

CITY OF OAKLAND

AGENDA REPORT

FILED
OFFICE OF THE CITY CLERK
OAKLAND

TO: 2010 DEC 16 PM 5:59
Office of the City Administrator
ATTN: Dan Lindheim
FROM: Public Works Agency
DATE: December 21, 2010

RE: Supplemental Report on Resolution Awarding Construction Contracts For As-Needed On-Call Construction Services To Fourteen Pre-Qualified Contractors Shown In Exhibit A For An Amount Not-To-Exceed Two Hundred And Fifty Thousand Dollars (\$250,000.00) Each For Tier I Or \$500,000.00 For Tier II For A Three-Year Period, And Waiving The Advertising Requirements Of Oakland Municipal Code Chapter 2.04 For Specific On-Call Construction Jobs To Be Let To Said Contractors

SUMMARY

On December 14, 2010, staff presented the resolution to award construction contracts for as-needed on-call construction services to fourteen Pre-qualified contractors for an amount not-to exceed two hundred and fifty thousand dollars (250,000.00 each for tier I or \$500,000.00 for tier II for a three-year period, and waiving the advertising requirements of Oakland Municipal Code Chapter 2.04 for specific on-call construction jobs to be awarded to said contractors to the Public Works Committee. The committee requested information on contract compliance.

In addition, the Rules Committee on December 16, 2010 requested clarification on pre-qualification. This supplemental report is in response to those requests.

1. Contract Compliance:

Peters Construction submitted a Schedule E that did not specify the sub-contractors to be used on the project. Staff contacted Peters Construction and requested that they specify the sub-contractors. Peters Construction has submitted revised documents that have been attached to this report.

2. Pre-qualification Process:

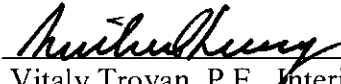
The pre-qualification process is used to establish a list of contractors pre-qualified to perform certain specific work, in this case general concrete sidewalk repair work, streamlines method by which we select pre-qualified contractors to perform repair of curb ramps and small sewer work and in response to citizens' complaints in a timely manner. This is not a contractor rotation program as proposed for consideration by Council. All qualified contractors will be solicited for bids at the same time, and work is expected to begin in spring 2011. We hope that this has clarified your concerns.

Item: _____
City Council Meeting
December 21, 2010

ACTION REQUESTED OF THE CITY COUNCIL

Staff recommends that the City Council approve the resolution.

Respectfully submitted,

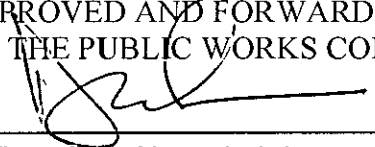
fw 

Vitaly Troyan, P.E., Interim Director
Public Works Agency

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

Prepared by:
Marcel Uzegbu, P.E, Supervising Civil Engineer
Right-of-Way Management
Department of Engineering and Construction

APPROVED AND FORWARDED
TO THE PUBLIC WORKS COMMITTEE:



Office of the City Administrator

Memo

Department of Contracting and Purchasing Social Equity Division

To: Marcel Uzegbu, Project Manager
 From: Sophany Hang, Acting Contract Compliance Officer
 Through: Shelley Darenburg, Sr. Contract Compliance Officer *S. Darenburg*
 CC: Deborah Barnes, Director, DC&P
 Gwen McCormick, Contract Administration Supervisor
 Date: December 16, 2010
 Re: Request For Qualification for On-Call Capital Improvements Construction Services-
 Tier I

The Department of Contracting and Purchasing (DCP), Division of Social Equity, reviewed two (2) proposals in response to the above RFQ. The RFQ was limited to certified Small Local Business Enterprises (SLBE). Below is the outcome of the compliance evaluation for the minimum 20% Local and Small Local Business Enterprise (L/SLBE) participation requirement, and a preliminary review for compliance with the Equal Benefits Ordinance (EBO).

| Responsive | | Proposed Participation | | | | | Earned Credits and Discounts | | Banked Credits Eligibility | EBO Compliant? Y/N |
|-----------------------------|---------------------|------------------------|-----|------|----------|------------------------------|------------------------------|---------------------|----------------------------|--------------------|
| Company Name | Original Bid Amount | Total LBE/SLBE | LBE | SLBE | Trucking | Total Credited participation | Earned Bid Discounts | Adjusted Bid Amount | | |
| Yes Construction Group Inc. | NA | 55% | 10% | 45% | NA | 55% | 5 points | NA | 0 points | Y |
| Peters Construction | NA | 30% | 0% | 30% | NA | 30% | 2 points | NA | 0 points | Y |

Comments: As noted above, both firms met and/or exceeded the minimum 20% L/SLBE participation requirement. Both firms are EBO compliant.

| Non-Responsive | | Proposed Participation | | | | Earned Credits and Discounts | | | Banked Credits Eligibility | EBO Compliant? Y/N |
|----------------|---------------------|------------------------|-----|------|----------|------------------------------|----------------------|---------------------|----------------------------|--------------------|
| Company Name | Original Bid Amount | Total LBE/SLBE | LBE | SLBE | Trucking | Total Credited participation | Earned Bid Discounts | Adjusted Bid Amount | | |
| .NA | NA | NA | NA | NA | NA | NA | NA | NA | NA | NA |

Comments: NA

Should you have any questions you may contact Sophany Hang at (510) 238-3970.

DEPARTMENT OF CONTRACTING AND PURCHASING



Social Equity Division

PROJECT COMPLIANCE EVALUATION FOR :

Project No.

RE: Request for Qualification for On-Call Capital Improvements Construction Services-Tier I

| | | |
|-------------------------------|------------------------------------|------------------------------|
| CONSULTANT/CONTRACTOR: | Peters Construction | |
| <u>Engineer's Estimate:</u> | <u>Contractors' Bid Amount</u> | <u>Over/Under Engineer's</u> |
| NA | NA | NA |
| <u>Bid discounted amount:</u> | <u>Discount/Preference Points:</u> | |
| N/A | 2 | |

- 1. Did the 20% local/small local requirement apply: **YES**
- 2. Did the contractor meet the 20% requirement **YES**
 - a) % of LBE
 - b) % of SLBE **30%**
- 3. Did the contractor receive bid discount/preference points? **YES**
(If yes, list the points received, **2 points**)

5. Additional Comments.

6. Date evaluation completed and returned to Contract Admin./Initiating Dept.
12/16/2010
Date

Reviewing Officer: Shelley Hays

Date: 12/16/10

Approved By: Shelley Oarensburg

Date: 12/16/10

LBE/SLBE Participation Peters Construction

Project Name: Request for Qualification for On-Call Capital Improvements Construction Services-Tier I

| Project No.: | | Engineer's Estimate | | | | Under/Over Engineers Estimate: | | | | |
|---|---|---------------------|--------------|---------|---|--------------------------------|-------------------|---|-----|-----|
| Discipline | Prime & Subs | Location | Cert. Status | LBE | SLBE | Total LBE/SLBE % | Total Percentages | For Tracking Only | | |
| | | | | | | | | Ethn. | MBE | WBE |
| PRIME Landscaping | Peters Construction | Oakland | CB | | 30% | 30% | 30% | C | | |
| | Green Acres Landscaping and Maintenance, Inc. | Oakland | UB | | | | 10% | H | 10% | |
| Trucking | Camese Transportation | Oakland | UB | | | | 15% | AA | 15% | |
| Engineering | Seri Ngerwattana | Hayward | UB | | | | 45% | AP | 45% | |
| Project Totals | | | | | 0% | 30% | 30% | | 70% | 0% |
| Requirements: The 20% requirements is a combination of 10% LBE and 10% SLBE participation. An SLBE firm can be counted 100% towards achieving 20% requirements. | | | | LBE 10% | SLBE 10% | TRUCKING 20% | | Ethnicity AA = African American A = Asian C = Caucasian H = Hispanic NA = Native American O = Other NL = Not Listed | | |
| Legend | LBB = 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 | | | | | |

SCHEDULE R
SUBCONTRACTOR, SUPPLIER, TRUCKING LISTING

By request, the Social Equity-Contract Compliance Unit can email an electronic copy of Schedule R to your firm.



Date: 9/10/10
 Company Name: DAN PETICS Construction
 Signed: Dan Petics

Note:
 The contractor herewith must list all subcontractors and suppliers with values greater than one half of one percent and all trucking regardless of firm and dollar amount to be used on the project. The contractor agrees that no changes will be made in this list without the approval of the City of Oakland. Provide the address, type of work, dollar amount and check all boxes that apply. Bidders that do not list all subcontractors and suppliers with values greater than one half of one percent and all truckers regardless of firm and dollar amount may be deemed non-responsive.

| Type of Work | Company Name | Address and City | Phone Number | Dollar Amount | Subcontractor | Supplier | Trucking | Local (LB) | Small Local (SLB) | Ethnicity | Gender |
|---------------------|-------------------------|--------------------------------------|------------------------------|---------------|---------------|----------|----------|------------|-------------------|-----------|--------|
| Landscapeing | Green Acres Landscaping | 4200 Park Blvd, Oakland, CA 94602 | 510-437-1499 510-336-8878 | 10% | ✓ | | | | ✓ | M | M |
| Ron Camene Trucking | Camene Transportation | P.O. Box 14834, Oakland, CA 94614 | 510-593-3070 | 15% | ✓ | | ✓ | | ✓ | DA | M |
| Engineering | Seri Ngermwattana | 954 Castewood Way, Hayward, CA 94541 | 510-991-6890 | 45% | | ✓ | | | | AP | M |
| | | | | | | | | | | | |
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Attach additional page(s) if necessary.
 Contractors are required to identify the ethnicity and gender of all listed firms majority owner. This information will be used for tracking purposes only.
 * (AA=African American) (A=Asian Indian) (AP=Asian Pacific) (C=Caucasian) (H=Hispanic) (NA=Native American) (O=Other) (NL=Not Listed)
 ** (M=Male) (F=Female)

(Revised 8/09)