



FILED  
OFFICE OF THE CITY CLERK  
OAKLAND

2014 JUN 26 PM 3:13

## AGENDA REPORT

**TO:** HENRY L. GARDNER  
INTERIM CITY ADMINISTRATOR

**FROM:** Brooke A. Levin  
Director, OPW

**SUBJECT:** Construction Contract Award for Golden Gate Recreation Center Improvements

**DATE:** May 28, 2014

City Administrator  
Approval

Date:

6/23/14

**COUNCIL DISTRICT: 1**

### RECOMMENDATION

Staff recommends that the City Council adopt a resolution to reject all bids, waive further competitive bidding and authorize the City Administrator, or his designee, to negotiate and execute a construction contract with Arntz Builders, Inc., sole bidder for the Golden Gate Recreation Center Improvement Project (No. C457510) in accordance with the plans and specifications at the bid amount of Six Million Five Hundred Sixty-Three Thousand and Seventy-Nine Dollars (\$6,563,079.00) plus Three Hundred Thousand (\$300,000.00) construction contract contingency for a total construction contract amount of Six Million Eight Hundred Sixty-Three Thousand and Seventy-Nine Dollars (\$6,863,079.00).

### OUTCOME

Approving this resolution will reject all bids received for the project, waive further competitive bidding and authorize the City Administrator to negotiate and execute a construction contract with Arntz Builders, Inc. for improvements at Golden Gate Recreation Center.

### BACKGROUND/LEGISLATIVE HISTORY

Built in the 1950s, the Golden Gate Recreation Center was long the hub of activity for teen socials, events and classes. In more recent decades, the center's after school program became the main program that fills the entire facility year-round. Other popular adult and senior programs, such as dance, have outgrown the space and have been displaced to other facilities.

The new facility will allow expansion of programs to accommodate multiple user groups. It will also address many deficiencies with the building systems, kitchen and the outdoor play areas.

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Public Works Committee  
July 8, 2014

The Golden Gate Recreation Center was identified as a priority project for District 1 and is listed on the Park Prioritization list for FY2011-13, approved by Council under Resolution No. 83725 C.M.S in February 2012.

#### Proposition 84

Proposition 84 provides funds for construction projects related to safe drinking water, water quality and supply, flood control, waterway and natural resource protection, water pollution and contamination control, *state and local park improvements*, public access to natural resources and water conservation efforts.

On May 17, 2011, Council approved Golden Gate Recreation Center as one of six projects to apply for Round 2 of this competitive grant in Resolution 83367 C.M.S. In July 2011, the City submitted the application and in March 2012, the City was notified that the Golden Gate Recreation Center Project had been awarded the grant.

#### Measure WW

Under Resolution No. 81777 C.M.S., approved in February 2009, the City received \$19.2 million from the Local Grant Program of the Measure WW Bond and allocated the funds among 16 capital improvement projects approved by Council in October 2008 (Resolution No. 81586 C.M.S.). In February 2012, Council authorized the reallocation of \$3,300,000 from the Bushrod Park Soccer Field to the Golden Gate Recreation Center project in Resolution No. 83722 C.M.S.

The proposed project consists of renovating the 1.08 acre park in North Oakland by demolishing the existing 3,180 square foot community center and constructing a new 13,500 square foot recreation center and gymnasium, new age 2-5 and age 6-12 playground, hard court play areas, amphitheatre area, entry plaza, parking, irrigation and landscaping, lighting improvements and site furniture. See **Attachment A:** Project Location Map.

#### ANALYSIS

The project was advertised on April 10, 2014. Notifications were distributed by several means:

- the City of Oakland *iSupplier* system which includes City certified firms, registered General Contractors, plan rooms and builder's exchange, totaling over 300 notices
- printed legal notice in the Oakland Tribune
- posting on CIPlist.com, which distributes to registered plan rooms and builders' exchanges

A total of seventeen (17) general contractor companies downloaded the plans and specifications from iSupplier and CIPlist.com.

On May 12, 2014, the City Clerk received a single bid from Arntz Builders, Inc. for the project as shown on **Attachment B: Bid Results** (May 12, 2014). The contractor submitted a letter to the City explaining a clerical error was made and noting that the trucking company is a second tier subcontractor to one of the listed subcontractors. Although Arntz Builders, Inc. exceeded the 50% L/SLBE, noting a City Policy, Contract Compliance deemed the contractor non-responsive due to failure to identify the trucking company in their original bid. See **Attachment C: Contract Compliance Bid Analysis** (June 9, 2014).

The engineer's estimate is \$6,550,000 for the project. The bid submitted by Arntz Builders, Inc. is \$6,563,079. The City has sufficient funds for the bid amount and recommends negotiating with Arntz Builders, Inc. only to revise their subcontractors listing to include required trucking and execute a contract with them at their bid price plus \$300,000 for construction contract contingency. The contingency will be used for unforeseen conditions encountered during construction or other scope changes, such as extending the plant establishment performed by the contractor to three years, theater lighting, etc.

Rebidding the project will incur additional time and cost. The project is funded by two major grant sources. Both fund sources have completion deadlines and advance final reimbursement requests due by the end of 2016. The re-bid process will compress the completion time and possibly affect meeting grant deadlines. In addition, due to the current high bid climate, City may not benefit from lower bids or more bids, which may also exceed the available construction budget. Because the project scope was reduced to the minimum during design phase in order to meet budget, it will be difficult to repeat the value engineering exercise, removing scope that are essential to the City's ability to comply with the Proposition 84 grant requirement as well as meeting program needs. There are sufficient funds for the bid amount. As a result, staff recommends that in the best interest of the City, Council waives further advertising and competitive bidding requirements in accordance with the Oakland Municipal Code Section 2.04.050.I.5.

The contract specifies \$2,500 in liquidated damages per calendar day if the contract is not completed within 365 calendar days. Construction is anticipated to begin in late 2014 and complete by early 2016.

### **PUBLIC OUTREACH/INTEREST**

A series of eleven (11) meetings with the community, focus groups and Neighborhood Crime Prevention Council Beat 10x (northwest Oakland bordering Emeryville/Berkeley) were conducted to develop the concept plan that was submitted for Round 2 of the Proposition 84 grant application. The meetings identified and prioritized the community's need for activities, adjacencies, safety and beautification. Upon grant award, an additional seven (7) meetings with community and focus groups were conducted to fine-tune the design and discuss architectural style and playground equipment. The Golden Gate Recreation Center project was presented at the Park and Recreation Advisory Committee in May 2013 and approved by the Planning Commission in September 2013. The project was noticed to properties through the City's

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Planning and Zoning Approval process for a Major Conditional Use Permit, Design Review and a Minor Variance Approval.

**COORDINATION**

The project has been coordinated with the following agencies:

- Oakland Parks & Recreation Department
- Office of City Attorney
- Budget Office
- Contracts & Compliance Unit

**COST SUMMARY/IMPLICATIONS**

1. AMOUNT OF RECOMMENDATION/COST OF PROJECT:

The Engineer's estimate for this project is \$6,550,000.00.

Approval to negotiate a construction contract in the amount of \$6,863,079.00.

2. COST ELEMENTS OF AGREEMENT/CONTRACT: Construction and development of the Golden Gate Recreation Center improvement as identified by bid plans and specifications.

3. SOURCE OF FUNDING:

<b>FUNDING SOURCE</b>	<b>AMOUNT</b>
Measure WW Fund (2260); Capital Projects Organization (92270); Structures and Improvements Construction Account (57211); Project C377320	\$2,940,000.00
State Parks & Recreation Grant Fund (2134); Capital Projects Organization (92270); Structures and Improvements Construction Account (57211); Project C457510	\$3,923,079.00
<b>TOTAL FUNDS</b>	<b>\$6,863,079.00</b>

The Project is funded through the State of California Proposition 84: Safe Drinking Water, Water Quality and Supply, Flood Control, River and Coastal Protection Bond Act which was passed by voters on November 7, 2006 and Measure WW – East Bay Regional Park District (EBRPD) Local Grant Program of the Open Space, Wildlife, Shoreline, and Parks Bond which was passed by voters in November 2008.

4. FISCAL IMPACT:

Approval of the resolution will authorize the City Administrator to negotiate and execute a construction contract in the amount of \$6,863,079.00.

The City is currently responsible for the maintenance of the existing facility and landscaping areas. The new building expands the square footage from 3,180 square feet to over 13,400 square feet. The expanded size will trigger additional Internal Service Fund 4400 cost in the fiscal year it opens. The contractor will provide plant establishment for one year after construction completion. The construction contingency will be used for extending the plant establishment an additional two years if funding is available.

### **PAST PERFORMANCE, EVALUATION AND FOLLOW-UP**

This will be Arntz Builders, Inc. first project with the City of Oakland.

### **SUSTAINABLE OPPORTUNITIES**

***Economic:*** The project will improve the deteriorated and undersized facility and generate economic and job opportunities for Oakland residents, provide business tax, sales tax, other revenues for the City by those who work on the project in addition to anticipated increased rental and program revenue for the newer and larger facility.

***Environmental:*** The contractor is required to recycle and re-use construction materials to the extent practicable and comply with City standards. The building will achieve LEED Silver certification through efficient fixtures and equipment, daylighting and natural ventilation for daily operation; the landscaping is expected to receive Bay Friendly certification. The project improves the water quality by the creation of the bio-retention ponds on site.

***Social Equity:*** The improvements will enhance public recreational opportunities in North Oakland, providing flexible program opportunities, new accessible play areas, accessible parking stalls and other accessible features.

### **CEQA**

The project is categorically exempt.

For questions regarding this report, please contact David Lau, Project Delivery Manager, 510-238-7131.

Respectfully submitted,



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**BROOKE A. LEVIN**  
Director, Oakland Public Works

Reviewed by:  
Michael Neary, P.E., Assistant Director,  
OPW, Bureau of Engineering and Construction

Reviewed by:  
David Lau, P.E., Division Manager,  
Project Delivery Division

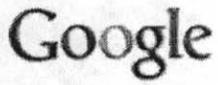
Prepared by:  
Denise Louie, C.I.P Coordinator  
Project Delivery Division

**Attachments:**

A - Location Map

B - Bid Results (May 12, 2014)

C - Contract Compliance Bid Analysis (June 9, 2014)



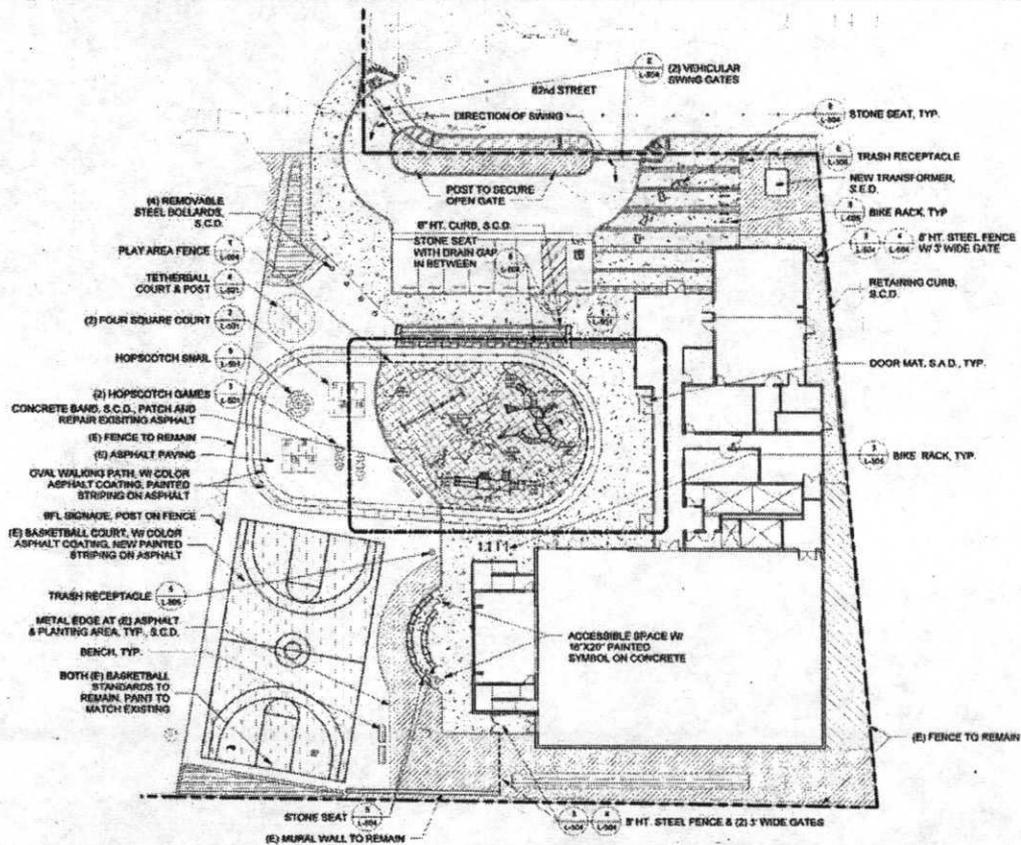
Address **1075 62nd St**  
Oakland, CA 94608

Attachment A: Project Location Map  
Golden Gate Recreation Center  
Improvement Project



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A



**LANDSCAPE MATERIAL LEGEND**

- [Pattern] EXISTING OR NEW ASPHALT PAVING, SEE CIVIL PLAN
- [Pattern] CITY OF OAKLAND STANDARD CONCRETE PAVING
- [Pattern] COLORED CONCRETE PAVING, COLOR A
- [Pattern] COLORED CONCRETE PAVING, COLOR B
- [Pattern] CONCRETE PAVING WITH COATING
- [Pattern] ON SITE EXISTING ASPHALT PAVING WITH COATING
- [Pattern] DECOMPOSED GRANITE PAVING WITH STABILIZER
- [Pattern] DECOMPOSED GRANITE PAVING WITHOUT STABILIZER
- [Pattern] POURED-IN-PLACE RESILIENT RUBBER SAFETY SURFACING
- [Pattern] PLANTING AREA SEE PLANTING PLAN
- [Pattern] BIOPFILTRATION AREA SEE CIVIL PLAN
- [Symbol] STONE SEAT
- [Symbol] BENCH

**GENERAL SYMBOLS & ABBREVIATIONS**

- PROPERTY LINE
- EQ. EQUAL
- O.C. ON CENTER
- N.I.C. NOT IN CONTRACT
- NO. NUMBER
- TYP. TYPICAL
- QTY. QUANTITY
- V.I.F. VERIFY IN FIELD
- S.A.D. SEE ARCHITECTURAL DRAWINGS
- G.C.D. SEE CIVIL DRAWINGS
- S.S.D. SEE STRUCTURAL DRAWINGS
- S.M.D. SEE MECHANICAL DRAWINGS
- S.E.D. SEE ELECTRICAL DRAWINGS

**ASPHALT COATING COLOR SCHEDULE**

LOCATION	COLOR
OVAL WALKING TRACK	ROYAL BLUE
BASKETBALL COURT	EVERGREEN
TETHERBALL COURT	EVERGREEN, ROYAL BLUE
FOUR SQUARE COURT	EVERGREEN, ROYAL BLUE, TERRACOTTA, SUN BAKED CLAY
HOPSCOTCH SNAIL	EVERGREEN, ROYAL BLUE, TERRACOTTA, SUN BAKED CLAY

**INTEGRAL COLOR CONCRETE COLOR & FINISH SCHEDULE**

ABBREVIATION	COLOR	FINISH
COLOR A	DAVIS COLOR 5237 SANDSTONE	MEDIUM SANDBLAST
COLOR B	DAVIS COLOR 677 MESQUITE	BROOM

**CITY OF OAKLAND**  
DEPARTMENT OF ENGINEERING AND CONSTRUCTION  
DIVISION OF COMMUNITY DEVELOPMENT

B1304669  
**APPROVED**  
CITY OF OAKLAND  
BUILDING DEPARTMENT  
PLAN CHECK SECTION  
DATE: 11/11/14  
BY: [Signature]

DATE: 11/11/14  
BY: [Signature]

PROJECT NO: 1304669  
PROJECT NAME: GOLDEN GATE RECREATION CENTER  
1674 62ND STREET, OAKLAND, CA  
PROJECT # 1304669

Checked by: SHAH KAWASAKI ARCHITECTS

PG&A design

Drawing Title: **SITE PLAN**

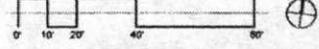
Sheet No: **L-102**

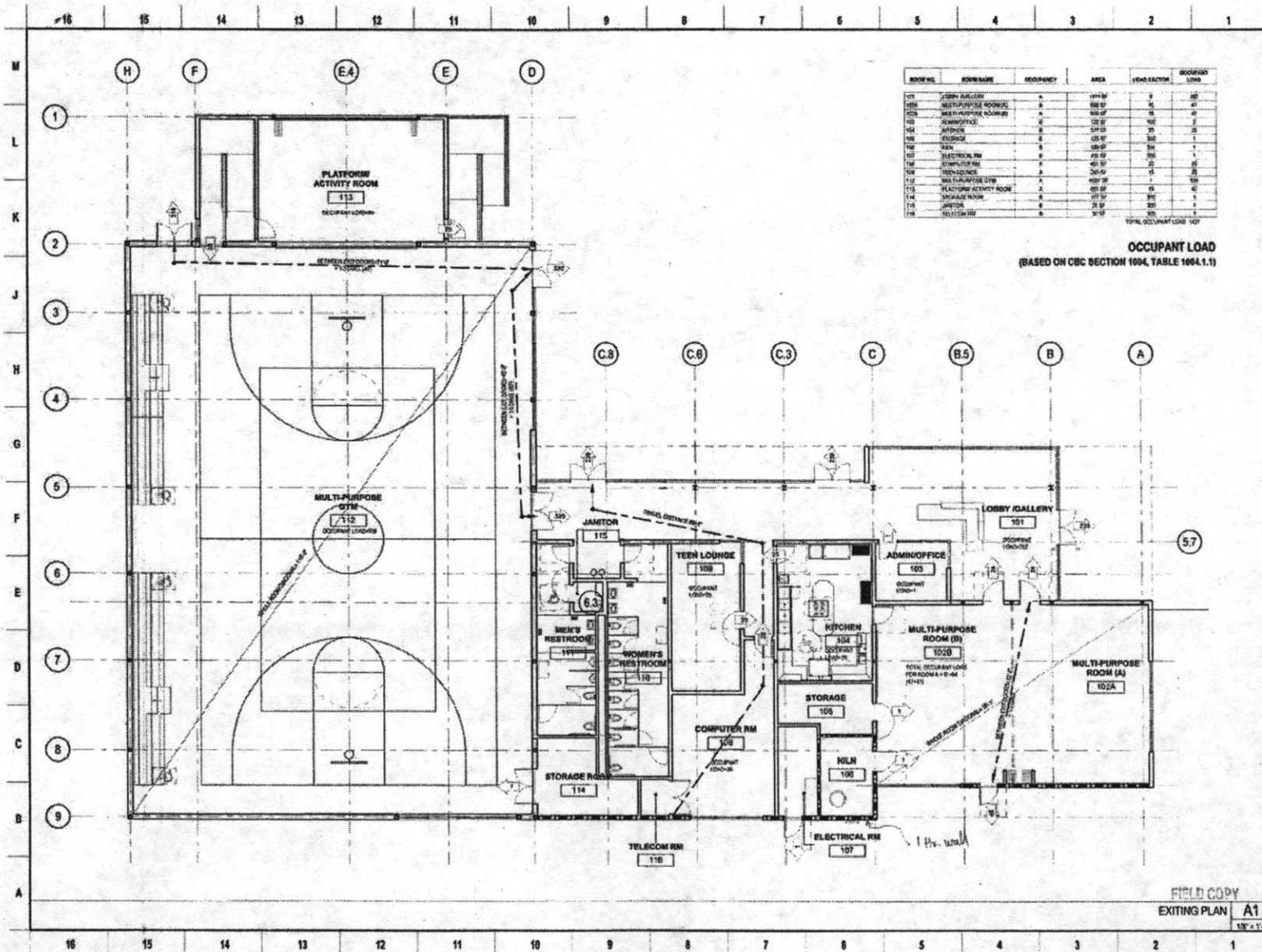
623 Project Number: 1304669

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CMDV 13154  
3/10/14  
FIELD COPY





ROOM NO.	ROOM NAME	OCCUPANCY	AREA	FLOOR SECTION	ROOM NO.
101	LOBBY GALLERY	A	141 SF	1	101
102	MULTI-PURPOSE ROOM (B)	A	100 SF	1	102
103	ADMIN OFFICE	A	100 SF	1	103
104	KITCHEN	A	100 SF	1	104
105	STORAGE	A	100 SF	1	105
106	TEEN LOUNGE	A	100 SF	1	106
107	ELECTRICAL RM	A	100 SF	1	107
108	COMPUTER RM	A	100 SF	1	108
109	KILN	A	100 SF	1	109
110	WOMEN'S RESTROOM	A	100 SF	1	110
111	MEN'S RESTROOM	A	100 SF	1	111
112	MULTI-PURPOSE GYM	A	100 SF	1	112
113	PLATFORM ACTIVITY ROOM	A	100 SF	1	113
114	STORAGE	A	100 SF	1	114
115	JANITOR	A	100 SF	1	115
116	TELECOM RM	A	100 SF	1	116
117	STORAGE	A	100 SF	1	117

**OCCUPANT LOAD**  
(BASED ON CBC SECTION 1004, TABLE 1004.1.1)



2130 4669  
**APPROVED**  
CITY OF OAKLAND  
BUILDING DEPARTMENT  
PLUMBING SECTION  
Per International Code Book  
City of Oakland  
Per: [Signature]  
Date: 3/27/14

NOTE: If this drawing is not printed & has been issued from its original file and the scale used is different than the one shown, the scale shown on this drawing shall apply.

NO.	DATE	BY	DESCRIPTION
1	03/27/14	SHAH KAWASARI	ISSUED FOR PERMITS

Project No: **GOLDEN GATE RECREATION CENTER**  
1015 5TH STREET, OAKLAND, CA  
PROJECT'S CADD'S

Architect of Record:  
**SHAH KAWASARI ARCHITECTS**  
1015 5TH STREET, OAKLAND, CA 94612



**BUILDING PLAN**  
A-004

FIELD COPY  
EXITING PLAN A1

## CITY OF OAKLAND

Public Works Agency - Contract Services

## CONTRACTOR BID RESULTS

PROJECT NAME: Golden Gate Recreation Center Improvements  
 PROJECT NO: C457510  
 BID DATE: Monday, May 12, 2014  
 ENGINEER'S ESTIMATE: \$6,550,000.00

ISSUED TO COMPLIANCE,  
 PROJECT MANAGER AND  
 ALL PRIME BIDDERS:

BASIS OF AWARD: Base Bid + Bid Alternate 1  
 COMPLIANCE OFFICER: Sophany Hang  
 COMMENTS: Sole bidder was Arntz Builders. Failed to list trucking on Schedule R.

Documents Required With Bid	Arntz Builders Inc.	
Contractor's Bid Form and Bid Schedule	Yes	
License Type and is It Active per CSLB?	A, B	Yes
Addendum acknowledgement (3 addenda)	Yes	
Bid Bond Form	Yes	
Schedule K - Pending Dispute Disclosure	Yes	
Schedule O - Campaign Contribution Limits	Yes	
Schedule R - Subcontractor, Supplier, Trucking Listing	Yes	
If Trucking is required, was one listed?	No trucking listed	

			Engineer's Estimate				Arntz Builders Inc.	
Item Number	Spec. Section	Item Description	Quantity	Unit	Unit Price	Amount	Unit Price	Amount
1	031000, 033000,	Foundations	1	LS	\$200,000	200,000.00	550,000.00	550,000.00
2	051200, 062000	Vertical Structures	1	LS	\$195,000	195,000.00	825,000.00	825,000.00
3	031000, 033000,	Floor & Roof Structures	1	LS	\$745,000	745,000.00	500,000.00	500,000.00
4	072100, 072800,	Exterior Cladding	1	LS	\$987,000	987,000.00	200,000.00	200,000.00
5	055000, 074115,	Roofing and Waterproofing	1	LS	\$368,000	368,000.00	210,000.00	210,000.00
6	055000, 072100,	Interior Partitions, Doors & Glazing	1	LS	\$363,000	363,000.00	800,000.00	800,000.00
7	033550, 035400,	Floor, Wall and Ceiling Finishes	1	LS	\$548,000	548,000.00	200,000.00	200,000.00
8	064000, 101100,	Function Equipment and Specialties	1	LS	\$265,000	265,000.00	205,000.00	205,000.00
9		Stairs and Vertical Transportation	1	LS	\$0	\$0	\$0	\$0
10	Div. 22	Plumbing Systems	1	LS	\$294,000	294,000.00	250,000.00	250,000.00
11	Div. 23	Heating, Ventilation and Air Conditioning	1	LS	\$491,000	491,000.00	650,000.00	650,000.00
12	Div. 26	Electrical, Lighting, Power and Communications	1	LS	\$682,000	682,000.00	1,212,276.00	1,212,276.00
13	Div. 21	Fire Protection Systems	1	LS	\$121,000	121,000.00	80,000.00	80,000.00
14	024110, Div. 31	Site Preparation and Demolition	1	LS	\$252,000	252,000.00	220,000.00	220,000.00
15	Div. 32	Site Paving, Structures & Landscaping	1	LS	\$572,000	572,000.00	350,000.00	350,000.00
16	Div. 33	Utilities on Site	1	LS	\$402,000	402,000.00	220,000.00	220,000.00
17	32 90 00	One Year Landscaping Plant Establishment	1	LS	\$15,000	15,000.00	25,000.00	25,000.00
			Total of Base Bid per spreadsheet calculation			\$ 6,500,000.00		\$ 6,497,276.00
			Total of Base Bid per contractor calculation				\$ 6,497,276.00	
18		Alternate 1: Purchase/install additional gymnasium equipment	1	LS		50,000.00		65,803.00
			Total of Bid Alternate 1 per spreadsheet calculation			\$50,000.00		65,803.00
			Total of Base Bid + Bid Alternate 1 per contractor calculation			6,550,000.00		6,563,079.00



## INTER OFFICE MEMORANDUM

**TO:** Denise Louie,  
CIP Coordinator

**FROM:** Deborah Barnes, *Deborah Barnes*  
Manager, Contracts & Compliance

**SUBJECT:** Compliance Analysis  
Golden Gate Recreation Center Improvements-  
Including Bid Alternate 1  
Project No. C457510

**DATE:** June 9, 2014

City Administrator's Office, Contracts and Compliance Unit reviewed one (1) bid 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 /VSLBE Trucking	Total Credited participation	Earned Bid Discounts	Adjusted Bid Amount	
Arntz Builders, Inc.	\$6,563,079	51.11%	0.00%	43.36%	7.45%	NA	51.11%	NA	NA	N

**Comments:** As noted above, Arntz Builders, Inc. met and/or exceeded the minimum 50% L/SLBE participation requirement. However, they failed to meet 50% L/SLBE trucking requirement. Therefore, they are deemed non-responsive to the L/SLBE trucking requirement. The firm is not EBO compliant. They will have to come into compliant prior to award.

\*Proposed VSLBE/LPG participation is valued at 7.45%, however, per the L/SLBE Program a VSLBE/LPG's participation is double counted towards meeting the requirement. Therefore, the VSLBE/LPG value is 14.90%.



**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:** Arntz Builders, Inc.  
**Project Name:** NA  
**Project No.** NA

**50% Local Employment Program (LEP)**

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

**15% Oakland Apprenticeship Program**

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

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
NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA

**Comments:** No Local Employment Program (LEP) or Apprenticeship Program Utilization data is available for Arntz Builder, Inc. They have not completed any project for the City of Oakland in the last fiscal year.

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

**CITY ADMINISTRATOR'S OFFICE**

**Contracts and Compliance Unit**



**PROJECT COMPLIANCE EVALUATION FOR :**

Project No. C457510

RE: Golden Gate Recreation Center Improvements-Including Bid Alternate 1

**CONTRACTOR:** Arntz Builders, Inc.

<b>Engineer's Estimate:</b>	<b>Contractors' Bid Amount</b>	<b>Over/Under Engineer's Estimate</b>
\$6,550,000.00	\$6,563,079.00	(\$13,079.00)
<b>Discounted Bid Amount:</b>	<b>Amt. of Bid Discount</b>	<b>Discount Points:</b>
NA	NA	NA

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 **43.66%**
  - c) % of VSLBE participation **7.45%** **14.90%** (double counted value)
3. Did the contractor meet the L/SLBE Trucking requirement? **NO**
  - a) Total L/SLBE trucking participation **0.00%**
  - a) Total VSLBE trucking participation **0.00%**
4. Did the contractor receive bid discount points? **NO**

(If yes, list the points received) **0%**

5. Additional Comments.

Contractor achieved 58.56% L/SLBE participation. However, they failed to meet 50% L/SLBE trucking requirement. Therefore, they are deemed non-responsive to the L/SLBE trucking requirement. Proposed VSLBE/LPG participation is valued at 7.45%, however, per the L/SLBE Program a VSLBE/LPG's participation is double counted towards meeting the requirement. Therefore, the VSLBE/LPG value is 14.90%.

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

6/9/2014

Date

**Reviewing  
Officer:**

*Supriya Hong*

**Date:** 6/9/2014

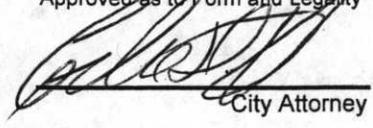
**Approved By:**

*Shelley Danenberg*

**Date:** 6/9/2014

## LBE/SLBE Participation Bidder 1

Project Name: Golden Gate Recreation Center Improvements-Including Bid Alternate 1														
Project No.: C457510		Engineer's Estimate: 6,550,000.00				Under/Over Engineers Estimate: -13,079.00								
Discipline	Location	Cert. Status	LBE	SLBE	*VSLBE/LPG double counted value	Total LBE/SLBE	VSLBE Trucking	L/SLBE Trucking	Total Trucking	TOTAL Dollars	Ethnicity			
											Ethn.	MBE	WBE	
PRIME	Arntz Builders, Inc.	Novato	UB							2,316,386.00	NL			
Metal Roof	Andy's Roofing	San Leandro	UB							204,800.00	NL			
Painting	Citywide Painting	Oakland	CB		79,000.00	79,000.00				79,000.00	AP	79,000.00		
Coatings	Drier Fire Protection	Sabastepol	UB							36,082.00	NL			
Fire Protection														
Structural Steel	Focon	Oakland	CB		1,857,000.00	1,857,000.00				1,857,000.00	AA	1,857,000.00		
	Barney's Backhoe Service	Tracy	UB							84,500.00	NL			
Underground	Mission City Rebar	Santa Clara	UB							79,173.00	NL			
Rebar														
Landscape & Irrigation	RMT Landscape	Oakland	CB		97,165.00	97,165.00				97,165.00	H	97,165.00		
	Celestial Technologies, Inc	Oakland	CB		610,000.00	610,000.00				610,000.00	AA	610,000.00		
Electrical	Ironwood Comercial Builders	Oakland	CB		85,540.00	85,540.00				85,540.00	C			
Plaster aluminum & Glass	ACR Glass & Doors	Oakland	CB		387,348.00	387,348.00				387,348.00	AP	387,348.00		
Acoustic														
Cellings	Pacific States	Oakland	CB		22,622.00	22,622.00				22,622.00	AA	22,622.00		
Wood Floor	Hur Flooring	Van Nuys	UB							89,380.00	NL			
HVAC	Dynamic Mech.	Antelope	UB							398,583.00	NL			
Plumbing	Paul's Plumbing	Oakland	CB		215,500.00	215,500.00				215,500.00	C			
<b>Project Totals</b>				\$0.00 0.00%	\$2,865,205.00 43.66%	\$488,970.00 7.45%	\$3,354,175.00 51.11%	\$0.00 0.00%	\$0.00 0.00%	\$0.00 0.00%	\$6,563,079.00 100%	\$3,053,135.00 46.52%	\$0.00 0.00%	
<b>Requirements:</b> 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% requirement.			<b>LBE 25%</b>	<b>SLBE 25%</b>	<b>VSLBE/LPG</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 C = Caucasian AP - Asian Pacific H = Hispanic NA = Native American O = Other NL = Not Listed				
<b>Legend</b>			LBE = Local Business Enterprise		UB = Uncertified Business		VSLBE = Very Small Local Business Enterprise		CB = Certified Business		MBE = Minority Business Enterprise		WBE = Women 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					

  
City Attorney

FILED  
OFFICE OF THE CITY CLERK  
OAKLAND

# OAKLAND CITY COUNCIL

2014 JUN 26 PM 3:14

RESOLUTION No. \_\_\_\_\_ C.M.S.

Introduced by Councilmember \_\_\_\_\_

**RESOLUTION TO REJECT ALL BIDS, WAIVE FURTHER COMPETITIVE BIDDING AND AUTHORIZE THE CITY ADMINISTRATOR, OR HIS DESIGNEE, TO NEGOTIATE A CONSTRUCTION CONTRACT WITH ARNTZ BUILDERS, INC. SOLE BIDDER FOR THE GOLDEN GATE RECREATION CENTER IMPROVEMENT PROJECT (NO. C457510) IN ACCORDANCE WITH PLANS AND SPECIFICATIONS FOR AN AMOUNT OF SIX MILLION FIVE HUNDRED SIXTY-THREE THOUSAND AND SEVENTY-NINE DOLLARS (\$6,563,079.00) PLUS THREE HUNDRED THOUSAND (\$300,000.00) CONSTRUCTION CONTRACT CONTINGENCY FOR A TOTAL CONSTRUCTION CONTRACT AMOUNT OF SIX MILLION EIGHT HUNDRED SIXTY-THREE THOUSAND AND SEVENTY-NINE DOLLARS (\$6,863,079.00)**

**WHEREAS**, on November 7, 2006 California voters passed Proposition 84, the Safe Drinking Water, Water Quality and Supply, Flood Control, River and Coastal Protection Bond Act; and

**WHEREAS**, on May 17, 2011 the City Council approved Golden Gate Recreation Center project as one of six projects to apply for Round 2 of this competitive grant in Resolution 83367 C.M.S.; and

**WHEREAS**, in June 2012 the City entered into Agreement with the State of California Department of Parks & Recreation receiving Proposition 84 grant funds for the project; and

**WHEREAS**, in February 2009, City Council received Local Grant Program funds from East Bay Regional Park District Measure WW Bond under Resolution 81777 C.M.S and allocated the funds per Resolution 81586 C.M.S in October 2008; and

**WHEREAS**, in February 2012 City Council authorized the reallocation of \$3,300,000 of Measure WW funds to Golden Gate Recreation Center improvement project under Resolution 83722 C.M.S.; and

**WHEREAS**, this project was advertised on April 10, 2014 and a single bid was received by the Office of the City Clerk on May 12, 2014; and

**WHEREAS**, the bid was deemed non-responsive to the City's LBE/SLBE trucking requirement; and

**WHEREAS**, Section 2.04.050 I.5 of the Oakland Municipal Code (the "OMC") authorizes the City Council to waive the advertising and competitive bidding requirements of Section 2.04.050 upon a finding and determination that in the best interests of the City; and

**WHEREAS**, rebid of the project would incur additional time and cost that will compress the completion time and possibly affect meeting grant deadlines; 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

**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 City finds and determines that pursuant to Chapter 2.04, Article 1, Section 2.04.050.I (5) of the Oakland Municipal Code that it is in the best interest of the City to waive further competitive bidding; and be it

**FURTHER RESOLVED**, That the City Administrator is authorized to negotiate, award and execute a construction contract with Arntz Builders, Inc. for the Golden Gate Recreation Center Improvement Project (C457510) for an amount of Six Million Eight Hundred Sixty-Three Thousand and Seventy-Nine Dollars (\$6,863,079.00) in accordance with the project plans and specifications; and be it

**FURTHER RESOLVED**, That all bids are hereby rejected; and be it

**FURTHER RESOLVED**, That the City Council hereby approves the plans and specifications prepared at the direction of the Assistant Director of the Oakland Public Works Department for this project; and be it

**FURTHER RESOLVED**, That the City Administrator is authorized to execute any amendments or modifications of the contract within the limitations of the project specifications; and be it

**FURTHER RESOLVED**, That the successful contractor shall provide faithful performance bond and a bond to guarantee payment of all claims for labor and materials furnished and for the amount of 100% of the contract price and due under the Unemployment Insurance Act prior to execution of the contract; 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, \_\_\_\_\_

**PASSED BY THE FOLLOWING VOTE:**

AYES - BROOKS, GALLO, GIBSON MCELHANEY, KALB, KAPLAN, REID, SCHAAF and PRESIDENT KERNIGHAN

NOES -

ABSENT -

ABSTENTION -

ATTEST: \_\_\_\_\_

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