



INTEROFFICE MEMORANDUM

Department of Workplace & Employment Standards (DWES)

TO: Rebecca Darr,
Capital Improvement Project Coordinator Asst.

FROM: Shelley Darensburg, *SD*
Contract Compliance Supervisor

,PREPARED BY: Sophany Hang, *S. Hang*
Contract Compliance Officer

SUBJECT: Availability Analysis for
Peralta Park Mitigation Permits Replant
Project No. 1000693

DATE: October 17, 2024

Per your request, an availability analysis of the City's database of local certified firms was conducted. Under current council policy, the awarding authority may request an availability analysis if there is reason to believe that the availability of certified firms will not be sufficient to satisfy the minimum participation requirement.

The scope of services for the above project consists of the following:

The City of Oakland is soliciting bids to furnish all labor, materials and equipment required to complete work that includes repair of existing irrigation and upgrades to serve new planting areas; installation of all new plants, weed out invasive herbaceous plants, prune trees and shrubs that have damaged and dead branches, install temporary fencing to prevent bird browse of wetland plants, provide three-years warranty and maintenance of all new plantings. All existing plants to remain, must be protected from construction damage. However, work conditions within the regulated mitigation tidal marshland area will require additional care to protect existing plants documented to remain, and work within the tidal zones of the wetlands only when tides are out. All work within the currently fenced tidal marshland area is to be managed for the least disturbance possible of soils and plants to remain. Use of motorized equipment must be pre-approved by the City prior to use. The majority of work will be by hand and with hand-held tools

To determine the availability of the City's certified firms, the Department of Workplace & Employment Standards researched the certification database utilizing the following NAICS Code(s)

561730: Landscaping Services.

There were two (2) certified firms. An email was sent to the certified firms under the above NAICS code to determine if the firms were able to perform the scope of services. One (1) firm responded and indicated they can provide the services listed in the scope. However, the firm did not submit a bid.

Per the City's L/SLBE Program: "Based on the "Rule of Three," there must be at least three certified businesses listed in the industry, trade or profession that constitutes a major category of work. If at least three L/SLBEs are not certified, then the requirement is either waived, or the 50% requirement may be set at a percentage from 50 % to 0%, but not less than 20% if at least one L/SLBE is certified and available."

Based on the above, it has been determined that the Local and Small Local Business Enterprise Program's requirement is set at 0% for this project.

If you have questions or need additional information, please contact Sophany Hang, Contract Compliance Officer at (510) 238-3723.