

# CITY OF OAKLAND

## AGENDA REPORT

FILED  
OFFICE OF THE CITY CLERK  
OAKLAND

2009 DEC 15 PM 5:03

Office of the City Administrator

ATTN: Dan Lindheim

FROM: Community and Economic Development Agency

DATE: December 15, 2009

RE: **Resolution Authorizing The City Administrator, Or Designee, To Award A Construction Contract For The Melrose Library Window Rehabilitation Project In Accord With Specification No. P337310 And With Contractor's Bid To Rockridge Builders In The Amount Of One Hundred Thirty-Seven Thousand Six Hundred Eighty-Three Dollars (\$137,683.00)**

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### SUMMARY

A resolution has been prepared authorizing the City Administrator, or designee, to award a construction contract to Rockridge Builders for the Melrose Library Window Rehabilitation Project (P337310) in the amount of \$137,683.00. Eight bids were received on September 10, 2009, for the project involving window repairs and replacement, painting and window shades. The bid from Rockridge Builders is the sole responsive, responsible bid. The other seven bids were deemed non-responsive.

The Melrose Library is an historic landmark building. Rockridge Builders was the only firm to include the services of a window restoration specialist as part of their bid proposal in accordance to the requirements of the project specifications. Rockridge Builders is a certified small local business and they have met the City's Local and Small Local Business Enterprise (L/SLBE) Program requirements with 84.86% total participation. Sufficient funds are available for this construction contract. The project is located at 4805 Foothill Boulevard in Council District 4.

### FISCAL IMPACT

The resolution will authorize a construction contract for \$137,683.00 with Rockridge Builders. The engineer's estimate for the work is \$100,000.00. There are sufficient funds for the work, including contingency, in the project budget under Central City East Redevelopment Fund (7780), Project No. P337310, Capital Project Management Organization (92270). The public art fee has already been allocated.

### BACKGROUND

The Melrose Library is one of several historic Carnegie-built libraries in the City and is a designated historic city landmark with the highest rating of A3. The library retains the majority of its original wood windows. The windows on the lower level are in good condition and do not require any work at this time. The main level windows are deteriorated to varying degrees. Some have dry rot, do not open or close properly, or leak when it rains. In the past, some were improperly retrofitted with fixed windows that do not open or close, or replaced with inadequate

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Public Works Committee  
December 15, 2009

weatherproofing details that have led to premature deterioration. Due to the building's historic status, the goal is to repair windows to the extent possible over replacement. Where new windows are necessary, the design and materials will replicate the original design. The window rehabilitation work is designed to comply with the Secretary of the Interior's Standards for Rehabilitation for historic wooden windows.

**KEY ISSUES AND IMPACTS**

The Office of the City Clerk received eight bids for the project on September 10, 2009. The bid documents required that bidders include the services of a window restoration specialist because of the building's historic status. The requirement was emphasized and discussed at two pre-bid meetings. It was also highlighted in the bid proposal form which allowed bidders to provide the restoration specialist's information within 10 calendar days from the bid due date. Seven of the eight bidders failed to comply with this requirement. Of these seven, four bidders also did not comply with the City's Local and Small Local Business Enterprise (L/SLBE) Program. The sole responsive, responsible bidder is Rockridge Builders, a certified small local business that is compliant with the Equal Benefits Ordinance. A bid summary is provided below and the compliance evaluation is provided in *Attachment A*.

Company	Total Bid	LBE Participation	SLBE Participation	Total L/SLBE Participation	Company Location
Seven Island Painting, Inc.	\$91,000.00	0%	0%	0%	Daly City
Yes Construction Group	\$92,500.00	21.62%	67.57%	89.19%	Oakland
B-Side, Inc.	\$107,020.00	1.68%	83.18%	84.86%	Oakland
Newmak Builders	\$115,303.00	0%	0%	0%	Millbrae
Rockridge Builders	\$137,683.00	0%	75.05%	75.05%	Oakland
Rodan Builders	\$204,900.00	48.6%	0%	48.6%	Burlingame
Bay Construction	\$208,060.00	0%	56.55%	56.55%	Oakland
Commercial Building Services Co.	\$229,700.00	0%	0%	0%	Piedmont

The duration of the construction work is 80 working days from the date of the Notice to Proceed. With approval of this resolution, the anticipated start of construction is in Spring 2010 with completion in Summer 2010. The construction contract specifies \$500.00 in liquidated damages per calendar day if the contract completion time is exceeded.

### **PROJECT DESCRIPTION**

The project will rehabilitate the wood windows on the main level of the library. The windows on the lower level are in good condition and do not require any work at this time. The main level windows are deteriorated to varying degrees. Some have dry rot, do not open or close properly, allow water intrusion. Where new windows are necessary, the design and materials will replicate the original design. Other work involves painting, patching and new window shades to reduce glare and heat gain.

### **SUSTAINABLE OPPORTUNITIES**

***Economic:*** The project will generate business tax, sales tax, and other revenues for the City for work on the project. The project will provide the opportunity to use local contractors, which offer employment to Oakland residents, thereby strengthening the local economy.

***Environmental:*** The rehabilitation work ensures a weather tight building to prevent energy loss from leaky or rotted windows. By repairing to the extent possible instead of replacing windows, the project will generate less construction waste taken to landfills.

***Social Equity:*** The work will help preserve an important historic facility that has been a source for lifelong learning opportunities for Oakland residents since its opening in 1916 by providing resources for Oakland residents to develop the skills they need to assure equity in educational, employment, housing, and community opportunities.

### **DISABILITY AND SENIOR CITIZEN ACCESS**

The work is primarily to rehabilitate the windows. The Melrose Library was retrofitted in 1999 to be fully accessible to people with disabilities and senior citizens.


**RECOMMENDATIONS AND RATIONALE**

It is recommended that the City Administrator, or designee, be authorized to award a construction contract to Rockridge Builders for the Melrose Library Window Rehabilitation Project (P337310) in the amount of \$137,683.00. Rockridge Builders is the sole responsive, responsible bidder and has met the City's local business and employment program requirements. There are sufficient funds to construct this project.

**ACTION REQUESTED OF THE CITY COUNCIL**

Staff recommends that the City Council approve the resolution.

Respectfully submitted,

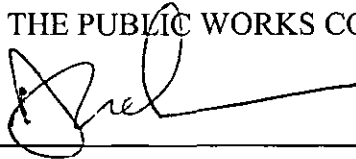


Walter S. Cohen, Director  
Community and Economic Development Agency

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

Prepared by:  
Calvin Hao, CIP Coordinator  
Project Delivery Division

APPROVED AND FORWARDED  
TO THE PUBLIC WORKS COMMITTEE:



Office of the City Administrator

Attachment A: Dept. of Contracting and Purchasing Memo dated October 16, 2009

Item: \_\_\_\_\_  
Public Works Committee  
December 15, 2009

Revised 11/13/2009



*Memo*

Department of Contracting and Purchasing  
Social Equity Division

To: Calvin Hao - Project Manager  
 From: Sophany Hang - Acting Contract Compliance Officer  
 Through: Deborah Barnes - DC & P Director  
 Shelley Darensburg - Sr. Contract Compliance Officer  
 CC: Gwen McCormick - Contract Administrator Supervisor  
 Date: **November 13, 2009**  
 Re: P337310 – Melrose Library Window Rehabilitation

The Department of Contracting and Purchasing (DC&P), Division of Social Equity, reviewed eight (8) bids in response to the above referenced project. Below is the outcome of the compliance evaluation for the minimum 20% Local and Small Local Business Enterprise (L/SLBE) participation requirement, a preliminary review for compliance with the Equal Benefits Ordinance (EBO), and a brief overview of the lowest responsible bidder's compliance with the 50% Local Employment Program (LEP) and the 15% Oakland Apprenticeship Program on the bidder's most recently completed City of Oakland project. Included in the analysis is one (1) alternate bid.

Responsive		Proposed Participation				Earned Credits and Discounts			Banked Credits Eligibility	EBO Compliant? Y/N
Company Name	Original Bid Amount	Total LBE/SLBE	LBE	SLBE	Trucking	Total Credited participation	Earned Bid Discounts	Adjusted Bid Amount		
Rockridge Builders	\$137,683	75.05%	0%	75.05%	NA	75.05%	5%	\$130,799	2%	Y

**Comments:** As noted above, Rockridge Builders met and/or exceeded the minimum 20% Local/Small Local Business Enterprise participation requirement.

Non-Responsive		Proposed Participation				Earned Credits and Discounts			Banked Credits Eligibility	EBO Compliant? Y/N
Company Name	Original Bid Amount	Total LBE/SLBE	LBE	SLBE	Trucking	Total Credited participation	Earned Bid Discounts	Adjusted Bid Amount		
Seven Island Painting, Inc.	\$91,000	0%	0%	0%	NA	0%	0%	NA	0%	N
*Yes Construction Group	\$92,500	89.19%	21.62%	67.57%	NA	0%	0%	NA	0%	N
*B-Side, Inc.	\$107,020	84.86%	1.68%	83.18%	NA	0%	0%	NA	0%	Y
Newmak Builders	\$115,303	0%	0%	0%	NA	0%	0%	NA	0%	N
Rodan Builders	\$204,900	48.60%	48.60%	0	NA	0%	0%	NA	0%	N
*Bay Construction	\$208,060	56.55%	0%	56.55%	NA	0%	0%	NA	0%	Y
Commercial Building Services, Co.	\$229,700	0%	0%	0%	NA	0%	0%	NA	0%	N

**Comments:** As noted above, Seven Island Painting, Inc., Newmak Builders, Rodan Builders, and Commercial Building Services, Co. failed to meet the minimum 20% L/SLBE participation requirement. Therefore, they are deemed non-responsive.

**\*Yes Construction Group achieved 89.19%, B-Side, Inc. achieved 84.86%, and Bay Construction achieved 56.55% L/SLBE, however, per the Project Manager, they did not include a restoration specialist in their bid nor did they supply the person's name within 10 days of bid opening. Therefore, they are deemed non-responsive.**

**For Informational Purposes**

Listed below is the lowest responsible bidder's compliance with the 50% Local Employment Program (LEP) and the 15% Oakland Apprenticeship Program for the lowest bidder's most recently completed City of Oakland project.

**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: Rockridge Builders  
Project Name: Sheffield Village Recreation Center  
Project No: C259410**

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

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

**15% Oakland Apprenticeship Program**

Was the 15% Apprenticeship Goal achieved?	No	If no, shortfall hours?	38
Were shortfalls satisfied?	No	If no, penalty amount?	\$1,062.83

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			
1232	616	50%	308	100%	308	0	0	100%	44	15%	92	38

**Comments:** Rockridge Builders exceeded the Local Employment Program's 50% resident hiring goal with 100% resident employment and did not meet the 15% Oakland Apprenticeship Program goals. The original penalty amount for non-compliance with the Apprenticeship Program was \$14,787.25. On August 27, 2009, Rockridge Builders submitted documentation to address the shortfall amounts in the Program, however, they were unable to satisfy 38 hours of that shortfall. Therefore, there remained a penalty amount of \$1,062.83. Rockridge Builders has forfeited the penalty amount to address the shortfall.

Should you have any questions, you may contact Sophany Hang at (510) 238-6261.

**DEPARTMENT OF CONTRACTING AND PURCHASING**



**Social Equity Division**

**PROJECT EVALUATION FORM**

**PROJECT NO.:** P337310

**PROJECT NAME:** Melrose Library Window Rehabilitation

**CONTRACTOR:** Rockridge Builders

<b>Engineer's Estimate:</b> \$100,000	<b>Contractors' Bid Amount</b> \$137,683	<b>Over/Under Engineer's Estimate</b> -\$37,683
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<b>Discounted Bid Amount:</b> \$130,799	<b>Amount of Bid Discount</b> \$6,884	<b>Discount Points:</b> 5%
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1. Did the 20% requirements apply? **YES**
2. Did the contractor meet the 20% requirement? **YES**
  - b) % of LBE participation **0%**
  - c) % of SLBE participation **75.05%**
3. Did the contractor meet the Trucking requirement? **NA**
  - a) Total SLBE/LBE trucking participation **NA**
4. Did the contractor receive bid discounts? **YES**

(If yes, list the percentage received) **5%**
5. Additional Comments.

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

11/13/2009

Date

**Reviewing  
Officer:**

Sophy Hung

**Date:**

11/13/09

**Approved By:**

Vivian Han

**Date:**

11/13/09

# LBE/SLBE PARTICIPATION

## BIDDER 5

Project Name: **Melrose Library Window Rehabilitation**

Project No.: P337310		Engineers Est: 100,000			Under/Over Engineers Estimate: -37,683							
Discipline	Prime & Subs	Location	Cert. Status	LBE	SLBE	Total LBE/SLBE	L/SLBE Trucking	Total Trucking	TOTAL Dollars	For Tracking Only		
										Ethn.	MBE	WBE
PRIME	Rockridge Builders	Oakland	CB		103,331.00	103,331.00			103,331.00	C		
Scaffolding	Nor-Cal Scaffolding	San Leandro	UB						2,700.00	C		
Painting	George Irving	Alamo	UB						12,000.00	C		
Windows	John Staton Company	Berkeley	UB						12,074.00	NL		
Window Shades	Burriss Window Shades	Oakland	UB						7,578.00	C		
Window Film	Climate Insulation Products	Santa Rosa	UB						7,889.32	C		
Historical Consultan	BCE- Jim Spaulding	Oakland	UB						1,500.00	C		
<b>Project Totals</b>				\$0	\$103,331	\$103,331	\$0	\$0	\$137,683		\$0	\$0
				0%	75.05%	75.05%	0%	0%	100%		0%	0%
<b>Requirements:</b> The 20% requirements is a combination of 10% LBE and 10% SLBE participation. An SLBE firm can be counted 100% towards achieving 20% requirements.				LBE 10%	SLBE 10%	TOTAL LBE/SLBE	20% LBE/SLBE TRUCKING			<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	SLBE = Small Local Business Enterprise	Total LBE/SLBE = All Certified Local and Small Local Businesses	NPLBE = NonProfit Local Business Enterprise	NPSLBE = NonProfit Small Local Business Enterprise	UB = Uncertified Business	CB = Certified Business	MBE = Minority Business Enterprise	WBE = Women Business Enterprise



**DEPARTMENT OF CONTRACTING AND PURCHASING**



**Social Equity Division**

**PROJECT EVALUATION FORM**

**PROJECT NO.:** P337310

**PROJECT NAME:** Melrose Library Window Rehabilitation

**CONTRACTOR:** Seven Island Painting, Inc.

<u>Engineer's Estimate:</u> \$100,000	<u>Contractors' Bid Amount</u> \$91,000	<u>Over/Under Engineer's Estimate</u> \$9,000
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<u>Discounted Bid Amount:</u> \$0	<u>Amount of Bid Discount</u> \$0	<u>Discount Points:</u> 0%
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- 1. Did the 20% requirements apply? **YES**
  
- 2. Did the contractor meet the 20% requirement? **NO**
  - b) % of LBE participation **0%**
  - c) % of SLBE participation **0%**
  
- 3. Did the contractor meet the Trucking requirement? **NA**
  - a) Total SLBE/LBE trucking participation **NA**
  
- 4. Did the contractor receive bid discounts? **NO**  
(If yes, list the percentage received) **0%**

5. Additional Comments.  
**Contractor failed to meet the minimum 20% participation requirement. Therefore, they are deemed non-responsive.**

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

11/13/2009  
Date

Reviewing Officer: *Seamus Huang*

Date: 11/13/09

Approved By: *Valerie M.M.*

Date: 11/13/09

# LBE/SLBE PARTICIPATION BIDDER 1

Project Name: Melrose Library Window Rehabilitation

Project No.: P337310		Engineers Est: 100,000				Under/Over Engineers Estimate: 9,000				For Tracking Only		
Discipline	Prime & Subs	Location	Cert. Status	LBE	SLBE	Total LBE/SLBE	L/SLBE Trucking	Total Trucking	TOTAL Dollars	Ethn.	MBE	WBE
PRIME	Seven Island Painting, Inc.	Daly City	UB						91,000	C		
<b>Project Totals</b>				\$0	\$0	\$0	\$0	\$0	\$91,000		\$0	\$0
				0%	0%	0%	0%	0%	100%		0%	0%
<b>Requirements:</b> The 20% requirements is a combination of 10% LBE and 10% SLBE participation. An SLBE firm can be counted 100% towards achieving 20% requirements.				<b>LBE 10%</b>	<b>SLBE 10%</b>	<b>TOTAL LBE/SLBE</b>	<b>20% LBE/SLBE TRUCKING</b>			<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				
				Total LBE/SLBE = All Certified Local and Small Local Businesses				MBE = Minority Business Enterprise				
				NPLBE = NonProfit Local Business Enterprise				WBE = Women Business Enterprise				
				NPSLBE = NonProfit Small Local Business Enterprise								

**DEPARTMENT OF CONTRACTING AND PURCHASING**



**Social Equity Division**

**PROJECT EVALUATION FORM**

**PROJECT NO.:** P337310

**PROJECT NAME:** Melrose Library Window Rehabilitation

**CONTRACTOR:** Yes Construction Group, Inc.

<b>Engineer's Estimate:</b> \$100,000	<b>Contractors' Bid Amount</b> \$92,500	<b>Over/Under Engineer's Estimate</b> \$7,500
<b>Discounted Bid Amount:</b> \$0	<b>Amount of Bid Discount</b> \$0	<b>Discount Points:</b> 0%

- 1. Did the 20% requirements apply? **YES**
- 2. Did the contractor meet the 20% requirement? **YES**
  - b) % of LBE participation **21.62%**
  - c) % of SLBE participation **67.57%**
- 3. Did the contractor meet the Trucking requirement? **NA**
  - a) Total SLBE/LBE trucking participation **0%**
- 4. Did the contractor receive bid discounts? **NO**
  - (If yes, list the percentage received) **0%**

5. Additional Comments.

**Yes Construction Group, Inc. achieved 89.19% L/SLBE, however, Per the Project Manager they did not include a restoration specialist in their bid nor did they supply the person's name within 10 days of bid opening. Therefore, they are deemed non-responsive.**

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

**11/13/2009**

Date

**Reviewing Officer:**

*[Signature]*

**Date:**

**11/13/09**

**Approved By:**

*[Signature]*

**Date:**

**11/13/09**

## LBE/SLBE PARTICIPATION BIDDER 2

Project Name: **Melrose Library Window Rehabilitation**

Project No.: P337310		Engineers Est: 100,000			Under/Over Engineers Estimate: 7,500							
Discipline	Prime & Subs	Location	Cert. Status	LBE	SLBE	Total LBE/SLBE	L/SLBE Trucking	Total Trucking	TOTAL Dollars	For Tracking Only		
										Ethn.	MBE	WBE
PRIME	Yes Construction Group, Inc.	Oakland	CB		62,500	62,500			62,500	AP	62,500	
Paint Supplies	Kelly Moore	Oakland	UB						10,000	NL		
Supplier	American Emperor	Oakland	CB	20,000		20,000			20,000	AP	20,000	
<b>Project Totals</b>				\$20,000	\$62,500	\$82,500	\$0	\$0	92,500		\$82,500	\$0
				21.62%	67.57%	89.19%	0%	0%	100%		89%	0%
<b>Requirements:</b> The 20% requirements is a combination of 10% LBE and 10% SLBE participation. An SLBE firm can be counted 100% towards achieving 20% requirements.				LBE 10%	SLBE 10%	TOTAL LBE/SLBE	20% LBE/SLBE TRUCKING			<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 SLBE = Small Local Business Enterprise Total LBE/SLBE = All Certified Local and Small Local Businesses NPLBE = NonProfit Local Business Enterprise NPSLBE = NonProfit Small Local Business Enterprise		UB = Uncertified Business CB = Certified Business MBE = Minority Business Enterprise WBE = Women Business Enterprise						

**DEPARTMENT OF CONTRACTING AND PURCHASING**



**Social Equity Division**

**PROJECT EVALUATION FORM**

**PROJECT NO.:** P337310

**PROJECT NAME:** Melrose Library Window Rehabilitation

**CONTRACTOR:** B-Side, Inc.

<u>Engineer's Estimate:</u> \$100,000	<u>Contractors' Bid Amount</u> \$107,020	<u>Over/Under Engineer's Estimate</u> (\$7,020)
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<u>Discounted Bid Amount:</u> \$0	<u>Amount of Bid Discount</u> \$0	<u>Discount Points:</u> 0%
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- 1. Did the 20% requirements apply? **YES**
  
- 2. Did the contractor meet the 20% requirement? **YES**
  - b) % of LBE participation **1.68%**
  - c) % of SLBE participation **83.18%**
  
- 3. Did the contractor meet the Trucking requirement? **NA**
  - a) Total SLBE/LBE trucking participation **NA**
  
- 4. Did the contractor receive bid discounts? **NO**
  - (If yes, list the percentage received) **0%**

5. Additional Comments.

**B-Side, Inc. achieved 84.86% L/SLBE, however, Per the Project Manager they did not include a restoration specialist in their bid nor did they supply the person's name within 10 days of bid opening. Therefore, they are deemed non-responsive.**

6. Date evaluation completed and returned to Contract Admin./Initiating Dept.  
11/13/2009  
Date

**Reviewing  
Officer:**

*[Signature]*

**Date:** 11/13/09

**Approved By:**

*[Signature]*

**Date:** 11/13/09

## LBE/SLBE PARTICIPATION BIDDER 3

Project Name: Melrose Library Window Rehabilitation

Project No.: P337310		Engineers Est: 100,000			Under/Over Engineers Estimate: -7,020							
Discipline	Prime & Subs	Location	Cert. Status	LBE	SLBE	Total LBE/SLBE	L/SLBE Trucking	Total Trucking	TOTAL Dollars	For Tracking Only		
										Ethn.	MBE	WBE
Prime	B-Side, Inc.	Oakland	CB		89,020	89,020			89,020	C		
Trucking	Foston Trucking	Oakland	CB			Dollar amount not listed				AA		
Trucking	D. Irvin Trucking	Oakland	CB			Dollar amount not listed				AA		
Supplier	Economy Lumber	Oakland	CB	1,800		1,800			18,000	C		
<b>Project Totals</b>				\$1,800	\$89,020	\$90,820	\$0	\$0	\$107,020		\$0	\$0
				1.68%	83.18%	84.86%	0%	0%	100%		0%	0%
<b>Requirements:</b> The 20% requirements is a combination of 10% LBE and 10% SLBE participation. An SLBE firm can be counted 100% towards achieving 20% requirements.				LBE 10%	SLBE 10%	TOTAL LBE/SLBE	20% LBE/SLBE TRUCKING			<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 SLBE = Small Local Business Enterprise Total LBE/SLBE = All Certified Local and Small Local Businesses NPLBE = NonProfit Local Business Enterprise NPSLBE = NonProfit Small Local Business Enterprise				UB = Uncertified Business CB = Certified Business MBE = Minority Business Enterprise WBE = Women Business Enterprise				

**DEPARTMENT OF CONTRACTING AND PURCHASING**



**Social Equity Division**

**PROJECT EVALUATION FORM**

**PROJECT NO.:** P337310

**PROJECT NAME:** Melrose Library Window Rehabilitation

**CONTRACTOR:** Newmak Builders

<u>Engineer's Estimate:</u> \$100,000	<u>Contractors' Bid Amount</u> \$115,303	<u>Over/Under Engineer's Estimate</u> -\$15,303
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<u>Discounted Bid Amount:</u> \$0	<u>Amount of Bid Discount</u> \$0	<u>Discount Points:</u> 0%
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1. Did the 20% requirements apply? **YES**
2. Did the contractor meet the 20% requirement? **NO**
  - b) % of LBE participation **0%**
  - c) % of SLBE participation **0%**
3. Did the contractor meet the Trucking requirement? **NA**
  - a) Total SLBE/LBE trucking participation **NA**
4. Did the contractor receive bid discounts? **NO**

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

5. Additional Comments.

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

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

11/13/2009

Date

**Reviewing  
Officer:**

*Suzanne Hayes*

**Date:** 11/13/09

**Approved By:**

*Willie*

**Date:** 11/13/09

## LBE/SLBE PARTICIPATION BIDDER 4

Project Name: **Melrose Library Window Rehabilitation**

Project No.: <b>P337310</b>		Engineers Est: <b>100,000</b>			Under/Over Engineers Estimate: <b>-15,303</b>							
Discipline	Prime & Subs	Location	Cert. Status	LBE	SLBE	Total LBE/SLBE	L/SLBE Trucking	Total Trucking	TOTAL Dollars	For Tracking Only		
										Ethn.	MBE	WBE
PRIME	Newmak Builders	Millbrae	UB						115,302.95	O		
<b>Project Totals</b>				\$0 0%	\$0 0%	\$0 0%	\$0 0%	\$0 0%	115,302.95 100%		\$0 0.00%	\$0 0%
<b>Requirements:</b> The 20% requirements is a combination of 10% LBE and 10% SLBE participation. An SLBE firm can be counted 100% towards achieving 20% requirements.				<b>LBE 10%</b>	<b>SLBE 10%</b>	<b>TOTAL LBE/SLBE</b>	<b>20% LBE/SLBE TRUCKING</b>		<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 SLBE = Small Local Business Enterprise Total LBE/SLBE = All Certified Local and Small Local Businesses NPLBE = NonProfit Local Business Enterprise NPSLBE = NonProfit Small Local Business Enterprise		UB = Uncertified Business CB = Certified Business MBE = Minority Business Enterprise WBE = Women Business Enterprise						



**DEPARTMENT OF CONTRACTING AND PURCHASING**



**Social Equity Division**

**PROJECT EVALUATION FORM**

**PROJECT NO.:** P337310

**PROJECT NAME:** Melrose Library Window Rehabilitation

**CONTRACTOR:** Rodan Builders Inc.

<u>Engineer's Estimate:</u> \$100,000	<u>Contractors' Bid Amount</u> \$204,900	<u>Over/Under Engineer's Estimate</u> -\$104,900
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<u>Discounted Bid Amount:</u> \$0	<u>Amount of Bid Discount</u> \$0	<u>Discount Points:</u> 0%
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- 1. Did the 20% requirements apply? **YES**
  
- 2. Did the contractor meet the 20% requirement? **NO**
  - b) % of LBE participation **48.80%**
  - c) % of SLBE participation **0.00%**
  
- 3. Did the contractor meet the Trucking requirement? **NA**
  - a) Total SLBE/LBE trucking participation **NA**
  
- 4. Did the contractor receive bid discounts? **NO**  
(If yes, list the percentage received) **0%**

5. Additional Comments.

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

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

11/13/2009  
Date

Reviewing Officer:   
Approved By: 

Date: 11/13/09  
Date: 11/13/09

## LBE/SLBE PARTICIPATION BIDDER 6

Project Name: Melrose Library Window Rehabilitation

Project No.: P337310		Engineers Est: 100,000				Under/Over Engineers Estimate: -104,900				For Tracking Only		
Discipline	Prime & Subs	Location	Cert. Status	LBE	SLBE	Total LBE/SLBE	L/SLBE Trucking	Total Trucking	TOTAL Dollars	Ethn.	MBE	WBE
PRIME Window Restoration Painting window Shades	Rodan Builders Inc.	Burlingame	UB						85,900	C	198,241	
	Wooden Window	Oakland	CB	100,000		100,000			100,000	C		
	KBI	Petaluma	UB						11,000	C		
	Hampa Corporation	Castro Valley	UB						8,000	C		
<b>Project Totals</b>				\$100,000	\$0	\$100,000	\$0	\$0	\$204,900		\$198,241	\$0
				48.80%	0%	48.80%	0%	0%	100%		96.75%	0%
<b>Requirements:</b> The 20% requirements is a combination of 10% LBE and 10% SLBE participation. An SLBE firm can be counted 100% towards achieving 20% requirements.				LBE: 10%	SLBE: 10%	TOTAL LBE/SLBE	20% LBE/SLBE TRUCKING			<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 SLBE = Small Local Business Enterprise Total LBE/SLBE = All Certified Local and Small Local Businesses NPLBE = NonProfit Local Business Enterprise NPSLBE = NonProfit Small Local Business Enterprise				UB = Uncertified Business CB = Certified Business MBE = Minority Business Enterprise WBE = Women Business Enterprise				

DEPARTMENT OF CONTRACTING AND PURCHASING



Social Equity Division

PROJECT EVALUATION FORM

PROJECT NO.: P337310

PROJECT NAME: Melrose Library Window Rehabilitation

CONTRACTOR: Bay Construction

<u>Engineer's Estimate:</u> \$100,000	<u>Contractors' Bid Amount</u> \$208,060	<u>Over/Under Engineer's Estimate</u> -\$108,060
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<u>Discounted Bid Amount:</u> \$0	<u>Amount of Bid Discount</u> \$0	<u>Discount Points:</u> 0%
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1. Did the 20% requirements apply? YES
2. Did the contractor meet the 20% requirement? YES
  - b) % of LBE participation 0%
  - c) % of SLBE participation 56.55%
3. Did the contractor meet the Trucking requirement? NA
  - a) Total SLBE/LBE trucking participation NA
4. Did the contractor receive bid discounts? NO

(If yes, list the percentage received) 0%

5. Additional Comments.

Bay Construction achieved 56.55% L/SLBE, however, Per the Project Manager they did not include a restoration specialist in their bid nor did they supply the person's name within 10 days of bid opening. Therefore, they are deemed non-responsive.

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

11/13/2009

Date

Reviewing  
Officer:

Sophia Hung

Date: 11/13/09

Approved By:

Mia

Date: 11/13/09

## LBE/SLBE PARTICIPATION BIDDER 7

Project Name: Melrose Library Window Rehabilitation

Project No.: P337310		Engineers Est: 100,000				Under/Over Engineers Estimate: -108,060				For Tracking Only		
Discipline	Prime & Subs	Location	Cert. Status	LBE	SLBE	Total LBE/SLBE	L/SLBE Trucking	Total Trucking	TOTAL Dollars	Ethn.	MBE	WBE
PRIME Window Restoration Window Shades	Bay Construction	Oakland	CB		117,660	117,660			117,660	AP		
	The Framwork	Oakland	UB						80,000	H	80,000	
	Peninsulators	San Jose	UB						10,400	NL		
<b>Project Totals</b>				\$0	\$117,660	\$117,660	\$0	\$0	\$208,060		\$80,000	\$0
				0%	56.55%	56.55%	0%	0%	100%		38.45%	0%
<b>Requirements:</b> The 20% requirements is a combination of 10% LBE and 10% SLBE participation. An SLBE firm can be counted 100% towards achieving 20% requirements.				LBE 10%	SLBE 10%	TOTAL LBE/SLBE	20% LBE/SLBE TRUCKING			<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				
				Total LBE/SLBE = All Certified Local and Small Local Businesses				MBE = Minority Business Enterprise				
				NPLBE = NonProfit Local Business Enterprise				WBE = Women Business Enterprise				
				NPSLBE = NonProfit Small Local Business Enterprise								

**DEPARTMENT OF CONTRACTING AND PURCHASING**



**Social Equity Division**

**PROJECT EVALUATION FORM**

**PROJECT NO.:** P337310

**PROJECT NAME:** Melrose Library Window Rehabilitation

**CONTRACTOR:** Commercial Building Services Co.

<b><u>Engineer's Estimate:</u></b> \$100,000	<b><u>Contractors' Bid Amount</u></b> \$229,700	<b><u>Over/Under Engineer's Estimate</u></b> -\$129,700
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<b><u>Discounted Bid Amount:</u></b> \$0	<b><u>Amount of Bid Discount</u></b> \$0	<b><u>Discount Points:</u></b> 0%
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1. Did the 20% requirements apply? **YES**
  
2. Did the contractor meet the 20% requirement? **NO**  
    b) % of LBE participation **0%**  
    c) % of SLBE participation **0%**
  
3. Did the contractor meet the Trucking requirement? **NA**  
    a) Total SLBE/LBE trucking participation **NA**
  
4. Did the contractor receive bid discounts? **NO**  
    (if yes, list the percentage received) **0%**

5. Additional Comments.

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

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

11/13/2009

Date

**Reviewing Officer:**

*Sophy Hung*

**Date:**

11/13/09

**Approved By:**

*[Signature]*

**Date:**

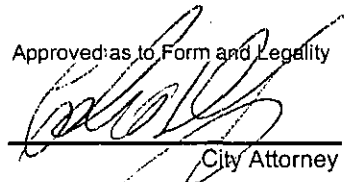
11/13/09

## LBE/SLBE PARTICIPATION BIDDER 8

Project Name: Melrose Library Window Rehabilitation												
Project No.: P337310		Engineers Est: 100,000				Under/Over Engineers Estimate: -129,700						
Discipline	Prime & Subs	Location	Cert. Status	LBE	SLBE	Total LBE/SLBE	L/SLBE Trucking	Total Trucking	TOTAL Dollars	For Tracking Only		
										Ethn.	MBE	WBE
PRIME Window Repair	Commercial Building Services Co.	Piedmont	UB						229,700	C		
	Wooden Window	Oakland	CB							No Dollar amount listed	C	
<b>Project Totals</b>				\$0	\$0	\$0	\$0	\$0	\$229,700		\$0	\$0
				0%	0%	0%	0%	0%	100%		0%	0%
<b>Requirements:</b> The 20% requirements is a combination of 10% LBE and 10% SLBE participation. An SLBE firm can be counted 100% towards achieving 20% requirements.				LBE 10%	SLBE 10%	TOTAL LBE/SLBE	20% LBE/SLBE TRUCKING			<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				
				Total LBE/SLBE = All Certified Local and Small Local Businesses				MBE = Minority Business Enterprise				
				NPLBE = NonProfit Local Business Enterprise				WBE = Women Business Enterprise				
				NPSLBE = NonProfit Small Local Business Enterprise								

FILED  
OFFICE OF THE CITY CLERK  
OAKLAND

Approved as to Form and Legality



City Attorney

2009 DEC -3 PM 3:03 **OAKLAND CITY COUNCIL**

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

**RESOLUTION AUTHORIZING THE CITY ADMINISTRATOR, OR DESIGNEE, TO AWARD A CONSTRUCTION CONTRACT FOR THE MELROSE LIBRARY WINDOW REHABILITATION PROJECT IN ACCORD WITH SPECIFICATION NO. P337310 AND WITH CONTRACTOR'S BID TO ROCKRIDGE BUILDERS IN THE AMOUNT OF ONE HUNDRED THIRTY-SEVEN THOUSAND SIX HUNDRED EIGHTY-THREE DOLLARS (\$137,683.00)**

**WHEREAS**, eight bids were received by the Office of the City Clerk on September 10, 2009, for the Melrose Library Window Rehabilitation Project; and

**WHEREAS**, seven bids were deemed non-responsive for failing to meet the bid requirements and/or the City's Local and Small Local Business Program requirements ; and

**WHEREAS**, Rockridge Builders, a certified small local business, is the lowest responsible, responsive bidder; and

**WHEREAS**, funds of \$137,683.00 for the Melrose Library Window Rehabilitation construction contract are available in Fund 7780, Project No. P337310, Capital Project Management Organization 92270; 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; 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:** That the City Administrator, or designee, is hereby authorized to award a construction contract on behalf of the City of Oakland to Rockridge Builders in the amount of one hundred thirty-seven thousand six hundred eighty-three dollars (\$137,683.00) for the Melrose Library Window Rehabilitation Project in accord with Specification No. P337310 and contractor's bid dated September 10, 2009, and to execute any amendments or modifications of said contract within the limitations of the project specifications; and be it

**FURTHER RESOLVED:** That the City Administrator, or designee, is hereby authorized to reject all other bids; and be it

**FURTHER RESOLVED:** That the amount of the bond for faithful performance, \$137,683.00, and the amount for a bond to guarantee payment of all claims for labor and material furnished and for the amount due under the Unemployment Insurance Act, \$137,683.00, with respect to such work are hereby approved; and be it

**FURTHER RESOLVED:** That the City Council hereby approves the plans and specifications for the Melrose Library Window Rehabilitation project; 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, DE LA FUENTE, KAPLAN, KERNIGHAN, NADEL, QUAN, REID, and PRESIDENT BRUNNER

NOES -

ABSENT -

ABSTENTION -

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