one half of one percent and all truckers regardless of tier and dollar amount shall be deemed non-responsive.

Prime Contractor: J. HOWARD ENGINEERING, INC.  
Project No.: C-529151  
Project Name: REPAIR OF SANITARY SEWERS  
Signature: [Signature]

Contractor's License #	Type of Work	Company Name	Address and City	Phone Number	Dollar Amount	Supplier	Trucking	LBE	SLBE	VSLBE/LPG	* Ethnicity	** Gender
	Trucking SLBE	CJC Trucking	3803 Broadway #2, OAKLAND	510 601-5359	20,000		✓		✓		AA	M
809660	Sand Cutting	Ray Link Cutting	1635 4th St, Berkeley	510 527-1080	7,000						H	M
	HDPE Pipe	P-F Distributors	511 Tunnel Ave, Brisbane	415 467-4630	300,000	✓					C	M
	Pre-cast MH Manholes	Old Castle Precast	3186 Valley Ave, Pleasanton	925 846-8183	10,000	✓					C	M
	AC Paving VSLBE	Gallagher Truck	244 High Street, OAKLAND	510 832-5606	15,000	✓					C	M
	AS, Drainage, Pipe	Regent Materials	8300 Baldwin St., OAKLAND	510 638-7168	8,000	✓					C	M
	Pipe Fittings	Face Supply	425 Market St., OAKLAND	510 318-6900	6,500	✓					**	
	Complines VDB	Mission Clay Prod.	880 31st Ave., OAKLAND	510 503-8500	4,500	✓					C	M
	MH Rehab. Manholes	Con-Tech of CA	2211 Navy Rd., Stockton	909 947-8324	15,000	✓					C	M
933224	CIPP Liner	Christian Bros.	100 Webster St., Fairfield	661 816-4891	80,000						C	M

Attach additional page(s) if necessary.  
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Contractors are required to identify the ethnicity and gender of all listed firms majority owner. This information will be used for tracking purposes only.  
\* Ethnicity - (AA=African American) (AI=Asian Indian) (AP=Asian Pacific) (C=Caucasian) (H=Hispanic) (NA=Native American) (O=Other) (NL=Not Listed)  
\*\* Gender - (M = Male) (F = Female)  
\*\*\* Alternate (if applicable) - Please indicate in alternate box either 1, 2 or 3 and so on for alternate line items.

\*\*\* ESOP



**SCHEDULE R  
SUBCONTRACTOR, SUPPLIER, TRUCKING LISTING FOR BASE BID**

By request, Contracts and Compliance can email an electronic copy of Schedule R to your firm or go to <http://www2.oaklandnet.com/oakca1/groups/contracting/documents/form/oak023389.pdf>

Date 06/18/15



**Note:**  
The contractor herewith must list all subcontractors and suppliers with values in excess of one-half of 1 percent of the prime contractor's total bid or ten thousand dollars (\$10,000) whichever is greater and all trucking regardless of tier and dollar amount to be used on the project. The contractor agrees that no changes will be made in this list without the approval of the City of Oakland. Provide the address, type of work, dollar amount and check all boxes that apply. Bidders that do not list all subcontractors and suppliers with values greater than one half of one percent and all truckers regardless of tier and dollar amount shall be deemed non-responsive.

Prime Contractor: PACIFIC TRENCHLESS INC.  
Project No.: C329151  
Project Name: SEWER REHAB - E. 24<sup>th</sup> ST, 19<sup>th</sup> AVE, E. 33<sup>rd</sup> ST  
Signature: [Signature]

Contractor's License #	Type of Work	Company Name	Address and City	Phone Number	Dollar Amount	Supplier Trucking	LBE	SLBE	VSLBE \ LPG	* Ethnicity	** Gender
N/A	TRUCKING <sup>SLBE</sup>	All City Trucking	1941 Jackson Street OAKLAND CA 94612	(510) 438-8916	\$ 33,000	X		X		AI	M
933224	CIPP LINING	Christina Bed. Lining	700 WEBSTER STREET FAIRFIELD CA 94533	(661) 816-4291	\$ 78,135					C	M
N/A	HDPE PIPE	P&F DISTRIBUTORS	51 Tunnel Avenue BRISBANE CA 94005	(415) 467-4680	\$ 300,000	X				C	M
N/A	Manhole Lining	Con-tech of California	2211 Navy Drive Stockton, CA 95206	(209) 941-8824	\$ 25,000	X				C	M
N/A	Pipe Couplings <sup>DB</sup>	Mission Clay Products	880 81 <sup>st</sup> Avenue OAKLAND CA 94621	(510) 566-0800	\$ 15,000	X				C	M
N/A	Manhole Sections	Oldcastle Precast	3706 Valley Avenue Pleasanton CA 94566	(925) 846-8183	\$ 12,000	X				C	M

Attach additional page(s) if necessary.  
(LBE - Local Business Enterprise) (SLBE - Small Local Business Enterprise) (VSLBE - Very Small Local Business Enterprise) (LPG - Locally Produced Goods)  
Contractors are required to identify the ethnicity and gender of all listed firms majority owner. This information will be used for tracking purposes only.  
\* Ethnicity - (AA=African American) (AI=Asian Indian) (AP=Asian Pacific) (C=Caucasian) (H=Hispanic) (NA=Native American) (O=Other) (NL=Not Listed)  
\*\* Gender - (M = Male), (F = Female)  
\*\*\* Alternate (if applicable) - Please indicate in alternate box either 1, 2 or 3 and so on for alternate line items.

**CITY OF OAKLAND BID SUMMARY**  
Public Works Department - Contract Services

PROJECT NAME: The Rehabilitation of Sanitary Sewers in the Area bounded by E. 24th Street, 19th Avenue, Beaumont Avenue and E. 33rd Street (Sub-Basin 58-02)  
 PROJECT NO: C329151  
 BID DATE: June 18, 2015  
 ENGINEER'S ESTIMATE: \$4,139,095.00  
 BASIS OF AWARD: Baso Bid  
 PROJECT MANAGER: David Ng  
 COMPLIANCE OFFICER: Sophany Hang  
 APPARENT LOW BIDDER (prior to Bid Discounts per I/SLBE program): Andes Construction, Inc.  
 ISSUED TO COMPLIANCE, PROJECT MANAGER AND ALL PRIME BIDDERS: Thursday, June 18, 2015

**6329151**  
**\$4,139,095.00**

COMMENTS: 1) The designation of the 'apparent low bidder' made in this Bid Summary does not incorporate 'bid discounts', if any. The Office of Contract Compliance will determine any bid discounts in their forthcoming compliance analysis.

Documents Required With Bid	ANDES CONSTRUCTION, INC.	J. HOWARD ENGINEERING, INC.	PACIFIC TRENCHLESS, INC.
Contractor's Bid Form and Bid Schedule	Y	Y	Y
Correct Prime Contractor License Type and Active per CSLB?	Y	Y	Y
Subcontractor Licenses Listed and Active per CSLB?	Y	Y	Y
Prime & Subcontractor Registered with DIR?	Y	Y	Y
Addendum acknowledgement	NA	NA	NA
Bid Bond	Y	Y	Y
Schedule D - Campaign Contribution Limits	Y	Y	Y
Schedule R - Subcontractor, Supplier, Trucking Listing	Y	Y	Y
If Trucking is required, was one listed?	Y	Y	Y

Engineer's Estimate				ANDES CONSTRUCTION, INC.		J. HOWARD ENGINEERING, INC.		PACIFIC TRENCHLESS, INC.				
Item Number	Spec. Section	Quantity	Unit of Measure	Item Description	Unit Price	Total Amount	Unit Price	Total Amount	Unit Price	Total Amount	Unit Price	Total Amount
1	7-12	2	EA	PROJECT SIGN	\$1,000.00	2,000.00	500.00	1,000.00	1,500.00	3,000.00	3,013.00	6,026.00
2	7-10.1	1	LS	TRAFFIC CONTROL	\$25,000.00	25,000.00	244,000.00	244,000.00	188,000.00	188,000.00	80,097.00	80,097.00
3	500-1.1.9	18,204	LF	REPLACE EX 8" DIA PIPE WITH 8" DIA HDPE SDR 17 BY PIPE EXPANDING	\$90.00	1,638,360.00	128.00	2,348,316.00	103.00	1,875,012.00	131.00	2,384,724.00
4	500-1.1.9	2,373	LF	REPLACE EX 8" DIA PIPE WITH 10" DIA HDPE SDR 17 BY PIPE EXPANDING	\$95.00	225,435.00	10.00	28,730.00	107.00	253,911.00	132.00	313,236.00
5	500-1.1.9	534	LF	REPLACE EX 10" DIA PIPE WITH 12" DIA HDPE SDR 17 BY PIPE EXPANDING	\$120.00	64,080.00	50.00	26,700.00	163.00	87,042.00	133.00	71,022.00
6	500-1.1.9	1,103	LF	REPLACE EX 12" DIA PIPE WITH 14" DIA HDPE SDR 17 BY PIPE EXPANDING	\$140.00	154,420.00	50.00	55,150.00	173.00	190,819.00	137.00	151,111.00
7	500-1.1.9	2,054	LF	REPLACE EX 14" DIA PIPE WITH 16" DIA HDPE SDR 17 BY PIPE EXPANDING	\$160.00	328,640.00	50.00	102,700.00	183.00	375,882.00	138.00	283,452.00
8	500-1.1.9	1,143	LF	REPLACE EX 15" DIA PIPE WITH 18" DIA HDPE SDR 17 BY PIPE EXPANDING	\$180.00	205,740.00	35.00	40,005.00	193.00	220,599.00	139.00	158,877.00
9	500-1.1.9	1,052	LF	REPLACE EX 18" DIA PIPE WITH 20" DIA HDPE SDR 17 BY PIPE EXPANDING	\$200.00	210,400.00	50.00	52,600.00	203.00	213,556.00	141.00	148,332.00
10	500-1.1.9	348	LF	INSTALL CIPP LINER IN EX. 24" DIA. PIPE	\$240.00	83,520.00	240.00	83,520.00	213.00	74,124.00	150.00	52,200.00
11	500-1.1.9	201	LF	INSTALL CIPP LINER IN EX. 30" DIA. PIPE	\$300.00	60,300.00	10.00	2,010.00	223.00	44,823.00	170.00	34,170.00
12	306-1.6	100	LF	REMOVE EX. SS & CONSTRUCT NEW 8" VCP/HDPE SS PIPE BY OPEN TRENCH METHOD	\$300.00	30,000.00	300.00	30,000.00	327.00	32,700.00	445.00	44,500.00
13	500-1.2.7.c	15	EA	POINT REPAIR	\$400.00	6,000.00	250.00	3,750.00	1.00	15.00	5.00	75.00
14	500-1.2.7.d	80	LF	ADDITIONAL POINT REPAIR	\$50.00	4,000.00	1.00	80.00	1.00	80.00	5.00	400.00
15	500-1.2.7.a	8	EA	EXCAVATION AND BACKFILL FOR POINT REPAIR	\$1,300.00	10,400.00	4,750.00	38,000.00	1.00	8.00	5.00	40.00
16	500-1.2.7.b	64	LF	ADDITIONAL EXCAVATION AND BACKFILL FOR POINT REPAIR	\$200.00	12,800.00	1.00	64.00	1.00	64.00	5.00	320.00
17	500-2.7(b) TO (e)	97	EA	MANHOLE REHABILITATION TYPE 3	\$1,500.00	145,500.00	3,000.00	291,000.00	3,150.00	305,550.00	4,444.00	431,068.00
18	500-2.7(f)	12	EA	MANHOLE REHABILITATION TYPE 4 (Depth 9' or less)	\$4,000.00	48,000.00	7,500.00	90,000.00	5,000.00	60,000.00	4,585.00	54,780.00
19	500-2.7(f)	11	EA	MANHOLE REHABILITATION TYPE 4 (Depth greater than 9.1')	\$5,500.00	60,500.00	7,500.00	82,500.00	5,500.00	60,500.00	4,765.00	52,415.00
20	303-8.3	10	EA	MANHOLE REHABILITATION TYPE 5 (all depths)	\$4,500.00	45,000.00	12,000.00	120,000.00	5,300.00	53,000.00	4,825.00	48,250.00
21	500-1.2.7(f)	18	EA	CLEANOUT REHABILITATION TYPE 4	\$750.00	13,500.00	1,000.00	18,000.00	2,000.00	36,000.00	2,981.00	59,658.00
22	500-4.6.a	730	EA	RECONNECT 4" - 6" DIA ACTIVE HOUSE CONNECTION TO REHAB MAIN	\$350.00	255,500.00	275.00	200,750.00	600.00	438,000.00	1,075.00	784,750.00
23	500-4.6.c	10,000	LF	REPLACE/REHAB 4" - 6" DIA HOUSE CONNECTION SEWER	\$30.00	300,000.00	2.00	20,000.00	1.00	10,000.00	1.00	10,000.00
24	500-4.6.b	700	EA	INSTALL 4" - 6" DIA, 2-WAY CLEANOUT	\$300.00	210,000.00	257.00	179,900.00	500.00	350,000.00	351.00	245,700.00
Total of Base Bid Items per spreadsheet calculation						4,139,095.00		4,053,775.00		4,872,685.00		5,409,203.00
Total of Base Bid Items per contractor calculation							4,053,775.00		4,872,685.00		5,409,203.00	

**Bid Alternate 1:**

7-3	1	LS	ADD Cost of Commercial Liability Insurance Coverage	Lump Sum				30,403.51		75,000.00		112,000.00
7-3	1	LS	ADD Cost of Worker's Compensation Insurance Coverage	Lump Sum				173,501.57		150,000.00		71,500.00
7-3	1	LS	ADD Cost of Excess Liability or Umbrella Insurance Coverage	Lump Sum				15,404.35		15,000.00		12,000.00
Total of Bid Alternate 1:								219,309.23		240,000.00		195,500.00
% Self - Performed (applies to engineering projects only)								99.6%		98.2%		98.6%
% Over / Under Engineer's Estimate								-2.1%		17.7%		30.7%

**\$4,053,775** (1) **\$4,872,685** (2) **\$5,409,203** (3)

**CITY OF OAKLAND, CA  
PUBLIC WORKS DEPARTMENT  
NOTICE TO BIDDERS**

**Project No. C329151**

**The Rehabilitation of Sanitary Sewers in the area bounded by E. 24<sup>th</sup> St, 19<sup>th</sup> Ave, Beaumont Ave and E. 33<sup>rd</sup> St (Subbasin 58-02)**

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**Description:** The proposed work consists, in general, of rehabilitating approximately 20,577 linear feet of existing 8" diameter sewer pipes, approximately 5,886 linear feet of existing 10" to 18" diameter sanitary sewer pipes by pipe-expanding, approximately 549 linear feet of existing 24" to 30" diameter sanitary sewer pipes by cured-in-place pipe liner; rehabilitating sewer structures; reconnecting house connection sewers; and rehabilitating house connections sewers.

**License Required:** A or C-42

**Engineer's Estimate:** \$4,139,095.00 (Base Bid)

**Contract Days:** 140 working days

**Bid Deadline:** 2:00 PM, June 18, 2015. Bids not received by the Office of the City Clerk, 1 Frank H. Ogawa Plaza, Room #101, Oakland, CA 94612 by the deadline will be returned unopened.

**Local Business Requirement:** 50% participation

**Self-Performance:** 50% minimum, excluding Specialty Items, per Greenbook Section 2-3.2. Refer to Bid Schedule for Specialty Items, if any.

**Local Trucking Requirement:** Yes

**Bonds:** 10% Bid Security; 100% Payment and Performance Bonds

**Liquidated Damages:** \$1,000 per calendar day

**Pre-Bid Meeting:** (Voluntary

1:00 PM, June 2, 2015, in Broadway Conference Room, 4<sup>th</sup> Floor, 250 Frank H. Ogawa Plaza, Oakland, CA 94612. Contractor attendance is encouraged to learn about the City's Owner-Controlled Insurance Program (OCIP) and mandatory contractor and subcontractor registration pursuant to SB 854.

**Deadline for Questions:** 2:00 PM, June 10, 2015 by email to the Project Manager. Responses to written questions will be issued as an addendum no later than 2:00 PM, June 15, 2015. It is the Contractor's responsibility to ensure that the email is received by the Project Manager.

**Contact Information:**

Project Manager: David Ng at 510-238-7267, [dng@oaklandnet.com](mailto:dng@oaklandnet.com)

Contract Services: Calvin Hao at 510-238-7395, [chao@oaklandnet.com](mailto:chao@oaklandnet.com)

Contract Compliance Officer: Sophany Hang at 510-238-3723, [shang@oaklandnet.com](mailto:shang@oaklandnet.com)

**Bid Documents:** Bid documents and Addenda are available digitally only and provided free of charge through two websites listed below. Separate Plan Holder lists are maintained by each site. Bid Results and Subcontractor Listings are posted only to CIPList.com.

1. iSupplier: Email [iSupplier@oaklandnet.com](mailto:iSupplier@oaklandnet.com) for assistance.

Attachment D

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

Project Number/Title: RSS in the Easement of KNowland Park  
Work Order Number (if applicable): C329116  
Contractor: Andes Construction  
Date of Notice to Proceed: 6-6-11  
Date of Notice of Completion: 7-23-12  
Date of Notice of Final Completion: 7-23-12  
Contract Amount: \$437,592.00  
Evaluator Name and Title: Jun Osalbo, 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:**

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

**WORK PERFORMANCE**

Unsatisfactory  
Marginal  
Satisfactory  
Outstanding  
Not Applicable

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

**TIMELINESS**

Unsatisfactory  
Marginal  
Satisfactory  
Outstanding  
Not Applicable

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

Unsatisfactory  
Marginal  
Satisfactory  
Outstanding  
Not Applicable

**COMMUNICATION**

19	Was the Contractor responsive to the City's questions, requests for proposal, etc.? If "Marginal or Unsatisfactory", explain on the attachment.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
20	Did the Contractor communicate with City staff clearly and in a timely manner regarding:					
20a	Notification of any significant issues that arose? If "Marginal or Unsatisfactory", explain on the attachment.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
20b	Staffing issues (changes, replacements, additions, etc.)? If "Marginal or Unsatisfactory", explain on the attachment.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
20c	Periodic progress reports as required by the contract (both verbal and written)? If "Marginal or Unsatisfactory", explain on the attachment.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
20d	Were there any billing disputes? If "Yes", explain on the attachment.				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	<b>Overall, how did the Contractor rate on communication issues?</b> <b>The score for this category must be consistent with the responses to the questions given above regarding communication issues and the assessment guidelines.</b> <b>Check 0, 1, 2, or 3.</b>	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>.5</u> |
| 2. Enter Overall score from Question 13 | <u>2</u> | X 0.25 = | <u>.5</u> |
| 3. Enter Overall score from Question 18 | <u>2</u> | X 0.20 = | <u>.4</u> |
| 4. Enter Overall score from Question 22 | <u>2</u> | X 0.15 = | <u>.3</u> |
| 5. Enter Overall score from Question 28 | <u>2</u> | X 0.15 = | <u>.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.

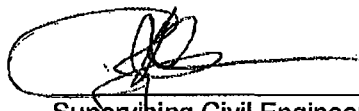
Any Contractor that receives an Unsatisfactory Overall Rating is required to attend a meeting with the City Administrator, or his/her designee, prior to returning to bidding on City projects. The Contractor is required to demonstrate improvements made in areas deemed Unsatisfactory in prior City of Oakland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

 2-5-13  
Contractor / Date

 1/17/13  
Resident Engineer / Date  
for Jun Osalbo

 1/17/13  
Supervising Civil Engineer / Date

FILED  
OFFICE OF THE CITY CLERK  
OAKLAND

# OAKLAND CITY COUNCIL

City Attorney

2015 AUG 32 PM 3:40 RESOLUTION No. \_\_\_\_\_ C.M.S.

Introduced by Councilmember \_\_\_\_\_

**RESOLUTION AWARDING A CONSTRUCTION CONTRACT TO ANDES CONSTRUCTION, INC., THE LOWEST RESPONSIVE AND RESPONSIBLE BIDDER, IN ACCORDANCE WITH PROJECT PLANS AND SPECIFICATIONS FOR THE REHABILITATION OF SANITARY SEWERS IN THE AREA BOUNDED BY E. 24<sup>TH</sup> STREET, 19<sup>TH</sup> AVENUE, BEAUMONT AVENUE AND E. 33<sup>RD</sup> STREET (PROJECT NO. C329151) AND WITH CONTRACTOR'S BID IN THE AMOUNT OF FOUR MILLION FIFTY-THREE THOUSAND SEVEN HUNDRED SEVENTY-FIVE DOLLARS (\$4,053,775.00)**

**WHEREAS**, on June 18, 2015, 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 E. 24<sup>th</sup> Street, 19<sup>th</sup> Avenue, Beaumont Avenue and E. 33<sup>rd</sup> Street (Project No. C329151); and

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

**WHEREAS**, funding for this project will be available in the following project account as part of FY 2015-16 CIP budget:

- Sewer Service Fund (3100); Capital Projects - Sanitary Sewer Design Organization (92244); Sewers Account (57417); Project No. C329151; \$4,053,775.00; 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**, Andes Construction, 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 E. 24<sup>th</sup> Street, 19<sup>th</sup> Avenue, Beaumont Avenue and E. 33<sup>rd</sup> Street (Project No. C329151) to Andes Construction, Inc., the lowest responsive and responsible bidder, in an amount of Four Million Fifty-Three Thousand Seven Hundred Seventy-Five Dollars (\$4,053,775.00) for project C329151 and in accordance with plans and specifications for the Project and contractor's bid dated June 18, 2015; and be it

**FURTHER RESOLVED:** That the amount of the bond for faithful performance bond, \$4,053,775.00, and the bond to guarantee payment of all claims for labor and materials furnished and for the amount under the Unemployment Insurance Act, \$4,053,775.00, with respect to such work are hereby approved; and be it

**FURTHER RESOLVED:** That the City Administrator, or designee, is hereby authorized to enter into a contract with Andes Construction, 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 designee, is hereby authorized to negotiate with the second lowest bidder and/or next lowest bidder for the same awarded amount, if Andes Construction, 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 designee, are hereby approved; and be it

**FURTHER RESOLVED:** That the City Administrator, or 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, CAMPBELL WASHINGTON, GALLO, GUILLEN, KALB, KAPLAN, REID, and PRESIDENT GIBSON MCELHANEY

NOES -

ABSENT -

ABSTENTION -

ATTEST: \_\_\_\_\_

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