



# INTER OFFICE MEMORANDUM

Department of Workplace & Employment Standards (DWES)

**TO:** Christopher Diano;  
Civil Engineer

**FROM:** Shelley Darensburg, Contract  
Compliance Supervisor  
DWES

**THROUGH:** Vivian Inman, Senior V. *Inman*  
Contract Compliance Officer

**PREPARED BY:** Sophany Hang *S.Hang*  
Contract Compliance Officer

**SUBJECT:** Citywide Emergency  
**Rebid-Pedestrian Lighting and  
Sidewalk Improvements on International,  
From 36<sup>th</sup> to 107<sup>th</sup> Avenue  
Project No. 1000844**

**DATE:** July 22, 2022

The assigned Contract Compliance Officer conducted a compliance analysis of two (2) bids submitted to the City in response to the above referenced project. Below are the results of the compliance evaluations for the most recent L/SLBE Program for, (a) the minimum 50% Local and Small Local Business Enterprise (L/SLBE) participation requirement; and (b) a preliminary review for compliance with the Equal Benefits Ordinance (EBO).

Responsive 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/LPG	SLBE	*VSLBE	L/SLBE/VSLBE Trucking	Total Credited participation	Earned Bid Discounts	Adjusted Bid Amount	
Ray's Electric	\$6,587,876	86.81% *91.05%	75.79%	16.78%	4.24% *7.48%	100%	91.05%	2%	\$6,521,778.48	Y

**\*Double Counted for Very Small Local Business Enterprises (VSLBEs)**

**Comments:** As noted above, firm. exceeded the minimum 50% L/SLBE participation requirement. Firm is EBO compliant.

Non-Responsive with L/SLBE and/or EBO Policies		Proposed Participation					Earned Credits and Discounts			E P
Company Name	Original Bid Amount	Total LBE/SLBE	LBE/LPG	SLBE	*VSLBE	L/SLBE /VSLBE Trucking	Total Credited participation	Earned Bid Discounts	Adjusted Bid Amount	
Patriot Contracting, Inc.	\$10,492,660.00	1.91%	1.91%	0.0%	0.0%	100%	NA	NA	NA	N

**Comments:** As noted above, firm. Failed to meet the minimum 50% L/SLBE participation requirement. Therefore, they are non-responsive to L/SLBE program. Firm is not EBO compliant.

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

# Bidder 1

Project Name: <b>Rebid-Pedestrian Lighting and Sidewalk Improvements on International, from 38th to 107th Avenue</b>														
Project No.: <b>1000844</b>		Engineer's Estimat		<b>7,787,552.00</b>									<b>Under/Over Engineers Estimate: -1,132,676.00</b>	
Discipline	Prime & Subs	Location	Cert. Status	LBE/LPG	SLBE	*VSLBE (2x Value)	Total LBE/SLBE	VSLBE Truckina	L/SLBE Trucking	Total Trucking	TOTAL Dollars	Ethn.	MBE	WBE
<b>PRIME</b>	Ray's Electric	Oakland	CB	4,378,348			4,378,348				4,378,348	C		
Trucking & Disposal	S & S Trucking	Oakland	CB		67,000		67,000		67,000	67,000	67,000	H	67,000	
Removal/Install Trees	De Kay Demolition	Oakland	CB		101,700		101,700				101,700	C		
Concrete Sidewalk & Driveway	Cooper Construction & Engineering	Oakland	CB			282,164	282,164				282,164	AA	282,164	
Concrete Material	Central Concrete	San Jose City or Industry	UB								78,732	C		
Trash Capture	United Storm Water		UB								151,572	C		
Solar Powered Waste Compactor	Big Belly	Needham	UB								236,027	C		
Traffic Control	CMC Traffic Control	SF	UB								32,400	C		32,400
Lighting Material	Level Construction Supply	Oakland	CB		947,680		947,680				947,680	C		
General Electrical Material	JAM Services	Livermore	UB								300,303	C		
SWPPP	Tully Consulting Group	Dixon	UB								11,950	H		11,950
<b>Project Totals</b>				\$4,378,348 65.79%	\$1,116,380 16.78%	\$282,164 4.24%	\$5,776,892 86.81%	\$0.00 0.00%	\$67,000 100.00%	\$67,000 100.00%	\$6,654,876 100.00%		349,164 5.25%	44,350 0.67%
				<b>LBE/LPG 25%</b>	<b>SLBE 25%</b>	<b>VSLBE</b>	<b>TOTAL LBE/SLBE</b>	<b>VSLBE Trucking</b>	<b>L/SLBE TRUCKING</b>		<b>TOTAL DOLLARS</b>	<b>Ethnicity</b> AA = African American A = Asian AI = Asian Indian AP = Asian Pacific		

\*\*Proposed VSLBE/LPG participation is valued at 4.24%, 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.

**Department of Workplace & Employment Standards**

**DWES**



**PROJECT COMPLIANCE EVALUATION FOR :**

**Project No. 1000844**

**RE:**

**Rebid-Pedestrian Lighting and Sidewalk Improvements on International, from 38th to 107th Avenue**

**CONTRACTOR: Ray's Electric**

<b><u>Engineer's Estimate:</u></b> \$7,787,552.00	<b><u>Contractors' Bid Amount</u></b> \$6,654,876.00	<b><u>Over/Under Engineer's Estimate</u></b> (\$1,132,676.00)
<b><u>Discounted Bid Amount:</u></b> \$6,521,778.48	<b><u>Amt. of Bid Discount</u></b> \$133,097.52	<b><u>Discount Points:</u></b> 2.00%

1. Did the 50% local/small local requirement apply: **YES**
2. Did the contractor meet the 50% requirement **YES**
  - a) % of LBE/LPG **65.79%**
  - b) % of SLBE **16.78%** %
  - c) % of VSLBE participation **\*4.24%** (Double counted value is 8.48%)
3. Did the contractor meet the L/SLBE trucking **YES**
  - a) Total L/SLBE trucking participation **100.00%**
  - a) Total VSLBE trucking participation
4. Did the contractor receive bid discount points? **YES**

(If yes, list the points received) **2%**

5. Additional Comments.

**Proposed VSLBE/LPG participation is valued at 4.24%, however, per the L/SLBE Program a VSLBE/LPG's participation is double counted towards meeting the requirement. Therefore, the VSLBE/LPG value is 8.48%.**

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

7/22/2022

Date

**Officer:**

*Sophany Hng*

**Date:** 7/22/2022

**Approved By:**

*Vivian Inman*

**Date:** 7/22/2022

## LBE/SLBE Participation Bidder 2

<b>Project Name:</b>		Rebid-Pedestrian Lighting and Sidewalk Improvements on International, from 38th to 107th Avenue														
<b>Project No.:</b>		1000844			<b>Engineer's Estimat</b>			7,787,552.00			<b>Under/Over Engineers Estimate:</b>			2,705,108.00		
Discipline	Prime & Subs	Location	Cert. Status	LBE/LPG	SLBE	*VSLBE (2x Value)	Total LBE/SLBE	VSLBE Trucking	L/SLBE Trucking	Total Trucking	TOTAL Dollars	Ethnicity				
												Ethn.	MBE	WBE		
PRIME	Patriot Contracting, Inc.	Union City	UB								6,648,660	NL				
Electrical	Masoud Sadrolodabee	San Jose	UB								1,059,000	O				
Concrete	Landavazo Brothers	Hayward	UB								830,000	H	830,000			
Rebar	Mission City Rebar Inc	Livermore	UB								300,000	C				
Traffic Control	Traffic Management, Inc.	Oakland	UB								200,000	A	200,000			
Sweep	S Kwok Engineers, Inc.	Alameda	UB								70,000	A	70,000			
Painting	Picture Painting & Decorating	Oakland	CB	200,000			200,000				200,000	A	200,000			
Landscape	JMV 3 Service Corporation	Hayward	UB								250,000	A	250,000			
Trucking	Golden State Trucking	Union City	UB								120,000	A	120,000			
Supplier	Emperor	Oakland	UB								450,000	C				
Plumbing	ECO HVAC Contracting	San Jose	UB								15,000	A	150			
Demo/Earthwork	Radius Earthwork	San Jose	UB								350,000	AA	350,000			
<b>Project Totals</b>				\$200,000 1.91%	\$0.00 0.00%	\$0.00 0.00%	\$200,000 1.91%	\$0.00 0.00%	\$0.00 0.00%	\$0.00 100.00%	\$10,492,660 100.00%		2,020,150 19.25%	0 0.00%		
				<b>LBE/LPG 25%</b>	<b>SLBE 25%</b>	<b>VSLBE</b>	<b>TOTAL LBE/SLBE</b>	<b>VSLBE Trucking</b>	<b>L/SLBE TRUCKING</b>		<b>TOTAL DOLLARS</b>	<b>Ethnicity</b> AA = African American A = Asian AI = Asian Indian AP = Asian Pacific				

Department of Workplace & Employment Standards

DWES



**PROJECT COMPLIANCE EVALUATION FOR :**

**Project No. 1000844**

RE:

**Rebid-Pedestrian Lighting and Sidewalk Improvements on International, from 38th to 107th Avenue**

**CONTRACTOR: Patriot Contracting, Inc.**

<b><u>Engineer's Estimate:</u></b> \$7,787,552.00	<b><u>Contractors' Bid Amount</u></b> \$10,492,660.00	<b><u>Over/Under Engineer's Estimate</u></b> \$2,705,108.00
<b><u>Discounted Bid Amount:</u></b> \$0.00	<b><u>Amt. of Bid Discount</u></b> \$0.00	<b><u>Discount Points:</u></b> 0.00%

1. Did the 50% local/small local requirement apply: **YES**
2. Did the contractor meet the 50% requirement **NO**
  - a) % of LBE/LPG **1.91%**
  - b) % of SLBE **0.00%** %
  - c) % of VSLBE participation **\*0.00%**
3. Did the contractor meet the L/SLBE trucking **YES**
  - a) Total L/SLBE trucking participation **100.00%**
  - a) Total VSLBE trucking participation
4. Did the contractor receive bid discount points? **NA**

(If yes, list the points received) **0%**
5. Additional Comments.  
**Firm failed meet the minimum 50% L/SLBE participation requirement. Therefore, they are non-responsive to L/SLBE program.**
6. Date evaluation completed and returned to Contract Admin./Initiating Dept.  
7/22/2022  
Date

**Reviewing Officer:**

*Sophany Hwang* **Date:** 7/22/2022

**Approved By:**

*Vivian Inman* **Date:** 7/22/2022