

FILED
OFFICE OF THE CITY CLERK
OAKLAND

CITY OF OAKLAND
AGENDA REPORT

2009 MAY 14 PM 4:20

TO: Office of the City Administrator
ATTN: Dan Lindheim
FROM: Community and Economic Development Agency
DATE: May 26, 2009

RE: **Resolution Authorizing The City Administrator, or His Designee, To Award A Construction Contract To Rosas Brothers Construction For The Citywide Sidewalk Repairs Project (Project No. C317510) For The Amount Of One Million Three Hundred Seventy-Six Thousand, Six Hundred Sixty-Seven Dollars (\$1,376,667.00)**

SUMMARY

A resolution has been prepared authorizing the City Administrator, or his designee, to award a construction contract to Rosas Brothers Construction in the amount of \$1,376,667.00 (Project No. C317510) for the Citywide sidewalk repairs. This project will repair City tree related sidewalk damage at approximately 375 locations, and construct or upgrade related curb ramps.

FISCAL IMPACT

Approval of this resolution will authorize the City Administrator, or his designee, to award a construction contract to Rosas Brothers Construction for the bid amount of \$1,376,667.00. The engineer's estimate for the work is \$1,462,175.00. The difference of \$85,508.00 between the bid amount and engineer's estimate will be used as contingency for the project. The project budget has sufficient funds for the work. Funds available for this project are as follows:

- Measure B- ACTIA (2211), Capital Projects – Sidewalk Repair Maintenance Organization (92452), Street Construction Account (57411), Project No. C321510, \$1,000,000.00.
- Measure B- ACTIA (2211), Capital Projects – Sidewalk Repair Maintenance Organization (92452), Street Construction Account (57411), Project No. C317510, \$164,610.00.
- Measure B- ACTIA (2212), Capital Projects – Sidewalk Repair Maintenance Organization (92452), Street Construction Account (57411), Project No. C317910, \$297,565.00.

Item: _____
Public Works Committee
May 26, 2009

This project will improve sidewalk and accessibility conditions and will help reduce trip and fall incidents, comply with Americans with Disabilities Act (ADA) mandates and meet citizen demand.

BACKGROUND

On February 19, 2009, the City Clerk received five bids for this project in the amounts of \$1,200,000.00, \$1,376,667.00, \$1,413,475.00, \$1,483,665.00, and \$1,537,037.00 as shown in *Attachment A*.

The lowest bidder, Star Construction, is deemed non-responsive because they failed to meet the minimum 20% trucking participation requirement; and therefore is recommended that the contract be awarded to Rosas Brothers Construction, the second lowest bidder. The Engineer's estimate for the work is \$1,462,175.00.

Under the proposed contract with Rosas Brothers Construction, LBE/SLBE participation of \$1,376,667.00 (100%) exceeds the City's 20% LBE/SLBE requirement. The contractor shows \$26,000.00 (100 %) for trucking exceeding the 20% Local Trucking requirement. The contractor is required to have 50% of the work hours performed by Oakland residents, and 50% of all new hires are to be Oakland residents. The LBE/SLBE information has been verified by the Contract Compliance Division of the Department of Contracting and Purchasing, and is shown in *Attachment A*.

KEY ISSUES AND IMPACTS

The City is anticipating Stimulus Funds for the repair of tree damaged sidewalk and curb ramps for approximately \$1.19 million dollars. The total of the Stimulus Funds and the current contract amount for sidewalk will be approximately \$2.6 million dollars (total funds) in this year.

The Stimulus Funds when received will represent approximately 50% of the available funds, and will be applied entirely to the Council approved prioritized corridors. This project represents the remaining 50% of the available funds which will be used in residential areas and for liability reduction in compliance with the 50/40/10 priority provision approved by City Council.

The proposed work consists of repair of City tree damaged sidewalks within residential areas, and related construction or upgrade of curb ramps as shown in *Attachment B*. The locations have been determined based on citizens' complaints and severity of the damage. Repairs of private sidewalk damage in the affected areas will be coordinated concurrently with this contract. Locations for the liability reduction requests will be determined on an as-needed basis.

The construction of the project is scheduled to begin in June 2009 and should be completed by April 2011. The construction contract will specify \$500.00 in liquidated damages per working day if the contract is not completed within 480 working days. The contractor's project schedule is shown as *Attachment A*.

PROJECT DESCRIPTION

In general, the proposed work consists of repairing 82,000 square feet sidewalk, and related curb ramps; remove/replace driveway, curb and gutter, and other ancillary works as indicated on the plans and specifications.

EVALUATION OF PAST PERFORMANCE

The Contractor Performance Evaluation (Schedule L-2) for Rosas Brothers Construction is not available because the current contract they have with the City is not complete. The current contract work is progressing satisfactorily.

SUSTAINABLE OPPORTUNITIES

Economic: The contractors are required to have 50% of the work hours performed by Oakland residents, and 50% of all new hires are to be Oakland residents.

Environmental: The contractors will be required to implement Best Management Practices for the protection of storm water runoff during construction to prevent potential harm to groundwater resources and the bay.

Social Equity: The project will help reduce the trip and fall claims, comply with Americans with Disabilities Act (ADA) mandates and respond to citizen demand for sidewalk repairs where pedestrian activity is highest.

DISABILITY AND SENIOR CITIZEN ACCESS

The project will create a clear path of travel to benefit seniors or people with disabilities. Access during construction will be maintained.

RECOMMENDATION AND RATIONALE

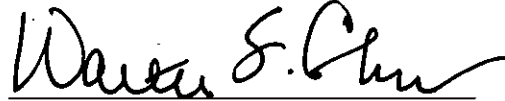
It is recommended that the construction contract be awarded to Rosas Brothers Construction, the second lowest bidder, but the first responsive responsible bidder in the amount of \$1,376,667.00 for the Citywide sidewalk repairs (Project No. C317510). Rosas Brothers Construction has met the LBE/SLBE requirements, and there are sufficient funds in the project account.

Item: _____
Public Works Committee
May 26, 2009

ACTION REQUESTED OF THE CITY COUNCIL

Staff recommends that the City Council approve the resolution.

Respectfully submitted,

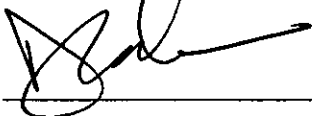


Walter S. Cohen, Director
Community and Economic Development Agency

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

Prepared by:
Marcel Uzegbu, P.E., Supervising Civil Engineer
Engineering Design & R.O.W. Management Division

APPROVED AND FORWARDED TO
THE PUBLIC WORKS COMMITTEE:



Office of the City Administrator

Item: _____
Public Works Committee
May 26, 2009

ATTACHMENT A

Memo



Department of Contracting and Purchasing
Social Equity Division

To: Joyce Carlson, Civil Engineer
From: Sophany Hang, Acting Contract Compliance Officer
Through: Deborah Barnes, Director, DC&P
Shelley Darenburg, Sr. Contract Compliance Officer *S. Darenburg*
CC: Gwen McCormick, Contract Administration Supervisor
Date: March 18, 2009
Re: C317510- Citywide Sidewalk Repair Project FY 07/09

The Department of Contracting and Purchasing (DCP), Division of Social Equity, reviewed five (5) bids in response to the above referenced project. Below is the outcome of the compliance evaluation for the minimum 20% 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.

Below are the results of our findings:

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		
Rosas Brothers Construction	\$1,376,667	100%	0%	100%	100%	100%	5%	\$1,307,833.65	2%	Y
AJW Construction	\$1,413,475	99.29%	0%	99.29%	100%	99.29%	5%	\$1,342,801.25	2%	Y

Comments: As noted above, all firms met and/or exceeded the minimum 20% L/SLBE participation requirement. All 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		
Star Construction	\$1,200,000	20.83%	0%	20.83%	0%	0%	0%	NA	0%	Y
Sposeto Engineering, Inc.	\$1,483,665	15.97%	14.49%	1.48%	100%	0%	0%	NA	0%	Y
Spencan	\$1,517,037.50	19.58%	2.93%	22.51%	100%	0%	0%	NA	0%	N

Comments: As noted above, Star Construction failed to meet the 20% L/SLBE trucking participation requirement. Sposeto Engineering, Inc. failed to meet the minimum 20% L/SLBE participation requirement. Spencan failed to meet the City's 20% L/SLBE trucking requirement. Spencan listed \$150,000 of trucking. However, based on the project manager's determination, other bids received, and a review of three (3) previous Citywide Sidewalk projects, which had an average trucking amount comparable to \$12,333, it was determined that the project did not have \$150,000 of trucking. Therefore, Spencan did not receive credit towards the minimum 20% L/SLBE trucking participation requirement. All three firms are deemed non-responsive.



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: Rosas Brothers Construction
Project Name: Citywide Tree Well Cutting FY 06-07
Project No: C78062
Date: 3/10/09

50% Local Employment Program (LEP)

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

15% Oakland Apprenticeship Program

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

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.

Total Project Hours	50% Local Employment Program (LEP)							15% Apprenticeship Program				
	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
		Goal	Hours	Goal	Hours					Goal	Hours	
A	B	C	D	E	F	G	H	I	J			
60	NA	N/A	N/A	N/A	16	N/A	N/A	N/A	N/A	NA	N/A	NA

Comments: Rosas Construction is exempt from the Local Employment Program's 50% resident hiring goal and the 15% Oakland Apprenticeship Program goals because they have less than 140 hours on the project.

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



DEPARTMENT OF CONTRACTING AND PURCHASING

**Social Equity Division
PROJECT EVALUATION FORM**

PROJECT NO.: C317510

PROJECT NAME: Citywide Sidewalk Repair Project FY 07/09

CONTRACTOR: Rosas Brothers Construction

Engineer's Estimate:	Contractors' Bid Amount	Over/Under Engineer's Estimate
\$1,462,175	\$1,376,667	\$85,508

Discounted Bid Amount:	Amount of Bid Discount	Discount Points:
\$1,307,833.65	\$68,833.35	5%

- 1. Did the 20% requirements apply? **YES**
- 2. Did the contractor meet the 20% requirement? **YES**
 - b) % of LBE participation **0%**
 - c) % of SLBE participation **100%**
- 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.

Reviewing Officer:

[Signature]

3/18/2009
Date
3/18/09

Approved By:

Shelley Darsenburg

3/18/09
Date

LBE/SLBE PARTICIPATION BIDDER 2

Project Name: Citywide Sidewalk Repair Project FY 07/09

Project No.: C317510		Engineers Est: 1,462,175			Under/Over Engineers Estimate: 85,508					For Tracking Only		
Discipline	Prime & Subs	Location	Cert. Status	LBE	SLBE	Total LBE/SLBE	L/SLBE Trucking	Total Trucking	TOTAL Dollars	Ethn.	MBE	WBE
										PRIME	Rosas Brothers Construction	Oakland
Trucking	Royal Trucking/Maintenance	Oakland	CB		26,000	26,000	26,000	26,000	26,000	AA	26000	
Project Totals				\$0	\$1,376,667	\$1,376,667	\$26,000	\$26,000	\$1,376,667		\$1,376,667	\$0
				0%	100%	100%	100%	100%	100%		100%	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%	TOTAL LBE/SLBE	20% LBE/SLBE TRUCKING			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		
Legend				LBE = Local Business Enterprise		UB = Uncertified Business						
				SLBE = Small Local Business Enterprise		CB = Certified Business						
				Total LBE/SLBE = All Certified Local and Small Local Businesses		MBE = Minority Business Enterprise						
				NPLBE = NonProfit Local Business Enterprise		WBE = Women Business Enterprise						
				NPSLBE = NonProfit Small Local Business Enterprise								

DEPARTMENT OF CONTRACTING AND PURCHASING



Social Equity Division

PROJECT EVALUATION FORM

PROJECT NO.: C317510

PROJECT NAME: Citywide Sidewalk Repair Project FY 07/09

CONTRACTOR: AJW Construction

<u>Engineer's Estimate:</u> \$1,462,175	<u>Contractors' Bid Amount</u> \$1,413,475	<u>Over/Under Engineer's Estimate</u> \$48,700
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<u>Discounted Bid Amount:</u> \$1,342,801.25	<u>Amount of Bid Discount</u> \$70,673.75	<u>Discount Points:</u> 5%
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1. Did the 20% requirements apply? **YES**

2. Did the contractor meet the 20% requirement? **YES**
 - b) % of LBE participation **0%**
 - c) % of SLBE participation **99.29%**

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.

3/18/2009

Date

Reviewing
Officer:

Jeffrey Hays

Date:

3/18/09

Approved By

Shelley Darenburg

Date:

3/18/09

LBE/SLBE PARTICIPATION BIDDER 3

Project Name: Citywide Sidewalk Repair Project FY 07/09

Project No.: C317510		Engineers Est: 1,462,175				Under/Over Engineers Estimate: 48,700				For Tracking Only		
Discipline	Prime & Subs	Location	Cert. Status	LBE	SLBE	Total LBE/SLBE	L/SLBE Trucking	Total Trucking	TOTAL Dollars	Ethn.	MBE	WBE
										PRIME	AJW Construction	Oakland
Trucking	Royal Maint	Oakland	CB		14,000	14,000	14,000	14,000	14,000	AA	14,000	
Trucking	UJ Trucking	Oakland	UB					10,000	10,000	H	10,000	
Project Totals				\$0	\$1,403,475	\$1,403,475	\$14,000	\$24,000	\$1,413,475		\$1,413,475	\$0
				0%	99.29%	99.29%	58.33%	100%	100%		100%	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%	TOTAL LBE/SLBE	20% LBE/SLBE TRUCKING			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		
Legend				LBE = Local Business Enterprise	UB = Uncertified Business							
				SLBE = Small Local Business Enterprise	CB = Certified Business							
				Total LBE/SLBE = All Certified Local and Small Local Businesses	MBE = Minority Business Enterprise							
				NPLBE = NonProfit Local Business Enterprise	WBE = Women Business Enterprise							
				NPSLBE = NonProfit Small Local Business Enterprise								

DEPARTMENT OF CONTRACTING AND PURCHASING



Social Equity Division

PROJECT EVALUATION FORM

PROJECT NO.: C317510

PROJECT NAME: Citywide Sidewalk Repair Project FY 07/09

CONTRACTOR: Star Construction

<u>Engineer's Estimate:</u> 1,462,175	<u>Contractors' Bid Amount</u> \$1,200,000	<u>Over/Under Engineer's Estimate</u> 262,175
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<u>Discounted Bid Amount:</u> \$0	<u>Amount of Bid Discount</u> \$0	<u>Discount Points:</u> 0%
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1. Did the 20% requirements apply? YES
2. Did the contractor meet the 20% requirement? YES
- b) % of LBE participation 0%
 c) % of SLBE participation 20.83%
3. Did the contractor meet the Trucking requirement? NO
- a) Total SLBE/LBE trucking participation 0%
4. Did the contractor receive bid discounts? NO
- (if yes, list the percentage received) 0%

5. Additional Comments.

Per the Project Manager, trucking is warranted on this project. Star Construction failed to meet the 20% L/SLBE Trucking participation requirement. Therefore, they are deemed non-responsive.

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

3/18/2009

Date

Reviewing
Officer:

[Signature]

Date:

3/18/09

Approved By:

Shelley Oarensburg

Date:

3/18/09

LBE/SLBE PARTICIPATION

BIDDER 1

Project Name: Citywide Sidewalk Repair Project FY 07/09

Project No.: C317510		Engineers Est: 1,462,175				Under/Over Engineers Estimate: 262,175				For Tracking Only		
Discipline	Prime & Subs	Location	Cert. Status	LBE	SLBE	Total LBE/SLBE	L/SLBE Trucking	Total Trucking	TOTAL Dollars	Ethn.	MBE	WBE
PRIME Furnish Concrete AB Management	Star Construction	San Bruno	UB						950,000	H	950,000	
	Focon Inc.	Oakland	CB		250,000	250,000			250,000	AA	250,000	
Project Totals				\$0	\$250,000	\$250,000	\$0	\$0	1,200,000		\$1,200,000	\$0
				0%	20.83%	20.83%	0%	0%	100%		100%	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%	TOTAL LBE/SLBE	20% LBE/SLBE TRUCKING			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		
Legend				LBE = Local Business Enterprise SLBE = Small Local Business Enterprise Total LBE/SLBE = All Certified Local and Small Local Businesses NPLBE = NonProfit Local Business Enterprise NP SLBE = NonProfit Small Local Business Enterprise				UB = Uncertified Business CB = Certified Business MBE = Minority Business Enterprise WBE = Women Business Enterprise				

DEPARTMENT OF CONTRACTING AND PURCHASING



Social Equity Division

PROJECT EVALUATION FORM

PROJECT NO.: C317510

PROJECT NAME: Citywide Sidewalk Repair Project FY 07/09

CONTRACTOR: Sposeto Engineering, Inc.

Engineer's Estimate: \$1,462,175	Contractors' Bid Amount \$1,483,665.00	Over/Under Engineer's Estimate (\$21,490)
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Discounted Bid Amount: \$0	Amount of Bid Discount \$0	Discount Points: 0%
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- 1. Did the 20% requirements apply? **YES**

- 2. Did the contractor meet the 20% requirement? **NO**
 - b) % of LBE participation **14.49%**
 - c) % of SLBE participation **1.48%**

- 3. Did the contractor meet the Trucking requirement? **YES**
 - a) Total SLBE/LBE trucking participation **100%**

- 4. Did the contractor receive bid discounts? **NO**
 - (If yes, list the percentage received) **0%**

- 5. Additional Comments.

Sposeto Engineering, Inc. failed to meet the minimum 20% L/SLBE participation requirement. Therefore, they are deemed non-responsive.

6. Date evaluation completed and returned to Contract Admin./Initiating Dept. **3/18/2009**

Date

Reviewing Officer:

[Signature]

Date: 3/18/09

Approved By

Shelley Darenburg

Date: 3/18/09

LBE/SLBE PARTICIPATION BIDDER 4

Project Name: Citywide Sidewalk Repair Project FY 07/09

Project No.: C317510		Engineers Est: 1,462,175				Under/Over Engineers Estimate: -21,490				For Tracking Only		
Discipline	Prime & Subs	Location	Cert. Status	LBE	SLBE	Total LBE/SLBE	L/SLBE Trucking	Total Trucking	TOTAL Dollars	Ethn.	MBE	WBE
PRIME Trucking	Sposeto Engineering, Inc.	Union City	UB						1,176,665	C		
	D.Irvin Trucking	Oakland	CB		18,000	18,000	18,000	18,000	18,000	AA	18,000	
Conc Supplier	Central Conc.	Oakland	CB	215,000		215,000			215,000	C		
Recycle/Material Supply	Aman Environmental	Oakland	UB						40,000	C		
Asphalt Supplier	Berkeley Asph.	Berkeley	UB						30,000	C		
Supplier	Level Constr.	Oakland	CB		4,000	4,000			4,000	C		
Project Totals				\$215,000	\$22,000	\$237,000	\$18,000	\$18,000	1,483,665		\$18,000	\$0
				14.49%	1.48%	15.97%	100%	100%	100%		1%	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%	TOTAL LBE/SLBE	20% LBE/SLBE TRUCKING			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		
Legend		LBE = Local Business Enterprise		UB = Uncertified Business		CB = Certified Business		MBE = Minority Business Enterprise		WBE = Women 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				

DEPARTMENT OF CONTRACTING AND PURCHASING

Social Equity Division



PROJECT EVALUATION FORM

PROJECT NO.: C317510

PROJECT NAME: Citywide Sidewalk Repair Project FY 07/09

CONTRACTOR: Spencon

Engineer's Estimate: \$1,462,175	Contractors' Bid Amount \$1,537,038	Over/Under Engineer's Estimate (\$74,863)
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Discounted Bid Amount: \$0	Amount of Bid Discount \$0	Discount Points: 0%
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1. Did the 20% requirements apply? **YES**

2. Did the contractor meet the 20% requirement? **NO**
 - b) % of LBE participation **19.58%**
 - c) % of SLBE participation **2.93%**

3. Did the contractor meet the Trucking requirement? **YES**
 - a) Total SLBE/LBE trucking participation **100%**

4. Did the contractor receive bid discounts? **NO**
 - (If yes, list the percentage received) **0%**

5. Additional Comments.

Spencon failed to meet the minimum 20% L/SLBE participation requirement and 20% trucking requirement. Spencon listed \$150,000 of trucking. However, based on the project manager's determination, other bids received, and a review of three (3) previous Citywide Sidewalk projects, which had an average trucking amount comparable to \$12,333, it was determined that the project did not have \$150,000 of trucking. Therefore, they are deemed non-responsive.

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

3/18/2009

Date

Reviewing Officer:

John Hung

Date: 3/18/09

Approved By:

Shelley Dorensburg

Date: 3/18/09

LBE/SLBE PARTICIPATION BIDDER 5

Project Name: Citywide Sidewalk Repair Project FY 07/09

Project No.: C317510		Engineers Est: 1,462,175				Under/Over Engineers Estimate: -74,863				For Tracking Only		
Discipline	Prime & Subs	Location	Cert. Status	LBE	SLBE	Total LBE/SLBE	L/SLBE Trucking	Total Trucking	TOTAL Dollars	Ethn.	MBE	WBE
PRIME Concrete	Spencon ~ Central Concrete	Foster City Oakland	UB CB	216,000		216,000			1,041,037.50 216,000.00	C C		
Material	Level Supply	Oakland	CB		45,000	45,000			45,000.00	C		
Saw Cut	Bayline	Oakland	CB	85,000		85,000			85,000.00	H	85,000	
Trucking	Monroe & Son Trucking	Oakland	CB						150,000.00	AA	150,000	
Project Totals				\$301,000 19.58%	\$45,000 2.93%	\$346,000 22.51%	\$0 100%	\$0 100%	1,537,037.50 100%		\$235,000 15.29%	\$0 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%	TOTAL LBE/SLBE	20% LBE/SLBE TRUCKING			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		
Legend	LBE = Local Business Enterprise SLBE = Small Local Business Enterprise Total LBE/SLBE = All Certified Local and Small Local Businesses NPLBE = NonProfit Local Business Enterprise NPSLBE = NonProfit Small Local Business Enterprise			UB = Uncertified Business CB = Certified Business MBE = Minority Business Enterprise WBE = Women Business Enterprise								

Attachment B

District 1	
Street	Limits
Rich St	42nd St - Webster St
62nd St	Clairmont Ave - Colby St
Tremont St	65th St - City Limit
Whitney St	65th St - City Limit

District 2	
Street	Limits
Santa Rosa Ave	Oakland Ave - Jean St
Moss Ave	Vernon St - Harrison St
Santa Ray Ave	Calmar Ave - Carlston Ave
Rosemount Rd	Longridge Rd - Sunnyhills Rd
Portal Ave	800 Block
Ardmore Ave	Ashmount Ave - Mandana Blvd.
East 19th St	9th Ave - 11th Ave
East 18th St	9th Ave - 11th Ave
East 20th St	10th ave - 11th Ave

District 3	
Street	Limits
Union St	16th St - 14th St
Magnolia St	16th St - 14th St
16th St	Poplar St - Adeline St
14th St	Poplar st - Market St
Fairmount Ave	Kemton Ave - Stanley Pl
33rd St	West St - MLK Wy
Brockhurst St	Market St - MLK Wy
32nd St	Market St - West St
Poplar St	16th St - 14th St
18th St	Poplar St - Adeline St
Orange St	Perkins St - Perry Pl
Oakland Ave	Orange St - Perry Pl

District 4	
Street	Limits
Brookdale Ave	High St - Best St
Fleming Ave	High St - Best St
Lauguna Ave	MacArthur blvd - Alida St
Scenic Ave	Lincol Ave - Laguna Ave
Sylvan Ave	Maple - East End
Walnut St	High St - Monticello Ave


District 5	
Street	Limits
East 22nd St	27th Ave - Mitchell St
Austin St	Foothill Bld - East 22nd St
East 38th St	Park Blvd. - Glen Park Rd
Ardley Ave	East 38th - Hampel St
Glen Park Rd	East 38th - Hampel St
Brighton Ave	Park St - East 38th St
East 31st St	14th Ave - 22nd Ave
East 30th St	14th Ave - 22nd Ave
East 28th St	19th Ave - 22nd Ave
East 29th St	14th Ave - 22nd Ave
East 23rd St	27th Ave - Fruitvale Blvd
East 27th St	21st Ave - 22nd Ave

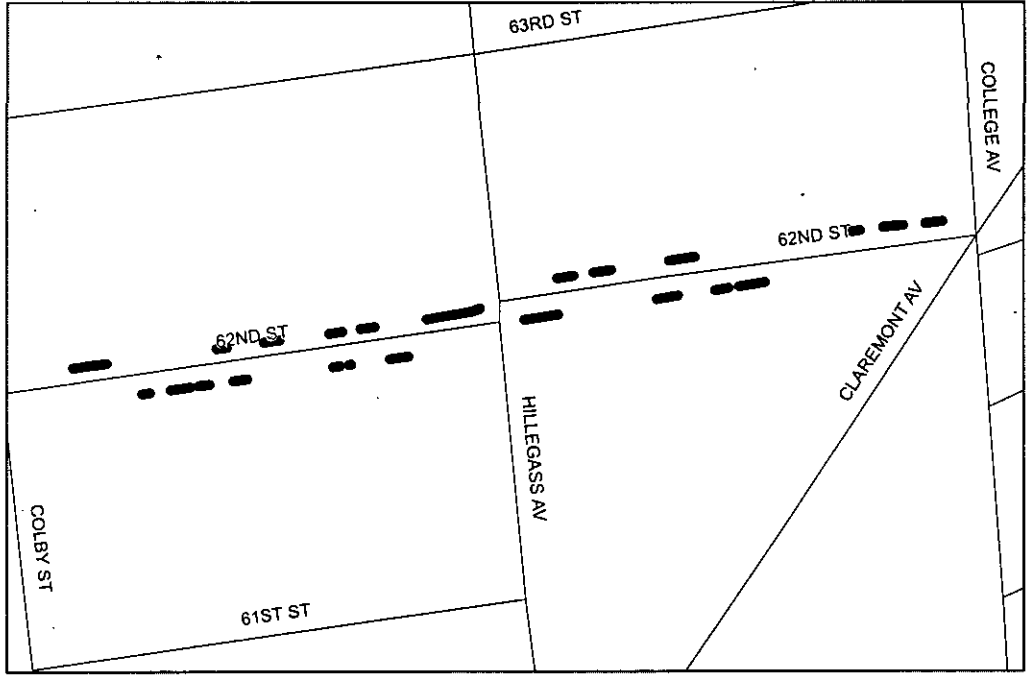
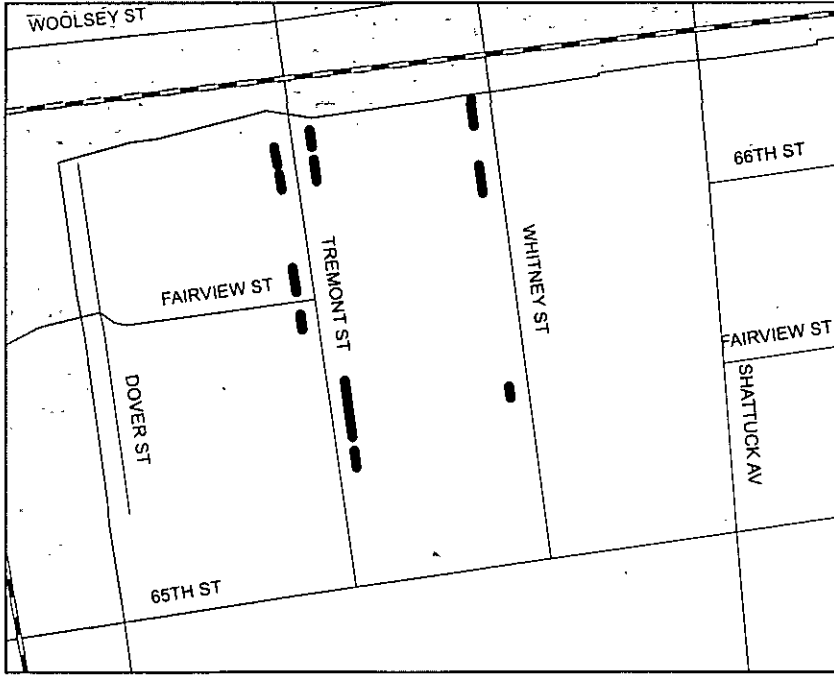
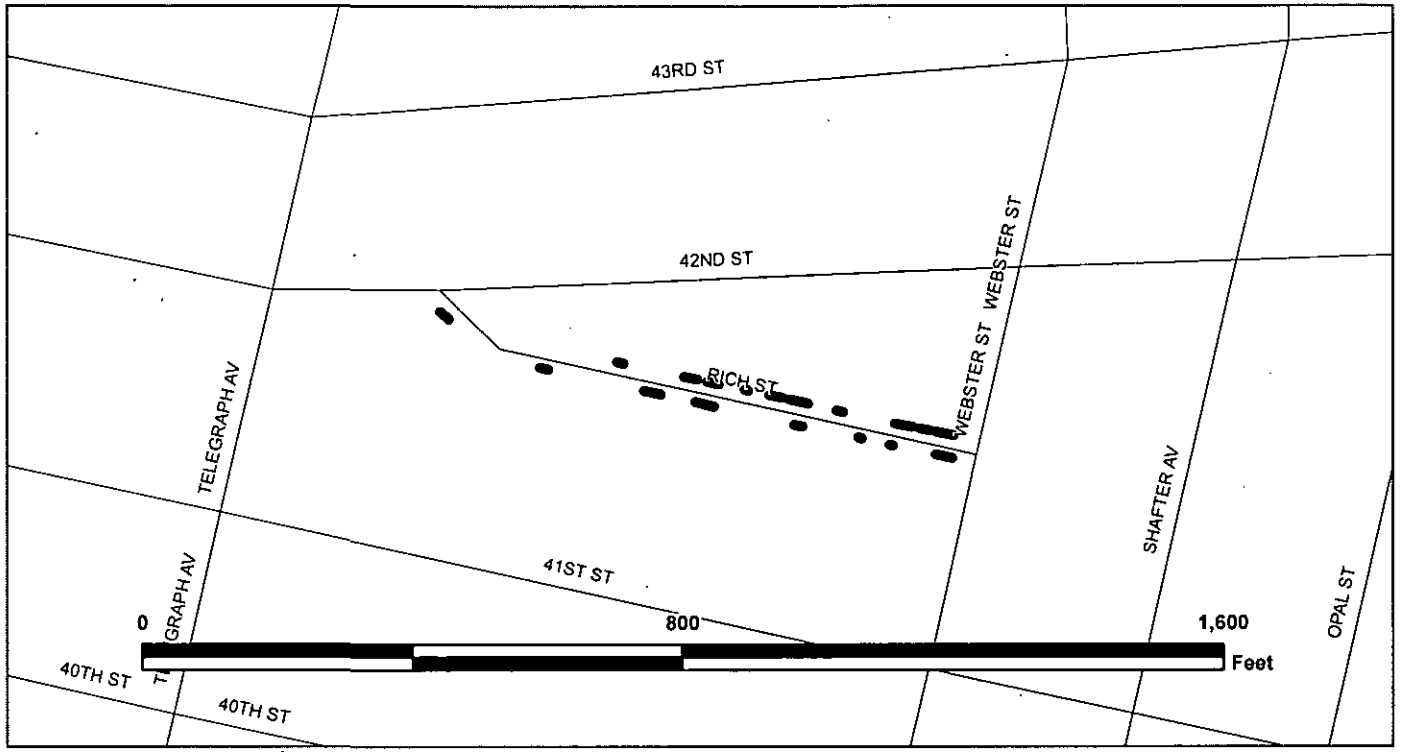
District 6	
Street	Limits
Surrey Ln	Keller Ave - Skyline
60th Ave	Eastlawn St - Tevis St
61st Ave	International Blvd to end
62nd Ave	International Blvd to end

District 7	
Street	Limits
Cherokee Ave	Thermal Ave - 98th Ave
Shaw St	Stanley Ave - Truman Ave
Eldridge Ave	Darien Ave - Darien Ave
St Elmo Dr	Eldridge Ave - Stoneford Ave
Stoneford Ave	St Elmo - Maddux Dr
Frazier Ave	Fisher Ave - Stanley Ave
Fisher Ave	MacArthur Blvd - Talbot Ave
108th Ave	Breed Ave - Sunnyside St
109th Ave	Breed Ave - Bancroft Ave
Birch St	92nd Ave - 94th Ave

ATTACHMENT B District 1 Proposed Sidewalk Repairs

Legend

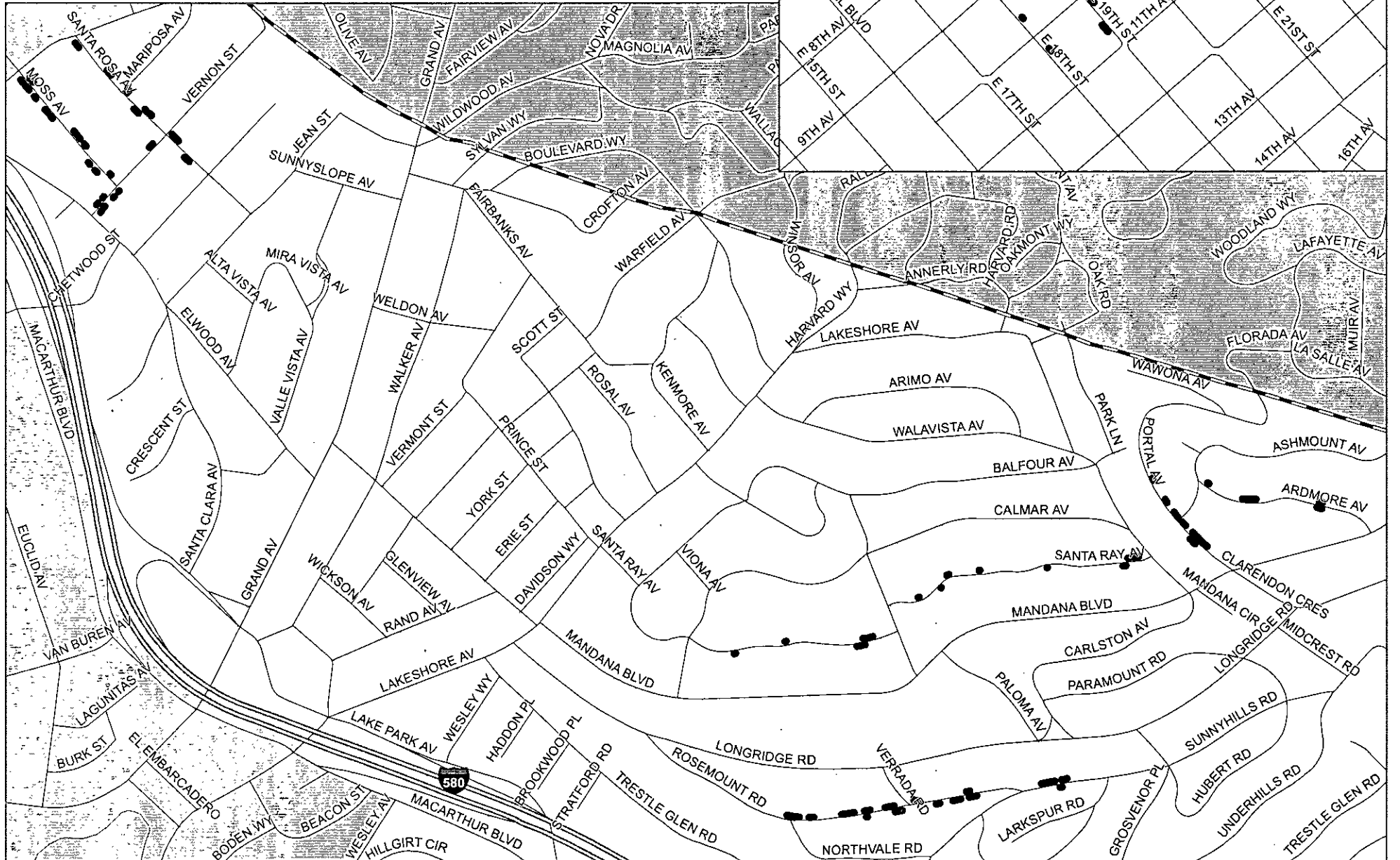
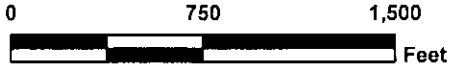
 Selected Tree-Related Sidewalk Damage



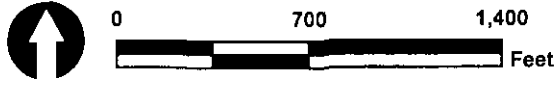
ATTACHMENT B District 2 Proposed Sidewalk Repairs

Legend

-  Selected Tree-Related Sidewalk Damage

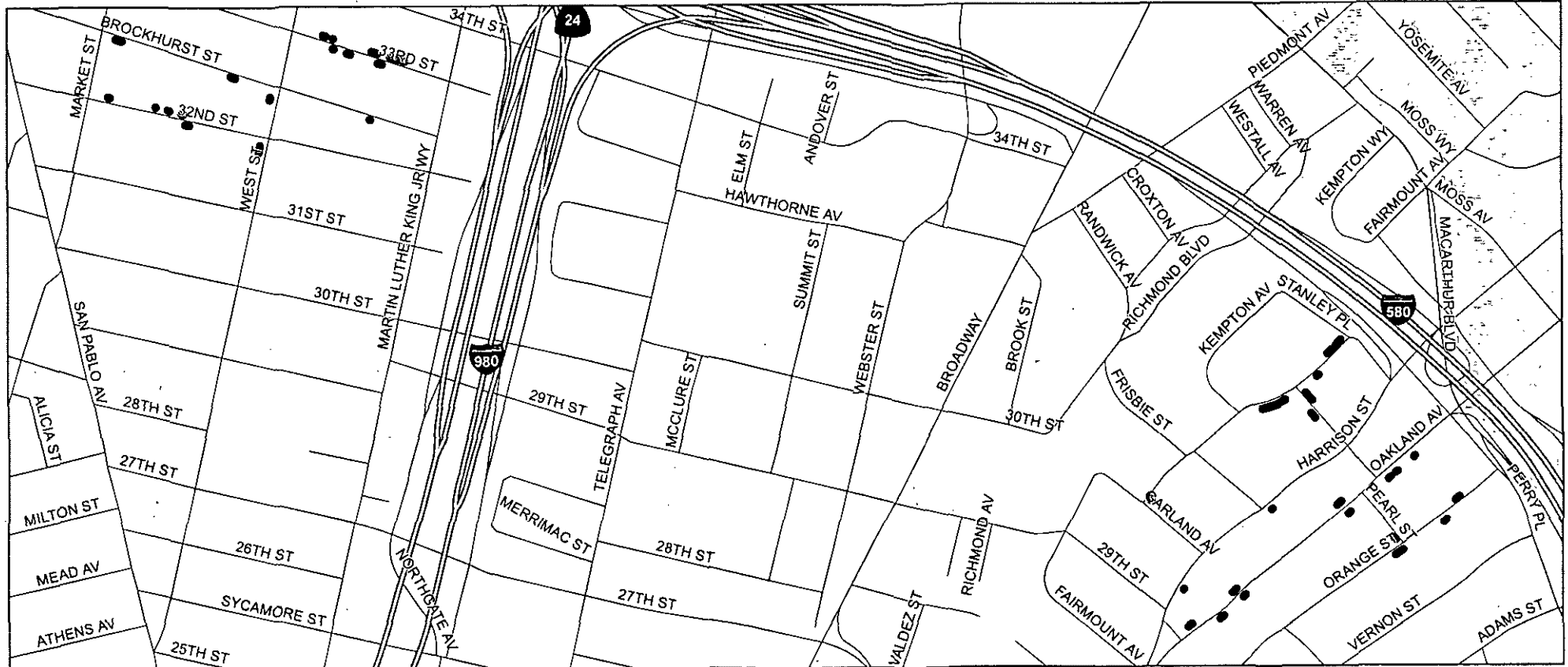
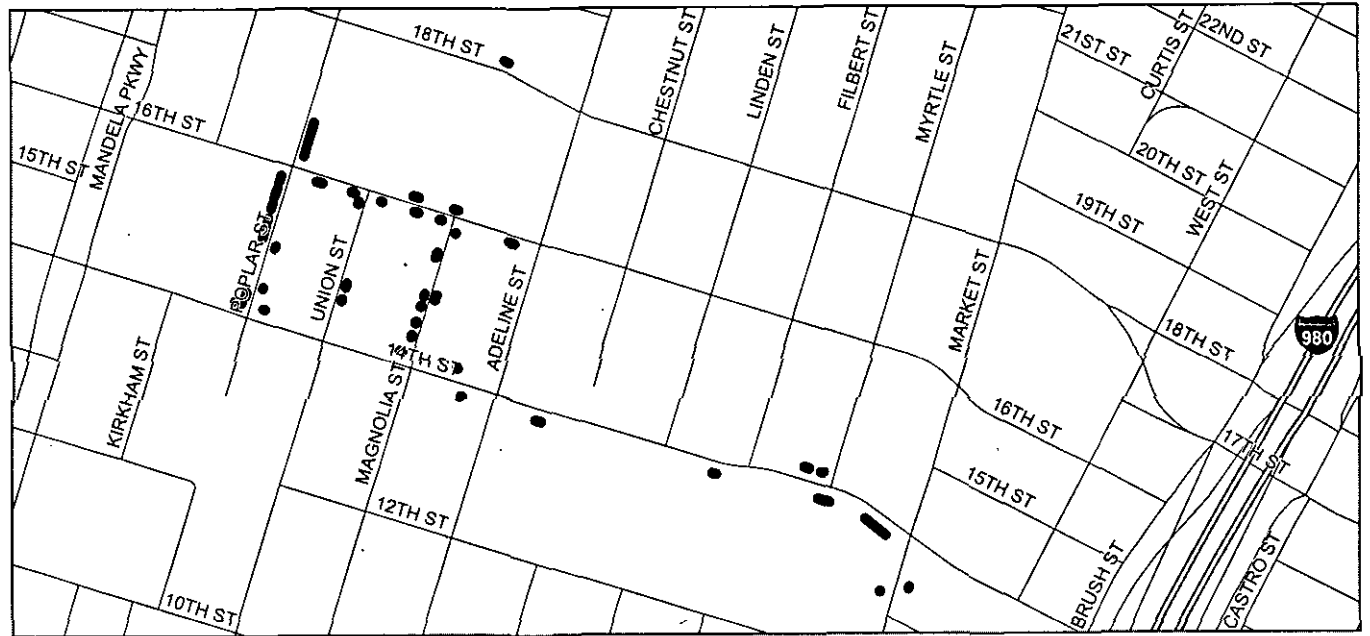


ATTACHMENT B District 3 Proposed Sidewalk Repairs

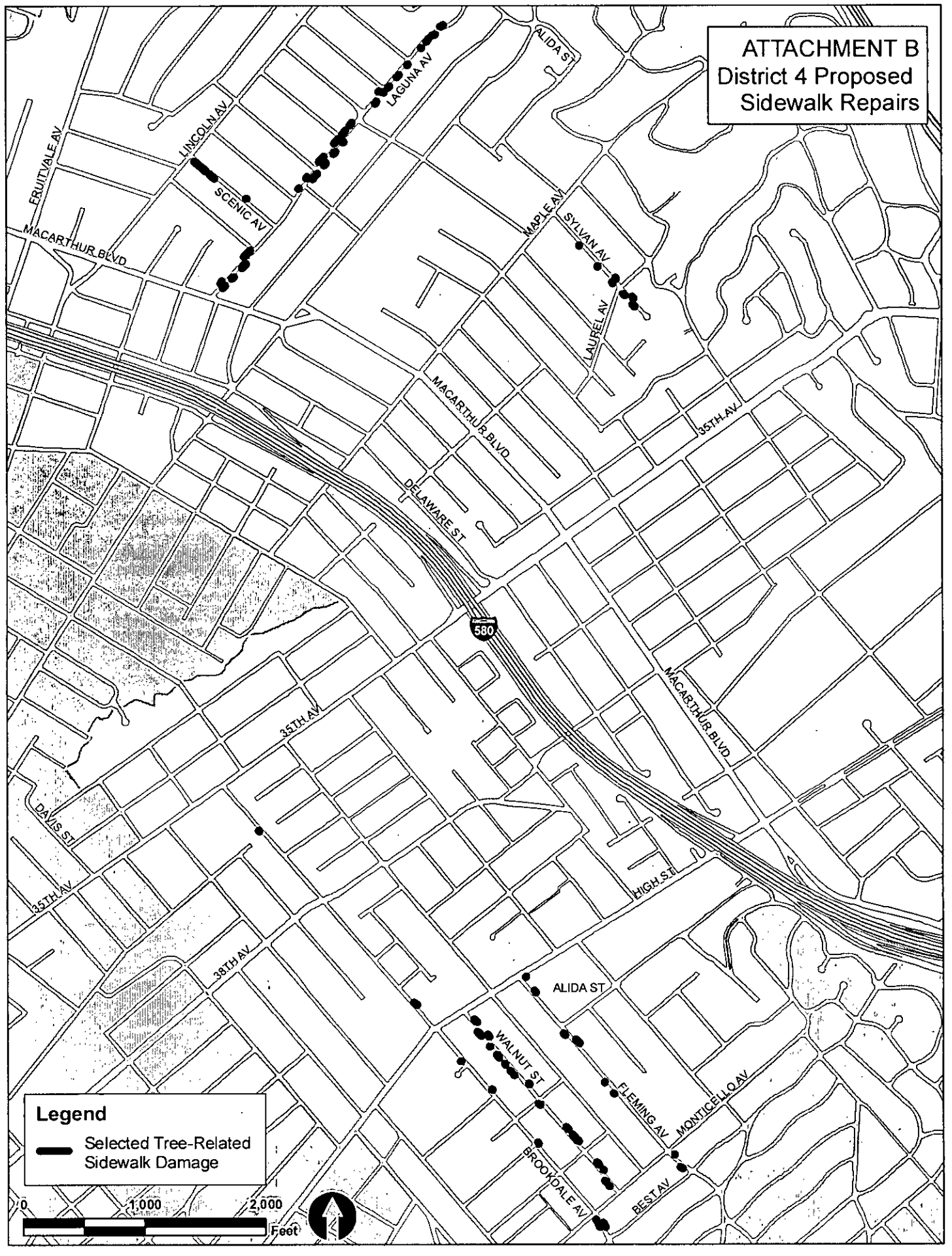


Legend

- Selected Tree-Related Sidewalk Damage



ATTACHMENT B
District 4 Proposed
Sidewalk Repairs




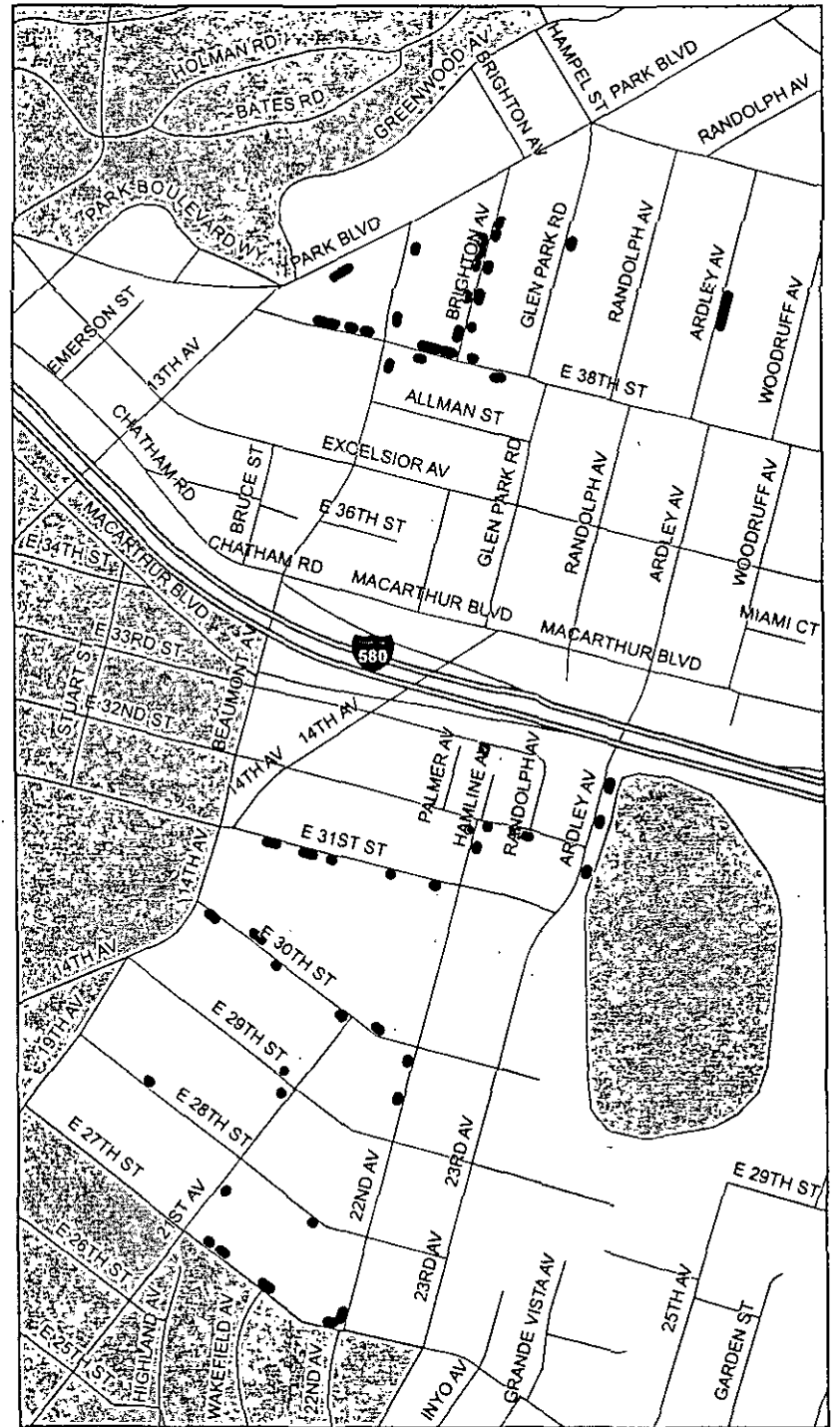
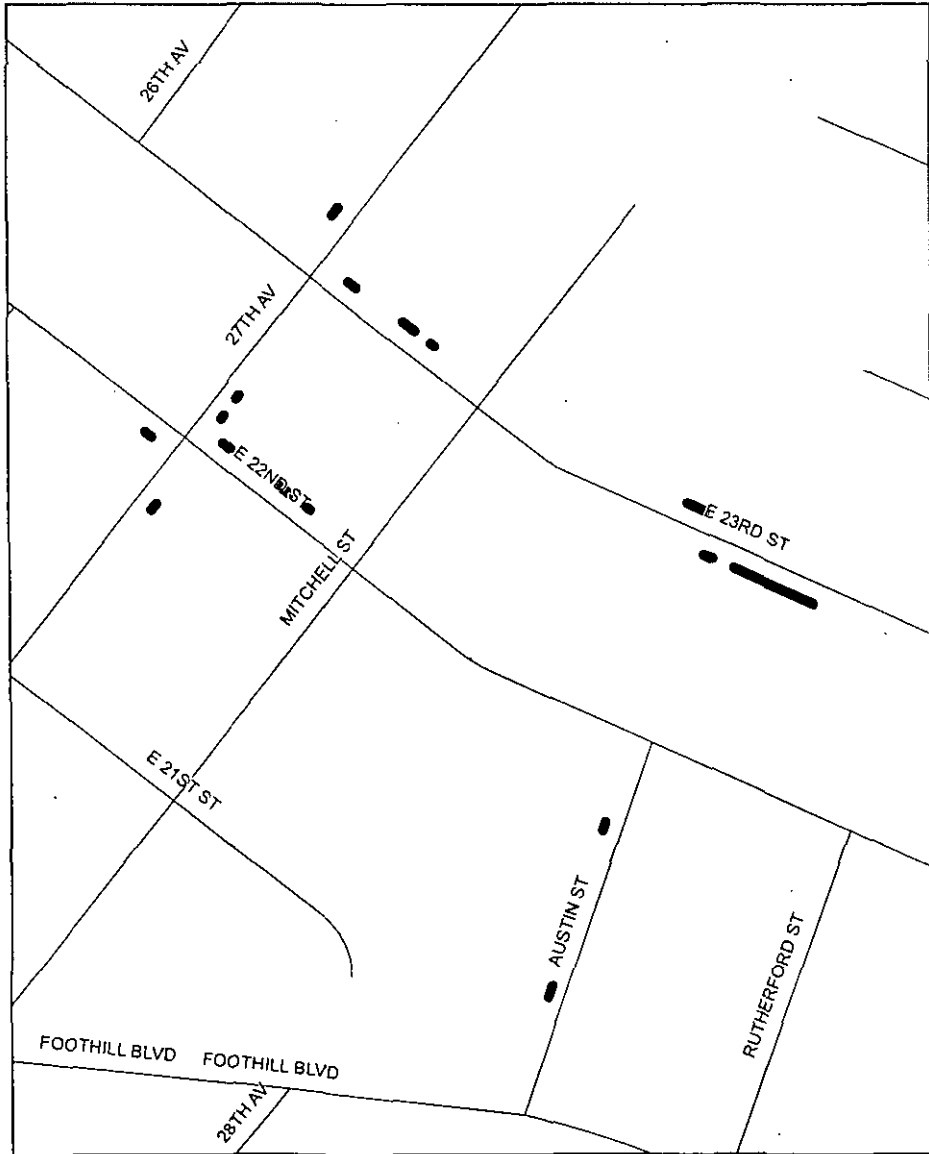
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— Selected Tree-Related Sidewalk Damage



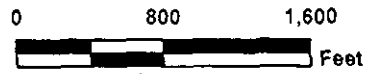
ATTACHMENT B
District 5 Proposed
Sidewalk Repairs

Legend


 Selected Tree-Related Sidewalk Damage

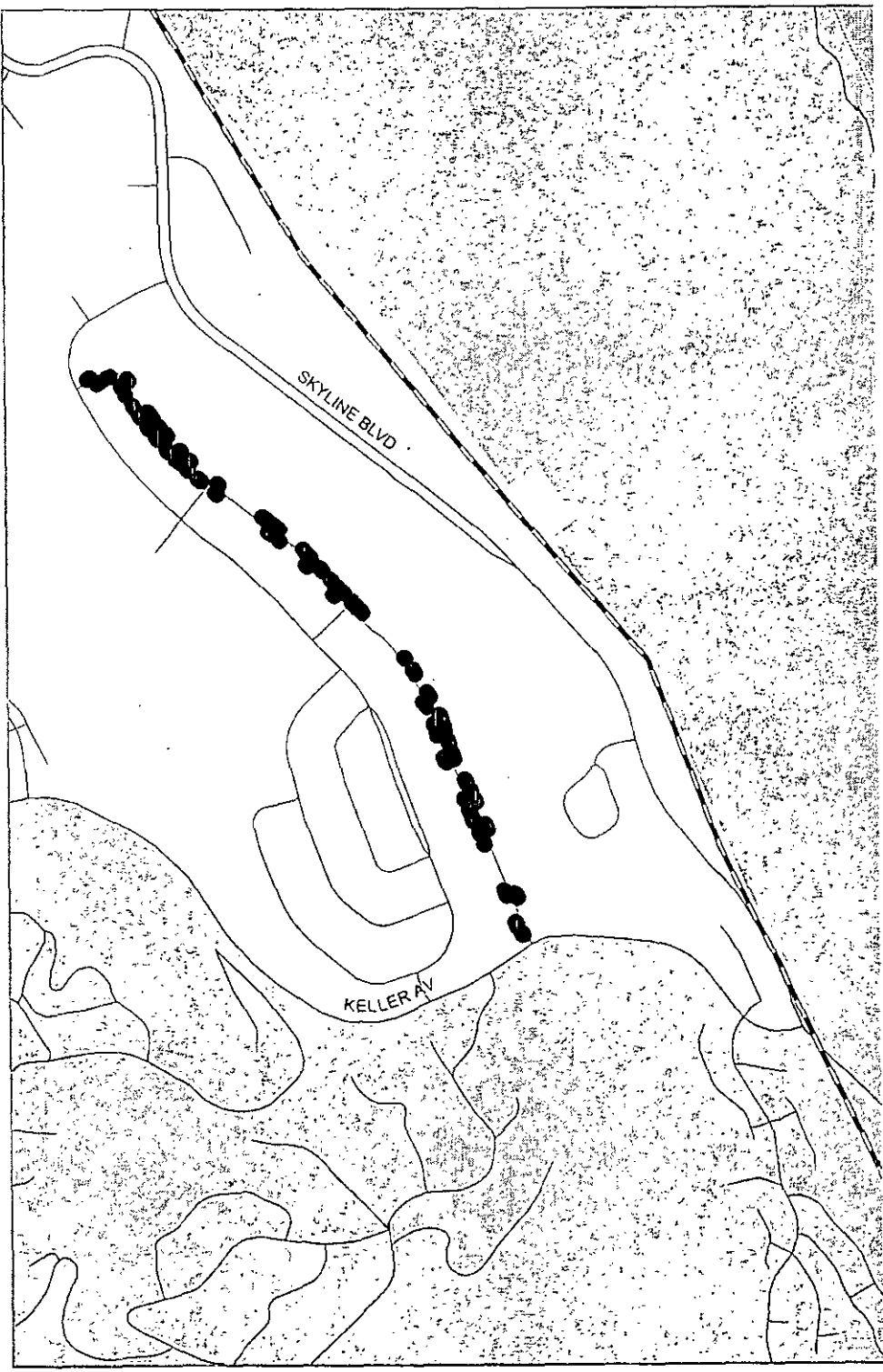
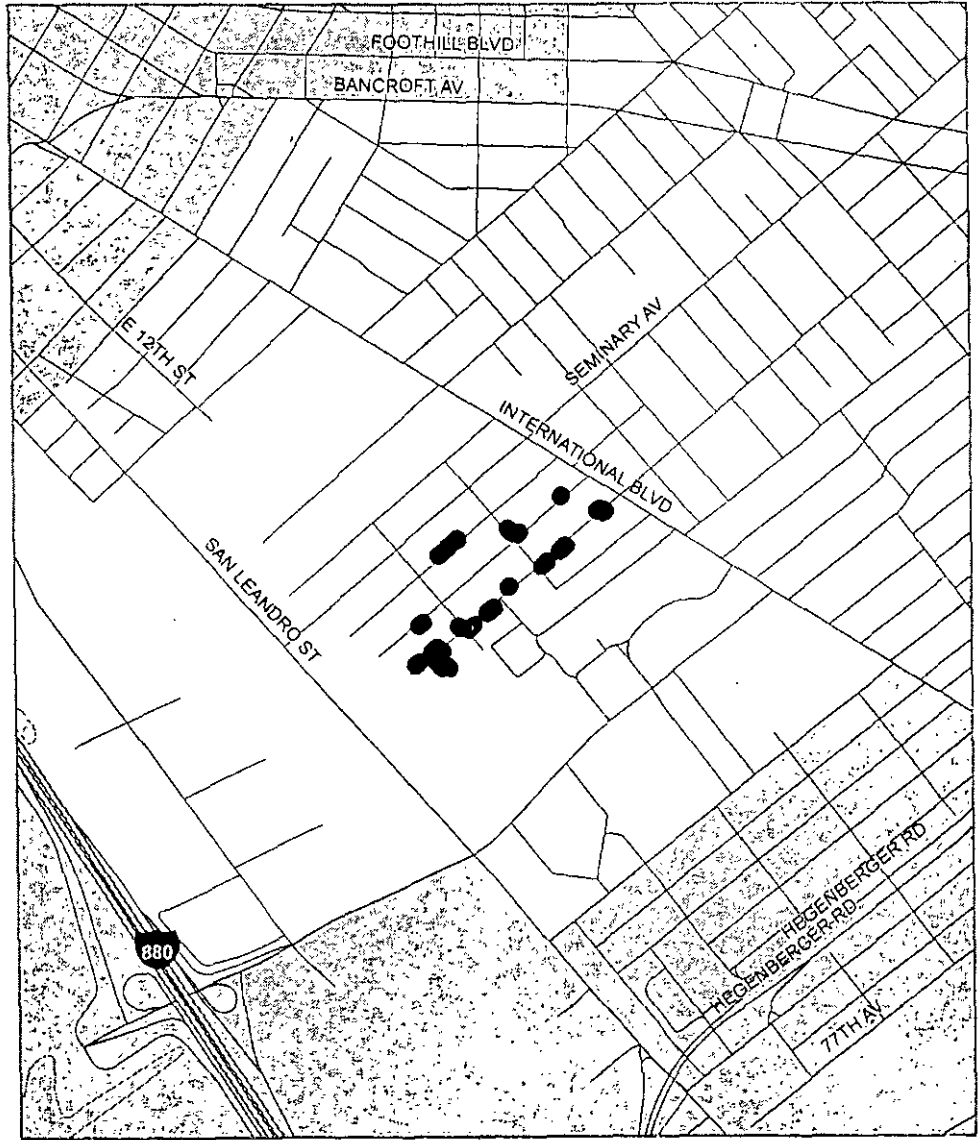


ATTACHMENT B
District 6 Proposed
Sidewalk Repairs

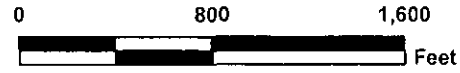


Legend

-  Selected Tree-Related Sidewalk Damage

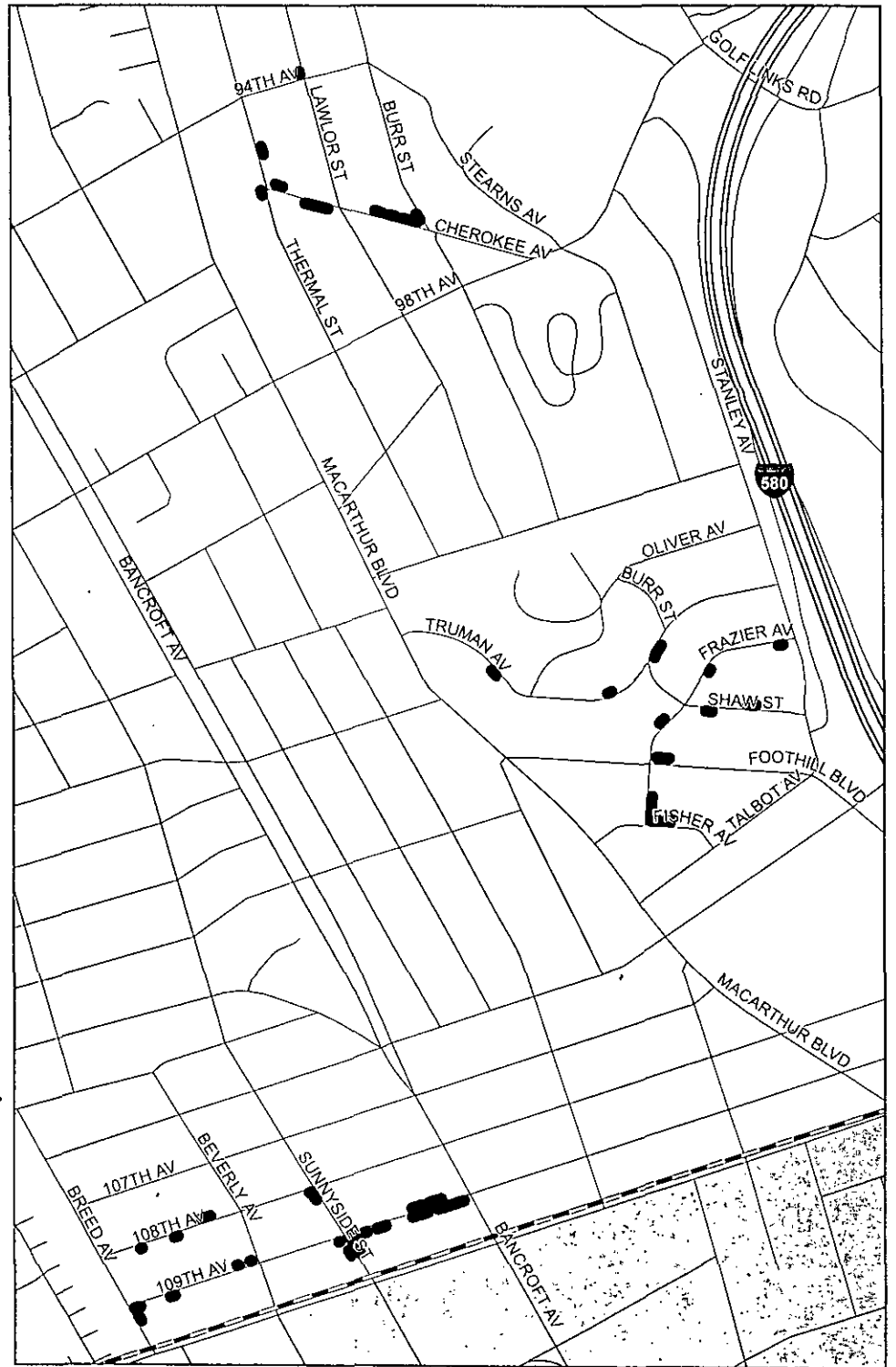
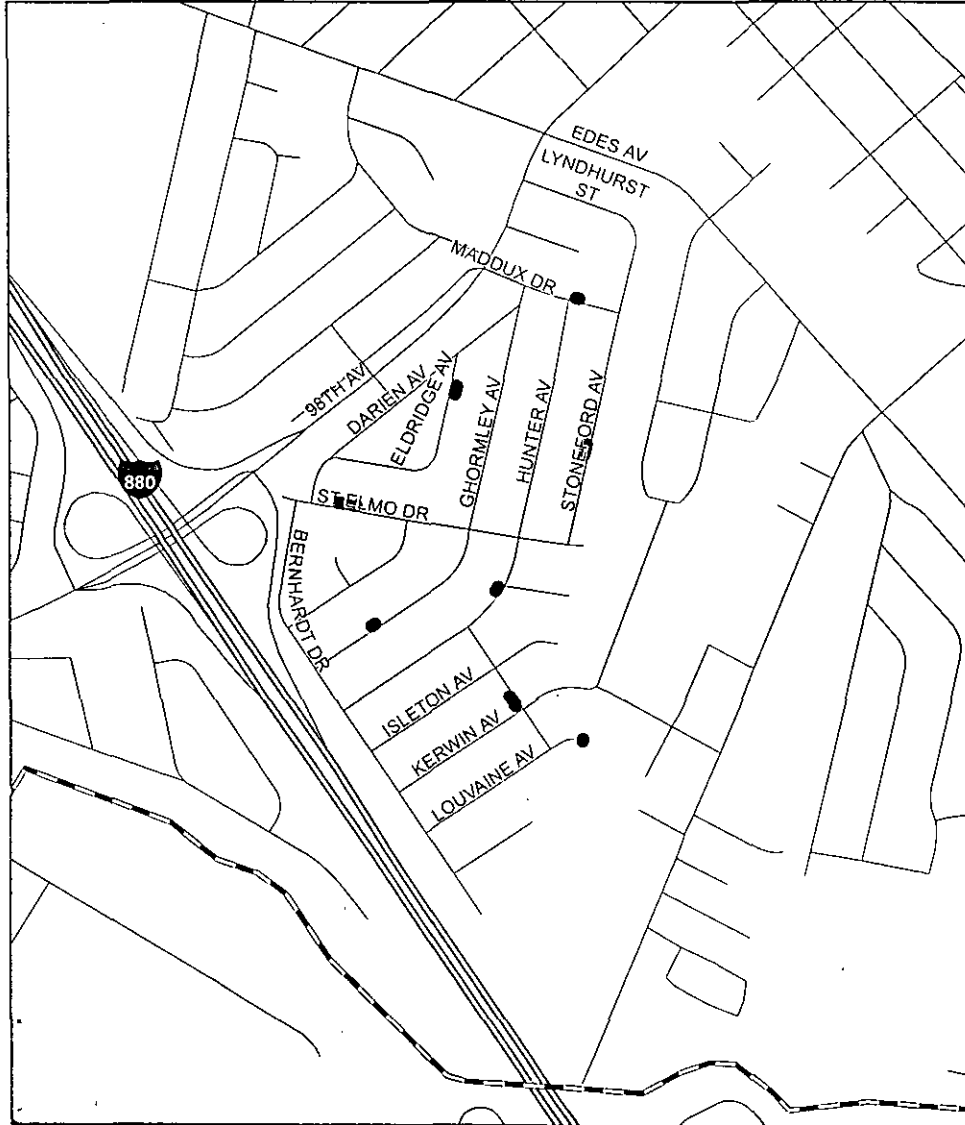


ATTACHMENT B District 7 Proposed Sidewalk Repairs



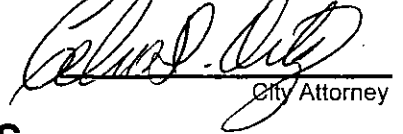
Legend

- Selected Tree-Related Sidewalk Damage



FILED
OFFICE OF THE CITY CLERK
OAKLAND

OAKLAND CITY COUNCIL


City Attorney

2009 MAY 14 PM 4:21

RESOLUTION NO. _____ C.M.S.

Introduced by Councilmember _____

RESOLUTION AUTHORIZING THE CITY ADMINISTRATOR OR HIS DESIGNEE TO AWARD A CONSTRUCTION CONTRACT TO ROSAS BROTHERS CONSTRUCTION FOR THE CITYWIDE SIDEWALK REPAIRS (PROJECT NO. C317510) FOR THE AMOUNT OF ONE MILLION THREE HUNDRED SEVENTY-SIX THOUSAND, SIX HUNDRED SIXTY-SEVEN DOLLARS (\$1,376,667.00)

WHEREAS, on February 19, 2009, five bids were received by the Office of the City Clerk of the City of Oakland for the Citywide on-call sidewalk repair (Project No. C317510); and

WHEREAS, Star Construction, bidding as a prime, is the lowest bidder but did not meet the City Trucking Participation requirement for the project; and

WHEREAS, Rosas Brothers Construction, a certified SLBE bidding as a prime, is 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:

- Measure B-ACTIA Fund (2211), Capital Projects-Sidewalk Repair Maintenance Organization (92452), Street Construction Account (57411), Project No. C321510, \$1,000,000.00.
- Measure B-ACTIA Fund (2211), Capital Projects-Sidewalk Repair Maintenance Organization (92452), Street Construction Account (57411), Project No. C317510, \$164,610.00.
- Measure B-ACTIA Fund (2211), Capital Projects-Sidewalk Repair Maintenance Organization (92452), Street Construction Account (57411), Project No. C317910, \$297,565.00; and these funds were specifically allocated for this project. This project will help reduce the trip and fall, comply with Americans with Disabilities Act mandates and meet citizen demand; and

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

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

WHEREAS, Rosas Brothers Construction complies with all LBE/SLBE and trucking requirements; and

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

RESOLVED: That the construction contract for the Citywide on-call curb ramp and sidewalk (Project No. C317510) is hereby awarded to Rosas Brothers Construction in accordance with the terms of its bid therefore, dated February 19, 2009, for the amount of one million three hundred seventy-six thousand, six hundred sixty-seven dollars (\$1,376,667.00); and be it

FURTHER RESOLVED: That the plans and specifications prepared by the Deputy Director of the 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, \$1,376,667.00, 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, \$1,376,667.00, with respect to such work are hereby approved; and be it

FURTHER RESOLVED: That the City Administrator is hereby authorized to enter into a construction contract with Rosas Brothers Construction on behalf of the City of Oakland and to execute any amendments or modifications to said agreement within the limitations of the project specifications; and be it

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

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

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

IN COUNCIL, OAKLAND, CALIFORNIA, _____, 20_____

PASSED BY THE FOLLOWING VOTE:

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

NOES -

ABSENT -

ABSTENTION -

ATTEST: _____
LaTonda Simmons
City Clerk and Clerk of the Council
of the City of Oakland, California