

CITY OF OAKLAND
AGENDA REPORT

OFFICE OF THE CITY CLERK
2005 OCT 20 PM 2:24

TO: Office of the City Administrator
ATTN: Deborah Edgerly
FROM: Public Works Agency
DATE: October 11, 2005

RE: RESOLUTION AUTHORIZING AWARD OF A CONTRACT TO D'ARCY & HARTY FOR THE REHABILITATION OF SANITARY SEWERS IN THE AREA BOUNDED BY 82ND AVE., CREST AVE., DOWLING ST., AND BLANDON RD. – SUBBASIN 85-004 (PROJECT NO. C96210) FOR THE AMOUNT OF TWO MILLION TWO HUNDRED NINTEY-ONE THOUSAND EIGHT HUNDRED DOLLARS (\$2,291,800.00)

SUMMARY

A resolution has been prepared authorizing the City Administrator to award a construction contract in the amount of \$2,291,800.00 to D'arcy & Harty for the Rehabilitation of Sanitary Sewers in the Area Bounded by 82nd Ave., Crest Ave., Dowling St., and Blandon Rd. – Subbasin 85-004 (Project No. C96210). The work to be completed under this project is part of the City's annual Sanitary Sewer Rehabilitation program. The work is located in Council Districts 6 and 7 as shown on the location map in *Attachment A*.

It is recommended that the resolution be approved.

FISCAL IMPACT

There are sufficient funds in the project budget for the work. Funding for this project is available in the Sewer Service Fund (3100); Capital Project-Sanitary Sewer Design Organization (92244); Sewers Account (57417); Rehabilitation of Sanitary Sewers in the Area Bounded by 82nd Ave., Crest Ave., Dowling St., and Blandon Rd. – Subbasin 85-004 (Project No. C96210). These funds were specifically allocated for this project.

BACKGROUND

On May 23, 2005 the City Clerk received one bid for this project in the amount of \$2,291,800.00 as shown in *Attachment B*. D'arcy and Harty is deemed responsive and responsible and therefore is recommended for the award. The Engineer's estimate for the work is \$2,230,390.00.

This project will rehabilitate and upgrade the sanitary sewers within the project area and eliminate the infiltration of rain and groundwater into the sanitary sewer system; and limit the overflows and backups during wet weather. This project meets the Mayor/Council Goals and

Item: _____
Public Works Committee
October 11, 2005

Citywide Objective to **Build Community and Foster Livable Neighborhoods** by providing for clean, well-maintained and accessible streets and sidewalks, facilities, amenities, parks, recreational facilities and trees.

In general, the proposed work consists of rehabilitating/replacing approximately 21,500 linear feet of existing 8” and 24” diameter sewer pipes; rehabilitating or replacing 168 sewer structures; reconnecting house connection sewers; rehabilitating house connection sewer and other related work as indicated on the plans and specifications.

Under the proposed contract with D’arcy & Harty, SLBE participation of \$463,000.00 (20%) meets the City’s 20% LBE/SLBE requirement. The contractor shows \$57,000.00 (100%) for trucking that exceeds the 20% Local Trucking participation requirement. The contractor is required to have 50% of the work hours performed by Oakland residents, and 50% of all new hires are to be Oakland residents. The LBE/SLBE information has been verified by the Contract Compliance Division of the City Administrator’s Office and is shown in *Attachment C*.

KEY ISSUES AND IMPACTS

The engineer’s estimate for this project is \$2,230,390.00. Staff has analyzed D’arcy & Harty’s unit prices and has determined they are reasonable given the current construction climate. Construction is scheduled to begin in November 2005 and should be completed by July 2006. The contract specifies \$1,000.00 in liquidated damages per working day if the contract completion time of 150 working days is exceeded. The project schedule is shown in *Attachment B*.

SUSTAINABLE OPPORTUNITIES

Economic: 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.

Environmental: The replacement of the sanitary sewers will eliminate the possibility of sewer leakage and overflows and thus prevent potential harm to 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.

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

DISABILITY AND SENIOR CITIZEN ACCESS

There is no direct impact or benefit to seniors or people with disabilities.

RECOMMENDATION AND RATIONALE

It is recommended that the construction contract be awarded to D’arcy & Harty in the amount of \$2,291,800.00 for the Rehabilitation of Sanitary Sewers in the area bounded by 82nd Ave., Crest Ave., Dowling St., and Blandon Rd. – Subbasin 85-004 (Project No. C96210). D’arcy & Harty has met the LBE/SLBE requirements, and there are sufficient funds in the project account.

ACTION REQUESTED OF THE CITY COUNCIL

Staff recommends that the City Council approve the resolution.

Respectfully submitted,

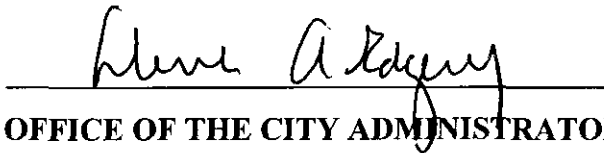


RAUL GODINEZ II, P.E.
Director, Public Works Agency

Reviewed by:
Michael Neary, P.E.
Assistant Director, Public Works Agency
Design & Construction Services Dept.

Prepared by:
Fuad Sweiss, P.E.
Engineering Design & R.O.W. Division Manager

APPROVED AND FORWARDED TO THE
PUBLIC WORKS COMMITTEE:




OFFICE OF THE CITY ADMINISTRATOR

Attachment A

PLANS FOR THE REHABILITATION OF
SANITARY SEWERS IN THE AREA BOUNDED BY
CREST AVE, 82ND AVE, DOWLING ST, AND BLANDON RD
(SUBBASIN 85-004)

CITY PROJECT NO. C96210



LOCATION MAP
NOT TO SCALE
LIMIT OF WORK 

Attachment B

**Rehabilitation of Sanitary Sewers in the area bounded by
 82nd Ave., Crest Ave., Dowling St., and Blandon Rd. - Subbasin 85-004
 (Project No. C96210)**

List of Bidders

Company	Status	Location	Bid Amount
D'arcy & Harty		San Francisco	\$2,291,800.00

Project Schedule

ID	Task Name	Start	Finish	2004				2005				2006			
				Q1	Q2	Q3	Q4	Q1	Q2	Q3	Q4	Q1	Q2	Q3	
1	Project No. C96210	Mon 3/29/04	Mon 7/31/06												
2	Pre-Design	Mon 3/29/04	Fri 4/2/04												
3	Design	Mon 4/5/04	Mon 3/7/05												
4	Bid/Award	Mon 3/14/05	Tue 10/11/05												
5	Construction	Fri 11/18/05	Mon 7/31/06												

Attachment C



OFFICE OF THE CITY ADMINISTRATOR
Contract Compliance & Employment Services Division

Memo

TO: Gwen McCormick, PWA--Contract Administration
 THROUGH: Deborah Barnes, CC&ES Manager *DB*
 FROM: Shelley Darensburg, Contract Compliance Officer
 CC: Contract Compliance Officer File
 DATE: June 10, 2005

RE: The Rehabilitation of Sanitary Sewers in the Area Bounded By 82nd Ave, Crest Ave, Dowling St, and Brandon Rd, Project No.C96210

Contract Compliance & Employment Service reviewed one (1) proposal received in response to the above referenced project. Below is the outcome of our compliance evaluation for the twenty percent (20%) minimum participation requirement and a preliminary review for compliance with the Equal Benefits Ordinance.

Company Name	Bid Amount (If applicable)	Proposed Participation				Total Credited	Preferences	Banked Credits Eligibility	EBO Compliant ? Y/N
		Total	LBE	SLBE	Trucking		Bid Discounts		
D'arcy & Harty	\$2,291,800	20%	0%	20%	100%	20%	2%	0	Y

As noted above, the bidder met the 20% L/SLBE requirement and is in compliance with the City's EBO policy.

Should you have any questions please feel free to contact Shelley Darensburg at 238-7325.

2005 JUN 10 PM 2:12

OFFICE OF THE CITY ADMINISTRATOR
 CONTRACT COMPLIANCE & EMPLOYMENT SERVICES DIVISION



Contract Compliance and Employment Services Evaluation Form

Project No.: C96210

Project Name: The Rehabilitation of Sanitary Sewers in the Area Bounded By 82nd Ave, Crest Ave, Dowling St., and Blandon Rd (SUB-BASIN 85-004)

Contractor: D'arcy & Harty

Contractor's Bid Amount: \$2,291,800

Engineer's Estimate: \$2,230,390

Over/Under the Engineers Estimate: -\$61,410

Bid Discounted Amount: \$45,836

Discount Points: 2%

Discounted Bid Price: \$2,245,964

1. Did the 20% requirements apply?

YES

2. Did the contractor meet the 20% requirement?

YES

a) % of LBE 0%

b) % of SLBE 20%

3. Did the contractor meet the Trucking requirement?

Yes

a) % of Local Trucking 100%

4. Did the contractor receive bid discount points?
(If yes, list the points received)

Yes
2%

5. Additional Comments.

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

6/10/2005

Reviewing

Officer: Shelley Darsenburg

Date: 6/10/2005

Approved By: Robert Bame

Date: 6/10/05

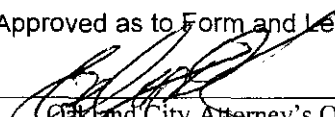
LBE/SLBE Participation

Bidder 1

Project Name: **The Rehabilitation of Sanitary Sewers in the Area Bounded By 82nd Ave, Crest Ave, Dowling St., and Blandon Rd (SUB-BASIN 85-004)**

Project No.: C96210		Engineers Est.: \$2,230,390				Under/Over Engineers Estimate: -\$61,410						
Discipline	Prime & Subs	Location	Cert. Status	LBE	SLBE	Total L/SLBE	L/SLBE Trucking	Total Trucking	Total Dollars	For Tracking Only (Self-Reported)		
										Ethn.	MBE	WBE
PRIME	D'arcy & Harty	SF	UB						1,388,800	C		
Paving	AJW Construction	Oakland	CB		206,000	206,000			206,000	H	206,000	
Trucking	Williams Trucking	Oakland	CB		57,000	57,000	57,000	57,000	57,000	AA	57,000	
Sawcutting	Owens Concrete Sawing	Oakland	CB		45,000	45,000			45,000	C		45,000
Supplier	General Supply	Oakland	CB		155,000	155,000			155,000	AA	155,000	
CIPP	Insitu Form	Benecla	UB						440,000	NL		
Project Totals				\$0	\$463,000	\$463,000	\$57,000	\$57,000	\$2,291,800		\$418,000	\$45,000
				0%	20%	20%	100%	100%	100%		18%	2%
Requirements: 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%					Ethnicity AA = African American A = Asian C = Caucasian H = Hispanic NA = Native American NL = Not Listed		
Legend		LBE = Local Business Enterprise		SLBE = Small Local Business Enterprise		Total LBE/SLBE = All Certified Local and Small Local Businesses		NPLBE = NonProfit Local Business Enterprise		NPSLBE = NonProfit Small Local Business Enterprise		
		UB = Uncertified Business		CB = Certified Business		MBE = Minority Business Enterprise		WBE = Women Business Enterprise				

OFFICE OF THE CITY CLERK
OAKLAND


Oakland City Attorney's Office

OAKLAND CITY COUNCIL
2005 SEP 29 PM 2:24
RESOLUTION NO. _____ C. M. S.

INTRODUCED BY COUNCILMEMBER _____

Requires two-thirds vote of the Council

RESOLUTION AUTHORIZING AWARD OF A CONTRACT TO D'ARCY & HARTY FOR THE REHABILITATION OF SANITARY SEWERS IN THE AREA BOUNDED BY 82ND AVE., CREST AVE., DOWLING ST., AND BLANDON RD. – SUBBASIN 85-004 (PROJECT NO. C96210) FOR THE AMOUNT OF TWO MILLION TWO HUNDRED NINTEY-ONE THOUSAND EIGHT HUNDRED DOLLARS (\$2,291,800.00)

WHEREAS, on May 23, 2005, one bid was received by the Office of the City Clerk of the City of Oakland for the Rehabilitation of Sanitary Sewers in the Area Bounded by 82nd Ave., Crest Ave., Dowling St., and Blandon Rd. – Subbasin 85-004 (Project No. C96210); and

WHEREAS, D'arcy and Harty bidding as a prime with 2% bid discount, is the only responsive and responsible bidder for the project; and

WHEREAS, there are sufficient funds in the project budget for the work. Funding for this project is available in the Sewer Service Fund (3100); Capital Project-Sanitary Sewer Design Organization (92244); Sewers Account (57417); Rehabilitation of Sanitary Sewers in the Area Bounded by 82nd Ave., Crest Ave., Dowling St., and Blandon Rd. – Subbasin 85-004 (Project No. C96210) and these funds were specifically allocated for this project; 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 is in the public interest because of economy or better performance; and

WHEREAS, D'arcy & Harty complies with all LBE/SLBE 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 services; now, therefore, be it

RESOLVED: That the contract for the Rehabilitation of Sanitary Sewers in the Area Bounded by 82nd Ave., Crest Ave., Dowling St., and Blandon Rd. – Subbasin 85-004 (Project No. C96210) is hereby awarded to D'arcy & Harty in accordance with the terms of its bid therefore, dated May 23, 2005 for the amount of Two Million Two Hundred Ninety-One Thousand Eight Hundred Dollars (\$2,291,800.00); and be it

FURTHER RESOLVED: That the plans and specifications prepared by the Director of Public Works for this project are hereby approved; and be it

FURTHER RESOLVED: That the amount of the bond for faithful performance, \$2,291,800.00, and the amount for a bond to guarantee payment of all claims for labor and materials furnished and for the amount due under the Unemployment Insurance Act, \$2,291,800.00, with respect to such work are hereby approved; and be it

FURTHER RESOLVED: That the City Administrator is hereby authorized to enter into a contract with D'arcy & Harty on behalf of the City of Oakland and to execute any amendments or modifications to said agreement within the limitations of the project specifications; and be it

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

FURTHER RESOLVED: That the contract shall be reviewed and approved by the City Attorney and placed on file in the Office of the City Clerk; and be it

FURTHER RESOLVED: That the City Clerk is hereby directed to post conspicuously forthwith notice of the above award on the official bulletin board in the Office of the City Clerk; and be it

FURTHER RESOLVED: That the approval of this resolution requires a two-thirds vote of the Council members.

IN COUNCIL, OAKLAND, CALIFORNIA, _____, 2005

PASSED BY THE FOLLOWING VOTE:

AYES- BROOKS, BRUNNER, CHANG, KERNIGHAN, NADEL, QUAN, REID, AND
PRESIDENT DE LA FUENTE

NOES-

ABSENT-

ABSTENTION-

ATTEST: _____

LATONDA SIMMONS

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