CITY OF OAKLAND

AGENDA REPORT

TO: Sabrina B. Landreth
City Administrator

FROM: Brooke A. Levin
Director, Public Works

SUBJECT: Rehabilitation of Sanitary Sewers

DATE: October 17, 2016

City Administrator Approval _____ Date: 11/21/16

RECOMMENDATION

Staff Recommends That The City Council Adopt The Following Three Construction Contract Award Resolutions:

1. **Resolution Awarding A Construction Contract To Andes Construction Inc., The Lowest Responsive, Responsible Bidder, For The On-Call Sanitary Sewers Emergency Projects FY 2016-17 (Project No. C455640) In Accordance With Plans And Specifications For The Project And With Contractor's Bid In The Amount Of One Million Five Hundred Forty-Three Thousand Two Hundred Eighty Dollars ($1,543,280.00)**

2. **Resolution Awarding A Construction Contract To Pacific Trenchless Inc., The Lowest Responsive, Responsible Bidder, For The Rehabilitation Of Sanitary Sewers In Various Locations (Project No. C329136) In Accordance With Plans And Specifications For The Project And With Contractor's Bid In The Amount Of Six Hundred Seventy- Eight Thousand Four Hundred Forty- Five Dollars ($678,445.00)**

3. **Resolution Awarding A Construction Contract To Pacific Trenchless Inc., The Lowest Responsive, Responsible Bidder, For The Rehabilitation Of Sanitary Sewers In The Area Bounded By 23rd Avenue, International Boulevard, 26th Avenue, And E. 12th Street (Project No. C482950) In Accordance With Plans And Specifications For The Project And With Contractor's Bid In The Amount Of One Million Seven Hundred Eighty-Seven Thousand Two Hundred Eighty-Seven Dollars ($1,787,287.00)**

EXECUTIVE SUMMARY

Approval of these three resolutions will authorize the City Administrator or designee to execute a construction contract with Andes Construction Inc. in the amount of $1,543,280.00 and two construction contracts with Pacific Trenchless Inc. in the amount of $678,445.00, and $1,787,287.00. The work to be completed under these projects is part of the City's annual Sanitary Sewer Rehabilitation program intended to improve the sanitary system conditions

Item: _____
Public Works Committee
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throughout Oakland, and is required under the 2014 Sewer Consent Decree. Funding for these three projects are available in the Fiscal Year 2016-17 budget. The work is located in Council District 5 and 6 as shown in ***Attachment A1*** and ***Attachment A2***.

BACKGROUND / LEGISLATIVE HISTORY

1. *The On-Call Sanitary Sewers Emergency Projects FY 2016-17 (Project No. C455640)*: On October 13, 2016, the City Clerk received two bids for this project in the amounts of $1,543,280.00 and $2,295,783.00 as shown in ***Attachment B***. Andes Construction, Inc. is deemed the lowest responsive and responsible bidder and therefore is recommended for the award. The proposed work under this contract, consists of rehabilitating sanitary sewers and appurtenant structures in the City streets or backyard/side-yard easements city-wide. Sanitary sewer rehabilitation work under this contract will be performed in response to emergencies and on an as-needed basis directed by the City through work/task orders. 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.

2. *The Rehabilitation Of Sanitary Sewers In Various Locations (Project No. C329136):* On October 13, 2016, the City Clerk received two bids for this project in the amount of $678,445.00 and $678,628.00 as shown in ***Attachment B.*** Pacific Trenchless Inc. is deemed the lowest responsive and responsible bidder and therefore is recommended for the award. The proposed work under this contract, consists of rehabilitating sewer structures, reconnecting house connection sewers, rehabilitating house connections sewers, and other related works as indicated on the plan 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.

3. *The Rehabilitation Of Sanitary Sewers In Area Bounded By 23rd Avenue, International Boulevard, 26th Avenue, And E. 12th Street (Project No. C482950):*

   On October 20, 2016, the City Clerk received two bids for this project in the amount of $1,787,287.00 and $1,907,351.00 as shown in ***Attachment B.*** Pacific Trenchless Inc. is deemed the lowest responsive and responsible bidder and therefore is recommended for the award. The proposed work under this contract, in general consist of rehabilitating sewer structures, reconnecting house connection sewers, rehabilitating house connections sewers, and other related works as indicated on the plan 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 AND POLICY ALTERNATIVES

Adoption of these resolutions will allow the City Administrator or designee to execute a construction contract with Andes Construction, Inc., and two construction contracts with Pacific Trenchless Inc. for sewer rehabilitation projects as follows:

1. *The On-Call Sanitary Sewers Emergency Projects FY 2016-17 (Project No. C455640):* Under the proposed contract with Andes Construction, Inc., the Local Business Enterprise/Small Local Business Enterprise (LBE/SLBE) participation will be 98.29 percent, which exceeds the City's 50 percent LBE/SLBE requirement. Trucking participation is 100 percent and exceeds the 50 percent requirement. The contractor is required to have 50 percent of the work hours performed by Oakland residents, and 50 percent of all new hires are to be Oakland residents. The LBE/SLBE information has been verified by the Social Equity Division of the Department of Contracting and Purchasing and is shown in ***Attachment C1***. Contract amount: $1,543,280.00.

   Construction is scheduled to begin in January 2017 and should be completed by January 2018. The contract specifies liquidated damages per task order basis. The project schedule is shown in ***Attachment B***.

   The Engineer's estimate for the work is $1,400,350.00. Staff has reviewed the submitted bids for the work and has determined that the bids are reasonable for the current construction market conditions.

2. *The Rehabilitation Of Sanitary Sewers In Various Locations (Project No. C329136):* Under the proposed contract with Pacific Trenchless Inc., the Local Business Enterprise/Small Local Business Enterprise (LBE/SLBE) participation will be 97.05 percent, which exceeds the City's 50 percent LBE/SLBE requirement. Trucking participation is 100 percent and exceeds the 50 percent requirement. The contractor is required to have 50 percent of the work hours performed by Oakland residents, and 50 percent of all new hires are to be Oakland residents. The LBE/SLBE information has been verified by the Social Equity Division of the Department of Contracting and Purchasing and is shown in ***Attachment C2***. Contract amount: $678,445.00

   Construction is scheduled to begin in January 2017 and should be completed by April 2017. The contract specifies liquidated damages of $1,000 per calendar day. The project schedule is shown in ***Attachment B***.

   The Engineer's estimate for the work is $569,385.00. Staff has reviewed the submitted bids for the work and has determined that the bids are reasonable for the current construction market conditions, which has been a regional increase in costs for similar work, and two bid amounts are relative close.

3. *The Rehabilitation Of Sanitary Sewers In Area Bounded By 23rd Avenue, International Boulevard, 26th Avenue, And E. 12th Street (Project No. C482950):* Under the proposed contract with Pacific Trenchless Inc., the Local Business Enterprise/Small Local Business Enterprise (LBE/SLBE) participation will be 93.73 percent, which exceeds the City's 50 percent LBE/SLBE requirement. Trucking participation is 100

percent and exceeds the 50 percent requirement. The contractor is required to have 50 percent of the work hours performed by Oakland residents, and 50 percent of all new hires are to be Oakland residents. The LBE/SLBE information has been verified by the Social Equity Division of the Department of Contracting and Purchasing and is shown in ***Attachment C3***. Contract amount: $1,787,287.00

Construction is scheduled to begin in January 2017 and should be completed by July 2017. The contract specifies liquidated damages of $1,000 per calendar day. The project schedule is shown in ***Attachment B***.

The Engineer's estimate for the work is $1,739,085.00. Staff has reviewed the submitted bids for the work and has determined that the bids are reasonable for the current construction market conditions.

The Environmental Protection Agency (EPA) mandates the reduction of sanitary sewer flows during storm events. This project is part of the City's annual Sanitary Sewer Rehabilitation program intended to improve the pipe conditions and reduce wet weather peak flows in sanitary sewer system, and is required under 2014 Sewer Consent Decree.

FISCAL IMPACT

Funding for these three projects are available in the Fiscal Year (FY) 2016-17 Budget in Fund 3100 Sewer Service Fund, Organization 92244 Sanitary Sewer Design Organization, Account 57417 Sewers, Project No. C455640, C329136, and C482950. Funding for operations and maintenance is also budgeted and available in the Sewer Fund 3100. The projects' goal is to improve pipe conditions, reduce maintenance cost, reduce wet weather peak flows in sanitary sewer system, and is required under 2014 Sewer Consent Decree.

PAST PERFORMANCE, EVALUATION AND FOLLOW-UP

The Contractor Performance Evaluation for Andes Construction, Inc. and Pacific Trenchless Inc. from previously completed projects are satisfactory and are included as ***Attachment D1 and Attachment D2*** respectively.

PUBLIC OUTREACH / INTEREST

The residents in the area have been notified in writing about these projects. Prior to starting work, residents who are affected by the work will be notified individually of the work schedule, planned activities, and contact information of the Contractor and Resident Engineer/Inspector in charge.

COORDINATION

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

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 percent of the work hours performed by Oakland residents, and 50 percent of all new hires are to be Oakland residents, which will result in funds being spent locally.

Environmental: Replacing sanitary sewers will minimize sewer leakage and overflows, thus preventing potential harm to property, groundwater resources and the bay. Best Management Practices for the protection of storm water runoff during construction will be required.

Social Equity: This project is part of the citywide program to eliminate wastewater discharges and overflows, thereby, benefiting all Oakland residents with decreased sewer overflows and improved infrastructure.

ACTION REQUESTED OF THE CITY COUNCIL

Staff Recommends That The City Council Adopt Resolutions Awarding as follows:

1. A Construction Contract To Andes Construction Inc., The Lowest Responsive, Responsible Bidder, for The On-Call Sanitary Sewers Emergency Projects FY 2016-17 (Project No. C455640) In Accordance With Plans And Specifications For The Project And With Contractor's Bid In The Amount Of One Million Five Hundred Forty-Three Thousand Two Hundred Eighty Dollars ($1,543,280.00)

2. A Construction Contract to Pacific Trenchless Inc., The Lowest Responsive, Responsible Bidder, For The Rehabilitation Of Sanitary Sewers In Various Locations (Project No. C329136) In Accordance With Plans And Specifications For The Project And With Contractor's Bid In The Amount Of Six Hundred Seventy-Eight Thousand Four Hundred Forty-Five Dollars ($678,445.00)

3. A Construction Contract to Pacific Trenchless Inc., The Lowest Responsive, Responsible Bidder, For The Rehabilitation Of Sanitary Sewers In The Area Bounded By 23rd Avenue, International Boulevard, 26th Avenue, And E. 12th Street (Project No. C482950) In Accordance With Plans And Specifications For The Project And With Contractor's Bid In The Amount Of One Million Seven Hundred Eighty-Seven Thousand Two Hundred Eight-Seven Dollars ($1,787,287.00)

For questions regarding this report, please contact Jimmy Mach, Engineering Design and Right-of-Way Supervising Civil Engineer, 510-238-3303.

Respectfully submitted,

BROOKE A. LEVIN
Director, Oakland Public Works

Reviewed by:
Michael J. Neary, P.E., Assistant Director
Bureau of Engineering & Construction

Prepared by:
Jimmy Mach, P.E., Supervising Civil Engineer
Engineering Design and R.O.W. Mgmt Division

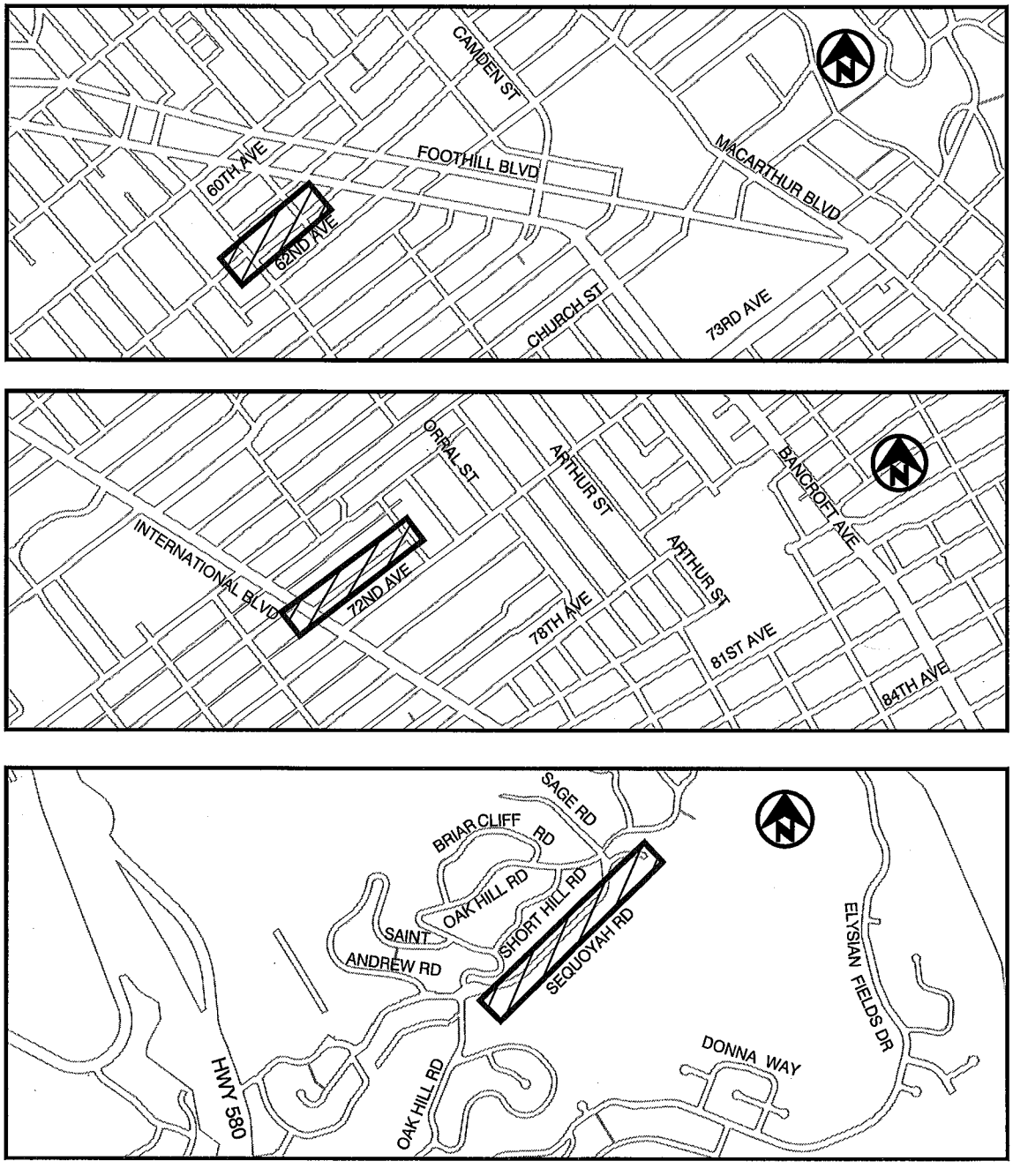
Attachments (4):

A1 & A2: Project Location Map
B: List of Bidders and Project Construction Schedule
C1, C2 & C3: Contracts & Compliance Unit Compliance Evaluation
D1, D2 & D3: Contractors Performance Evaluation

Attachment A1

SANITARY SEWER REHABILITATION IN VARIOUS LOCATIONS

CITY PROJECT NO. C329136



LOCATION MAP

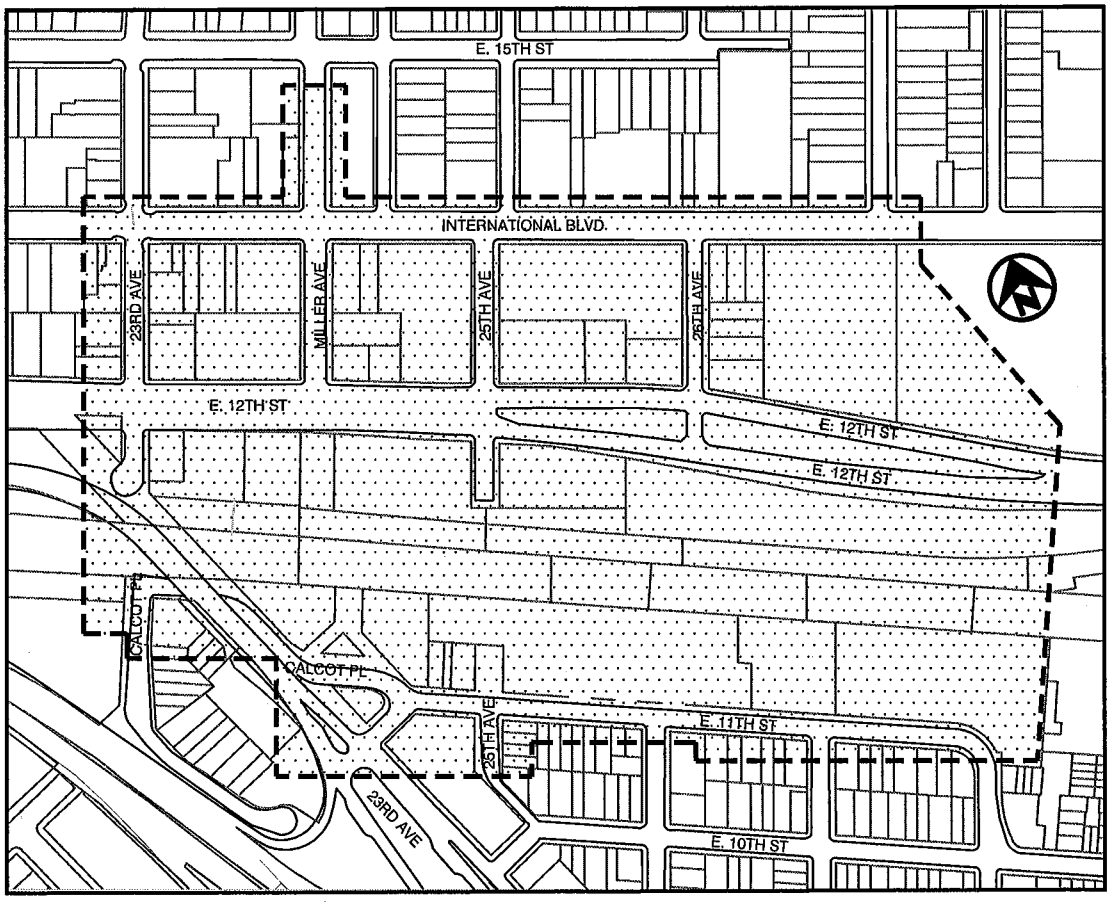
NOT TO SCALE

LIMIT OF WORK

Attachment A2

REHABILITATION OF SANITARY SEWERS IN THE AREA BOUNDED BY 23RD AVENUE, INTERNATIONAL BOULEVARD, 26TH AVENUE, AND E.12TH STREET (SUB-BASIN 60-04)

CITY PROJECT NO. C482950



LOCATION MAP

NOT TO SCALE

LIMIT OF WORK

Attachment B

List of Bidders

C455640

Company	Location	Bid Amount
Engineer's Estimate	-	$1,400,350.00
Andes Construction Inc.	Oakland, CA	$1,543,280.00
Pacific Trenchless Inc.	Oakland, CA	$2,295,783.00

C329136

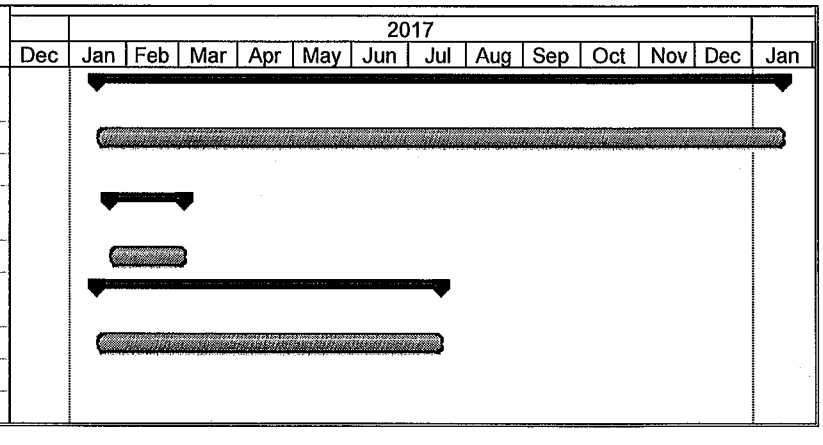
Company	Location	Bid Amount
Engineer's Estimate	-	$569,385.00
Pacific Trenchless Inc.	Oakland, CA	$678,445.00
Andes Construction Inc.	Oakland, CA	$678,628.00

C482950

Company	Location	Bid Amount
Engineer's Estimate	-	$1,739,085.00
Pacific Trenchless Inc.	Oakland, CA	$1,787,287.00
Andes Construction Inc.	Oakland, CA	$1,907,351.00

Project Construction Schedules

ID	Task Name	Start	Finish
1	**Project No. C455640**	**Mon 1/16/17**	**Mon 1/15/18**
2	Construction	Mon 1/16/17	Mon 1/15/18
3			
4	**Project No. C329136**	**Mon 1/23/17**	**Fri 3/3/17**
5	Construction	Mon 1/23/17	Fri 3/3/17
6	**Project No. C482950**	**Mon 1/16/17**	**Mon 7/17/17**
7	Construction	Mon 1/16/17	Mon 7/17/17



Attachment C

CITY OF OAKLAND

Attachment C1

INTER OFFICE MEMORANDUM

TO: Gunawan Santoso,
Civil Engineer

FROM: Deborah Barnes,
Director, Contracts &Compliance

SUBJECT: **Compliance Analysis**
On Call Sanitary Sewer Emergency Projects
FY 2016 – 2017 Project No. C455640

DATE: October 27, 2016

City Administrator's Office, Contracts and Compliance Unit reviewed two (2) bids in response to the above referenced project. Below is the outcome of the compliance evaluation for the minimum 50% Local and Small Local Business Enterprise (L/SLBE) participation requirement, a preliminary review for compliance with the Equal Benefits Ordinance (EBO), and a brief overview of the lowest responsible bidder's compliance with the 50% Local Employment Program (LEP) and the 15% Oakland Apprenticeship Program on the bidder's most recently completed City of Oakland project.

Responsive to L/SLBE and/or EBO Policies			Proposed Participation				Earned Credits and Discounts			EBO Compliant? Y/N
Company Name	Original Bid Amount	Total LBE/SLBE	LBE	SLBE	*VSLBE/LPG	L/SLBE Trucking	Total Credited participation	Earned Bid Discounts	Adjusted Bid Amount	
Andes Construction	$1,545,150	98.29%	0.13%	97.80%	.36% *.72%	100%	98.65%	5%	$1,467,892.50	Y
Pacific Trenchless	$2,295,783	99.22%	0.00%	99.22%	0.00%	0.00%	99.22%	5%	$2,180,993.85	Y

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

*Andes Construction's proposed VSLBE/LPG participation is valued at 0.36%, however per the L/SLBE Program a VSLBE/LPG's participation is double counted towards meeting the requirement. Therefore, the VSLBE/LPG value for Andes Construction is 0.72%.

Shelley Darensburg for
Deborah Barnes, Director,
Contracts and Compliance

City Administrator's Office

Contracts and Compliance Unit

PROJECT EVALUATION FORM

PROJECT NO.: C455640

PROJECT NAME: On Call Sanitary Sewer Emergency Projects FY 2016-2017

CONTRACTOR: Andes Construction

Engineer's Estimate:	Contractors' Bid Amount	Over/Under Engineer's Estimate
$144,350,000.00	$1,545,150.00	$142,804,850.00
Discounted Bid Amount:	**Amount of Bid Discount**	**Discount Points:**
$1,467,892.50	$77,257.50	5%

1. Did the 50% local/small local requirements apply? **YES**

2. Did the contractor meet the 50% requirement? **YES**

   a) % of LBE participation **0.13%**
   b) % of SLBE participation **97.80%**
   c) % of VSLBE participation ***.36** (.72% double counted amount)

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

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

4. Did the contractor receive bid discounts? **YES**

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

5. Additional Comments.
***Proposed VSLBE/LPG participation is valued at .36%, however per the L/SLBE Program a VSLBE/LPG's participation is double counted towards meeting the requirement. Therefore the VSLBE/LPG value is .72%.**

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

10/27/2016
Date

Reviewing Officer: _____ **Date:** 10/27/2016

Approved By: Shelley Darensburg **Date:** 10/27/2016

LBE/SLBE PARTICIPATION

BIDDER 1

Project Name: On Call Sanitary Sewer Emergency Projects FY 2016-2017

Project No.: C455640 | **Engineers Est:** 144,350,000.00 | **Under/Over Engineers Estimate:** 142,804,850.00

Discipline	Prime & Subs	Location	Cert. Status	LBE	SLBE	*VSLBE/LPG double counted value	Total LBE/SLBE	L/SLBE Trucking	Total Trucking	TOTAL Dollars	For Tracking Only Ethn.	MBE	WBE
PRIME	Andes Construction	Oakland	CB		1,511,150		1,511,150			1,511,150	H	1,511,150	
Trucking	Foston Trucking	Oakland	CB			3,000	3,000	3,000	3,000	3,000	AA	3,000	
Saw Cutting	Bay Line	Berkeley	UB							1,000	H	1,000	
Mh Precast	Old Castle Precast	Pleasanton	UB							5,000	C		
Asphalt	Gallagher & Burk	Oakland	CB			2,000	2,000			2,000	C		
AB	Inner City	Oakland	UB							3,000	C		
Rock	Dutra Material	San Rafael	UB				2,000			3,000	C		
MH Rehab	Contech	Stockton	UB							5,000	C		
HDPE	P&F Distributors	Brisbane	UB							8,000	C		
Concrete	Central Concrete	Oakland	CB	2,000			2,000			2,000	C		
Concrete	Right Away	Oakland	UB							2,000	C		
Project Totals				$2,000	$1,511,150	$5,000	$1,520,150	$3,000	$3,000	$1,545,150		1,515,150	$0
				0.13%	97.80%	0.36%	98.29%	100%	100%	100%		98.06%	0%

Requirements: The 50% requirements is a combination of 25% LBE and 25% SLBE participation. An SLBE firm can be counted 100% towards achieving 50% requirements. A LPG/VSLBE's participation is double counted toward meeting the requirements.

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

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

***Proposed VSLBE participation is valued at .36% 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 EVALUATION FORM

PROJECT NO.: C455640

PROJECT NAME: On Call Sanitary Sewer Emergency Projects FY 2016-2017

CONTRACTOR: Pacific Trenchless Inc.

Engineer's Estimate:	Contractors' Bid Amount	Over/Under Engineer's Estimate
$144,350,000.00	$2,295,783.00	$142,054,217.00
Discounted Bid Amount:	**Amount of Bid Discount**	**Discount Points:**
$2,180,993.85	$114,789.15	5%

1. Did the 50% local/small local requirements apply? **YES**

2. Did the contractor meet the 50% requirement? **YES**

   a) % of LBE participation **0.00%**
   b) % of SLBE participation **99.22%**
   c) % of VSLBE participation **0%**

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

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

4. Did the contractor receive bid discounts? **YES**

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

5. Additional Comments.

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

10/27/2016
Date

Reviewing Officer: Vivian Inman **Date:** 10/27/2016

Approved By Shelley Darensburg **Date:** 10/27/2016

LBE/SLBE PARTICIPATION

BIDDER 2

Project Name:	On Call Sanitary Sewer Emergency Projects FY 2016-2017												
Project No.: C455640		Engineers Est: 144,350,000.00					Under/Over Engineers Estimate: 142,054,217.00						
Discipline	Prime & Subs	Location	Cert. Status	LBE	SLBE	VSLBE/LPG *double counted value	Total LBE/SLBE	L/SLBE Trucking	Total Trucking	TOTAL Dollars	For Tracking Only Ethn.	MBE	WBE
PRIME	Pacific Trenchless Inc.	Oakland	CB		2,276,783		2,276,783			2,276,783	C		
Trucking	All City Trucking	Oakland	CB		1,000		1,000	1,000	1,000	1,000	AI	1,000	
CIPP Lining	Christian Brothers Lining Co.	Fairfield	UB							18,000	C		
Project Totals				$0.00	$2,277,783	$0.00	$2,277,783	$1,000	$1,000	$2,295,783		$1,000	$0.00
				0.00%	99.22%	0%	99.22%	100%	100%	100%		0.04%	0.00%

Requirements: The 50% requirements is a combination of 25% LBE and 25% SLBE participation. An SLBE firm can be counted 100% towards achieving 50% requirements. A LPG/VSLBE's participation is double counted toward meeting the requirements.

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

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

CITY OF OAKLAND

Attachment C2

INTER OFFICE MEMORANDUM

TO: Gunawan Santoso, Civil Engineer

FROM: Deborah Barnes, Director, Contracts & Compliance

SUBJECT: **Compliance Analysis** **DATE:** October 27, 2016
Rehabilitation of Sanitary Sewers in Various Locations
Project No. C329136

City Administrator's Office, Contracts and Compliance Unit reviewed two (2) bids in response to the above referenced project. Below is the outcome of the compliance evaluation for the minimum 50% Local and Small Local Business Enterprise (L/SLBE) participation requirement, a preliminary review for compliance with the Equal Benefits Ordinance (EBO), and a brief overview of 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.

Compliant with L/SLBE and/or EBO Policies			Proposed Participation				Earned Credits and Discounts			EBO Compliant? Y/N
Company Name	Original Bid Amount	Total LBE/SLBE	LBE	SLBE	*VSLBE/LPG	L/SLBE Trucking	Total Credited participation	Earned Bid Discounts	Adjusted Bid Amount	
Pacific Trenchless	$678,445.00	97.05%	0.0%	97.05%	0.00%	100.00%	97.05%	5%	$644,522.75	Y
Andes Construction, Inc.	$678,628.00	90.35% *93.00%	0.74%	86.96%	2.65%	100.00%	93.00 %	5%	$644,696.60	Y

**Andes Construction, Inc.'s proposed VSLBE/LPG participation value was 2.65%, however, per the L/SLBE Program a VSLBE/LPG's participation is double counted towards meeting the requirement. Therefore, the VSLBE/LPG value for Andes Construction, Inc. is 5.30%.*

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

Shelley Darensburg for
Deborah Barnes, Director,
Contracts and Compliance

CITY OF OAKLAND

For Informational Purposes

Listed below is the lowest responsible bidder's compliance with the 50% Local Employment Program (LEP) and the 15% Oakland Apprenticeship Program for the lowest bidder's most recently completed City of Oakland project.

Contractor Name: Pacific Trenchless
Project Name: Rehab. Of Sanitary Sewers between Moore. Saroni and Arrowhead
Project No: C329125

50% Local Employment Program (LEP)

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

15% Oakland Apprenticeship Program

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

The spreadsheet below provides details of the 50% LEP and 15% Apprenticeship Programs. Information provided includes the following data: A) total project hours, B) core workforce hours deducted, C) LEP project employment and work hour goal; D) LEP employment and work hours achieved; E)# resident new hires; F) shortfall hours; G) percent LEP compliance; H) total apprentice hours; I) apprenticeship goal and hours achieved; and J) Apprentice shortfall hours.

	50% Local Employment Program (LEP)							15% Apprenticeship Program				
Total Project Hours	Core Workforce Hours Deducted	LEP Project Employment and Work Hours Goal		LEP Employment and Work Hours Achieved		# Resident New Hires	Shortfall Hours	% LEP Compliance	Total Oakland Apprenticeship Hours Achieved	Apprenticeship Goal and Hours		Apprentice Shortfall Hours	
A	*B*	*C*		*D*		*E*	*F*	*G*	*H*	*I*		*J*	
		Goal	Hours	Goal	Hours					Goal	Hours		
740	0	50%	370	100%	370	0	0	100%	111	15%	111	0	

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

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

CITY ADMINISTRATOR'S OFFICE

Contracts and Compliance Unit

PROJECT COMPLIANCE EVALUATION FOR :
Project No. C329136

RE: **The Rehabilitation of Saniatary Sewers in Various Locations**

CONTRACTOR: **Pacific Trenchless**

Engineer's Estimate:	Contractors' Bid Amount	Over/Under Engineer's Estimate
$569,385.00	$678,445.00	($109,060.00)

Discounted Bid Amount:	Amt. of Bid Discount	Discount Points:
$644,522.75	$33,922.25	5.00%

1. Did the 50% local/small local requirement apply: **YES**

2. Did the contractor meet the 50% requirement **YES**
   - a) % of LBE participation **0.00%**
   - b) % of SLBE participation **97.05%**
   - c) % of VSLBE participation **0.00%** — 0.00% (double counted value)

3. Did the contractor meet the Trucking requirement? **YES**
   - a) Total L/SLBE trucking participation **100.00%**
   - a) Total VSLBE 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.

10/27/2016
Date

Reviewing Officer: _____ **Date:** 10/27/2016

Approved By: Shelley Darensburg **Date:** 10/27/2016

LBE/SLBE Participation
Bidder 1

Project Name:	The Rehabilitation of Saniatary Sewers in Various Locations													
Project No.:	C329136	Engineer's Estimat	569,385.00			Under/Over Engineers Estimate:	-109,060.00							
Discipline	Prime & Subs	Location	Cert. Status	LBE	SLBE	*VSLBE/LPG	Total LBE/SLBE	SLBE Truckir (2x Value)	L/SLBE Trucking	Total Trucking	TOTAL Dollars	Ethn.	MBE	WBE
PRIME	Pacific Trenchless	Oakland	CB		655,445.00		655,445.00				655,445.00	C		
Trucking	All City Trucking	Oakland	CB		3,000.00		3,000.00		3,000.00	3,000.00	3,000.00	AI	3,000.00	
DHDPE Pipe	P & F Distributors	Brisbane	UB								15,000.00	C		
Manhole Lining	Contech of California	Stockton	UB								5,000.00	C		
Project Totals				$0.00 0.00%	$658,445.00 97.05%	$0.00 0.00%	$658,445.00 97.05%	$0.00 0.00%	$3,000.00 100.00%	$3,000.00 100.00%	$678,445.00 100.00%		3,000 0.44%	0 0.00%

Requirements:
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% requirment.

LBE 25% | SLBE 25% | VSLBE/LPG | TOTAL LBE/SLBE | VSLBE Trucking | L/SLBE TRUCKING | TOTAL DOLLARS

Legend

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

Ethnicity

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

CITY ADMINISTRATOR'S OFFICE

Contracts and Compliance Unit

PROJECT COMPLIANCE EVALUATION FOR :

Project No. C329136

RE: **The Rehabilitation of Saniatary Sewers in Various Locations**

CONTRACTOR: **Andes Construction, Inc.**

Engineer's Estimate:	Contractors' Bid Amount	Over/Under Engineer's Estimate
$569,385.00	$678,628.00	($109,243.00)

Discounted Bid Amount:	Amt. of Bid Discount	Discount Points:
$644,696.60	$33,931.40	5.00%

1. Did the 50% local/small local requirement apply: **YES**

2. Did the contractor meet the 50% requirement **YES**

a) % of LBE participation	0.74%		
b) % of SLBE participation	86.96%		
c) % of VSLBE participation	*2.65%	5.30%	(double counted value)

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

a) Total L/SLBE trucking participation	0.00%
a) Total VSLBE trucking participation	100.00%

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

(If yes, list the points received) 5%

5. Additional Comments.

Proposed VSLBE/LPG participation is valued at 2.65%%, however, per the L/SLBE Program a VSLBE/LPG's participation is double counted towards meeting the requirment. Therefore, the VSLBE/LPG value is 5.30%.

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

10/27/2016

Reviewing Officer: _____ **Date:** 10/27/2016

Approved By: _____ **Date:** 10/27/2016

LBE/SLBE Participation
Bidder 2

Project Name:	The Rehabilitation of Sanlatary Sewers in Various Locations													
Project No.:	C329136	Engineer's Estimate		569,385.00		Under/Over Engineers Estimate:		-109,243.00						
Discipline	Prime & Subs	Location	Cert. Status	LBE	SLBE	*VSLBE/LPG	Total LBE/SLBE	VSLBE Trucking	L/SLBE Trucking	Total Trucking	TOTAL Dollars	Ethn.	MBE	WBE
PRIME	Andes Construction, Inc.	Oakland	CB		590,128.00		590,128.00				590,128.00	H	590,128.00	
MH Precast	Old Castle	Pleasanton	UB								20,000.00	C		
AC	G & B	Oakland	CB			4,000.00	4,000.00				4,000.00	C		
AB	Inner City	Oakland	UB								2,500.00	C		
Rock	Dutra	San Rafael	UB								2,000.00	C		
MH Rehab	Contech of California	Stockton	UB								10,000.00	C		
HDPE	P & F Distributors	Brisbane	UB								30,000.00	C		
Concrete	Central Concrete Supply	Oakland	CB	5,000.00			5,000.00				5,000.00	C		
Concrete	Right Away	Oakland	UB								2,000.00	C		
HDPE	Maskel	Tracy	UB								8,000.00	C		
Trucking	Foston Trucking	Oakland	CB			5,000.00	5,000.00	5,000.00		5,000.00	5,000.00	AA	5,000.00	
Project Totals				$5,000.00	$590,128.00	$9,000.00	$604,128.00	$5,000.00	$0.00	$5,000.00	$678,628.00		595,128.00	0.00
				0.74%	86.96%	2.65%	90.35%	100.00%	0.00%	100.00%	100.00%		87.70%	0.00%

Requirements:
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% requirment.

LBE 25% | SLBE 25% | VSLBE/LPG | TOTAL LBE/SLBE | VSLBE Trucking | L/SLBE TRUCKING | TOTAL DOLLARS

Ethnicity
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

Legend

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 particiation is valued at 2.65%, however per the L/SLBE Program a VSLBE/LPG's participation is double counted towards meeting the requirement. Double counted percentage is reflected on the evaluation form and cover memo.

CITY OF OAKLAND

Attachment C3

INTER OFFICE MEMORANDUM

TO: David Ng,
Civil Engineer

FROM: Deborah Barnes,
Director, Contracts &Compliance

SUBJECT: Compliance Analysis **DATE:** October 27, 2016

The Rehabilitation of Sanitary Sewers Bounded by 23rd Avenue, International Blvd, 26th Avenue and E. 12th Street (Sub Basin 60-64) (Re-Bid) (Includes Alternate 2) Project No. C482950

City Administrator's Office, Contracts and Compliance Unit reviewed two (2) bids in response to the above referenced project. Below is the outcome of the compliance evaluation for the minimum 50% Local and Small Local Business Enterprise (L/SLBE) participation requirement, a preliminary review for compliance with the Equal Benefits Ordinance (EBO), and a brief overview of the lowest responsible bidder's compliance with the 50% Local Employment Program (LEP) and the 15% Oakland Apprenticeship Program on the bidder's most recently completed City of Oakland project.

Responsive to L/SLBE and/or EBO Policies			Proposed Participation				Earned Credits and Discounts			EBO Compliant? Y/N
Company Name	Original Bid Amount	Total LBE/SLBE	LBE	SLBE	*VSLBE/LPG	L/SLBE Trucking	Total Credited participation	Earned Bid Discounts	Adjusted Bid Amount	
Pacific Trenchless	$1,787,287	93.73%	0.00%	93.73%	0.00%	100%	93.73%	5%	$1,697,922.65	Y
Andes Construction	$1,907,351	94.08	1.31%	92.76%	0.79% *1.58%	100%	94.87%	5%	$1,811,983.45	Y

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

*Andes Construction's proposed VSLBE/LPG participation is valued at 0.79%, however per the L/SLBE Program a VSLBE/LPG's participation is double counted towards meeting the requirement. Therefore, the VSLBE/LPG value for Andes Construction is 1.58%.

Shelley Darensburg for
Deborah Barnes, Director,
Contracts and Compliance

CITY OF OAKLAND

For Informational Purposes

Listed below is the lowest responsible bidder's compliance with the 50% Local Employment Program (LEP) and the 15% Oakland Apprenticeship Program for the lowest bidder's most recently completed City of Oakland project.

Contractor Name: Pacific Trenchless
Project Name: Rehab. Of Sanitary Sewers between Moore. Saroni and Arrowhead
Project No: C329125

50% Local Employment Program (LEP)

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

15% Oakland Apprenticeship Program

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

The spreadsheet below provides details of the 50% LEP and 15% Apprenticeship Programs. Information provided includes the following data: A) total project hours, B) core workforce hours deducted, C) LEP project employment and work hour goal; D) LEP employment and work hours achieved; E)# resident new hires; F) shortfall hours; G) percent LEP compliance; H) total apprentice hours; I) apprenticeship goal and hours achieved; and J) Apprentice shortfall hours.

	50% Local Employment Program (LEP)							15% Apprenticeship Program				
Total Project Hours	Core Workforce Hours Deducted	LEP Project Employment and Work Hours Goal		LEP Employment and Work Hours Achieved		# Resident New Hires	Shortfall Hours	% LEP Compliance	Total Oakland Apprenticeship Hours Achieved	Apprenticeship Goal and Hours		Apprentice Shortfall Hours	
A	*B*	*C*		*D*		*E*	*F*	*G*	*H*	*I*		*J*	
		Goal	Hours	Goal	Hours					Goal	Hours		
740	0	50%	370	100%	370	0	0	100%	111	15%	111	0	

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

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

City Administrator's Office

Contracts and Compliance Unit

PROJECT EVALUATION FORM

PROJECT NO.: C482950

PROJECT NAME: Rehabilitation of Sanitary Sewers in the Area Bounded by 23rd Avenue, International Blvd., 26th Avenue and E. 12th Street (sub-

CONTRACTOR: Andes Construction

Engineer's Estimate:	Contractors' Bid Amount	Over/Under Engineer's Estimate
$1,739,085.00	$1,907,351.00	-$168,266.00
Discounted Bid Amount:	**Amount of Bid Discount**	**Discount Points:**
$1,811,983.45	$95,367.55	5%

1. Did the 50% local/small local requirements apply? **YES**

2. Did the contractor meet the 50% requirement? **YES**

   a) % of LBE participation **1.31%**
   b) % of SLBE participation **92.76%**
   c) % of VSLBE participation **0.79%** (1.58% double counted value)

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

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

4. Did the contractor receive bid discounts? **YES**

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

5. Additional Comments.

***Proposed VSLBE/LPG participation is valued at .79%, however per the L/SLBE Program a VSLBE/LPG's participation is double counted towards meeting the requirement. Therefore the VSLBE/LPG value is 1.58%.**

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

10/27/2016
Date

Reviewing Officer: _____ **Date:** 10/27/2016

Approved By Shelley Darensburg **Date:** 10/27/2016

LBE/SLBE PARTICIPATION

BIDDER 2

Project Name:	Rehabilitation of Sanitary Sewers in the Area Bounded by 23rd Avenue, International Blvd., 26th Avenue and E. 12th Street (sub-Basin 60-64) (Re-Bid) (Includes Bid Alternate 2)

Project No.: C482950		Engineers Est: 1,739,085.00					Under/Over Engineers Estimate: -168,266.00						
Discipline	Prime & Subs	Location	Cert. Status	LBE	SLBE	VSLBE/LPG *double counted value	Total LBE/SLBE	L/SLBE Trucking	Total Trucking	TOTAL Dollars	For Tracking Only Ethn.	MBE	WBE
PRIME	Andes Construction	Oakland	CB		1,769,351		1,769,351			1,769,351	C		
Trucking	Foston Trucking	Oakland	CB			5,000	5,000	5,000	5,000	5,000	AA	5,000	
MH Precast	Old Castle	Pleasanton	UB							9,000	C		
AB	Inner City	Oakland	UB							12,000	C		
AC	Gallagher & Burk	Oakland	CB			10,000	10,000			10,000	C		
Rock	Dutra Material	San Rafael	UB							10,000	C		
CIPP Resin	Composties	Sacramento	UB							3,000	C		
HDPE	P&F Distributors	Brisbane	UB							45,000	C		
CIPP Felt	Masterliner	Hammond	UB							4,000	C		
MH Rehab	Con Tech	Stockton	UB							9,000	C		
Saw Cutting	Demolition Concepts	Tracy	UB							3,000	H	3,000	
HDPE	Pace Supply	Oakland	CB	25,000			25,000			25,000	C		
Concrete	Right Away Redy Mix	Oakland	UB							3,000	C		
Project Totals				$25,000	$1,769,351	$15,000	$1,809,351	$5,000	$5,000	$1,907,351		$8,000	0
				1.31%	92.76%	0.79%	94.08%	100%	100%	100%		0.42%	0.00%

Requirements: The 50% requirements is a combination of 25% LBE and 25% SLBE participation. An SLBE firm can be counted 100% towards achieving 50% requirements. A LPG/VSLBE's participation is double counted toward meeting the requirements.

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

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

Proposed VSLBE/LPG participation is valued at .79%,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 EVALUATION FORM

PROJECT NO.: C482950

PROJECT NAME: Rehabilitation of Sanitary Sewers in the Area Bounded by 23rd Avenue, International Blvd., 26th Avenue and E. 12th Street (sub-Basin 60-64) (Re-Bid) (Includes Bid Alternate 2)

CONTRACTOR: Pacific Trenchless

Engineer's Estimate:	Contractors' Bid Amount	Over/Under Engineer's Estimate
$1,739,085.00	$1,787,287.00	-$48,202.00
Discounted Bid Amount:	**Amount of Bid Discount**	**Discount Points:**
$1,697,922.65	$89,364.35	5%

1. Did the 50% local/small local requirements apply? **YES**

2. Did the contractor meet the 50% requirement? **YES**

   a) % of LBE participation **0.00%**
   b) % of SLBE participation **93.73%**
   c) % of VSLBE participation **0%**

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

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

4. Did the contractor receive bid discounts? **YES**

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

5. Additional Comments.

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

10/27/2016
Date

Reviewing Officer: _____ **Date:** 10/27/2016

Approved By: Shelley Darensbourg **Date:** 10/27/2016

LBE/SLBE PARTICIPATION

BIDDER 1

Project Name:	Rehabilitation of Sanitary Sewers in the Area Bounded by 23rd Avenue, International Blvd., 26th Avenue and E. 12th Street (sub-Basin 60-64) (Re-Bid) (Includes Bid Alternate 2)

Project No.: C482950		Engineers Est: 1,739,085.00					Under/Over Engineers Estimate: -48,202.00						
Discipline	Prime & Subs	Location	Cert. Status	LBE	SLBE	*VSLBE/LPG double counted value	Total LBE/SLBE	L/SLBE Trucking	Total Trucking	TOTAL Dollars	For Tracking Only Ethn.	MBE	WBE
PRIME	Pacific Trenchless	Oakland	CB		1,667,287		1,667,287			1,667,287	C		
Trucking	All City Trucking	Oakland	CB		8,000		8,000	8,000	8,000	8,000	AI	8,000	
CIPP Lining	Christian Bros Lining	Fairfield	UB							42,000	C		
HDPE Pipe	P&F Distributors	Brisbane	UB							70,000	C		
Project Totals				$0	$1,675,287	$0	$1,675,287	$8,000	$8,000	$1,787,287		8,000	$0
				0.00%	93.73%	0.00%	93.73%	100%	100%	100%		0.45%	0%

Requirements: The 50% requirements is a combination of 25% LBE and 25% SLBE participation. An SLBE firm can be counted 100% towards achieving 50% requirements. A LPGVSLBE's participation is double counted toward meeting the requirements.

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

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

Attachment D

Attachment D1

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

Project Number/Title:	C329113 / On-Call SS Emergency Projects FY 2010-2011
Work Order Number (if applicable):	Purchase Order No. 201003326
Contractor:	Andes Construction Inc.
Date of Notice to Proceed:	3/24/2010
Date of Notice of Completion:	12/14/2011
Date of Notice of Final Completion:	12/14/2011
Contract Amount:	$340,384.57
Evaluator Name and Title:	Paul Tran, Resident Engineer for Julius Kales, RE

The City's Resident Engineer most familiar with the Contractor's performance must complete this evaluation and submit it to Manager, PWA Project Delivery Division, within 30 calendar days of the issuance of the Final Payment.

Whenever the Resident Engineer finds the Contractor is performing below Satisfactory for any category of the Evaluation, the Resident Engineer shall discuss the perceived performance shortfall at the periodic site meetings with the Contractor. An Interim Evaluation will be performed if at any time the Resident Engineer finds that the overall performance of a Contractor is Marginal or Unsatisfactory. An Interim Evaluation is required prior to issuance of a Final Evaluation Rating of Unsatisfactory. The Final Evaluation upon Final Completion of the project will supersede interim ratings.

The following list provides a basic set of evaluation criteria that will be applicable to all construction projects awarded by the City of Oakland that are greater than $50,000. Narrative responses are required to support any evaluation criteria that are rated as Marginal or Unsatisfactory, and must be attached to this evaluation. If a narrative response is required, indicate before each narrative the number of the question for which the response is being provided. Any available supporting documentation to justify any Marginal or Unsatisfactory ratings must also be attached.

If a criterion is rated Marginal or Unsatisfactory and the rating is caused by the performance of a subcontractor, the narrative will note this. The narrative will also note the General Contractor's effort to improve the subcontractor's performance.

ASSESSMENT GUIDELINES:

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

WORK PERFORMANCE

		Unsatisfactory	Marginal	Satisfactory	Outstanding	Not Applicable
1	Did the Contractor perform all of the work with acceptable Quality and Workmanship?	☐	☐	☑	☐	☐
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.	☐	☐	☑	☐	☐
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.	☐	☐	☑	☐	☐
2a	Were corrections requested? If "Yes", specify the date(s) and reason(s) for the correction(s). Provide documentation.			Yes ☐	No ☑	N/A ☐
2b	If corrections were requested, did the Contractor make the corrections requested? If "Marginal or Unsatisfactory", explain on the attachment. Provide documentation.	☐	☐	☐	☐	☑
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.	☐	☐	☑	☐	☐
4	Were there other significant issues related to "Work Performance"? If Yes, explain on the attachment. Provide documentation.				Yes ☐	No ☑
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.	☐	☐	☑	☐	☐
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.	☐	☐	☑	☐	☐
7	**Overall, how did the Contractor rate on work performance? The score for this category must be consistent with the responses to the questions given above regarding work performance and the assessment guidelines. Check 0, 1, 2, or 3.**	0 ☐	1 ☐	2 ☑	3 ☐	

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.	☐	☐	☑	☐	☐
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 ☑	No ☐	N/A ☐
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.	☐	☐	☑	☐	☐
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.	☐	☐	☑	☐	☐
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.	☐	☐	☑	☐	☐
12	Were there other significant issues related to timeliness? If yes, explain on the attachment. Provide documentation.				Yes ☐	No ☑
13	**Overall, how did the Contractor rate on timeliness?** **The score for this category must be consistent with the responses to the questions given above regarding timeliness and the assessment guidelines.** **Check 0, 1, 2, or 3.**	0 ☐	1 ☐	2 ☑	3 ☐	

FINANCIAL

		Unsatisfactory	Marginal	Satisfactory	Outstanding	Not Applicable
14	Were the Contractor's billings accurate and reflective of the contract payment terms? If "Marginal or Unsatisfactory", explain on the attachment. Provide documentation of occurrences and amounts (such as corrected invoices).	☐	☐	☑	☐	☐
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 ☐	No ☑
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).	☐	☐	☑	☐	☐
17	Were there any other significant issues related to financial issues? If Yes, explain on the attachment and provide documentation.				Yes ☐	No ☑
18	**Overall, how did the Contractor rate on financial issues?** **The score for this category must be consistent with the responses to the questions given above regarding financial issues and the assessment guidelines.** **Check 0, 1, 2, or 3.**	0 ☐	1 ☐	2 ☑	3 ☐	

COMMUNICATION

		Unsatisfactory	Marginal	Satisfactory	Outstanding	Not Applicable
19	Was the Contractor responsive to the City's questions, requests for proposal, etc.? If "Marginal or Unsatisfactory", explain on the attachment.	☐	☐	☑	☐	☐
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.	☐	☐	☑	☐	☐
20b	Staffing issues (changes, replacements, additions, etc.)? If "Marginal or Unsatisfactory", explain on the attachment.	☐	☐	☑	☐	☐
20c	Periodic progress reports as required by the contract (both verbal and written)? If "Marginal or Unsatisfactory", explain on the attachment.	☐	☐	☑	☐	☐
20d	Were there any billing disputes? If "Yes", explain on the attachment.				Yes ☐	No ☑
21	Were there any other significant issues related to communication issues? Explain on the attachment. Provide documentation.				Yes ☐	No ☑
22	**Overall, how did the Contractor rate on communication issues? The score for this category must be consistent with the responses to the questions given above regarding communication issues and the assessment guidelines. Check 0, 1, 2, or 3.**	0 ☐	1 ☐	2 ☑	3 ☐	

SAFETY

		Unsatisfactory	Marginal	Satisfactory	Outstanding	Not Applicable
23	Did the Contractor's staff consistently wear personal protective equipment as appropriate? If "No", explain on the attachment.				Yes ☑	No ☐
24	Did the Contractor follow City and OSHA safety standards? If "Marginal or Unsatisfactory", explain on the attachment.	☐	☐	☑	☐	☐
25	Was the Contractor warned or cited by OSHA for violations? If Yes, explain on the attachment.				Yes ☐	No ☑
26	Was there an inordinate number or severity of injuries? Explain on the attachment. If Yes, explain on the attachment.				Yes ☐	No ☑
27	Was the Contractor officially warned or cited for breach of U.S. Transportation Security Administration's standards or regulations? If "Yes", explain on the attachment.				Yes ☐	No ☑
28	**Overall, how did the Contractor rate on safety issues? The score for this category must be consistent with the responses to the questions given above regarding safety issues and the assessment guidelines. Check 0, 1, 2, or 3.**	0 ☐	1 ☐	2 ☑	3 ☐	

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

TOTAL SCORE (Sum of 1 through 5): 2.0

OVERALL RATING: Satisfactory

Outstanding:	Greater than 2.5
Satisfactory	Greater than 1.5 & less than or equal to 2.5
Marginal:	Between 1.0 & 1.5
Unsatisfactory:	Less than 1.0

PROCEDURE:

The Resident Engineer will prepare the Contractor Performance Evaluation and submit it to the Supervising Civil Engineer. The Supervising Civil Engineer will review the Contractor Performance Evaluation to ensure adequate documentation is included, the Resident Engineer has followed the process correctly, the Contractor Performance Evaluation has been prepared in a fair and unbiased manner, and the ratings assigned by the Resident Engineer are consistent with all other Resident Engineers using consistent performance expectations and similar rating scales.

The Resident Engineer will transmit a copy of the Contractor Performance Evaluation to the Contractor. Overall Ratings of Outstanding or Satisfactory are final and cannot be protested or appealed. If the Overall Rating is Marginal or Unsatisfactory, the Contractor will have 10 calendar days in which they may file a protest of the rating. The Public Works Agency Assistant Director, Design & Construction Services Department, will consider a Contractor's protest and render his/her determination of the validity of the Contractor's protest. If the Overall Rating is Marginal, the Assistant Director's determination will be final and not subject to further appeal. If the Overall Rating is Unsatisfactory and the protest is denied (in whole or in part) by the Assistant Director, the Contractor may appeal the Evaluation to the City Administrator, or his/her designee. The appeal must be filed within 14 calendar days of the Assistant Director's ruling on the protest. The City Administrator, or his/her designee, will hold a hearing with the Contractor within 21 calendar days of the filing of the appeal. The decision of the City Administrator regarding the appeal will be final.

Contractors who receive an Unsatisfactory Overall Rating (i.e., Total Score less than 1.0) will be allowed the option of voluntarily refraining from bidding on any City of Oakland projects within one year from the date of the Unsatisfactory Overall Rating, or of being categorized as non-responsible for any projects the Contractor bids on for a period of one year from the date of the Unsatisfactory Overall Rating. Two Unsatisfactory Overall Ratings within any five year period will result in the Contractor being categorized by the City Administrator as non-

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

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

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

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

Contractor / Date 5/20/13

Resident Engineer / Date 5/9/13

Supervising Civil Engineer / Date 5/9/13

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

Attachment D2

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

Project Number/Title:	C329135: SS Rehab in the Easements of Clarendon Crescent Avenue & Sunny Hills Road
Work Order Number (if applicable):	
Contractor:	Pacific Trenchless Inc.
Date of Notice to Proceed:	04-27-2015
Date of Notice of Completion:	07-20-2015
Date of Notice of Final Completion:	07-20-2015
Contract Amount:	$538, 978.00
Evaluator Name and Title:	Sophea Sem, Resident Engineer

The City's Resident Engineer most familiar with the Contractor's performance must complete this evaluation and submit it to Manager, PWA Project Delivery Division, within 30 calendar days of the issuance of the Final Payment.

Whenever the Resident Engineer finds the Contractor is performing below Satisfactory for any category of the Evaluation, the Resident Engineer shall discuss the perceived performance shortfall at the periodic site meetings with the Contractor. An Interim Evaluation will be performed if at any time the Resident Engineer finds that the overall performance of a Contractor is Marginal or Unsatisfactory. An Interim Evaluation is required prior to issuance of a Final Evaluation Rating of Unsatisfactory. The Final Evaluation upon Final Completion of the project will supersede interim ratings.

The following list provides a basic set of evaluation criteria that will be applicable to all construction projects awarded by the City of Oakland that are greater than $50,000. Narrative responses are required to support any evaluation criteria that are rated as Marginal or Unsatisfactory, and must be attached to this evaluation. If a narrative response is required, indicate before each narrative the number of the question for which the response is being provided. Any available supporting documentation to justify any Marginal or Unsatisfactory ratings must also be attached.

If a criterion is rated Marginal or Unsatisfactory and the rating is caused by the performance of a subcontractor, the narrative will note this. The narrative will also note the General Contractor's effort to improve the subcontractor's performance.

ASSESSMENT GUIDELINES:

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

WORK PERFORMANCE

		Unsatisfactory	Marginal	Satisfactory	Outstanding	Not Applicable
1	Did the Contractor perform all of the work with acceptable Quality and Workmanship?	☐	☐	☑	☐	☐
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.	☐	☐	☑	☐	☐
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.	☐	☐	☑	☐	☐
2a	Were corrections requested? If "Yes", specify the date(s) and reason(s) for the correction(s). Provide documentation.			Yes ☐	No ☑	N/A ☐
2b	If corrections were requested, did the Contractor make the corrections requested? If "Marginal or Unsatisfactory", explain on the attachment. Provide documentation.	☐	☐	☐	☐	☑
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.	☐	☐	☑	☐	☐
4	Were there other significant issues related to "Work Performance"? If Yes, explain on the attachment. Provide documentation.				Yes ☐	No ☑
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.	☐	☐	☑	☐	☐
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.	☐	☐	☑	☐	☐
7	**Overall, how did the Contractor rate on work performance? The score for this category must be consistent with the responses to the questions given above regarding work performance and the assessment guidelines. Check 0, 1, 2, or 3.**	0 ☐	1 ☐	2 ☑	3 ☐	

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.	☐	☐	☑	☐	☐
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 ☐	No ☐	N/A ☑
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.	☐	☐	☐	☐	☑
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.	☐	☐	☑	☐	☐
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.	☐	☐	☑	☐	☐
12	Were there other significant issues related to timeliness? If yes, explain on the attachment. Provide documentation.				Yes ☐	No ☑
13	**Overall, how did the Contractor rate on timeliness?** **The score for this category must be consistent with the responses to the questions given above regarding timeliness and the assessment guidelines. Check 0, 1, 2, or 3.**	0 ☐	1 ☐	2 ☑	3 ☐	

FINANCIAL

		Unsatisfactory	Marginal	Satisfactory	Outstanding	Not Applicable
14	Were the Contractor's billings accurate and reflective of the contract payment terms? If "Marginal or Unsatisfactory", explain on the attachment. Provide documentation of occurrences and amounts (such as corrected invoices).	☐	☐	☑	☐	☐
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 ☐	No ☑
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).	☐	☐	☑	☐	☐
17	Were there any other significant issues related to financial issues? If Yes, explain on the attachment and provide documentation.				Yes ☐	No ☑
18	**Overall, how did the Contractor rate on financial issues?** **The score for this category must be consistent with the responses to the questions given above regarding financial issues and the assessment guidelines.** **Check 0, 1, 2, or 3.**	0 ☐	1 ☐	2 ☑	3 ☐	

COMMUNICATION

		Unsatisfactory	Marginal	Satisfactory	Outstanding	Not Applicable
19	Was the Contractor responsive to the City's questions, requests for proposal, etc.? If "Marginal or Unsatisfactory", explain on the attachment.	☐	☐	☑	☐	☐
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.	☐	☐	☑	☐	☐
20b	Staffing issues (changes, replacements, additions, etc.)? If "Marginal or Unsatisfactory", explain on the attachment.	☐	☐	☑	☐	☐
20c	Periodic progress reports as required by the contract (both verbal and written)? If "Marginal or Unsatisfactory", explain on the attachment.	☐	☐	☑	☐	☐
20d	Were there any billing disputes? If "Yes", explain on the attachment.				Yes ☐	No ☑
21	Were there any other significant issues related to communication issues? Explain on the attachment. Provide documentation.				Yes ☐	No ☑
22	**Overall, how did the Contractor rate on communication issues? The score for this category must be consistent with the responses to the questions given above regarding communication issues and the assessment guidelines. Check 0, 1, 2, or 3.**	0 ☐	1 ☐	2 ☑	3 ☐	

SAFETY

		Unsatisfactory	Marginal	Satisfactory	Outstanding	Not Applicable
23	Did the Contractor's staff consistently wear personal protective equipment as appropriate? If "No", explain on the attachment.				Yes ☑	No ☐
24	Did the Contractor follow City and OSHA safety standards? If "Marginal or Unsatisfactory", explain on the attachment.	☐	☐	☑	☐	☐
25	Was the Contractor warned or cited by OSHA for violations? If Yes, explain on the attachment.				Yes ☐	No ☑
26	Was there an inordinate number or severity of injuries? Explain on the attachment. If Yes, explain on the attachment.				Yes ☐	No ☑
27	Was the Contractor officially warned or cited for breach of U.S. Transportation Security Administration's standards or regulations? If "Yes", explain on the attachment.				Yes ☐	No ☑
28	**Overall, how did the Contractor rate on safety issues? The score for this category must be consistent with the responses to the questions given above regarding safety issues and the assessment guidelines. Check 0, 1, 2, or 3.**	0 ☐	1 ☐	2 ☑	3 ☐	

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	2	X 0.25 =	0.5
2. Enter Overall score from Question 13	2	X 0.25 =	0.5
3. Enter Overall score from Question 18	2	X 0.20 =	0.4
4. Enter Overall score from Question 22	2	X 0.15 =	0.3
5. Enter Overall score from Question 28	2	X 0.15 =	0.3

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.*

10/5/14
Contractor / Date

09/22/15
Resident Engineer / Date

10/15/15
FOR Supervising Civil Engineer / Date

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

FILED
OFFICE OF THE CITY CLERK
OAKLAND

2016 NOV 22 AM 9:43

OAKLAND CITY COUNCIL

Approved as to Form and Legality

City Attorney

RESOLUTION No. _____ C.M.S.

Introduced by Councilmember _____

RESOLUTION AWARDING A CONSTRUCTION CONTRACT TO ANDES CONSTRUCTION INC., THE LOWEST RESPONSIVE, RESPONSIBLE BIDDER, FOR THE ON-CALL SANITARY SEWERS EMERGENCY PROJECTS FY 2016-17 (PROJECT NO. C455640) IN ACCORDANCE WITH PLANS AND SPECIFICATIONS FOR THE PROJECT AND WITH CONTRACTOR'S BID IN THE AMOUNT OF ONE MILLION FIVE HUNDRED FORTY-THREE THOUSAND TWO HUNDRED EIGHTY DOLLARS ($1,543,280.00)

WHEREAS, on October 13, 2016, two bids were received by the Office of the City Clerk of the City of Oakland for The On-Call Sanitary Sewers Emergency Projects FY 2016-17 (Project No. C455640); 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, there are sufficient funds in the project budget for the work. Funding for this project is available in the following project account as part of FY 2016-17 CIP budget:

- Sewer Service Fund (3100); Capital Projects - Sanitary Sewer Design Organization (92244); Sewers Account (57417); Project No. C455640; $1,543,280.00; 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, 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: Andes Construction, Inc. complies with all LBE/SLBE and trucking requirements; and

RESOLVED: That the City Administrator is authorized to award a construction contract for The On-Call Sanitary Sewers Emergency Projects FY 2016-17 (Project No. C455640) to Andes Construction, Inc., the lowest responsive and responsible bidder, in the amount of $1,543,280.00 in accord with plans and specifications for the project and with contractor's bid date October 13, 2016; and be it

FURTHER RESOLVED: That the amount of the bond for faithful performance bond, $1,543,280.00, and the bond to guarantee payment of all claims for labor and materials furnished and for the amount under the Unemployment Insurance Act, $1,543,280.00, 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 all bids are hereby rejected; 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

FILED
OFFICE OF THE CITY CLERK
OAKLAND

2016 NOV 22 AM 9:44

OAKLAND CITY COUNCIL

Approved as to Form and Legality

City Attorney

RESOLUTION NO. _____ C.M.S.

Introduced by Councilmember _____

RESOLUTION AWARDING A CONSTRUCTION CONTRACT TO PACIFIC TRENCHLESS INC., THE LOWEST RESPONSIVE, RESPONSIBLE BIDDER, FOR THE REHABILITATION OF SANITARY SEWERS IN VARIOUS LOCATIONS (PROJECT C329136) IN ACCORDANCE WITH PLANS AND SPECIFICATIONS FOR THE PROJECT AND WITH CONTRACTOR'S BID IN THE AMOUNT OF SIX HUNDRED SEVENTY-EIGHT THOUSAND FOUR HUNDRED FORTY-FIVE DOLLARS ($678,445.00)

WHEREAS, on October 13, 2016, two bids were received by the Office of the City Clerk of the City of Oakland for The Rehabilitation Of Sanitary Sewers In Various Locations (Project No. C329136); and

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

WHEREAS, there are sufficient funds in the project budget for the work. Funding for this project is available in the following project account as part of FY 2016-17 CIP budget:

- Sewer Service Fund (3100); Capital Projects - Sanitary Sewer Design Organization (92244); Sewers Account (57417); Project No. C329136; $678,445.00; 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, 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: Pacific Trenchless, Inc. complies with all LBE/SLBE and trucking requirements; and

RESOLVED: That the City Administrator is authorized to award a construction contract for The Rehabilitation Of Sanitary Sewers In Various Locations (Project No. C329136) to Pacific Trenchless, Inc., the lowest responsive and responsible bidder, in the amount of $678,445.00 in accord with plans and specifications for the project and with contractor's bid

date October 13, 2016; and be it

FURTHER RESOLVED: That the amount of the bond for faithful performance bond, $678,445.00, and the bond to guarantee payment of all claims for labor and materials furnished and for the amount under the Unemployment Insurance Act, $678,445.00, 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 Pacific Trenchless, Inc. on behalf of the City of Oakland and to execute any amendments or modifications of the contract within the limitations of the project specifications; and be it

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

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

FURTHER RESOLVED: That all bids are hereby rejected; 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

FILED
OFFICE OF THE CITY CLERK
OAKLAND

2016 NOV 22 AM 9:44

OAKLAND CITY COUNCIL

Approved as to Form and Legality

City Attorney

RESOLUTION NO. _____ C.M.S.

Introduced by Councilmember _____

RESOLUTION AWARDING A CONSTRUCTION CONTRACT TO PACIFIC TRENCHLESS INC., THE LOWEST RESPONSIVE, RESPONSIBLE BIDDER, FOR THE REHABILITATION OF SANITARY SEWERS IN THE AREA BOUNDED BY 23RD AVENUE, INTERNATIONAL BOULEVARD, 26TH AVENUE, AND E. 12TH STREET (PROJECT C482950) IN ACCORDANCE WITH PLANS AND SPECIFICATIONS FOR THE PROJECT AND WITH CONTRACTOR'S BID IN THE AMOUNT OF ONE MILLION SEVEN HUNDRED EIGHTY-SEVEN THOUSAND TWO HUNDRED EIGHTY-SEVEN DOLLARS ($1,787,287.00)

WHEREAS, on October 20, 2016, two bids were received by the Office of the City Clerk of the City of Oakland for The Rehabilitation Of Sanitary Sewers In The Area Bounded By 23rd Avenue, International Boulevard, 26th Avenue, And E. 12th Street (Project No. C482950); and

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

WHEREAS, there are sufficient funds in the project budget for the work. Funding for this project is available in the following project account as part of FY 2016-17 CIP budget:

- Sewer Service Fund (3100); Capital Projects - Sanitary Sewer Design Organization (92244); Sewers Account (57417); Project No. C482950; $1,787,287.00; 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, 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: Pacific Trenchless, Inc. complies with all LBE/SLBE and trucking requirements; and

RESOLVED: That the City Administrator is authorized to award a construction contract for The Rehabilitation Of Sanitary Sewers In The Area Bounded By 23rd Avenue,

International Boulevard, 26th Avenue, And E. 12th Street (Project No. C482950) to Pacific Trenchless, Inc., the lowest responsive and responsible bidder, in the amount of $1,787,287.00 in accord with plans and specifications for the project and with contractor's bid date October 20, 2016; and be it

FURTHER RESOLVED: That the amount of the bond for faithful performance bond, $1,787,287.00, and the bond to guarantee payment of all claims for labor and materials furnished and for the amount under the Unemployment Insurance Act, $1,787,287.00, 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 Pacific Trenchless, Inc. on behalf of the City of Oakland and to execute any amendments or modifications of the contract within the limitations of the project specifications; and be it

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

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

FURTHER RESOLVED: That all bids are hereby rejected; 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