

CITY OF OAKLAND
AGENDA REPORT

FILED
OFFICE OF THE CITY CLERK
OAKLAND

2007 OCT 11 PM 2:12

TO: Office of the City Administrator
ATTN: Deborah Edgerly
FROM: Community & Economic Development Agency
DATE: October 23, 2007

RE: **Resolution Authorizing Award Of A Construction Contract To Ray's Electric In The Amount Of One Million Eight Hundred Fifty-Six Thousand Eight Hundred Twenty Dollars (\$1,856,820.00) For 40th Street, MacArthur Transit Hub Improvements (Project No. G283010)**

SUMMARY

A resolution has been prepared for City Council approval that authorizes the award of a construction contract to Ray's Electric in the amount of \$1,856,820.00 for the 40th Street, MacArthur Transit Hub Improvements (Project No. G283010). Ray's Electric is the lowest responsible and responsive bidder and has met all the contract requirements.

This project will construct pedestrian and bike oriented improvements, including corner bulb-outs, traffic signals, streetlights, bike lanes, plastering, painting and installation of lighting under the MacArthur BART Station and Caltrans I-24. The project is located in Council District 1.

Funds are available for the contract work. Staff recommends approval of the resolution.

FISCAL IMPACT

The engineer's estimate for the work is \$1,564,897.00 and the construction contract will be in the amount of \$1,856,820.00. The total project budget, including construction contract procurement, construction management, contingency and administration is estimated to be \$2,477,800.00. Sufficient funds for the project are available in the following Funds and Project Numbers:

Fund	Project #	Amount
Metropolitan Transportation Commission (MTC)-CMAQ (2163)	G283010	\$1,089,000.00
Redevelopment Agency Funds Match 1 (7780)	G283020	\$220,000.00
Measure B Bicycle and Pedestrian Safety Funds (2212)	G283030	\$150,000.00
Safe Routes to Transit Grant Funds (2163)	G283040	\$253,800.00
Redevelopment Agency Funds Match 2 from 2006 Tax-Exempt Bond Proceeds (7780)	G283050	\$550,000.00
Bicycle and Pedestrian Discretionary Fund (ACTIA) (2214)	G283060	\$215,000.00
Total		\$2,477,800.00

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The funding for this project has already been approved by prior City Council and Agency resolutions. The City will be responsible for maintaining the project after completion.

BACKGROUND

The 40th Street, MacArthur Transit Hub Improvement Project is located on 40th Street between Martin Luther King, Jr. Way and Telegraph Avenue adjacent to the MacArthur BART Station. The project was developed through a 6-month community planning process with the MacArthur BART Citizen's Planning Committee funded by a 2004 Caltrans Environmental Justice grant. The goal of the project is to increase safety for pedestrians and cyclists on streets connecting the MacArthur BART station to the surrounding neighborhood.

The access improvements in this project are part of the infrastructure improvements that will benefit the proposed MacArthur Transit Village project. In addition, the improvements will be beneficial to the new residents of the 74-unit housing project currently being constructed on the west side of the station at 3860-3884 Martin Luther King, Jr. Way.

PROJECT DESCRIPTION

The project consists of pedestrian and bicycle improvements that will increase safety of the streets within the project area and connecting to the MacArthur BART Station. The improvements constructed in this project will include new streetlights and underpass lighting, plastering and painting of the underpass walls, installation of a new traffic signal at the intersection of 40th Street and the BART Frontage Road, pedestrian crosswalk improvements at the intersection of 40th Street and Telegraph Avenue and 40th Street and the BART Frontage Road, installation of bike lanes and new ADA ramps, repair of the sidewalks, and grinding and paving of the street within the project limits.

KEY ISSUES AND IMPACTS

Contract Bidding Process

On July 20 and 21, 2007, Notices to Bidders were placed in the Oakland Tribune, the Daily Pacific Builder, and the San Francisco Chronicle advertising for bids for the project and notices were sent to 347 contractors. On August 20, 2007, the following bids were received for the project in the Office of the City Clerk of the City of Oakland:

Company	DBE Participation*	Location	Bid Amount**
1) John Clay General Engineering Contractor, Inc.	21.55%	Hayward	\$1,670,466.00
2) Ray's Electric	0.79%	Oakland	\$1,856,820.00
3) Golden Bay Construction	0.99%	Hayward	\$2,049,585.00
4) Ghilotti Bros., Inc.	0.00%	San Rafael	\$2,218,515.00

* This is a race-neutral Disadvantaged Business Enterprise (DBE) project.

** See Attachment "B" for summary of bids.

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The lowest bidder, John Clay General Engineering Contractor, Inc. did not submit required information for his subcontractors and their bid had clerical errors. Therefore, their bid was deemed non-responsive.

Ray's Electric is the lowest responsive bidder and their bid is \$291,923.00 over the engineer's estimate. They complied with all bidding requirements and, therefore, were determined to be the lowest responsible and responsive bidder for this project. Thus, Ray's Electric is recommended for contract award with a price of \$1,856,820.00. Bid details are presented in the Contract Compliance memo of *Attachment A*. Because the project is partially funded by federal funds, the City's Disadvantaged Business Enterprise (DBE) Program requirements apply to this project. Ray's Electric is in full compliance with the federal DBE program and is an SLBE firm. Staff has reviewed the submitted bids for this work and determined that Ray's Electric's bid is reasonable and reflects current market conditions.

Project Schedule

In order to comply with Metropolitan Transportation Commission (MTC) funding deadline, the construction contract must be awarded by December 30, 2007. The project will be completed by July 2009. The reason for this extended time to complete the project is to accommodate BART's schedule for the seismic retrofit work on the MacArthur BART Station which is scheduled to start in April 2008.

In order to minimize the affect of the BART project on the City improvements, the project will be constructed in two phases with a 10 month gap between phases. Phase 1 will start in January 2008 and will be completed in April 2008. The work in this phase will include reconstruction of curbs, gutters and sidewalks, construction of corner bulbouts, installation of streetlights and traffic signals and plastering underpass walls. Phase 2 will start in February 2009, after completion of the BART retrofit project, and will be completed in July 2009. The work in this phase will include painting and installation of lighting and metal motifs in the underpass area, and grinding, paving and striping.

The contract specifies \$1,500.00 in liquidated damages per calendar day if the contract completion time of 150 working days for Phase 1 and 2 is exceeded.

SUSTAINABLE OPPORTUNITIES

Economic:

The implementation of the MacArthur Transit Hub Streetscape Improvement project will potentially catalyze economic development in the surrounding communities by improving the connection to public transportation.

Environmental:

The MacArthur Transit Hub Streetscape Improvement project is intended to increase public transit ridership and to reduce traffic congestion and auto dependency by improving bicycle and pedestrian access to transit.

Social Equity:

This project improves social equity by providing increased access to a major transportation hub from a low income neighborhood.

DISABILITY AND SENIOR CITIZEN ACCESS

The MacArthur Transit Hub Streetscape Improvement Project will address senior and disability access by improving pedestrian safety around the MacArthur BART Station on 40th Street. The project will comply fully with the Americans with Disabilities Act (ADA) and with all City of Oakland regulations that ensure adequate access for senior citizens and persons with disabilities.

RECOMMENDATION AND RATIONALE

Staff recommends that the City Council approve the resolution authorizing the award of a construction contract to Ray's Electric in the amount of \$1,856,820.00 for the 40th Street, MacArthur Transit Hub Improvements (Project No. G283010).

ACTION REQUESTED OF THE CITY COUNCIL

Staff recommends that the City Council approve the resolution.

Respectfully submitted,

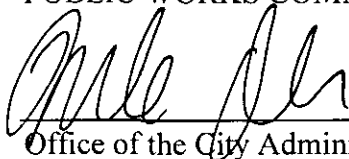


Claudia Cappio
Development Director
Community & Economic Development Agency

Reviewed by:
Michael Neary, P.E.
Deputy Director, Community & Economic
Development Agency

Prepared by:
Emad Mirsaeidi, P.E.
Supervising Civil Engineer, Engineering Design Division

APPROVED AND FORWARDED TO THE
PUBLIC WORKS COMMITTEE:



Office of the City Administrator

Item: _____
Public Works Committee
October 23, 2007



Memo

Department of Contracting and Purchasing

Division of Social Equity

To: Gwen McCormick - Contract Administrator Supervisor
From: Dasco Munoz - Contract Compliance Officer
Through: Shelley Darenburg - Acting Senior Contract Compliance Officer *J. Darenburg*
CC: Project Manager
Date: September 7, 2007
Re: 40th Street, MacArthur Transit Hub Improvements, Project No. G283010

The Department of Contracting and Purchasing (DCP) Division of Social Equity reviewed four (4) bids received in response to the above referenced project. Below is the outcome of the compliance evaluation for the Race Neutral Disadvantaged Business Program (DBE) and a preliminary review for compliance with the Equal Benefits Ordinance (EBO).

Company Name	Proposed Participation			EBO Compliant ? Y/N
	Bid Amount	DBE Participation	DBE Trucking	
John Clay General Engineering	\$1,670,466.00	21.55%	0%	Y
Ray's Electric	\$1,856,820.00	0.79%	100%	Y
Golden Bay Construction, Inc.	\$2,049,585.00	0.99%	0%	Y
Ghillotti Bros., Inc.	\$2,218,515.00	0.00%	0%	Y

As noted above, All firms are EBO compliant.

John Clay General Engineering submitted an incomplete Schedule R; the dollar amount for concrete, striping, electrical and paving subcontractors were missing. Therefore, a compliance analysis could not be completed for John Clay General Engineering. All other firms met the DBE race neutral program.

Should you have any questions or need additional information you may contact Dasco Munoz, Contract Compliance Officer at 238-3970

cc: Contract Compliance File

2007 SEP - 7 PM 4: 21
 RECEIVED
 CONTRACT COMPLIANCE

DBE Participation Bidder 1

Project Name: 40th Street, MacArthur Transit Hub Improvements

Project No.: G283010		Engineers Estimate: 1,565,000.00		Under/Over Engineers Estimate: 105,466.00				Certified SLBE/LBE Participation For Tracking Only			
Discipline	Prime & Subs.	Location	Cert. Status	DBE Participation	DBE Trucking	Total Trucking	TOTAL Dollars				Ethn.
Prime	John Clay General Engineering	Hayward	UB				1,310,466.00	NL			
Concrete	Casey-Fogli	Hayward	UB					NL			
Striping	Crisp Co.	Fremont	UB					NL			
Electrical	Columbia Electric	San Leandro	UB					NL			
Paving	El Camino Paving	Mt. View	UB					NL			
Electrical Supplier	Francisco Electric	Oakland	CB	180,000.00			180,000.00	H	\$180,000.00		
Metal Motif, Bird Protection	General Supply	Oakland	CB	180,000.00			180,000.00	AA	\$180,000.00		
Project Totals					360,000.00	0.00	0.00	1,670,466.00		\$360,000.00	
				21.55%	0.00%	0.00%	100.00%		21.55%		
This contract is under the race neutral requirements. DBE contract goal is not assigned.				DBE Goal 0%		Ethnicity AA = African American AI = Asian Indian AP = Asian Pacific C = Caucasian H = Hispanic NA = Native American O = Other NL = Not Listed					
Legend		CB - Certified DBE Business UB - Uncertified DBE Business									

DBE Participation Bidder 2

Project Name: 40th Street, MacArthur Transit Hub Improvements

Project No.: G283010		Bidders Estimate: 1,565,000.00		Under/Over Engineers Estimate: 291,820.00				Certified SLBE/LBE Participation For Tracking Only			
Discipline	Prime & Subs	Location	Cert. Status	DBE Participation	DBE Trucking	Total Trucking	TOTAL Dollars				Ethn.
Prime	Ray's Electric	Oakland	UB				919,428.00	C	919,428.00		
Concrete	Bay Area Concrete	Livermore	UB				16,924.00	NL			
Cold Milling and Asphalt	McGuire & Hester	Oakland	UB				153,443.00	C		\$153,443.00	
Concrete Supply	Central Concrete	Oakland	UB				29,000.00	C		\$29,000.00	
Plastering	Diaz Corporation	San Jose	UB				80,000.00	NL			
Fencing	Thompson & Thompson	San Lorenzo	UB				10,105.00	NL			
Metal Motief	Arrow Signs Co	Oakland	UB				237,570.00	C		\$237,570.00	
Traffic Signal	Jam Services	Livermore	UB				48,050.00	NL			
Lighting	Independent Electric Supply	San Francisco	UB				198,100.00	NL			
Striping	Lineation Markings	Oakland	UB				39,500.00	NL			
Painting	Diaz Corporation	San Jose	UB				95,000.00	NL			
Trucking	Williams Trucking	Oakland	CB	7,500.00	7,500.00	7,500.00	7,500.00	AA	\$7,500.00		
Hazmat Disposal	McGuire & Hester	Oakland	UB				15,000.00	C		\$15,000.00	
Saw Cutting	Bayline Cutting & Coring	Oakland	CB	7,200.00			7,200.00	H	\$7,200.00		
Project Totals					14,700.00	7,500.00	7,500.00	1,856,820.00		\$934,128.00	\$435,013.00
				0.79%	100.00%	100.00%	100.00%		50.31%	23.43%	
<p>This contract is under the race neutral requirements. DBE contract goal is not assigned.</p>				<p>DBE Goal: 0%</p>		<p>Ethnicity</p> <ul style="list-style-type: none"> AA = African American AI = Asian Indian AP = Asian Pacific C = Caucasian H = Hispanic NA = Native American O = Other NL = Not Listed 					
<p>Legend</p> <p>CB- Certified DBE Business UB- Uncertified DBE Business</p>											

DBE Participation Bidder 3

Project Name: 40th Street, MacArthur Transit Hub Improvements

Project No.: G283010		Engineers Estimate: 1,565,000.00		Under/Over Engineers Estimate: 484,585.00				Certified SLBE/LBE Participation For Tracking Only			
Discipline	Prime & Subs	Location	Cert. Status	DBE Participation	DBE Trucking	Total Trucking	TOTAL Dollars				Ethn.
Prime	Golden Bay Construction, Inc.	Hayward	UB				760,435.00	NL			
Storm Drain	Sloeski and Gonzalez	Half Moon Bay	CB	20,255.00			20,255.00	H			
Stamp Concrete	Bay Area Concrete	Livermore	UB				8,555.00	NL			
Plaster	DLM Plaster	Byron	UB				63,925.00	NL			
Furring	Diablo Valley Drywall	Concord	UB				58,826.00	NL			
Asphalt Paving	El Camino Paving	Sunnyvale	UB				82,943.00	NL			
Striping	Chrisp Co.	Fremont	UB				50,764.00	NL			
Electrical	Columbia Electric	San Leandro	UB				755,530.00	NL			
Trucking	Gregs Trucking	San Mateo	UB				5,000.00	NL			
Painting	Bay Cities	SF	UB				49,820.00	NL			
Metal Motif	CCS	Watsonville	UB				150,000.00	NL			
Concrete	Concrete Central	Oakland	UB				30,000.00	C		\$30,000.00	
Fencing	Golden Bay Fence	Stockton	UB				13,532.00	H			
Project Totals					20,255.00	0.00	0.00	2,049,585.00		\$0.00	\$30,000.00
				0.99%	0.00%	0.00%	100.00%		0.00%		
<p>This contract is under the race neutral requirements DBE contract goal is not assigned</p>				<p>DBE Goal 0%</p>				<p>Ethnicity AA = African American AI = Asian Indian AP = Asian Pacific C = Caucasian H = Hispanic NA = Native American O = Other NL = Not Listed</p>			
<p>Legend CB- Certified DBE Business UB- Uncertified DBE Business</p>											

DBE Participation Bidder 4

Project Name: 40th Street, MacArthur Transit Hub Improvements

Project No.: G283010		Engineers Estimate: 1,565,000.00		Under/Over Engineers Estimate: 653,515.00				Certified SLBE/LBE Participation For Tracking Only			
Discipline	Prime & Subs	Location	Cert. Status	DBE Participation	DBE Trucking	Total Trucking	TOTAL Dollars				Ethn.
Prime	Ghilloti Bros., Inc.	San Rafael	UB				1,310,885.30				
Striping	Chrisp Co.	Fremont	UB				50,674.00	NL			
Electrical	Columbia Electric	San Leandro	UB				755,528.00	NL			
Plaster	Sac Plaster Design	Elk Grove	UB				37,711.00	NL			
Fencing	Thompson & Thompson	San Lorenzo	UB				11,091.70	NL			
Painting	Visual Pollution Technologies	Arizona, Ca	UB				52,625.00	NL			
Project Totals					0.00	0.00	0.00	2,218,515.00		\$0.00	
					0.00%	0.00%	0.00%	100.00%		0.00%	
This contract is under the race neutral requirements. DBE contract goal is not assigned.				DBE Goal: 0%				Ethnicity: AA = African American AI = Asian Indian AP = Asian Pacific C = Caucasian H = Hispanic NA = Native American O = Other NL = Not Listed			
Legend		CB- Certified DBE Business UB- Uncertified DBE Business									

CITY OF OAKLAND
CONTRACTING AND PURCHASING
CONTRACT ADMINISTRATION
CANVASS OF BID

PROJECT: 40th Street, MacArthur Transit Hub Improvements
 BID DATE: August 20, 2007.
 PROJECT #: G283010
 WORKING DAYS: 150
 ENGINEER'S ESTIMATE: \$1,565,000

				Engineer's Estimate		John Clay General Engineering Contractor, Inc.		Ray's Electric		Golden Bay Construction, Inc.		Ghiltari Bros., Inc.		
						778 Marin Avenue Hayward, CA 94541 (510)783-5820		606 East 11th Street Oakland, CA 94606 (510)251-6175		3826 Depot Road Hayward, CA 94545 (510)783-2960		525 Jacoby Street San Rafael, CA 94901 (415)454-7011		
ITEM NO.	SPEC. SEC. NO.	QTY	UNIT OF MEASURE	CONTRACT ITEM	UNIT PRICE	TOTAL AMOUNT	UNIT PRICE	TOTAL AMOUNT	UNIT PRICE	TOTAL AMOUNT	UNIT PRICE	TOTAL AMOUNT	UNIT PRICE	TOTAL AMOUNT
1	7-2.2.1	1	LS	Electronic Payroll Submission	\$2,000.00	\$2,000.00	\$2,000.00	\$2,000.00	\$4,000.00	\$4,000.00	\$800.00	\$800.00	\$3,000.00	\$3,000.00
2	5-Jul	1	LS	Allowance for BART and Caltrans Permit	\$4,000.00	\$4,000.00	\$4,000.00	\$4,000.00	\$4,000.00	\$4,000.00	\$4,000.00	\$4,000.00	\$4,000.00	\$4,000.00
3	7-10	1	LS	Traffic Control	\$35,000.00	\$35,000.00	\$23,200.00	\$23,200.00	\$67,000.00	\$67,000.00	\$94,000.00	\$94,000.00	\$97,000.00	\$97,000.00
4	9-3.4	1	LS	Mobilization	\$45,000.00	\$45,000.00	\$78,000.00	\$78,000.00	\$55,000.00	\$55,000.00	\$100,000.00	\$100,000.00	\$110,000.00	\$110,000.00
5	300-1.4	1	LS	Clearing and Grubbing	\$15,000.00	\$15,000.00	\$10,000.00	\$10,000.00	\$10,000.00	\$10,000.00	\$100,000.00	\$100,000.00	\$50,000.00	\$50,000.00
6	300-1.4	8	EA	Removal of existing Streetlights & Median Traffic Poles	\$2,000.00	\$16,000.00	\$1,200.00	\$9,600.00	\$750.00	\$6,000.00	\$1,100.00	\$8,800.00	\$8,000.00	\$64,000.00
7	300-2.9	140	LF	Removal of Type "C" Curb and Gutter	\$50.00	\$7,000.00	\$20.00	\$2,800.00	\$59.00	\$8,260.00	\$26.00	\$3,640.00	\$45.00	\$6,300.00
8	300-2.9	1,050	LF	Removal of Type "D" Curb and Gutter	\$15.00	\$15,750.00	\$20.00	\$21,000.00	\$18.00	\$18,900.00	\$12.00	\$12,600.00	\$17.00	\$17,850.00
9	300-2.9	5,690	LF	Removal of sidewalk	\$8.00	\$45,520.00	\$6.00	\$34,140.00	\$6.00	\$34,140.00	\$3.00	\$17,070.00	\$6.50	\$36,985.00
10	300-2.9	100	LF	Remove Concrete Curb	\$18.00	\$1,800.00	\$15.00	\$1,500.00	\$12.00	\$1,200.00	\$10.00	\$1,000.00	\$25.00	\$2,500.00
11	300-2.9	250	SF	Removal of Concrete Gutter	\$5.00	\$3,750.00	\$20.00	\$5,000.00	\$12.00	\$3,000.00	\$4.00	\$1,000.00	\$25.00	\$6,250.00
12	300-2.9	120	LF	Removal of Electric Conduit and Boxes	\$20.00	\$2,400.00	\$10.00	\$1,200.00	\$30.00	\$3,600.00	\$45.00	\$5,400.00	\$15.00	\$1,800.00
13	302-5.2.6	6980	SY	Cold Milling AC and Monument Protection	\$6.00	\$41,880.00	\$3.00	\$20,940.00	\$6.00	\$41,880.00	\$5.00	\$34,900.00	\$5.00	\$34,900.00
14	302-5.9	820	TN	Asphalt Concrete Pavement	\$120.00	\$98,400.00	\$85.00	\$69,700.00	\$150.00	\$123,000.00	\$112.00	\$91,840.00	\$100.00	\$82,000.00
15	302-5.9	115	TN	AC Plug	\$160.00	\$18,400.00	\$150.00	\$17,250.00	\$210.00	\$24,150.00	\$200.00	\$23,000.00	\$235.00	\$27,025.00
16	303-5.9	150	LF	Construct Type "C" Curb and Gutter	\$80.00	\$12,000.00	\$40.00	\$6,000.00	\$63.00	\$9,450.00	\$120.00	\$18,000.00	\$150.00	\$22,500.00
17	303-5.9	190	LF	Construct Type "B" Curb and Gutter	\$25.00	\$4,750.00	\$40.00	\$7,600.00	\$34.00	\$6,460.00	\$53.00	\$10,150.00	\$44.00	\$8,360.00
18	303-5.9	1,050	LF	Construct Type "D" Curb & Gutter	\$20.00	\$21,000.00	\$35.00	\$36,750.00	\$24.00	\$25,200.00	\$45.00	\$47,250.00	\$41.00	\$43,050.00
19	303-5.9	4050	SF	Construct Concrete Sidewalk	\$10.00	\$40,500.00	\$15.00	\$74,250.00	\$10.50	\$51,975.00	\$11.00	\$54,450.00	\$17.50	\$86,625.00
20	303-5.9	750	SF	Construct Concrete Driveways	\$15.00	\$11,250.00	\$20.00	\$15,000.00	\$15.50	\$11,625.00	\$13.00	\$9,750.00	\$44.00	\$33,000.00
21	303-5.9	770	SF	Construct Concrete Bulbout	\$30.00	\$23,100.00	\$30.00	\$23,100.00	\$30.00	\$23,100.00	\$13.00	\$10,010.00	\$39.00	\$30,030.00
22	303-5.9	630	SF	Construct Stamped Concrete Median	\$32.00	\$20,160.00	\$30.00	\$18,900.00	\$15.00	\$9,450.00	\$19.00	\$11,970.00	\$63.00	\$39,690.00
23	303-5.9	180	SF	Construct Stamped Concrete Cross Walk	\$45.00	\$8,100.00	\$30.00	\$5,400.00	\$45.00	\$8,100.00	\$20.00	\$3,600.00	\$52.00	\$9,360.00
24	303-5.9	9	EA	Construct Concrete ADA Ramp	\$2,800.00	\$25,200.00	\$1,500.00	\$13,500.00	\$1,700.00	\$15,300.00	\$2,800.00	\$25,200.00	\$4,000.00	\$36,000.00
25	303-5.9	100	LF	Construct Concrete Curb	\$25.00	\$2,500.00	\$25.00	\$2,500.00	\$19.00	\$1,900.00	\$35.00	\$3,500.00	\$37.00	\$3,700.00

CITY OF OAKLAND,
CONTRACTING AND PURCHASING
CONTRACT ADMINISTRATION
CANVASS OF BID

PROJECT: 40th Street, MacArthur Transit Hub Improvements
 BID DATE: August 20, 2007
 PROJECT #: G28J010
 WORKING DAYS: 150
 ENGINEER'S ESTIMATE: \$1,565,000

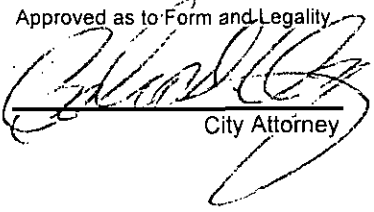
ITEM NO.	SPEC. SEC. NO.	QTY	UNIT OF MEASURE	CONTRACT ITEM	Engineer's Estimate		John Clay General Engineering Contractor, Inc.		Ray's Electric		Golden Bay Construction, Inc.		Chilotti Bros., Inc.	
					UNIT PRICE	TOTAL AMOUNT	UNIT PRICE	TOTAL AMOUNT	UNIT PRICE	TOTAL AMOUNT	UNIT PRICE	TOTAL AMOUNT	UNIT PRICE	TOTAL AMOUNT
26	303-5.9	250	SF	Construct Concret Gutter	\$15.00	\$3,750.00	\$30.00	\$7,500.00	\$14.00	\$3,500.00	\$15.00	\$3,750.00	\$29.00	\$7,250.00
27	303-8	3200	SF	Plastering	\$30.00	\$96,000.00	\$23.00	\$73,600.00	\$25.00	\$80,000.00	\$47.00	\$150,400.00	\$12.00	\$38,400.00
28	303-10.3	1	EA	Type I Manhole	\$10,000.00	\$10,000.00	\$14,000.00	\$14,000.00	\$9,500.00	\$9,500.00	\$8,800.00	\$8,800.00	\$5,000.00	\$5,000.00
29	303-10.3	1	LS	Allowance for Disposal of Material	\$15,000.00	\$15,000.00	\$15,000.00	\$15,000.00	\$15,000.00	\$15,000.00	\$15,000.00	\$15,000.00	\$15,000.00	\$15,000.00
30	303-10.3	1	EA	Type B Inlet	\$4,000.00	\$4,000.00	\$2,500.00	\$2,500.00	\$4,200.00	\$4,200.00	\$3,900.00	\$3,900.00	\$4,500.00	\$4,500.00
31	304-2.3	90	LF	Chainlink Fence	\$60.00	\$5,400.00	\$40.00	\$3,600.00	\$50.00	\$4,500.00	\$36.00	\$3,240.00	\$36.00	\$3,240.00
32	304-2.3	1	EA	Chainlink Gate	\$1,000.00	\$1,000.00	\$500.00	\$500.00	\$2,000.00	\$2,000.00	\$2,500.00	\$2,500.00	\$2,000.00	\$2,000.00
33	304-2.3	1	LS	Fence and Rolling gate at 548 40th St.	\$7,200.00	\$7,200.00	\$8,000.00	\$8,000.00	\$5,000.00	\$5,000.00	\$9,300.00	\$9,300.00	\$6,000.00	\$6,000.00
34	304-5	1	LS	Metal Mofit, Accessories & Bird Control	\$104,000.00	\$104,000.00	\$16,000.00	\$16,000.00	\$258,000.00	\$258,000.00	\$210,000.00	\$210,000.00	\$400,000.00	\$400,000.00
35	304-5	8	EA	Street Signs	\$400.00	\$3,200.00	\$250.00	\$2,000.00	\$400.00	\$3,200.00	\$630.00	\$5,040.00	\$650.00	\$5,200.00
36	306-1.6.2	43	LF	Reinf Concrete Pipe Class III	\$250.00	\$10,750.00	\$300.00	\$12,900.00	\$200.00	\$8,600.00	\$315.00	\$13,545.00	\$500.00	\$21,500.00
37	306-1.1.1	8	EA	Potholing	\$800.00	\$6,400.00	\$400.00	\$3,200.00	\$250.00	\$2,000.00	\$600.00	\$4,800.00	\$1,400.00	\$11,200.00
38	307-8	1	LS	Traffic Signals at 40th St and BART Frontage Rd	\$115,950.00	\$115,950.00	\$129,504.00	\$129,504.00	\$131,000.00	\$131,000.00	\$118,800.00	\$118,800.00	\$108,000.00	\$108,000.00
39	307-8	1	LS	Traffic Signals at MLK and Telegraph Ave	\$52,000.00	\$52,000.00	\$26,436.00	\$26,436.00	\$46,000.00	\$46,000.00	\$24,300.00	\$24,300.00	\$22,000.00	\$22,000.00
40	307-8	1	LS	Underpass Lighting	\$383,087.00	\$383,087.00	\$680,736.00	\$680,736.00	\$380,000.00	\$380,000.00	\$624,000.00	\$624,000.00	\$545,000.00	\$545,000.00
41	307-8	1540	LF	Trenching for 2" conduit	\$35.00	\$53,900.00	\$24.00	\$36,960.00	\$52.00	\$80,080.00	\$22.00	\$33,880.00	\$20.00	\$30,800.00
42	307-8	7	EA	Construct Streetlight Foundation	\$3,000.00	\$21,000.00	\$2,800.00	\$19,600.00	\$1,500.00	\$10,500.00	\$2,200.00	\$15,400.00	\$2,000.00	\$14,000.00
43	307-8	2	EA	Construct Service Panel Foundation	\$1,500.00	\$3,000.00	\$1,800.00	\$3,600.00	\$2,900.00	\$5,800.00	\$1,600.00	\$3,200.00	\$1,500.00	\$3,000.00
44	307-8	15	EA	Install #5 Electrical Boxes	\$400.00	\$6,000.00	\$840.00	\$12,600.00	\$450.00	\$6,750.00	\$700.00	\$10,500.00	\$700.00	\$10,500.00
45	310-5.6.10	1	LS	Pavement Striping and Marking	\$25,000.00	\$25,000.00	\$63,900.00	\$63,900.00	\$39,500.00	\$39,500.00	\$42,000.00	\$42,000.00	\$50,000.00	\$50,000.00
46	310-5.7	1	LS	Paint Plastered, Concrete and Metal Surfaces	\$84,000.00	\$84,000.00	\$35,000.00	\$35,000.00	\$95,000.00	\$95,000.00	\$55,000.00	\$55,000.00	\$60,000.00	\$60,000.00
Total of 46 Items						\$1,570,897.00		\$1,670,466.00		1,856,820.00		\$2,049,583.00		\$2,248,515.00

John Clay General Engineering Contractor, Inc. is deemed non-responsive the total bid amount is \$1,670,466.00 not \$1,814,466.00. Chilotti Brothers, Inc., has been deemed non-responsive. Chilotti Brothers did not submit the addendum with the bid. All other bidders deemed responsive and responsible.

Approved By: *Steven M. Carmine* 8/24/2007

FILED
OFFICE OF THE CITY CLERK
OAKLAND

2007 OCT 11 PM 2:13

Approved as to Form and Legality

City Attorney

OAKLAND CITY COUNCIL

RESOLUTION No. _____ C.M.S.

Introduced by Councilmember _____

RESOLUTION AUTHORIZING AWARD OF A CONSTRUCTION CONTRACT TO RAY'S ELECTRIC IN THE AMOUNT OF ONE MILLION EIGHT HUNDRED FIFTY-SIX THOUSAND EIGHT HUNDRED TWENTY DOLLARS (\$1,856,820.00) FOR THE 40TH STREET, MACARTHUR TRANSIT HUB IMPROVEMENT PROJECT (PROJECT NO. G283010)

WHEREAS, on August 20, 2007, bids were received by the Office of the City Clerk of the City of Oakland for the 40th Street, MacArthur Transit Hub Improvement Project (Project Number G283010); and

WHEREAS, John Clay General Engineering Contractor, Inc., the lowest bidder, did not submit a complete bid package and, therefore, their bid was deemed non-responsive; and

WHEREAS, Ray's Electric is the lowest responsible and responsive bidder and has complied with all bidding requirements and is in full compliance with the City's Disadvantaged Business Enterprise (DBE) program; and

WHEREAS, Ray's Electric bid for the project is \$1,856,820.00 and the total project implementation budget, including the construction contract, procurement, contingency and project administration, is estimated to be \$2,477,800.00; and

WHEREAS, there are sufficient funds in the project budget remaining for the construction contract, procurement, contingency and project management; and

WHEREAS, funding from the Regional Bicycle and Pedestrian Grant Program in the amount \$896,000.00 and funding from Congestion Management Agency Alameda County Transportation for Livable Communities Grant for the amount of \$193,000.00 for the MacArthur Transit Hub Project is available in the Metropolitan Transportation Commission Grant Fund (2163) and MacArthur Transit Hub Streetscape Project (G283010); and

WHEREAS, funding from the Broadway/MacArthur/San Pablo Redevelopment Agency, totaling \$220,000.00 for the MacArthur Transit Hub Project is available in the Oakland Redevelopment Agency Projects Fund (7780) and MacArthur Transit Hub Streetscape Project (G283020); and

WHEREAS, funding from the City of Oakland Measure B: Pedestrian and Bicycle Pass Through Funds, totaling \$150,000.00 for the MacArthur Transit Hub Project is available in the Measure B: Bicycle and Pedestrian Fund (2212) and MacArthur Transit Hub Streetscape Project (G283030); and

WHEREAS, funding totaling \$253,800.00 for the MacArthur Transit Hub Project is available in the Metropolitan Transit Commission Fund (2163) and MacArthur Transit Hub Streetscape Project (G283040); and

WHEREAS, funding from the Broadway/MacArthur/San Pablo Redevelopment Agency 2006 Tax Exempt Bond Issue, totaling \$550,000.00 for the MacArthur Transit Hub Project is available in the Oakland Redevelopment Agency Projects Fund (7780) and MacArthur Transit Hub Streetscape Project (G283050); and

WHEREAS, funding from the ACTIA Bicycle and Pedestrian Discretionary Funds Grant, totaling \$215,000.00 for the MacArthur Transit Hub Project is available in the Measure B ACTIA Grant Fund (2211) and MacArthur Transit Hub Streetscape Project (G283060); and

WHEREAS, the City lacks the equipment and qualified personnel to perform the necessary work; and

WHEREAS, the City Council finds and determines that the performance of this contract is in the public interest; and

WHEREAS, the City Council finds and determines that the performance of this contract shall not result in the loss of employment or salary by any person having permanent status in the competitive services; now, therefore, be it

RESOLVED: That the construction contract for the 40th Street, MacArthur Transit Hub Improvements is hereby awarded to Ray's Electric in accordance with the terms of its bid dated August 20, 2007, for the amount of One Million Eight Hundred Fifty-Six Eight Hundred Twenty Dollars (\$1,856,820.00); and be it

FURTHER RESOLVED: That the plans and specifications prepared by the Director, Community and Economic Development Agency for this project are hereby approved; and be it

FURTHER RESOLVED: That the amount of the bond for faithful performance, (\$1,856,820.00), and the amount for a bond to guarantee payment of all claims for labor and materials furnished and for the amount due under the Unemployment Insurance Act, (\$1,856,820.00), with respect to such work are hereby approved; and be it

FURTHER RESOLVED: That the City Administrator, or her designee, is hereby authorized to enter into a construction contract with Ray's Electric, on behalf of the City of Oakland and to execute any amendments or modifications of said contract within the limitations of the project specifications; and be it

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

FURTHER RESOLVED: That the contract shall be reviewed and approved by the City Attorney for form and legality and placed on file in the Office of the City Clerk.

IN COUNCIL, OAKLAND, CALIFORNIA, _____, 2007.

PASSED BY THE FOLLOWING VOTE:

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

NOES -

ABSENT -

ABSTENTION -

ATTEST:

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