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OFFICE OF THE CITY CLERK  
OAKLAND

2017 MAR 29 PM 12:39 **AGENDA REPORT**

**TO:** Sabrina B. Landreth  
City Administrator

**FROM:** Christine Daniel  
Interim Director, Public  
Works

**SUBJECT:** Rehabilitation of Sanitary Sewers

**DATE:** March 8, 2017

City Administrator Approval

Date:

*[Handwritten signature]*  
*3/28/17*

**RECOMMENDATION**

**Staff Recommends That The City Council Adopt The Following Three Construction Contract Award Resolutions:**

- 1. Resolution Awarding A Construction Contract To Mosto Construction, The Lowest Responsive, Responsible Bidder, For Sanitary Sewer Rehabilitation In Various Locations (Project No. 1001018) In Accordance With Plans And Specifications For The Project And With Contractor's Bid In The Amount Of Three Hundred Ninety-Four Thousand One Hundred Thirty-Two Dollars (\$394,132.00).**
- 2. Resolution Awarding A Construction Contract To Pacific Trenchless. Inc., The Lowest Responsive, Responsible Bidder, For Sanitary Sewer Capacity Upgrades In Various Locations (Project No. 1001173) In Accordance With Plans And Specifications For The Project In The Amount Up To Two Million Four Hundred Seven Thousand One Hundred Seven Dollars (\$2,407,107.00).**
- 3. Resolution Awarding A Construction Contract To Pacific Trenchless. Inc., The Lowest Responsive, Responsible Bidder, For Sanitary Sewer Rehabilitation Sub-Basin 83-402 (Project No. 1001322) In Accordance With Plans And Specifications For The Project And With Contractor's Bid In The Amount Of One Million Three Hundred Thirty-One Thousand Twenty-One Dollars (\$1,331,021.00).**

**EXECUTIVE SUMMARY**

Approval of these three resolutions will authorize the City Administrator or designee to execute a construction contract with Mosto Construction in the amount of \$394,132.00, and two construction contracts with Pacific Trenchless Inc. in amounts of \$2,407,107.00 and \$1,331,021.00. The work to be completed under the three projects are part of the City's annual Sanitary Sewer Rehabilitation program and are required under the 2014 Sewer Consent Decree. Funding for these three projects are available in the Fiscal Year 2016-17 budget. The work is located city-wide as shown in **Attachment A1, Attachment A2, and Attachment A3.**

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## BACKGROUND / LEGISLATIVE HISTORY

1. *Sanitary Sewer Rehabilitation In Various Locations (Project No. 1001018)*: On January 26, 2017, the City Clerk received two bids for this project in the amounts of \$394,132.00 and \$407,317.00 as shown in **Attachment B**. Mosto Construction was deemed the lowest responsive and responsible bidder and therefore is recommended for the award. The proposed work under this contract consists of rehabilitating sewer structures, reconnecting and rehabilitating building sewer connections, and other related work as indicated on the plans and specifications. This project is part of the City's annual Sanitary Sewer Rehabilitation program intended to improve the sanitary system conditions throughout Oakland, and is required under the 2014 Sewer Consent Decree.
2. *Sanitary Sewer Capacity Upgrades In Various Locations (Project No. 1001173)*: On February 9, 2017, the City Clerk received two bids for this project in the amount of \$2,350,174.00 and \$2,407,107.00 as shown in **Attachment B**. Pacific Trenchless, Inc. was deemed the lowest responsive and responsible bidder and therefore is recommended for the award. The proposed work under this contract consists of rehabilitating sewer structures, reconnecting and rehabilitating building sewer connections, and other related work as indicated on the plans and specifications. This project is part of the City's annual Sanitary Sewer Rehabilitation program intended to improve the sanitary system conditions throughout Oakland, and is required under the 2014 Sewer Consent Decree.
3. *Sanitary Sewer Rehabilitation Sub-Basin 83-402 (Project No. 1001322)*: On February 2, 2017, the City Clerk received two bids for this project in the amount of \$1,331,021.00 and \$1,451,230.00 as shown in **Attachment B**. Pacific Trenchless, Inc. was deemed the lowest responsive and responsible bidder and therefore is recommended for the award. The proposed work under this contract consists of rehabilitating sewer structures, reconnecting house connection sewers, reconnecting and rehabilitating building sewer connections, and other related work as indicated on the plans and specifications. This project is part of the City's annual Sanitary Sewer Rehabilitation program intended to improve the sanitary system conditions throughout Oakland, and is required under the 2014 Sewer Consent Decree.

## ANALYSIS AND POLICY ALTERNATIVES

Adoption of these resolutions will allow the City Administrator or designee to execute a construction contract with Mosto Construction, and two construction contracts with Pacific Trenchless Inc. for sewer rehabilitation projects as follows:

1. *Sanitary Sewer Rehabilitation In Various Locations (Project No. 1001018)*: Under the proposed contract with Mosto Construction, the Local Business Enterprise/Small Local Business Enterprise (LBE/SLBE) participation will be 89.60 percent, which exceeds the City's 50 percent LBE/SLBE requirement. Trucking participation is 100 percent and exceeds the 50 percent requirement. The contractor is required to have 50 percent of

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the work hours performed by Oakland residents, and 50 percent of all new hires are to be Oakland residents. The LBE/SLBE information has been verified by the Social Equity Division of the Department of Contracting and Purchasing and is shown in **Attachment C1**. Contract amount: \$394,132.00

Construction is scheduled to begin in June 2017 and should be completed by September 2017. The contract specifies liquidated damages of \$1,000 per calendar day. The project schedule is shown in **Attachment B**.

The Engineer's estimate for the work is \$389,160.00. Staff has reviewed the submitted bids for the work and has determined that the bids are reasonable for the current construction market conditions.

2. *Sanitary Sewer Capacity Upgrades In Various Locations (Project No. 1001173)*: Under the proposed contract with Pacific Trenchless, Inc., the Local Business Enterprise/Small Local Business Enterprise (LBE/SLBE) participation will be 96.05 percent, which exceeds the City's 50 percent LBE/SLBE requirement. Trucking participation is 100 percent and exceeds the 50 percent requirement. The contractor is required to have 50 percent of the work hours performed by Oakland residents, and 50 percent of all new hires are to be Oakland residents. The LBE/SLBE information has been verified by the Social Equity Division of the Department of Contracting and Purchasing and is shown in **Attachment C2**. Contract amount: \$2,407,107.00

Construction is scheduled to begin in June 2017 and should be completed by September 2017. The contract specifies liquidated damages of \$1,000 per calendar day. The project schedule is shown in **Attachment B**.

The Engineer's estimate for the work is \$2,023,985.00. Staff has reviewed the submitted bids for the work and has determined that the bids are reasonable for the current construction market conditions, and the two bid amounts are relatively close.

3. *Sanitary Sewer Rehabilitation Sub-Basin 83-402 (Project No. 1001322)*: Under the proposed contract with Pacific Trenchless, Inc., the Local Business Enterprise/Small Local Business Enterprise (LBE/SLBE) participation will be 96.99 percent, which exceeds the City's 50 percent LBE/SLBE requirement. Trucking participation is 100 percent and exceeds the 50 percent requirement. The contractor is required to have 50 percent of the work hours performed by Oakland residents, and 50 percent of all new hires are to be Oakland residents. The LBE/SLBE information has been verified by the Social Equity Division of the Department of Contracting and Purchasing and is shown in **Attachment C3**. Contract amount: \$1,331,021.00

Construction is scheduled to begin in June 2017 and should be completed by October 2017. The contract specifies liquidated damages of \$1,000 per calendar day. The project schedule is shown in **Attachment B**.

The Engineer's estimate for the work is \$1,298,460.00. Staff has reviewed the submitted bids for the work and has determined that the bids are reasonable for the current construction market conditions.

The Environmental Protection Agency (EPA) mandates the reduction of sanitary sewer over flows during storm events. These projects are part of the City's annual Sanitary Sewer Rehabilitation program intended to improve the pipe conditions and reduce wet weather peak flows in sanitary sewer system, and is required under 2014 Sewer Consent Decree.

### **FISCAL IMPACT**

Funding for three projects are available in the Fiscal Year (FY) 2016-17 Budget in Fund 3100 Sewer Service Fund, Organization 92244 Sanitary Sewer Design Organization, Account 57417 Sewers, Project No. 1001018, 1001173 and 1001322. Funding for operations and maintenance is also budgeted and available in the Sewer Fund 3100. The projects' goal is to improve pipe conditions, reduce maintenance cost, reduce wet weather peak flows in sanitary sewer system, and is required under the 2014 Sewer Consent Decree.

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

The Contractor Performance Evaluations for Mosto Construction and Pacific Trenchless Inc. from previously completed projects are satisfactory and are included in **Attachment D1 and Attachment D2**, respectively.

### **PUBLIC OUTREACH / INTEREST**

The residents in the area have been notified in writing about these projects. Prior to starting work, residents who are affected by the work will be notified individually of the work schedule, planned activities, and contact information of the Contractor and Resident Engineer/Inspector in charge.

### **COORDINATION**

The work to be done under this contract was coordinated with Oakland Public Works (OPW) Bureau of Infrastructure and Operations, Contracts and Compliance Division, and Bureau of Facilities and Environment. In addition, the Office of City Attorney and the Controller's Bureau have reviewed this report and resolution.

### **SUSTAINABLE OPPORTUNITIES**

**Economic:** The contractors are all verified for Local Business Enterprise and Small Local Business Enterprise (LBE/SLBE) participation by the Social Equity Division of the Department of Contracting and Purchasing. The contractors are required to have 50 percent of the work hours performed by Oakland residents, and 50 percent of all new hires are to be Oakland residents, which will result in funds being spent locally.

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**Environmental:** Replacing sanitary sewers will minimize sewer leakage and overflows, thus preventing potential harm to property, groundwater resources and the bay. Best Management Practices for the protection of storm water runoff during construction will be required.

**Social Equity:** This project is part of the citywide program to eliminate wastewater discharges and overflows, thereby, benefiting all Oakland residents with decreased sewer overflows and improved infrastructure.

**ACTION REQUESTED OF THE CITY COUNCIL**

Staff Recommends That The City Council Adopt Resolutions Awarding as follows:

1. A Construction Contract to Mosto Construction, The Lowest Responsive, Responsible Bidder, For Sanitary Sewer Rehabilitation In Various Locations (Project No. 1001018) In Accordance With Plans And Specifications For The Project And With Contractor's Bid In The Amount Of Three Hundred Ninety-Four Thousand One Hundred Thirty-Two Dollars (\$394,132.00).
2. A Construction Contract to Pacific Trenchless, Inc., The Lowest Responsive, Responsible Bidder, For Sanitary Sewer Capacity Upgrades In Various Locations (Project No. 1001173) In Accordance With Plans And Specifications For The Project And With Contractor's Bid In The Amount Of Two Million Three Hundred Fifty Thousand One Hundred Seventy-Four Dollars (\$2,407,107.00).
3. A Construction Contract to Pacific Trenchless, Inc., The Lowest Responsive, Responsible Bidder, For Sanitary Sewer Rehabilitation Sub-Basin 83-402 (Project No. 1001322) In Accordance With Plans And Specifications For The Project And With Contractor's Bid In The Amount Of One Million Three Hundred Thirty-One Thousand Twenty-One Dollars (\$1,331,021.00).

For questions regarding this report, please contact Jimmy Mach, Wastewater Engineering Management Division Acting Division Manager, 510-238-3303.

Respectfully submitted,



Christine Daniel  
Interim Director, Oakland Public Works

Reviewed by:  
Danny Lau, P.E., Assistant Director  
Bureau of Design & Construction

Prepared by:  
Jimmy Mach, P.E., Acting Division Manager  
Wastewater Engineering Management Division

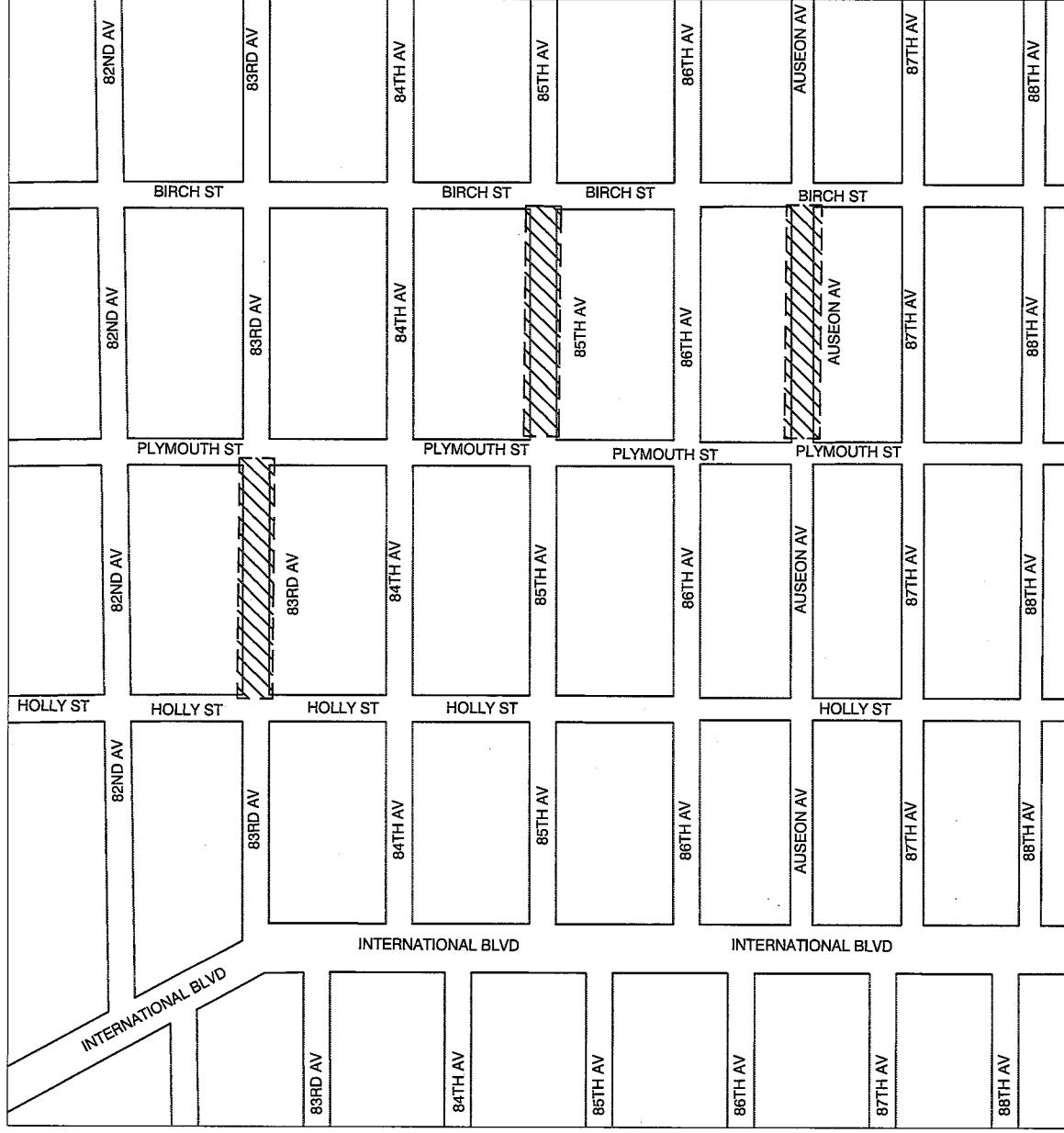
*Attachments (4):*

- A1, A2, & A3: Project Location Map*
- B: List of Bidders and Project Construction Schedule*
- C1, C2 & C3: Contracts & Compliance Unit Compliance Evaluation*
- D1 & D2: Contractors Performance Evaluation*

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# SANITARY SEWER REHABILITATION IN VARIOUS LOCATIONS

CITY PROJECT NO. 1001018



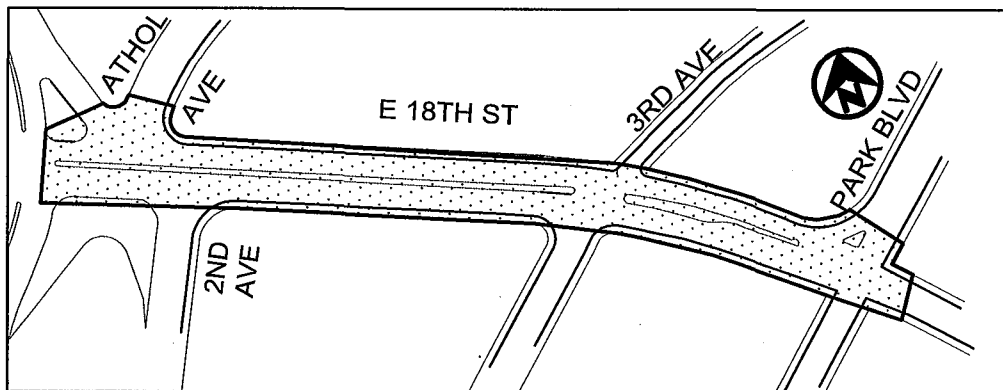
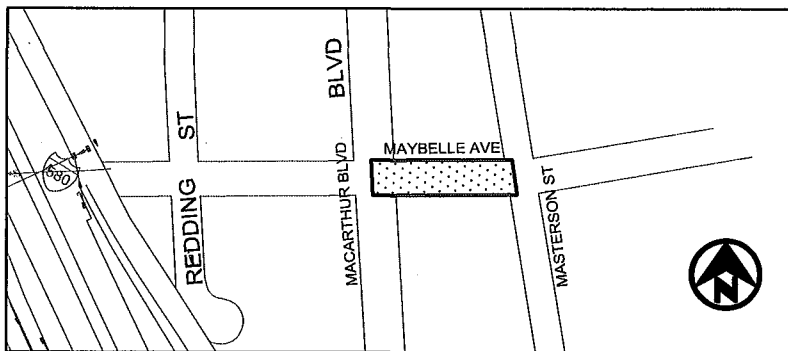
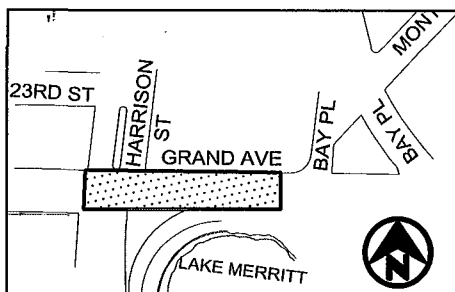
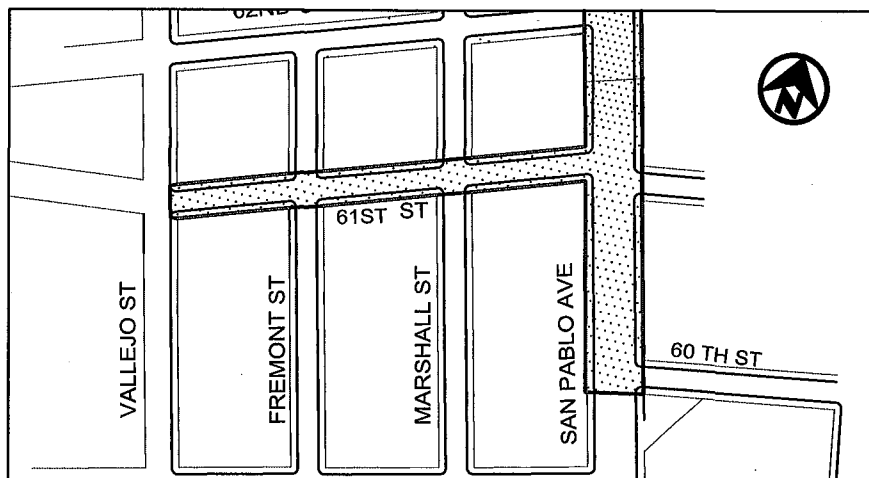
LOCATION MAP

NOT TO SCALE

LIMIT OF WORK 

# SANITARY SEWER CAPACITY UPGRADES IN VARIOUS LOCATIONS

CITY PROJECT NO. 1001173



## LOCATION MAP

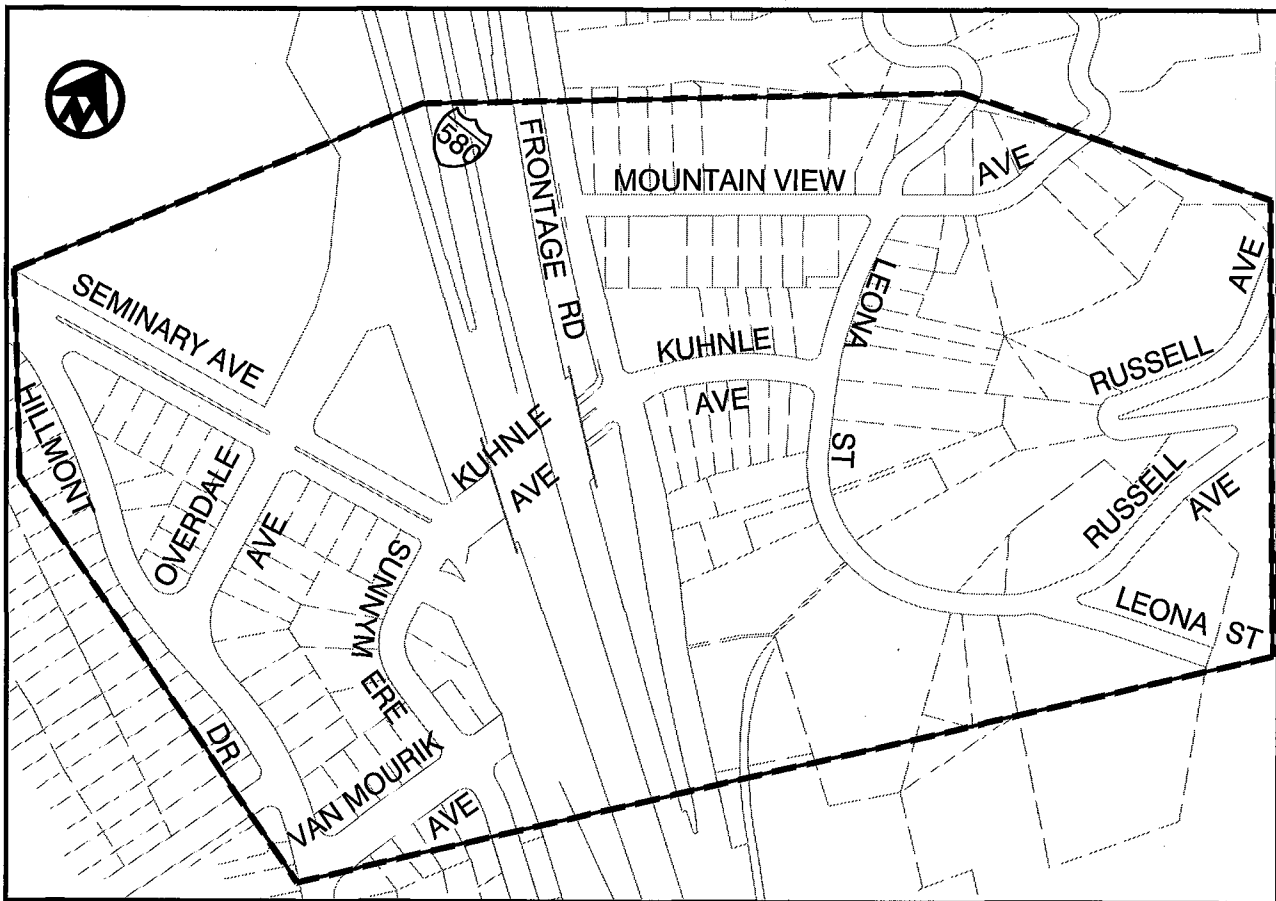
NOT TO SCALE

LIMIT OF WORK 



# PLANS FOR THE REHABILITATION OF SANITARY SEWER SUB-BASIN 83-402

CITY PROJECT NO. 1001322



## LOCATION MAP

NOT TO SCALE

LIMIT OF WORK 

**Attachment B**

**List of Bidders**

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**1001018**

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<b>Company</b>	<b>Location</b>	<b>Bid Amount</b>
<b>Engineer's Estimate</b>	-	\$389,160.00
Mosto Construction	Oakland, CA	\$394,132.00
Andes Construction Inc.	Oakland, CA	\$407,317.00

**1001173**

<b>Company</b>	<b>Location</b>	<b>Bid Amount</b>
<b>Engineer's Estimate</b>	-	\$2,023,985.00
Andes Construction Inc.	Oakland, CA	\$2,350,174.00
Pacific Trenchless Inc.	Oakland, CA	\$2,407,107.00

**1001322**

<b>Company</b>	<b>Location</b>	<b>Bid Amount</b>
<b>Engineer's Estimate</b>	-	\$1,298,460.00
Pacific Trenchless Inc.	Oakland, CA	\$1,331,021.00
Andes Construction Inc.	Oakland, CA	\$1,451,230.00

**Project Construction Schedules**

ID	Task Name	Start	Finish	Qtr 3, 2017				Qtr 4, 2017	
				Jun	Jul	Aug	Sep	Oct	Nov
1	<b>Project No. 1001018</b>	<b>Mon 6/19/17</b>	<b>Wed 9/13/17</b>	[Gantt bar spanning Jun, Jul, Aug, Sep]					
2	Construction	Mon 6/19/17	Wed 9/13/17	[Gantt bar spanning Jun, Jul, Aug, Sep]					
3	<b>Project No. 1001173</b>	<b>Mon 6/19/17</b>	<b>Wed 9/13/17</b>	[Gantt bar spanning Jun, Jul, Aug, Sep]					
4	Construction	Mon 6/19/17	Wed 9/13/17	[Gantt bar spanning Jun, Jul, Aug, Sep]					
5	<b>Project No. 1001322</b>	<b>Mon 6/12/17</b>	<b>Thu 10/19/17</b>	[Gantt bar spanning Jun, Jul, Aug, Sep, Oct, Nov]					
6	Construction	Mon 6/12/17	Thu 10/19/17	[Gantt bar spanning Jun, Jul, Aug, Sep, Oct, Nov]					

*Attachment C*



**INTER OFFICE MEMORANDUM**

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**TO:** Johnny Liu,  
Civil Engineer

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

**SUBJECT:** Compliance Analysis  
Sanitary Sewer Rehabilitation in Various Locations  
Project No. 1001018

**DATE:** February 27, 2017

City Administrator's Office, Contracts and Compliance Unit reviewed two (2) bids 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 compliance with the 50% Local Employment Program (LEP) and the 15% Oakland Apprenticeship Program by the lowest compliant bidder on their most recently completed City of Oakland project.

Compliant with L/SLBE and/or EBO Policies		Proposed Participation					Earned Credits and Discounts			EBO Compliant? Y/N
Company Name	Original Bid Amount	Total LBE/SLBE	LBE	SLBE	*VSLBE/LPG	L/SLBE /VSLBE Trucking	Total Credited participation	Earned Bid Discounts	Adjusted Bid Amount	
Mosto Construction	\$394,132.00	89.60% *94.67%	0.0%	84.52%	5.07%	100.00%	*94.67 %	5%	\$374,425.40	Y

*\*Mosto Construction proposed VSLBE/LPG participation valued at 5.07%. However, per the L/SLBE Program a VSLBE/LPG's participation is double counted towards meeting the requirement. Therefore, the VSLBE/LPG value for Mosto Construction is 10.14%.*

**Comments:** As noted above, Mosto Construction, Inc. met the minimum 50% L/SLBE participation requirement. The firm is EBO compliant.

Non-Compliant with L/SLBE and/or EBO Policies		Proposed Participation					Earned Credits and Discounts			EBO Compliant? Y/N
Company Name	Original Bid Amount	Total LBE/SLBE	LBE	SLBE	*VSLBE/LPG	L/SLBE /VSLBE Trucking	Total Credited participation	Earned Bid Discounts	Adjusted Bid Amount	
Andes Construction	\$407,317.00	89.69%	0.0%	87.63%	2.46%	0.00%	0.00%	0%	\$0.00	Y

**Comments:** As noted above, Andes Construction achieved 92.15% L/SLBE participation. However, they failed to meet the minimum 50% L/SLBE trucking requirement. Therefore, they are deemed non-compliant with L/SLBE trucking requirement. The firm is EBO compliant.

**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:** Mosto Constructors  
**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 Mosto Constructors. They have not completed any project for the City of Oakland in the last fiscal year.

  
 Deborah Barnes, Director  
 Contracts & Compliance

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

**CITY ADMINISTRATOR'S OFFICE**

**Contracts and Compliance Unit**



**PROJECT COMPLIANCE EVALUATION FOR :**

**Project No. 1001018**

**RE:**

**Sanitary Sewer Rehabilitation in Various Locations**

**CONTRACTOR: Mosto Construction**

<b><u>Engineer's Estimate:</u></b>	<b><u>Contractors' Bid Amount</u></b>	<b><u>Over/Under Engineer's Estimate</u></b>
\$389,160.00	\$394,132.00	(\$4,972.00)
<b><u>Discounted Bid Amount:</u></b>	<b><u>Amt. of Bid Discount</u></b>	<b><u>Discount Points:</u></b>
\$374,425.40	\$19,706.60	5.00%
1. Did the 50% local/small local requirement apply:		<b><u>YES</u></b>
2. Did the contractor meet the 50% requirement		<b><u>YES</u></b>
a) % of LBE participation	<b><u>0.00%</u></b>	
b) % of SLBE participation	<b><u>84.52%</u></b>	
c) % of VSLBE participation	<b><u>*5.07%</u></b>	<b><u>10.14%</u></b> (double counted value)
3. Did the contractor meet the Trucking requirement?		<b><u>YES</u></b>
a) Total L/SLBE trucking participation	<b><u>0.00%</u></b>	
a) Total VSLBE trucking participation	<b><u>100.00%</u></b>	
4. Did the contractor receive bid discount points?		<b><u>YES</u></b>
(If yes, list the points received)	<b><u>5%</u></b>	

5. Additional Comments.

**Proposed VSLBE/LPG participation is valued at 5.07%, however, per the L/SLBE Program a VSLBE/LPG's participation is double counted towards meeting the requirement. Therefore, the VSLBE/LPG value is 10.14%.**

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

2/27/2017

**Reviewing Officer:**

**Date:** 2/27/2017

**Approved By:**

Shelley Derensbury

**Date:** 2/27/2017

## LBE/SLBE Participation Bidder 1

<b>Project Name:</b>		<b>Sanitary Sewer Rehabilitation in Various Locations</b>													
<b>Project No.:</b> 1,001,018		<b>Engineer's Estimate</b> 389,160.00			<b>Under/Over Engineers Estimate:</b> -4,972.00										
Discipline	Prime & Subs	Location	Cert. Status	LBE	SLBE	*VSLBE/LPG	Total LBE/SLBE	VSLBE Trucking	L/SLBE Trucking	Total Trucking	TOTAL Dollars				
												Ethn.	MBE	WBE	
PRIME	Mosto Construction	Oakland	CB		333,132.00		333,132.00				333,132.00	H	333,132.00		
Trucking	Monroe Trucking	Oakland	CB			7,000.00	7,000.00	7,000.00		7,000.00	7,000.00	AA	7,000.00		
HDPE Vendor	R & B Company	San Jose	UB								40,000.00	C			
Pipe Vendor	Mission Clay	Oakland	UB								8,000.00	C			
Material Supplier	Inner City Recycling	Oakland	UB								3,000.00	C			
AC Supplier	Gallagher & Burk	Oakland	CB			3,000.00	3,000.00				3,000.00	C			
<b>Project Totals</b>				0.00 0.00%	333,132.00 84.52%	10,000.00 5.07%	343,132.00 89.60%	7,000.00 0.00%	0.00 0.00%	7,000.00 0.00%	394,132.00 100.00%		340,132.00 86.30%	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.				LBE 25%	SLBE 25%	VSLBE/LPG	TOTAL LBE/SLBE	VSLBE trucking	L/SLBE TRUCKING	TOTAL DOLLARS	<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 SLBE = Small Local Business Enterprise VSLBE=Very Small Local 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				UB = Uncertified Business CB = Certified Business MBE = Minority Business Enterprise WBE = Women Business Enterprise							

\*\* Proposed VSLBE/LPG participation is valued at 5.07%, however per the L/SLBE Program a VSLBE/LPG's participation is double counted towards meeting the requirement. Double counted percentage is reflected on the evaluation form and cover memo.

CITY ADMINISTRATOR'S OFFICE

Contracts and Compliance Unit



**PROJECT COMPLIANCE EVALUATION FOR :**

Project No. **1001018**

RE: **Sanitary Sewer Rehabilitation in Various Locations**

**CONTRACTOR: Andes Construction, Inc.**

<u>Engineer's Estimate:</u> \$389,160.00	<u>Contractors' Bid Amount</u> \$407,317.00	<u>Over/Under Engineer's Estimate</u> (\$18,157.00)
<u>Discounted Bid Amount:</u> \$407,317.00	<u>Amt. of Bid Discount</u> \$0.00	<u>Discount Points:</u> 0.00%
1. Did the 50% local/small local requirement apply:		<b>YES</b>
2. Did the contractor meet the 50% requirement		<b>YES</b>
a) % of LBE participation	<u>0.00%</u>	
b) % of SLBE participation	<u>87.23%</u>	
c) % of VSLBE participation	<u>2.46%</u>	(double counted value)
3. Did the contractor meet the Trucking requirement?		<b>NO</b>
a) Total L/SLBE trucking participation	<u>0.00%</u>	
a) Total VSLBE trucking participation	<u>0.00%</u>	
4. Did the contractor receive bid discount points?		<b>NO</b>
(if yes, list the points received)	<u>0.00%</u>	
5. Additional Comments:		
Firm achieved 92.15% L/SLBE participation requirement. However, they failed to meet 50% L/SLBE trucking requirement. Therefore, they are deemed non-compliant.		

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

2/27/2017

Date

Reviewing Officer:

*[Signature]*

Date: 2/27/2017

Approved By:

*Shelley Darenburg*

Date: 2/27/2017



## LBE/SLBE Participation Bidder 2

<b>Project Name:</b>		<b>Sanitary Sewer Rehabilitation in Various Locations</b>												
<b>Project No.:</b> 1001018		<b>Engineer's Estimate</b> 389,160.00				<b>Under/Over Engineers Estimate:</b> -18,157.00								
Discipline	Prime & Subs	Location	Cert. Status	LBE	SLBE	*VSLBE/LPG (2x Value)	Total LBE/SLBE	VSLBE Trucking	L/SLBE Trucking	Total Trucking	TOTAL Dollars	Ethnicity		
												Ethn.	MBE	WBE
PRIME	Andes Construction, Inc.	Oakland	CB		355,317.00		355,317.00				355,317.00	H	355,317.00	
Saw Cutting	Bayline Cutting	Berkeley	UB								3,000.00	H	3,000.00	
Trucking	Foston Trucking	Oakland	UB							5,000.00	5,000.00	AA	5,000.00	
MH Precast	Old Castle	Pleasanton	UB								5,000.00	C		
AC	Gallagher & Burk	Oakland	CB			10,000.00	10,000.00				10,000.00	C		
AB	Inner City	Oakland	UB								2,000.00	C		
Rock	Dutra	San Pablo	UB								2,000.00	NL		
MH Rehab	Contech of California	Stockton	UB								5,000.00	NL		
HDPE Pipe	P & F Distributors	Brisbane	UB								15,000.00	NL		
Concrete	Right Away	Oakland	UB								5,000.00	C		
<b>Project Totals</b>				0.00 0.00%	355,317.00 87.23%	10,000.00 2.46%	365,317.00 89.69%	0.00 0.00%	0.00 0.00%	5,000.00 100.00%	407,317.00 100.00%		363,317.00 89.20%	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.				LBE 25%	SLBE 25%	VSLBE/LPG	TOTAL LBE/SLBE	VSLBE Trucking	L/SLBE TRUCKING	TOTAL DOLLARS	<b>Ethnicity</b> AA = African American A = Asian AI = Asian Indian AP = Asian Pacific			



# INTER OFFICE MEMORANDUM

**TO:** Mastewal Cherinet  
Civil Engineer

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

**SUBJECT:** Compliance Analysis  
Sanitary Sewer Capacity Upgrades in Various Locations  
Project No. 1001173

**DATE:** February 21, 2017

City Administrator's Office, Contracts and Compliance Unit reviewed two (2) bids in response to the above referenced project. Below are the results 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 compliance with the 50% Local Employment Program (LEP) and the 15% Oakland Apprenticeship Program by the lowest compliant bidder on their most recently completed City of Oakland project.

Compliant with L/SLBE and/or EBO Policies		Proposed Participation					Earned Credits and Discounts			EBO Compliant? Y/N
Company Name	Original Bid Amount	Total LBE/SLBE	LBE	SLBE	*VSLBE/LPG	L/SLBE Trucking	Total Credited participation	Earned Bid Discounts	Adjusted Bid Amount	
Pacific Trenchless	\$2,407,107	96.05%	0%	96.05%	0%	100%	96.05%	5%	\$2,286,751.65	Y

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

Non-Compliant with L/SLBE and/or EBO Policies		Proposed Participation					Earned Credits and Discounts			EBO Compliant? Y/N
Company Name	Original Bid Amount	Total LBE/SLBE	LBE	SLBE	*VSLBE	L/SLBE Trucking	Total Credited participation	Earned Bid Discounts	Adjusted Bid Amount	
Andes Construction	\$2,350,174	82.26%	0.00%	82.00%	0.00%	0.00%	0%	0%	0%	Y

**Comments:** As noted above, Andes Construction failed to meet the 50% L/SLBE trucking requirement. Therefore, the firm is deemed non-compliant with the L/SLBE policies.

**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: Pacific Trenchless**

**Project Name: Rehab. Of Sanitary Sewers between Moore, Saroni and Arrowhead**

**Project No: C329125**

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

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


**15% Oakland Apprenticeship Program**

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

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	
<i>A</i>	<i>B</i>	<i>C</i>	<i>D</i>	<i>E</i>	<i>F</i>	<i>G</i>	<i>H</i>	<i>I</i>	<i>J</i>			
740	0	50%	370	100%	370	0	0	100%	112	15%	112	0

**Comments:** Pacific Trenchless exceeded the Local Employment Program's 50% resident hiring goal with 100% resident employment and met the 15% Oakland Apprenticeship Program goals with 56 on-site hours and 56 off-site hours.

  
 Deborah Barnes, Director  
 Contracts & Compliance

Should you have any questions you may contact Vivian Inman at (510) 238-6261.

**CONTRACTS AND COMPLIANCE UNIT**



**Contract Compliance Division**

**PROJECT EVALUATION FORM**

**PROJECT NO.: 1001173**

**PROJECT NAME: Sanitary Sewer Capacity Upgrades in Various Locations**

**CONTRACTOR: Andes Construction**

<b><u>Engineer's Estimate:</u></b> \$2,023,985.00	<b><u>Contractors' Original Bid Amount</u></b> \$2,350,174.00	<b><u>Over/Under Engineer's Estimate</u></b> -\$326,189.00
<b><u>Discounted Bid Amount:</u></b> \$2,350,174.00	<b><u>Amount of Bid Discount</u></b> \$0.00	<b><u>Discount Points:</u></b> 0%

- 1. Did the 50% requirements apply? **YES**
- 2. Did the contractor meet the 50% requirement? **YES**
  - b) % of LBE participation **2.55%**
  - c) % of SLBE participation **82.00%**
  - d) % of VSLBE/LPG Participation **1.70%**
- 3. Did the contractor meet the L/SLBE Trucking requirement? **NO**
  - a) Total L/SLBE trucking participation
- 4. Did the contractor receive bid discounts? **NO**
  - (If yes, list the percentage received) **0%**
- 5. Additional Comments.

**Firm failed to meet the 50% L/SLBE trucking requirement, therefore, the firm is deemed non compliant.**

6. Date evaluation completed and returned to Contract Admin./Initiating Dept. **2/21/2017**  
Date

**Reviewing Officer:**

*Vivian Arana*

**Date:** **2/21/2017**

**Approved By:**

*Shelley Darenburg*

**Date:** **2/21/2017**

# BIDDER 1

Project Name: **Sanitary Sewer Capacity Upgrades in Various Locations**

Project No.: <b>1001173</b>		Engineers Est: <b>\$2,023,985.00</b>				Under/Over Engineers Estimate: <b>-\$326,189.00</b>				For Tracking Only			
Discipline	Prime & Subs	Location	Cert.  Status	LBE	SLBE	**VSLBE/LPG	Total	L/SLBE	Total	TOTAL Original Bid Amount	Ethn.	MBE	WBE
							LBE/SLBE	Trucking	Trucking	Dollars			
PRIME Trucking	Andes Construction	Oakland	CB		1,837,174		1,837,174			1,837,174	H	1,837,174	
	Foston Trucking	Oakland	UB							85,000	AA	85,000	
Saw Cutting	Bayline Cutting	Oakland	UB							15,000	H	15,000	
MH Precast AC	Old Castle	Pleasanton	UB							20,000	C		
	Gallagher & Burk Hansen	Oakland	CB			40,000	40,000			40,000	C		
AC	Aggregate Inner City	Berkeley	UB							10,000	C		
AB Dr.	Demolition	Oakland	UB							20,000	C		
AB Dr. Concrete	Bultra	San Rafael	UB							20,000	C		
	Central Concrete Right Away	Oakland	CB	60,000			60,000			60,000	C		
Concrete	RedyMix	Oakland	UB							20,000	C		
HDPE Pipe	P&F	Brisbane	UB							8,000	C		
	Mission Clay Products	Oakland	UB							125,000	C		
Concrete	Rosas Brothers	Oakland	UB		\$90,000		\$90,000			\$90,000	H	\$90,000	
<b>Project Totals</b>				\$60,000	\$1,927,174	\$40,000.00	\$2,027,174	\$0	\$0	\$2,350,174		\$1,937,174	\$0
				2.55%	82.00%	1.70%	86.26%	0%	0%	100%		82.43%	0.00%
<b>Requirements:</b> The 50% requirement is a combination of 25% LBE and 25% SLBE participation. An SLBE firm can be counted 100% towards achieving the 50% requirement. A VSLBE and LPG's participation is double counted toward meeting the requirement.				LBE 25%	SLBE 25%	VSLBE/LPG	TOTAL LBE/SLBE/VSLBE/LPG	50% LBE/SLBE TRUCKING			<b>Ethnic</b> AA = African American AI = Asian Indian AP = Asian Pacific C = Caucasian H = Hispanic NA = Native American O = Other NL = Not Listed MO = Multiple Ownership		
<b>Legend</b>				LBE = Local Business Enterprise SLBE = Small Local Business Enterprise VSLBE = Very Small Local 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		UB = Uncertified Business CB = Certified Business MBE = Minority Business Enterprise WBE = Women Business Enterprise							

**CONTRACTS AND COMPLIANCE UNIT**



**Contract Compliance Division**

**PROJECT EVALUATION FORM**

**PROJECT NO.:** 1001173

**PROJECT NAME:** Sanitary Sewer Capacity Upgrades in Various Locations

**CONTRACTOR:** Pacific Trenchless, Inc.

**Engineer's Estimate:**

**\$2,023,985.00**

**Contractors' Original Bid  
Amount**

**\$2,407,107.00**

**Over/Under Engineer's  
Estimate**

**-\$383,122.00**

**Discounted Bid Amount:**

**\$2,286,751.65**

**Amount of Bid Discount**

**\$120,355.35**

**Discount Points:**

**5%**

1. Did the 50% requirements apply?

**YES**

2. Did the contractor meet the 50% requirement?

**YES**

b) % of LBE participation

**0.00%**

c) % of SLBE participation

**96.05%**

d) % of VSLBE/LPG Participation

**0.00%**

3. Did the contractor meet the L/SLBE Trucking requirement?

**YES**

a) Total L/SLBE trucking participation

**100%**

4. Did the contractor receive bid discounts?

**YES**

(If yes, list the percentage received)

**5.00%**

5. Additional Comments.

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

**2/21/2017**

Date

**Reviewing  
Officer:**

Vijay Datta

**Date:**

**2/21/2017**

**Approved By:**

Shelley Darenburg

**Date:**

**2/21/2017**

# LBE/SLBE PARTICIPATION

## BIDDER 2

Project Name: Sanitary Sewer Capacity Upgrades in Various Locations

Project No.: 1001173		Engineers Est: \$2,023,985.00				Under/Over Engineers Estimate: -\$383,122.00				For Tracking Only				
Discipline	Prime & Subs	Location	Cert. Status	LBE	SLBE	**VSLBE/LPG	Total	L/SLBE	Total	TOTAL Original Bid Amount	Ethn.	MBE	WBE	
							LBE/SLBE	Trucking	Trucking					
PRIME	Pacific Trenchless, Inc.	Oakland	CB		2,127,107		2,127,107			2,127,107	C			
Trucking	All City Trucking	Oakland	CB		35,000		35,000	35,000	35,000	35,000	AI	35,000		
Concrete/Asphalt	AJW Construction	Oakland	CB		150,000		150,000			150,000	H	150,000		
VCP Pipe	Mission Clay Products	Oakland	UB							95,000	C			
<b>Project Totals</b>				\$0	\$2,312,107	\$0	\$2,312,107	\$35,000	\$35,000	\$2,407,107		\$185,000	\$0	
				0.00%	96.05%	0.00%	96.05%	100%	100%	100%		7.69%	0.00%	
<b>Requirements:</b> The 50% requirement is a combination of 25% LBE and 25% SLBE participation. An SLBE firm can be counted 100% towards achieving the 50% requirement. A VSLBE and LPG's participation is double counted toward meeting the requirement.				LBE 25%	SLBE 25%	VSLBE/LPG	TOTAL LBE/SLBE/VSLBE/LPG	50% LBE/SLBE/TRUCKING			<b>Ethnicity</b> AA = African American AI = Asian Indian AP = Asian Pacific C = Caucasian H = Hispanic NA = Native American O = Other NL = Not Listed MO = Multiple Ownership			
<b>Legend</b>				LBE = Local Business Enterprise				UB = Uncertified Business						
				SLBE = Small Local Business Enterprise				CB = Certified Business						
				VSLBE = Very Small Local Business Enterprise				MBE = Minority Business Enterprise						
				LPG = Locally Produced Goods				WBE = Women Business Enterprise						
				Total LBE/SLBE = All Certified Local and Small Local Businesses										
				NPLBE = NonProfit Local Business Enterprise										
				NPSLBE = NonProfit Small Local Business Enterprise										



# INTER OFFICE MEMORANDUM

**TO:** Johnny Liu,  
Civil Engineer

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

**SUBJECT:** Compliance Analysis  
Sanitary Sewer Rehabilitation (Sub-Basin 83-402)  
Project No. 1001322

**DATE:** February 27, 2017

City Administrator's Office, Contracts and Compliance Unit reviewed two (2) bids 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 compliance with the 50% Local Employment Program (LEP) and the 15% Oakland Apprenticeship Program by the lowest compliant bidder on their most recently completed City of Oakland project.

Compliant with L/SLBE and/or EBO Policies		Proposed Participation					Earned Credits and Discounts			EBO Compliant? Y/N
Company Name	Original Bid Amount	Total LBE/SLBE	LBE	SLBE	*VSLBE/LPG	L/SLBE /VSLBE Trucking	Total Credited participation	Earned Bid Discounts	Adjusted Bid Amount	
Pacific Trenchless, Inc.	\$1,331,021.00	96.99%	0.0%	96.99%	0.00%	100.00%	96.99 %	5%	\$1,264,469.95	Y

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

Compliant with L/SLBE and/or EBO Policies		Proposed Participation					Earned Credits and Discounts			EBO Compliant? Y/N
Company Name	Original Bid Amount	Total LBE/SLBE	LBE	SLBE	*VSLBE/LPG	L/SLBE /VSLBE Trucking	Total Credited participation	Earned Bid Discounts	Adjusted Bid Amount	
Andes Construction	\$1,451,230.00	92.39%	0.0%	90.66%	1.72%	0.00%	*0.00%	0%	\$0.00	Y

**Comments:** As noted above, Andes Construction achieved 94.11% L/SLBE participation. However, they failed to meet the minimum 50% L/SLBE trucking requirement. Therefore, they are deemed non-compliant with L/SLBE trucking requirement. The firm is EBO compliant.





**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: Pacific Trenchless**

**Project Name: Rehab. Of Sanitary Sewers between Moore, Saroni and Arrowhead**

**Project No: C329125**

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

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

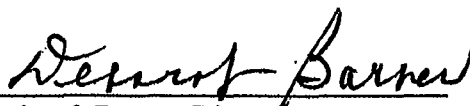
**15% Oakland Apprenticeship Program**

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

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
740	0	50%	370	100%	370	0	0	100%	111	15%	111	0

**Comments:** Pacific Trenchless exceeded the Local Employment Program's 50% resident hiring goal with 100% resident employment and met the 15% Oakland Apprenticeship Program goals with 56 on-site hours and 56 off-site hours.

  
 Deborah Barnes, Director  
 Contracts & Compliance

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

**CITY ADMINISTRATOR'S OFFICE**

**Contracts and Compliance Unit**



**PROJECT COMPLIANCE EVALUATION FOR :**

**Project No. 1001322**

**RE:**

**Sanitary Sewer Rehabilitation (Sub-Basin 83-402)**

**CONTRACTOR: Pacific Trenchless, Inc.**

<b><u>Engineer's Estimate:</u></b>	<b><u>Contractors' Bid Amount</u></b>	<b><u>Over/Under Engineer's Estimate</u></b>
\$1,298,460.00	\$1,331,021.00	(\$32,561.00)

<b><u>Discounted Bid Amount:</u></b>	<b><u>Amt. of Bid Discount</u></b>	<b><u>Discount Points:</u></b>
\$1,264,469.95	\$66,551.05	5.00%

1. Did the 50% local/small local requirement apply: **YES**

2. Did the contractor meet the 50% requirement **YES**

a) % of LBE participation	<b><u>0.00%</u></b>
b) % of SLBE participation	<b><u>96.99%</u></b>
c) % of VSLBE participation	<b><u>0.00%</u></b>

3. Did the contractor meet the Trucking requirement? **YES**

a) Total L/SLBE trucking participation	<b><u>100.00%</u></b>
a) Total VSLBE trucking participation	<b><u>0.00%</u></b>

4. Did the contractor receive bid discount points? **YES**

(If yes, list the points received) **5.00%**

5. Additional Comments.

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

2/27/2017

**Officer:**

*[Signature]*

**Date:** 2/27/2017

**Approved By:**

*Shelley Darenburg*

**Date:** 2/27/2017

## LBE/SLBE Participation Bidder 1

Project Name: <b>Sanitary Sewer Rehabilitation (Sub-Basin 83-402)</b>															
Project No.: 1001322		Engineer's Estimate 1,298,460.00				Under/Over Engineers Estimate: -32,561.00									
Discipline	Prime & Subs	Location	Cert. Status	LBE	SLBE	*VSLBE/LPG	Total	VSLBE Trucking	L/SLBE	Total	TOTAL				
							LBE/SLBE		Trucking	Trucking	Dollars	Ethn.	MBE	WBE	
PRIME	Pacific Trenchless, Inc.	Oakland	CB		1,285,021.00		1,285,021.00				1,285,021.00	C			
	Trucking All City Trucking	Oakland	CB		6,000.00		6,000.00	6,000.00		6,000.00	6,000.00	AI	6,000.00		
HDPE Pipe	P & F Distributors	Brisbane	UB								28,000.00	C			
Manhole Lining	Contech of California	Stockton	UB								12,000.00	C			
<b>Project Totals</b>				0.00	1,291,021.00	0.00	1,291,021.00	6,000.00	0.00	6,000.00	1,331,021.00		6,000.00	0.00	
				0.00%	96.99%	0.00%	96.99%	0.00%	0.00%	0.00%	100.00%		0.45%	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.				LBE 25%	SLBE 25%	*VSLBE/LPG	TOTAL LBE/SLBE	VSLBE Trucking	L/SLBE TRUCKING	TOTAL DOLLARS	<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							
				SLBE = Small Local Business Enterprise				CB = Certified Business							
				VSLBE-Very Small Local Business Enterprise				MBE = Minority Business Enterprise							
				LPG = Locally Produced Goods				WBE = Women Business Enterprise							
				Total LBE/SLBE = All Certified Local and Small Local Businesses											
				NPLBE = NonProfit Local Business Enterprise											
				NPSLBE = NonProfit Small Local Business Enterprise											

**CITY ADMINISTRATOR'S OFFICE**

**Contracts and Compliance Unit**



**PROJECT COMPLIANCE EVALUATION FOR :**

**Project No. 1001322**

**RE: Sanitary Sewer Rehabilitation (Sub-Basin 83-402)**

**CONTRACTOR: Andes Construction, Inc.**

<b>Engineer's Estimate:</b>	<b>Contractors' Bid Amount</b>	<b>Over/Under Engineer's Estimate</b>
\$1,298,460.00	\$1,451,230.00	(\$152,770.00)
<b>Discounted Bid Amount:</b>	<b>Amt. of Bid Discount</b>	<b>Discount Points:</b>
\$1,451,230.00	\$0.00	0.00%
1. Did the 50% local/small local requirement apply:		<b>YES</b>
2. Did the contractor meet the 50% requirement		<b>YES</b>
a) % of LBE participation	<u>0.00%</u>	
b) % of SLBE participation	<u>90.66%</u>	
c) % of VSLBE participation	<u>1.72%</u>	(double counted value)
3. Did the contractor meet the Trucking requirement?		<b>NO</b>
a) Total L/SLBE trucking participation	<u>0.00%</u>	
a) Total VSLBE trucking participation	<u>0.00%</u>	
4. Did the contractor receive bid discount points?		<b>NO</b>
(If yes, list the points received)	<u>0%</u>	
5. Additional Comments.		
Firm achieved 94.11% L/SLBE participation. However, they failed to meet 50% L/SLBE trucking requirement. Therefore, they are non-compliance with L/SLBE requirement.		

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

2/272017  
Date

**Reviewing Officer:**

[Signature]

**Date:** 2/272017

**Approved By:**

Shelley Barenalung

**Date:** 2/272017

## LBE/SLBE Participation Bidder 2

Project Name: <b>Sanitary Sewer Rehabilitation (Sub-Basin 83-402)</b>														
Project No.: 1001322			Engineer's Estimate 1,298,460.00				Under/Over Engineers Estimate: -152,770.00							
Discipline	Prime & Subs	Location	Cert. Status	LBE	SLBE	*VSLBE/LPG (2x Value)	Total LBE/SLBE	VSLBE Trucking	L/SLBE Trucking	Total Trucking	TOTAL Dollars	Ethnicity		
												Ethn.	MBE	WBE
PRIME	Andes Construction, Inc.	Oakland	CB		1,315,730.00		1,315,730.00				1,315,730.00	H	1,315,730.00	
Saw Cutting	Bayline Cutting	Berkeley	UB								5,000.00	H	5,000.00	
Trucking	Foston Trucking	Oakland	UB							15,000.00	15,000.00	AA	15,000.00	
MH Precast	Old Castle	Pleasanton	UB								10,000.00	NL		
AC	Gallagher & Burk	Oakland	CB			25,000.00	25,000.00				25,000.00	C		
AB	Inner City	Oakland	UB								7,000.00	C		
Rock	Dutra	San Pablo	UB								5,000.00	NL		
MH Rehab	Contech of California	Stockton	UB								7,500.00	NL		
HDPE Pipe	P & F Distributors	Brisbane	UB								55,000.00	NL		
Concrete	Right Away	Oakland	UB								6,000.00	C		
<b>Project Totals</b>				0.00 0.00%	1,315,730.00 90.66%	25,000.00 1.72%	1,340,730.00 92.39%	0.00 0.00%	0.00 0.00%	15,000.00 100.00%	1,451,230.00 100.00%		1,335,730.00 92.04%	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.				LBE 25%	SLBE 25%	VSLBE/LPG	TOTAL LBE/SLBE	VSLBE Trucking	L/SLBE TRUCKING	TOTAL DOLLARS	<b>Ethnicity</b> AA = African American A = Asian AI = Asian Indian AP = Asian Pacific			

*Attachment D*

FILED  
OFFICE OF THE CITY CLERK  
OAKLAND

2017 MAR 29 PM 12:39

ATTACHMENT D1

**Schedule L-2  
City of Oakland  
Public Works Agency  
CONTRACTOR PERFORMANCE EVALUATION**

Project Number/Title: C470710 - Repair of stair paths 91 & 92 - Locarno Way

Work Order Number (if applicable): \_\_\_\_\_

Contractor: Mosto Construction

Date of Notice to Proceed: 3-12-15

Date of Notice of Completion: 6-17-15

Date of Notice of Final Completion: 7-16-15

Contract Amount: \$204,300.

Evaluator Name and Title: Jeff Krohn

The City's Resident Engineer most familiar with the Contractor's performance must complete this evaluation and submit it to Manager, PWA Project Delivery Division, within 30 calendar days of the issuance of the Final Payment.

Whenever the Resident Engineer finds the Contractor is performing below Satisfactory for any category of the Evaluation, the Resident Engineer shall discuss the perceived performance shortfall at the periodic site meetings with the Contractor. An Interim Evaluation will be performed if at any time the Resident Engineer finds that the overall performance of a Contractor is Marginal or Unsatisfactory. An Interim Evaluation is required prior to issuance of a Final Evaluation Rating of Unsatisfactory. The Final Evaluation upon Final Completion of the project will supersede interim ratings.

The following list provides a basic set of evaluation criteria that will be applicable to all construction projects awarded by the City of Oakland that are greater than \$50,000. Narrative responses are required to support any evaluation criteria that are rated as Marginal or Unsatisfactory, and must be attached to this evaluation. If a narrative response is required, indicate before each narrative the number of the question for which the response is being provided. Any available supporting documentation to justify any Marginal or Unsatisfactory ratings must also be attached.

If a criterion is rated Marginal or Unsatisfactory and the rating is caused by the performance of a subcontractor, the narrative will note this. The narrative will also note the General Contractor's effort to improve the subcontractor's performance.

**ASSESSMENT GUIDELINES:**

<b>Outstanding</b> (3 points)	Performance among the best level of achievement the City has experienced.
<b>Satisfactory</b> (2 points)	Performance met contractual requirements.
<b>Marginal</b> (1 point)	Performance barely met the lower range of the contractual requirements or performance only met contractual requirements after extensive corrective action was taken.
<b>Unsatisfactory</b> (0 points)	Performance did not meet contractual requirements. The contractual performance being assessed reflected serious problems for which corrective actions were ineffective.

**WORK PERFORMANCE**

		Unsatisfactory	Marginal	Satisfactory	Outstanding	Not Applicable
1	Did the Contractor perform all of the work with acceptable Quality and Workmanship?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
1a	If problems arose, did the Contractor provide solutions/coordinate with the designers and work proactively with the City to minimize impacts? If "Marginal or Unsatisfactory", explain on the attachment. Provide documentation.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
2	Was the work performed by the Contractor accurate and complete? If "Marginal or Unsatisfactory", explain on the attachment and provide documentation. Complete (2a) and (2b) below.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
2a	Were corrections requested? If "Yes", specify the date(s) and reason(s) for the correction(s). Provide documentation.			Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>	N/A <input type="checkbox"/>
2b	If corrections were requested, did the Contractor make the corrections requested? If "Marginal or Unsatisfactory", explain on the attachment. Provide documentation.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
3	Was the Contractor responsive to City staff's comments and concerns regarding the work performed or the work product delivered? If "Marginal or Unsatisfactory", explain on the attachment. Provide documentation.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
4	Were there other significant issues related to "Work Performance"? If Yes, explain on the attachment. Provide documentation.				Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>
5	Did the Contractor cooperate with on-site or adjacent tenants, business owners and residents and work in such a manner as to minimize disruptions to the public. If "Marginal or Unsatisfactory", explain on the attachment.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
6	Did the personnel assigned by the Contractor have the expertise and skills required to satisfactorily perform under the contract? If "Marginal or Unsatisfactory", explain on the attachment.	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
7	<b>Overall, how did the Contractor rate on work performance?</b> <b>The score for this category must be consistent with the responses to the questions given above regarding work performance and the assessment guidelines.</b> <b>Check 0, 1, 2, or 3.</b>	0 <input type="checkbox"/>	1 <input type="checkbox"/>	2 <input type="checkbox"/>	3 <input checked="" type="checkbox"/>	



**TIMELINESS**

Unsatisfactory  
Marginal  
Satisfactory  
Outstanding  
Not Applicable

8	Did the Contractor complete the work within the time required by the contract (including time extensions or amendments)? If "Marginal or Unsatisfactory", explain on the attachment why the work was not completed according to schedule. Provide documentation.	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
9	Was the Contractor required to provide a service in accordance with an established schedule (such as for security, maintenance, custodial, etc.)? If "No", or "N/A", go to Question #10. If "Yes", complete (9a) below.			Yes <input type="checkbox"/>	No <input type="checkbox"/>	N/A <input checked="" type="checkbox"/>
9a	Were the services provided within the days and times scheduled? If "Marginal or Unsatisfactory", explain on the attachment and specify the dates the Contractor failed to comply with this requirement (such as tardiness, failure to report, etc.). Provide documentation.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
10	Did the Contractor provide timely baseline schedules and revisions to its construction schedule when changes occurred? If "Marginal or Unsatisfactory", explain on the attachment. Provide documentation.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
11	Did the Contractor furnish submittals in a timely manner to allow review by the City so as to not delay the work? If "Marginal or Unsatisfactory", explain on the attachment. Provide documentation.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
12	Were there other significant issues related to timeliness? If yes, explain on the attachment. Provide documentation.				Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>
13	<b>Overall, how did the Contractor rate on timeliness?</b> <b>The score for this category must be consistent with the responses to the questions given above regarding timeliness and the assessment guidelines.</b> <b>Check 0, 1, 2, or 3.</b>	0 <input type="checkbox"/>	1 <input type="checkbox"/>	2 <input checked="" type="checkbox"/>	3 <input type="checkbox"/>	

Unsatisfactory  
Marginal  
Satisfactory  
Outstanding  
Not Applicable

**FINANCIAL**

14	Were the Contractor's billings accurate and reflective of the contract payment terms? If "Marginal or Unsatisfactory", explain on the attachment. Provide documentation of occurrences and amounts (such as corrected invoices).	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
15	<p>Were there any claims to increase the contract amount? If "Yes", list the claim amount. Were the Contractor's claims resolved in a manner reasonable to the City?</p> <p>Number of Claims: _____</p> <p>Claim amounts: \$ _____</p> <p>Settlement amount: \$ _____</p>				Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>
16	Were the Contractor's price quotes for changed or additional work reasonable? If "Marginal or Unsatisfactory", explain on the attachment. Provide documentation of occurrences and amounts (such as corrected price quotes).				<input type="checkbox"/>	<input type="checkbox"/>
17	Were there any other significant issues related to financial issues? If Yes, explain on the attachment and provide documentation.				Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>
18	<p><b>Overall, how did the Contractor rate on financial issues?</b></p> <p><b>The score for this category must be consistent with the responses to the questions given above regarding financial issues and the assessment guidelines.</b></p> <p><b>Check 0, 1, 2, or 3.</b></p>				0 <input type="checkbox"/>	1 <input type="checkbox"/>

**COMMUNICATION**

Unsatisfactory  
Marginal  
Satisfactory  
Outstanding  
Not Applicable

19	Was the Contractor responsive to the City's questions, requests for proposal, etc.? If "Marginal or Unsatisfactory", explain on the attachment.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
20	Did the Contractor communicate with City staff clearly and in a timely manner regarding:					
20a	Notification of any significant issues that arose? If "Marginal or Unsatisfactory", explain on the attachment.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
20b	Staffing issues (changes, replacements, additions, etc.)? If "Marginal or Unsatisfactory", explain on the attachment.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
20c	Periodic progress reports as required by the contract (both verbal and written)? If "Marginal or Unsatisfactory", explain on the attachment.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
20d	Were there any billing disputes? If "Yes", explain on the attachment.				Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>
21	Were there any other significant issues related to communication issues? Explain on the attachment. Provide documentation.				Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>
22	<b>Overall, how did the Contractor rate on communication issues?</b> <b>The score for this category must be consistent with the responses to the questions given above regarding communication issues and the assessment guidelines.</b> <b>Check 0, 1, 2, or 3.</b>	0 <input type="checkbox"/>	1 <input type="checkbox"/>	2 <input checked="" type="checkbox"/>	3 <input type="checkbox"/>	

**SAFETY**

Unsatisfactory  
Marginal  
Satisfactory  
Outstanding  
Not Applicable

23	Did the Contractor's staff consistently wear personal protective equipment as appropriate? If "No", explain on the attachment.				Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>
24	Did the Contractor follow City and OSHA safety standards? If "Marginal or Unsatisfactory", explain on the attachment.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>
25	Was the Contractor warned or cited by OSHA for violations? If Yes, explain on the attachment.				Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>
26	Was there an inordinate number or severity of injuries? Explain on the attachment. If Yes, explain on the attachment.				Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>
27	Was the Contractor officially warned or cited for breach of U.S. Transportation Security Administration's standards or regulations? If "Yes", explain on the attachment.				Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>
28	<b>Overall, how did the Contractor rate on safety issues?</b> The score for this category must be consistent with the responses to the questions given above regarding safety issues and the assessment guidelines. Check 0, 1, 2, or 3.	0 <input type="checkbox"/>	1 <input type="checkbox"/>	2 <input type="checkbox"/>	3 <input checked="" type="checkbox"/>	

# OVERALL RATING

Based on the weighting factors below, calculate the Contractor's overall score using the scores from the four categories above.

- 1. Enter Overall score from Question 7     3     X 0.25 = 0.75
- 2. Enter Overall score from Question 13     2     X 0.25 = 0.5
- 3. Enter Overall score from Question 18     2     X 0.20 = 0.4
- 4. Enter Overall score from Question 22     2     X 0.15 = 0.3
- 5. Enter Overall score from Question 28     3     X 0.15 = 0.45

**TOTAL SCORE** (Sum of 1 through 5):     2.4

**OVERALL RATING:**     2.4

- Outstanding: Greater than 2.5
- Satisfactory: Greater than 1.5 & less than or equal to 2.5
- Marginal: Between 1.0 & 1.5
- Unsatisfactory: Less than 1.0

## PROCEDURE:

The Resident Engineer will prepare the Contractor Performance Evaluation and submit it to the Supervising Civil Engineer. The Supervising Civil Engineer will review the Contractor Performance Evaluation to ensure adequate documentation is included, the Resident Engineer has followed the process correctly, the Contractor Performance Evaluation has been prepared in a fair and unbiased manner, and the ratings assigned by the Resident Engineer are consistent with all other Resident Engineers using consistent performance expectations and similar rating scales.

The Resident Engineer will transmit a copy of the Contractor Performance Evaluation to the Contractor. Overall Ratings of Outstanding or Satisfactory are final and cannot be protested or appealed. If the Overall Rating is Marginal or Unsatisfactory, the Contractor will have 10 calendar days in which they may file a protest of the rating. The Public Works Agency Assistant Director, Design & Construction Services Department, will consider a Contractor's protest and render his/her determination of the validity of the Contractor's protest. If the Overall Rating is Marginal, the Assistant Director's determination will be final and not subject to further appeal. If the Overall Rating is Unsatisfactory and the protest is denied (in whole or in part) by the Assistant Director, the Contractor may appeal the Evaluation to the City Administrator, or his/her designee. The appeal must be filed within 14 calendar days of the Assistant Director's ruling on the protest. The City Administrator, or his/her designee, will hold a hearing with the Contractor within 21 calendar days of the filing of the appeal. The decision of the City Administrator regarding the appeal will be final.

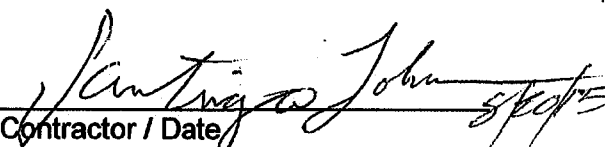
Contractors who receive an Unsatisfactory Overall Rating (i.e., Total Score less than 1.0) will be allowed the option of voluntarily refraining from bidding on any City of Oakland projects within one year from the date of the Unsatisfactory Overall Rating, or of being categorized as non-responsible for any projects the Contractor bids on for a period of one year from the date of the Unsatisfactory Overall Rating. Two Unsatisfactory Overall Ratings within any five year period will result in the Contractor being categorized by the City Administrator as non-

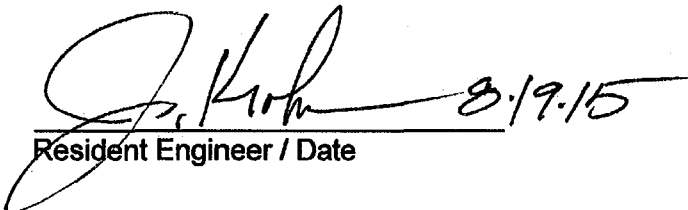
responsible for any bids they submit for future City of Oakland projects within three years of the date of the last Unsatisfactory overall rating.

Any Contractor that receives an Unsatisfactory Overall Rating is required to attend a meeting with the City Administrator, or his/her designee, prior to returning to bidding on City projects. The Contractor is required to demonstrate improvements made in areas deemed Unsatisfactory in prior City of Oakland contracts.

The Public Works Agency Contract Administration Section will retain the final evaluation and any response from the Contractor for a period of five years. The City shall treat the evaluation as confidential, to the extent permitted by law.

**COMMUNICATING THE EVALUATION:** *The Contractor's Performance Evaluation has been communicated to the Contractor. Signature does not signify consent or agreement.*

  
Contractor / Date

  
Resident Engineer / Date 8.19.15

  
Supervising Civil Engineer / Date 9/11/15

**ATTACHMENT TO CONTRACTOR PERFORMANCE EVALUATION:**

Use this sheet to provide any substantiating comments to support the ratings in the Performance Evaluation. Indicate before each narrative the number of the question for which the response is being provided. Attach additional sheets if necessary.

ATTACHMENT D2

**Schedule L-2  
City of Oakland  
Public Works Agency  
CONTRACTOR PERFORMANCE EVALUATION**

C329135: SS Rehab in the Easements of Clarendon Crescent Avenue & Sunny Hills Road

Project Number/Title: \_\_\_\_\_

Work Order Number (if applicable): \_\_\_\_\_

Contractor: Pacific Trenchless Inc.

Date of Notice to Proceed: 04-27-2015

Date of Notice of Completion: 07-20-2015

Date of Notice of Final Completion: 07-20-2015

Contract Amount: \$538, 978.00

Evaluator Name and Title: Sophea Sem, Resident Engineer

The City's Resident Engineer most familiar with the Contractor's performance must complete this evaluation and submit it to Manager, PWA Project Delivery Division, within 30 calendar days of the issuance of the Final Payment.

Whenever the Resident Engineer finds the Contractor is performing below Satisfactory for any category of the Evaluation, the Resident Engineer shall discuss the perceived performance shortfall at the periodic site meetings with the Contractor. An Interim Evaluation will be performed if at any time the Resident Engineer finds that the overall performance of a Contractor is Marginal or Unsatisfactory. An Interim Evaluation is required prior to issuance of a Final Evaluation Rating of Unsatisfactory. The Final Evaluation upon Final Completion of the project will supersede interim ratings.

The following list provides a basic set of evaluation criteria that will be applicable to all construction projects awarded by the City of Oakland that are greater than \$50,000. Narrative responses are required to support any evaluation criteria that are rated as Marginal or Unsatisfactory, and must be attached to this evaluation. If a narrative response is required, indicate before each narrative the number of the question for which the response is being provided. Any available supporting documentation to justify any Marginal or Unsatisfactory ratings must also be attached.

If a criterion is rated Marginal or Unsatisfactory and the rating is caused by the performance of a subcontractor, the narrative will note this. The narrative will also note the General Contractor's effort to improve the subcontractor's performance.

**ASSESSMENT GUIDELINES:**

<b>Outstanding</b> (3 points)	Performance among the best level of achievement the City has experienced.
<b>Satisfactory</b> (2 points)	Performance met contractual requirements.
<b>Marginal</b> (1 point)	Performance barely met the lower range of the contractual requirements or performance only met contractual requirements after extensive corrective action was taken.
<b>Unsatisfactory</b> (0 points)	Performance did not meet contractual requirements. The contractual performance being assessed reflected serious problems for which corrective actions were ineffective.



Unsatisfactory  
 Marginal  
 Satisfactory  
 Outstanding  
 Not Applicable

**WORK PERFORMANCE**

1	Did the Contractor perform all of the work with acceptable Quality and Workmanship?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
1a	If problems arose, did the Contractor provide solutions/coordinate with the designers and work proactively with the City to minimize impacts? If "Marginal or Unsatisfactory", explain on the attachment. Provide documentation.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
2	Was the work performed by the Contractor accurate and complete? If "Marginal or Unsatisfactory", explain on the attachment and provide documentation. Complete (2a) and (2b) below.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
2a	Were corrections requested? If "Yes", specify the date(s) and reason(s) for the correction(s). Provide documentation.			Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>	N/A <input type="checkbox"/>
2b	If corrections were requested, did the Contractor make the corrections requested? If "Marginal or Unsatisfactory", explain on the attachment. Provide documentation.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
3	Was the Contractor responsive to City staff's comments and concerns regarding the work performed or the work product delivered? If "Marginal or Unsatisfactory", explain on the attachment. Provide documentation.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
4	Were there other significant issues related to "Work Performance"? If Yes, explain on the attachment. Provide documentation.				Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>
5	Did the Contractor cooperate with on-site or adjacent tenants, business owners and residents and work in such a manner as to minimize disruptions to the public. If "Marginal or Unsatisfactory", explain on the attachment.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
6	Did the personnel assigned by the Contractor have the expertise and skills required to satisfactorily perform under the contract? If "Marginal or Unsatisfactory", explain on the attachment.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
7	Overall, how did the Contractor rate on work performance? The score for this category must be consistent with the responses to the questions given above regarding work performance and the assessment guidelines. Check 0, 1, 2, or 3.	0 <input type="checkbox"/>	1 <input type="checkbox"/>	2 <input checked="" type="checkbox"/>	3 <input type="checkbox"/>	

Unsatisfactory  
 Marginal  
 Satisfactory  
 Outstanding  
 Not Applicable

**TIMELINESS**

8	Did the Contractor complete the work within the time required by the contract (including time extensions or amendments)? If "Marginal or Unsatisfactory", explain on the attachment why the work was not completed according to schedule. Provide documentation.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
9	Was the Contractor required to provide a service in accordance with an established schedule (such as for security, maintenance, custodial, etc.)? If "No", or "N/A", go to Question #10. If "Yes", complete (9a) below.			Yes <input type="checkbox"/>	No <input type="checkbox"/>	N/A <input checked="" type="checkbox"/>
9a	Were the services provided within the days and times scheduled? If "Marginal or Unsatisfactory", explain on the attachment and specify the dates the Contractor failed to comply with this requirement (such as tardiness, failure to report, etc.). Provide documentation.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
10	Did the Contractor provide timely baseline schedules and revisions to its construction schedule when changes occurred? If "Marginal or Unsatisfactory", explain on the attachment. Provide documentation.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
11	Did the Contractor furnish submittals in a timely manner to allow review by the City so as to not delay the work? If "Marginal or Unsatisfactory", explain on the attachment. Provide documentation.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
12	Were there other significant issues related to timeliness? If yes, explain on the attachment. Provide documentation.				Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>
13	<b>Overall, how did the Contractor rate on timeliness?</b> The score for this category must be consistent with the responses to the questions given above regarding timeliness and the assessment guidelines. Check 0, 1, 2, or 3.	0 <input type="checkbox"/>	1 <input type="checkbox"/>	2 <input checked="" type="checkbox"/>	3 <input type="checkbox"/>	

**FINANCIAL**

Unsatisfactory  
Marginal  
Satisfactory  
Outstanding  
Not Applicable

14	Were the Contractor's billings accurate and reflective of the contract payment terms? If "Marginal or Unsatisfactory", explain on the attachment. Provide documentation of occurrences and amounts (such as corrected invoices).	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
15	Were there any claims to increase the contract amount? If "Yes", list the claim amount. Were the Contractor's claims resolved in a manner reasonable to the City?  Number of Claims: _____ Claim amounts: \$ _____ Settlement amount: \$ _____				Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>
16	Were the Contractor's price quotes for changed or additional work reasonable? If "Marginal or Unsatisfactory", explain on the attachment. Provide documentation of occurrences and amounts (such as corrected price quotes).	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
17	Were there any other significant issues related to financial issues? If Yes, explain on the attachment and provide documentation.				Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>
18	<b>Overall, how did the Contractor rate on financial issues?</b> <b>The score for this category must be consistent with the responses to the questions given above regarding financial issues and the assessment guidelines.</b> <b>Check 0, 1, 2, or 3.</b>	0 <input type="checkbox"/>	1 <input type="checkbox"/>	2 <input checked="" type="checkbox"/>	3 <input type="checkbox"/>	

Unsatisfactory  
Marginal  
Satisfactory  
Outstanding  
Not Applicable

**COMMUNICATION**

19	Was the Contractor responsive to the City's questions, requests for proposal, etc.? If "Marginal or Unsatisfactory", explain on the attachment.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
20	Did the Contractor communicate with City staff clearly and in a timely manner regarding:					
20a	Notification of any significant issues that arose? If "Marginal or Unsatisfactory", explain on the attachment.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
20b	Staffing issues (changes, replacements, additions, etc.)? If "Marginal or Unsatisfactory", explain on the attachment.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
20c	Periodic progress reports as required by the contract (both verbal and written)? If "Marginal or Unsatisfactory", explain on the attachment.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
20d	Were there any billing disputes? If "Yes", explain on the attachment.				Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>
21	Were there any other significant issues related to communication issues? Explain on the attachment. Provide documentation.				Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>
22	<b>Overall, how did the Contractor rate on communication issues?</b> The score for this category must be consistent with the responses to the questions given above regarding communication issues and the assessment guidelines. Check 0, 1, 2, or 3.	0 <input type="checkbox"/>	1 <input type="checkbox"/>	2 <input checked="" type="checkbox"/>	3 <input type="checkbox"/>	

**SAFETY**

Unsatisfactory  
Marginal  
Satisfactory  
Outstanding  
Not Applicable

23	Did the Contractor's staff consistently wear personal protective equipment as appropriate? If "No", explain on the attachment.				Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>
24	Did the Contractor follow City and OSHA safety standards? If "Marginal or Unsatisfactory", explain on the attachment.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
25	Was the Contractor warned or cited by OSHA for violations? If Yes, explain on the attachment.				Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>
26	Was there an inordinate number or severity of injuries? Explain on the attachment. If Yes, explain on the attachment.				Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>
27	Was the Contractor officially warned or cited for breach of U.S. Transportation Security Administration's standards or regulations? If "Yes", explain on the attachment.				Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>
28	<b>Overall, how did the Contractor rate on safety issues?</b> The score for this category must be consistent with the responses to the questions given above regarding safety issues and the assessment guidelines. Check 0, 1, 2, or 3.	0 <input type="checkbox"/>	1 <input type="checkbox"/>	2 <input checked="" type="checkbox"/>	3 <input type="checkbox"/>	

## OVERALL RATING

Based on the weighting factors below, calculate the Contractor's overall score using the scores from the four categories above.

- |   |          |          |            |
|---|----------|----------|------------|
| 1. Enter Overall score from Question 7  | <u>2</u> | X 0.25 = | <u>0.5</u> |
| 2. Enter Overall score from Question 13 | <u>2</u> | X 0.25 = | <u>0.5</u> |
| 3. Enter Overall score from Question 18 | <u>2</u> | X 0.20 = | <u>0.4</u> |
| 4. Enter Overall score from Question 22 | <u>2</u> | X 0.15 = | <u>0.3</u> |
| 5. Enter Overall score from Question 28 | <u>2</u> | X 0.15 = | <u>0.3</u> |

TOTAL SCORE (Sum of 1 through 5): 2.0

OVERALL RATING: 2.0

Outstanding: Greater than 2.5  
Satisfactory: Greater than 1.5 & less than or equal to 2.5  
Marginal: Between 1.0 & 1.5  
Unsatisfactory: Less than 1.0

### PROCEDURE:

The Resident Engineer will prepare the Contractor Performance Evaluation and submit it to the Supervising Civil Engineer. The Supervising Civil Engineer will review the Contractor Performance Evaluation to ensure adequate documentation is included, the Resident Engineer has followed the process correctly, the Contractor Performance Evaluation has been prepared in a fair and unbiased manner, and the ratings assigned by the Resident Engineer are consistent with all other Resident Engineers using consistent performance expectations and similar rating scales.

The Resident Engineer will transmit a copy of the Contractor Performance Evaluation to the Contractor. Overall Ratings of Outstanding or Satisfactory are final and cannot be protested or appealed. If the Overall Rating is Marginal or Unsatisfactory, the Contractor will have 10 calendar days in which they may file a protest of the rating. The Public Works Agency Assistant Director, Design & Construction Services Department, will consider a Contractor's protest and render his/her determination of the validity of the Contractor's protest. If the Overall Rating is Marginal, the Assistant Director's determination will be final and not subject to further appeal. If the Overall Rating is Unsatisfactory and the protest is denied (in whole or in part) by the Assistant Director, the Contractor may appeal the Evaluation to the City Administrator, or his/her designee. The appeal must be filed within 14 calendar days of the Assistant Director's ruling on the protest. The City Administrator, or his/her designee, will hold a hearing with the Contractor within 21 calendar days of the filing of the appeal. The decision of the City Administrator regarding the appeal will be final.

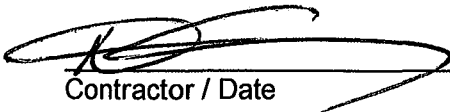
Contractors who receive an Unsatisfactory Overall Rating (i.e., Total Score less than 1.0) will be allowed the option of voluntarily refraining from bidding on any City of Oakland projects within one year from the date of the Unsatisfactory Overall Rating, or of being categorized as non-responsible for any projects the Contractor bids on for a period of one year from the date of the Unsatisfactory Overall Rating. Two Unsatisfactory Overall Ratings within any five year period will result in the Contractor being categorized by the City Administrator as non-


responsible for any bids they submit for future City of Oakland projects within three years of the date of the last Unsatisfactory overall rating.

Any Contractor that receives an Unsatisfactory Overall Rating is required to attend a meeting with the City Administrator, or his/her designee, prior to returning to bidding on City projects. The Contractor is required to demonstrate improvements made in areas deemed Unsatisfactory in prior City of Oakland contracts.

The Public Works Agency Contract Administration Section will retain the final evaluation and any response from the Contractor for a period of five years. The City shall treat the evaluation as confidential, to the extent permitted by law.

**COMMUNICATING THE EVALUATION:** *The Contractor's Performance Evaluation has been communicated to the Contractor. Signature does not signify consent or agreement.*

 10/15/14  
Contractor / Date

 09/22/15  
Resident Engineer / Date

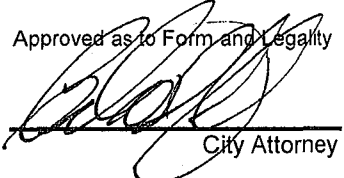
*TOP*  10/15/15  
Supervising Civil Engineer / Date

**ATTACHMENT TO CONTRACTOR PERFORMANCE EVALUATION:**

Use this sheet to provide any substantiating comments to support the ratings in the Performance Evaluation. Indicate before each narrative the number of the question for which the response is being provided. Attach additional sheets if necessary.



# OAKLAND CITY COUNCIL

Approved as to Form and Legality  
  
City Attorney

2017 MAR 29 PM 12:39 RESOLUTION No. \_\_\_\_\_ C.M.S.

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

**RESOLUTION AWARDING A CONSTRUCTION CONTRACT TO MOSTO CONSTRUCTION, THE LOWEST RESPONSIVE, RESPONSIBLE BIDDER, FOR SANITARY SEWER REHABILITATION IN VARIOUS LOCATIONS (PROJECT NO. 1001018) IN ACCORDANCE WITH PLANS AND SPECIFICATIONS FOR THE PROJECT AND WITH CONTRACTOR'S BID IN THE AMOUNT OF THREE HUNDRED NINETY-FOUR THOUSAND ONE HUNDRED THIRTY-TWO DOLLARS (\$394,132.00)**

**WHEREAS**, on January 26, 2017, two bids were received by the Office of the City Clerk of the City of Oakland for Sanitary Sewer Rehabilitation In Various Locations (Project No. 1001018); and

**WHEREAS**, Mosto Construction, a certified SLBE bidding as a prime, is deemed 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 as part of FY 2016-17 CIP budget: Sewer Service Fund (3100); Capital Projects - Sanitary Sewer Design Organization (92244); Sewers Account (57417); Project No. 1001018; \$394,132.00; and these funds were specifically allocated for this project; this project will help reduce the amount of sanitary sewer maintenance requirement; 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 that this contract is of a professional, scientific or technical nature; 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 service now, therefore, be it

**RESOLVED:** Mosto Construction complies with all LBE/SLBE and trucking requirements; and

**RESOLVED:** That the City Administrator is authorized to award a construction contract for Sanitary Sewer Rehabilitation In Various Locations (Project No. 1001018) to Mosto Construction, the lowest responsive and responsible bidder, in the amount of \$394,132.00 in accord with plans and specifications for the project and with contractor's bid dated January

26, 2017; and be it

**FURTHER RESOLVED:** That the amount of the bond for faithful performance bond, \$394,132.00, and the bond to guarantee payment of all claims for labor and materials furnished and for the amount under the Unemployment Insurance Act, \$394,132.00, with respect to such work are hereby approved; and be it

**FURTHER RESOLVED:** That the City Administrator, or designee, is hereby authorized to enter into a contract with Mosto Construction on behalf of the City of Oakland and to execute any amendments or modifications of the contract within the limitations of the project specifications; and be it

**FURTHER RESOLVED:** That the City Administrator, or designee, is hereby authorized to negotiate with the second lowest bidder and/or next lowest bidder for the same awarded amount, if Mosto Construction fails to return the complete signed contract documents and supporting documents within the days specified in the Special Provision without going back to City Council; and be it

**FURTHER RESOLVED:** That the plans and specifications prepared for this project, including any subsequent changes during construction, that will be reviewed and adopted by the Director, or designee, are hereby approved; 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 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, CAMPBELL WASHINGTON, GALLO, GIBSON MCELHANEY, GUILLEN, KALB, KAPLAN, AND PRESIDENT REID

NOES -

ABSENT -

ABSTENTION -

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

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

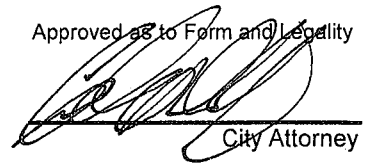
FILED  
OFFICE OF THE CLERK  
OAKLAND

# OAKLAND CITY COUNCIL

Approved as to Form and Legality

2017 MAR 29 PM 12:40

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

  
City Attorney

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

**RESOLUTION AWARDDING A CONSTRUCTION CONTRACT TO PACIFIC TRENCHLESS, INC., THE LOWEST RESPONSIVE, RESPONSIBLE BIDDER, FOR SANITARY SEWER CAPACITY UPGRADES IN VARIOUS LOCATIONS (PROJECT NO. 1001173) IN ACCORDANCE WITH PLANS AND SPECIFICATIONS FOR THE PROJECT AND WITH CONTRACTOR'S BID IN THE AMOUNT OF TWO MILLION FOUR HUNDRED SEVEN THOUSAND ONE HUNDRED SEVEN DOLLARS (\$2,407,107.00)**

**WHEREAS**, on February 9, 2017, two bids were received by the Office of the City Clerk of the City of Oakland for Sanitary Sewer Capacity Upgrade In Various Locations (Project No. 1001173); and

**WHEREAS**, Pacific Trenchless, Inc., a certified SLBE bidding as a prime, is deemed 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 as part of FY 2016-17 CIP budget: Sewer Service Fund (3100); Capital Projects - Sanitary Sewer Design Organization (92244); Sewers Account (57417); Project No. 1001173; \$2,407,107.00; and these funds were specifically allocated for this project; this project will help reduce the amount of sanitary sewer maintenance requirement; 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 that this contract is of a professional, scientific or technical nature; 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 service now, therefore, be it

**RESOLVED:** Pacific Trenchless, Inc. complies with all LBE/SLBE and trucking requirements; and

**RESOLVED:** That the City Administrator is authorized to award a construction contract for Sanitary Sewer Capacity Upgrades In Various Locations (Project No. 1001173) to Pacific Trenchless, Inc., the lowest responsive and responsible bidder, in the amount of \$2,407,107.00 in accord with plans and specifications for the project and with contractor's

bid dated February 9, 2017; and be it

**FURTHER RESOLVED:** That the amount of the bond for faithful performance bond, \$2,407,107.00, and the bond to guarantee payment of all claims for labor and materials furnished and for the amount under the Unemployment Insurance Act, \$2,407,107.00, with respect to such work are hereby approved; and be it

**FURTHER RESOLVED:** That the City Administrator, or designee, is hereby authorized to enter into a contract with Pacific Trenchless, Inc. on behalf of the City of Oakland and to execute any amendments or modifications of the contract within the limitations of the project specifications; and be it

**FURTHER RESOLVED:** That the City Administrator, or designee, is hereby authorized to negotiate with the second lowest bidder and/or next lowest bidder for the same awarded amount, if Pacific Trenchless, Inc. fails to return the complete signed contract documents and supporting documents within the days specified in the Special Provision without going back to City Council; and be it

**FURTHER RESOLVED:** That the plans and specifications prepared for this project, including any subsequent changes during construction, that will be reviewed and adopted by the Director, or designee, are hereby approved; 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 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, CAMPBELL WASHINGTON, GALLO, GIBSON MCELHANEY, GUILLEN, KALB, KAPLAN, AND PRESIDENT REID

NOES -

ABSENT -

ABSTENTION -

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

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

2017 MAR 29 PM 12: **RESOLUTION No.** \_\_\_\_\_ **C.M.S.**

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

**RESOLUTION AWARDING A CONSTRUCTION CONTRACT TO PACIFIC TRENCHLESS, INC., THE LOWEST RESPONSIVE, RESPONSIBLE BIDDER, FOR SANITARY SEWER REHABILITATION SUB-BASIN 83-402 (PROJECT NO. 1001322) IN ACCORDANCE WITH PLANS AND SPECIFICATIONS FOR THE PROJECT AND WITH CONTRACTOR'S BID IN THE AMOUNT OF ONE MILLION THREE HUNDRED THIRTY-ONE THOUSAND TWENTY-ONE DOLLARS (\$1, 331,021.00)**

**WHEREAS**, on February 2, 2017, two bids were received by the Office of the City Clerk of the City of Oakland for Sanitary Sewer Rehabilitation Sub-Basin 83-402 (Project No. 1001322); and

**WHEREAS**, Pacific Trenchless, Inc., a certified SLBE bidding as a prime, is deemed 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 as part of FY 2016-17 CIP budget: Sewer Service Fund (3100); Capital Projects - Sanitary Sewer Design Organization (92244); Sewers Account (57417); Project No. (1001322); \$1,331,021.00; and these funds were specifically allocated for this project; this project will help reduce the amount of sanitary sewer maintenance requirement; 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 that this contract is of a professional, scientific or technical nature; 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 service now, therefore, be it

**RESOLVED:** Pacific Trenchless, Inc. complies with all LBE/SLBE and trucking requirements; and

**RESOLVED:** That the City Administrator is authorized to award a construction contract for Sanitary Sewers Rehabilitation Sub-Basin 83-402 (Project No. 1001322) to Pacific Trenchless, Inc., the lowest responsive and responsible bidder, in the amount of \$1,331,021.00 in accord with plans and specifications for the project and with contractor's bid dated February 2, 2017; and be it

**FURTHER RESOLVED:** That the amount of the bond for faithful performance bond, \$1,331,021.00, and the bond to guarantee payment of all claims for labor and materials furnished and for the amount under the Unemployment Insurance Act, \$1,331,021.00, with respect to such work are hereby approved; and be it

**FURTHER RESOLVED:** That the City Administrator, or designee, is hereby authorized to enter into a contract with Pacific Trenchless, Inc. on behalf of the City of Oakland and to execute any amendments or modifications of the contract within the limitations of the project specifications; and be it

**FURTHER RESOLVED:** That the City Administrator, or designee, is hereby authorized to negotiate with the second lowest bidder and/or next lowest bidder for the same awarded amount, if Pacific Trenchless, Inc. fails to return the complete signed contract documents and supporting documents within the days specified in the Special Provision without going back to City Council; and be it

**FURTHER RESOLVED:** That the plans and specifications prepared for this project, including any subsequent changes during construction, that will be reviewed and adopted by the Director, or designee, are hereby approved; 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 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, CAMPBELL WASHINGTON, GALLO, GIBSON MCELHANEY, GUILLEN, KALB, KAPLAN, AND PRESIDENT REID

NOES -

ABSENT -

ABSTENTION -

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

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