

CITY OF OAKLAND

AGENDA REPORT

2007 JUN 26 11:30:05

TO: Office of the City Administrator
ATTN: Deborah Edgerly
FROM: Public Works Agency
DATE: June 26, 2007

RE: **Resolution Authorizing The City Administrator, Or Her Designee, To Increase The Contract Amount For The Carter Gilmore Sports Complex (Formerly Known As Greenman Field) Renovation And Community Park Project With Star Construction, Inc., In The Amount of \$600,000.00, Bringing The Total Contract Amount To \$2,162,000.00, For The Construction Of Ballfield Irrigation, Drainage and Landscaping Improvements**

SUMMARY

A Resolution has been prepared authorizing the City Administrator, or her designee, to increase the construction contract with Star Construction, Inc., in the amount of \$600,000.00, for ballfield irrigation, drainage and landscaping improvements, bringing the total contract amount to \$2,162,000.00 for the Carter Gilmore Sports Complex (formerly known as Greenman Field) Renovation and Community Park project. The project is located in Council District 6.

The ballfield irrigation, drainage and landscaping improvements were additive alternates to the original Carter Gilmore Sports Complex Renovation and Community Park design. However, sufficient funding was not initially available to include these items of work in the construction contract with Star Construction, Inc. An additional funding source from the State of California Department of Housing and Community Workforce Housing (WFH) Reward Grant program has been identified to add the ballfield irrigation, drainage, and landscaping improvements back into the project. On February 27, 2007, the City Council approved Resolution No. 80447 C.M.S., authorizing the City Administrator to apply for, accept and appropriate grant funds in the amount of \$1,200,000.00 from the WFH Reward Grant program. Council also prioritized the list of projects to be funded with the WFH grant and the Carter Gilmore Sports Complex Renovation and Community Park project was the number one priority of the five recommended projects.

Since the WFH grant is a per capita grant and because of the project's priority, it is highly probable that the additional improvements for the Carter Gilmore Sports Complex Renovation and Community Park project will be funded. In June 2007, the state will notify the City of the actual amount of grant funding approved for the project. The construction contract increase and the added project improvements are subject to the confirmation of the WFH grant, and the contractor will not be directed to proceed with any of the added improvements until the WFH grant is fully confirmed. Should the City not receive the WFH grant, the improvements will not be added to the project.

Staff is requesting authorization for the increase of the construction contract at this time in order to be able to expedite the added improvements once the WFH grant funding is confirmed. The

ballfield irrigation, drainage and landscaping improvements must be completed by late summer 2007, to ensure the three ballfields are ready for the start of the 2008 baseball season.

FISCAL IMPACT

Additional funding of \$600,000.00 for the ballfield irrigation, drainage, and landscaping improvements will come from the State of California Department of Housing and Community Development Workforce Housing. (WFH). Funds are subject to approval by the WFH program. If the WFH grant is approved, funding will be allocated as authorized by Resolution No. 80447 C.M.S. to the project.

Contract Compliance fees will be allocated under Project C197010. The Public Art assessment of 1.5% is included in the Greenman Field Renovation project budget by integrating the art component directly into the project design.

These improvements will not result in an increase in operating and maintenance costs and they will reduce the short-term maintenance costs.

BACKGROUND

The Carter Gilmore Sports Complex was recently renamed from the Greenman Field Park by the Oakland Unified School District. The Carter Gilmore Sports Complex is located on 66th Avenue adjacent to Havenscourt Middle School (1390 66th Avenue) and Lockwood Elementary School (6701 International Blvd.). The 6.8-acre site consists of 4 baseball fields that are the home fields for the Oakland Babe Ruth League, which is the primary user of the fields. There are approximately 960 youth participating in the league who range in age from 5 to 15 years old.

Resolution No. 80037 C.M.S., was approved by the City Council on July 18, 2006, authorizing the award of a construction contract to Star Construction, Inc., in an amount of \$1,200,000.00 for the Carter Gilmore Sports Complex Renovation and Community Park project. The \$1,200,000.00 covered the construction of the new community park and improvements to Diamond Number 3. The City Council approved Resolution No. 80361 C.M.S., on January 16, 2007, increasing the construction contract by the amount of \$362,000.00 to add the landscaped soundwall alternate to the project.

Staff continued to seek additional funding for the remaining additive alternate work of ballfield irrigation, and landscaping improvements. On February 27, 2007, the City Council approved Resolution No. 80447 C.M.S., authorizing the City Administrator to apply for, accept and appropriate grant funds in the amount of \$1,200,000.00 from the WFH Reward Grant program. Council also prioritized the list of projects to be funded with the WFH grant and the Carter Gilmore Sports Complex Renovation and Community Park project was the number one priority of the five recommended projects.

This grant program seeks to target the funding of projects in communities that lend themselves to improving the quality of life of very-low and low-income residents. The WFH grants are intended to assist public agencies in developing amenities and infrastructure necessary for the creation of vibrant livable communities, in conjunction with the development of jurisdiction wide affordable housing projects. Projects considered eligible under the grant program include:

cultural centers; libraries; street infrastructure; streetscape improvements; parks; police and fire stations; accommodations for ADA compliance; and other deemed-eligible capital improvement projects. These funds will be used to cover the ballfield irrigation, drainage and landscaping improvements for the Carter Gilmore Sports Complex Renovation and Community Park project.

KEY ISSUES AND IMPACTS

The scope of work for the project consists of the construction of a new community park and an eight foot tall landscaped soundwall, ADA improvements, the construction of a new batting cage and new restroom facility, new concrete pathways, new entry fencing on 66th Avenue, and small and older children's play areas including swings, play apparatus, and rubberized play surface. The proposed added scope of work is the irrigation, drainage and landscaping improvements to three baseball fields. The ballfield improvements are necessary to increase the usage of the ballfields and meet the basic standards for the Babe Ruth League. Presently the fields do not drain properly and hold water after any rainstorm, rendering them unplayable for several days.

Currently the contractor is proceeding with the construction of the other components of the project. Staff is requesting authorization for the increase of the construction contract at this time in order to be able to expedite the added improvements once the WFH grant funding is confirmed. The ballfield irrigation, drainage and landscaping improvements must be completed in the late summer of 2007, to ensure the three ballfields are ready for the start of the 2008 baseball season.

The revised contract amount will be \$2,162,000.00 and the City's L/SLBE and local trucking programs have been met by Star Construction, Inc. There will be L/SLBE participation of \$749,850.00 (34.68%), which exceeds the 20% L/SLBE requirements, and the local trucking participation will be \$15,000.00 (100%). The contractor is required to have 50% of the work hours performed by Oakland residents and 50% of all new hires are to be Oakland residents. The L/SLBE information has been verified by the Contract Compliance & Employment Services Division of the City Administrator's Office and is included as Attachment A.

The Notice to Proceed for the base bid was issued on November 10, 2006. Construction is approximately 50% complete and is anticipated to be finished by late summer 2007.

In June 2007, the state will notify the city of the actual amount of grant funding approved for the project. The construction contract increase and the added project improvements are subject to the confirmation of the WFH grant, and the contractor will not be directed to proceed with any of the added improvements until the WFH grant is fully confirmed. Should the city not receive the WFH grant, the improvements will not be added to the project.

SUSTAINABLE OPPORTUNITIES

Economic: Work on the project will generate business tax, sales tax, and other revenues for the City.

Environmental: The project will take into consideration green building technologies, and to the extent feasible, will recycle materials and debris. The new rubber play surface is made from recycled tires.

Social Equity: The project will provide upgraded recreational facilities for neighborhood children and their families.

DISABILITY AND SENIOR CITIZEN ACCESS

All new physical improvements will comply with the Americans with Disabilities Act (ADA). The project will improve accessibility to persons with disabilities with ADA compliant play surfaces, equipment, and pathways.

RECOMMENDATION AND RATIONALE

It is recommended that the resolution be approved to increase the construction contract with Star Construction, Inc., in the amount of \$600,000.00, for a total contract amount of \$2,162,000.00, for the Carter Gilmore Sports Complex Renovation and Community Park project, contingent upon notification that the workforce housing grant will provide sufficient funding for this measure.

Adding the work to this contract will be cost efficient and the most effective and coordinated way to complete the construction of the ballfield irrigation, drainage, and landscaping improvements. Staff will be able to expedite the added improvements once the WFH grant funding is confirmed.

ACTION REQUESTED OF THE CITY COUNCIL

City Council is requested to approve this resolution.

Respectfully submitted,

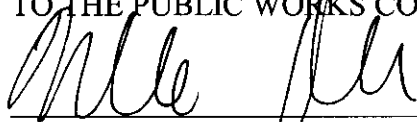


Raul Godinez II, P.E.
Director, Public Works Agency

Reviewed by:
Michael Neary, P.E.
Assistant Director, Public Works Agency

Prepared by:
Sandra Ousley, Project Manager
Project Delivery Division

APPROVED AND FORWARDED
TO THE PUBLIC WORKS COMMITTEE:


Office of City Administrator

Attachment A: Contract Compliance & Employment Service Division L/SLBE Information



Memo

Office of the City Administrator

Contract Compliance & Employment Services Division

To: Gwen McCormick, Contract Administration Supervisor
From: Vivian Inman, Contract Compliance Officer, CC&ES Division
Through: Deborah Barnes, CC&ES Manager *& Darenburg for*
CC: Sandra Ousley, Project Manager
Date: May 16, 2007
Re: Compliance Analysis: Greenman Field Renovation Including Alternates 3 and 4

Contract Compliance & Employment Services received a request from the Public Works to perform a Local/Small Local Business Enterprise (L/SLBE) participation analysis for the above reference project. The analysis is for bid alternates three (3) and four (4) which totaled \$600,000 in additional funding.

Below is the outcome of our compliance evaluation for the twenty percent (20%) minimum participation requirement.

The L/SLBE findings are as follows:

	Company Name	Bid Amount (If Applicable)	Proposed Participation				Preferences			Banked Credits Eligibility?	EBO Compliant? (Y/N)
			Total L/SLBE	LBE	SLBE	Trucking	Total Credited	Adjusted Bid Amount	Points		
1	Star Construction, Inc.	\$2,162,000	34.68%	0%	34.68%	100%	34.68%	NA	0	N	Y

As noted above, Star Construction, Inc. exceeded the L/SLBE 20% participation and is EBO compliant.

Local Employment Program/15% Apprenticeship Program

There is no Local Employment Program (LEP) or 15% Apprenticeship Program utilization data available for Star Construction, Inc. They have not previously performed work for the City of Oakland.

If you have questions or need additional information regarding L/SLBE participation please contact Vivian Inman, Contract Compliance Officer, at 238-6261. For information regarding Local Employment Program/15% Apprenticeship Program please contact Jonathan Dumas at 238-7359.

CONTRACT COMPLIANCE & EMPLOYMENT SERVICES
PROJECT EVALUATION FORM

PROJECT NO. C197010

PROJECT NAME: Greenman Field Renovation Including Alternates 3 and 4

CONTRACTOR: Star Construction, Inc.

<u>Engineer's Estimate:</u>	<u>Contractors' Bid Amount</u>	<u>Over/Under Engineer's Estimate</u>
\$1,200,000.00	\$2,162,000.00	-\$962,000.00

Bid discounted amount: **Discount Points:**

1. Did the 20% requirements apply? **YES**

2. Did the contractor meet the 20% requirement **YES**

 a) % of LBE participation **0.00%**

 b) % of SLBE participation **34.68%**

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

 a) Total trucking participation **100.00%**

4. Did the contractor receive bid discount points? **NO**

(If yes, list the points received) -

5. Additional Comments.

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

5/16/2007

Date

Reviewing Officer:

Nisra Ahmad

Date: 5/17/07

Approved By

Shelley Darenburg

Date: 5/17/07

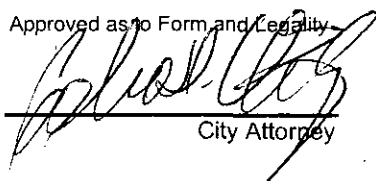
LBE/SLBE Participation Star Construction, Inc.

Project Name: Greenman Field Renovation - Including Alternates 3 & 4

Project No.: C197010		Engineers Est: 1,200,000.00				Under/Over Engineers Estimate: -962,000.00						
Discipline	Prime & Subs	Location	Cert. Status	LBE	SLBE	Total LBE/SLBE	S/LBE Trucking	Total Trucking	TOTAL Dollars	For Tracking Only		
										Ethn.	MBE	WBE
PRIME	Star Construction	San Bruno	UB						\$1,101,991.20	H		
Electrical	Delta Electric	Oakland	CB		\$50,000.00	\$50,000.00			\$50,000.00	AI	\$50,000.00	
Drainage, Grading, Soundwall	JW Riley & Sons	Oakland	CB		\$268,000.00	\$268,000.00			\$268,000.00	AA	\$268,000.00	
Rubber Pouring	Sport Surface Speciality	New York	UB						\$47,953.30	NL		
Ornamental Fence	Iron City, Inc.	Oakland	CB		\$116,900.00	\$116,900.00			\$116,900.00	C	\$116,900.00	
Trucking	Monroe Brooks	Oakland	CB		\$15,000.00	\$15,000.00	\$15,000.00	\$15,000.00	\$15,000.00	AA	\$15,000.00	
Trucking	Abe Hill Trucking	Oakland	UB						\$15,000.00	AA	\$15,000.00	
Masonry	Spencer Masonry	Oakland	CB		\$299,950.00	\$299,950.00			\$299,950.00	AA	\$299,950.00	
Sand Channel	Sand Channel Greens	Watsonville	UB						\$170,000.00	NL		
Batting Cage	Universal Fence	Hayward	UB						\$27,205.50	NL		
Restroom	Romtec Utilities, Inc.	Oregon	UB						\$50,000.00			
Project Totals				\$0.00	\$749,850.00	\$749,850.00	\$15,000.00	\$15,000.00	\$2,162,000.00		\$764,850.00	\$0.00
				0.00%	34.68%	34.68%	100.00%	100.00%	100.00%		35.38%	
Requirements: The 20% requirements is a combination of 10% LBE and 10% SLBE participation. An SLBE firm can be counted 100% towards achieving 20% requirements.				LBE 10%	SLBE 10%	TRUCKING 20%	LBE/SLBE 20%			Ethnicity AA = African American A = Asian C = Caucasian H = Hispanic NA = Native American O = Other NL = Not Listed		
Legend				LBE = Local Business Enterprise SLBE = Small Local Business Enterprise Total LBE/SLBE = All Certified Local and Small Local Businesses NPLBE = NonProfit Local Business Enterprise NPSLBE = NonProfit Small Local Business Enterprise				UB = Uncertified Business CB = Certified Business MBE = Minority Business Enterprise WBE = Women Business Enterprise				

OFFICE OF THE CITY CLERK
007 JUN 14 PM 3:05

OAKLAND CITY COUNCIL

Approved as to Form and Legality

City Attorney

RESOLUTION No. _____ C.M.S.

Introduced by Councilmember _____

RESOLUTION AUTHORIZING THE CITY ADMINISTRATOR, OR HER DESIGNEE, TO INCREASE THE CONTRACT AMOUNT FOR THE CARTER GILMORE SPORTS COMPLEX (FORMERLY KNOWN AS GREENMAN FIELD) RENOVATION AND COMMUNITY PARK PROJECT WITH STAR CONSTRUCTION, INC., IN THE AMOUNT OF \$600,000.00, BRINGING THE TOTAL CONTRACT AMOUNT TO \$2,162,000.00 FOR THE CONSTRUCTION OF BALLFIELD IRRIGATION, DRAINAGE AND LANDSCAPING IMPROVEMENTS.

WHEREAS, the Carter Gilmore Sports Complex (formerly known as Greenman Field) Renovation and Community Park project will provide upgraded recreational facilities for neighborhood children and their families; and

WHEREAS, on July 18, 2006, the City Council approved Resolution No. 80037 C.M.S., awarding a construction contract to Star Construction, Inc., in the amount of \$1,200,000.00 for the Carter Gilmore Sports Complex Renovation and Community Park project; and

WHEREAS, on January 16, 2007, the City Council approved Resolution No. 80361 C.M.S., increasing the construction contract in the amount of \$362,000.00 to add the landscaped sound wall additive alternate to the project; and

WHEREAS, on February 27, 2007, the City Council approved Resolution No.80447 C.M.S., authorizing the City Administrator to apply for, accept and appropriate grant funds in the amount of \$1,200,000.00 from the State of California Department of Housing and Community Development Workforce Housing (WFH) Reward Grant program; and

WHEREAS, the City Council also prioritized the list of projects to be funded with the WFH grant and the Carter Gilmore Sports Complex Renovation and Community Park project was the number one priority of the five recommended projects; and

WHEREAS, since the WFH grant is a per capita grant and because of the project's priority, it is highly probable that the additional improvements for the Carter Gilmore Sports Complex Renovation and Community Park project will be funded; and

WHEREAS, in June 2007, the state will notify the City of the actual amount of grant funding approved for the project; and

WHEREAS, staff is requesting authorization to increase the construction contract with Star Construction, Inc., to add the construction of ballfield irrigation, drainage, and landscaping improvements, and to increase the contract in the amount of six hundred thousand dollars (\$600,000.00), for a total contract amount of two million one hundred sixty-two thousand dollars (\$2,162,000.00) to cover the additional improvements; and

WHEREAS, staff is requesting authorization for the increase of the construction contract at this time in order to be able to expedite the added improvements once the WFH grant funding is confirmed; and

WHEREAS, the ballfield irrigation, drainage and landscaping improvements must be completed late summer 2007, to ensure the three ballfields are ready for the start of the 2008 baseball season; and

WHEREAS, the construction contract increase and the added project improvements are subject to the confirmation of the WFH grant, and the contractor will not be directed to proceed with any of the added improvements until the WFH grant is fully confirmed; and

WHEREAS, should the City not receive the WFH grant, the ballfield irrigation, drainage and landscaping improvements will not be added to the project; and

WHEREAS, the City lacks the equipment and qualified personnel to perform the necessary work, and the City Council finds that performance of this contract is in the public interest because of economy and services under this contract will be temporary; 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 is hereby authorized to increase the construction contract with Star Construction, Inc., to add the construction of ballfield irrigation, drainage and landscaping improvements, and to increase the contract in the amount of six hundred thousand dollars (\$600,000.00), for a total contract amount of two million one hundred sixty- two thousand dollars (\$2,162,000.00) to cover the additional improvements; and be it

FURTHER RESOLVED: That if the State of California Department of Housing and Community Development Workforce Housing Reward Grant is not received or a reduced amount is awarded, the added scope of work will be reduced as appropriate; and be it

FURTHER RESOLVED: That the City Administrator, or her designee, is hereby authorized to execute any amendments or modifications of said contract within the limitations of the revised project specifications; and be it

FURTHER RESOLVED: That a copy of the agreement will be on file in the City Clerk's Office and will be approved for form and legality by the Office of the City Attorney.

IN COUNCIL, OAKLAND, CALIFORNIA, _____, 20_____

PASSED BY THE FOLLOWING VOTE:

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

NOES -

ABSENT -

ABSTENTION -

ATTEST: _____

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