

FILED  
OFFICE OF THE CITY CLERK  
OAKLAND  
2008 JUL -2 PM 3:46

# CITY OF OAKLAND

## AGENDA REPORT

TO: Office of the City Administrator  
ATTN: Dan Lindheim  
FROM: Community and Economic Development Agency  
DATE: July 8, 2008

RE: **Supplemental Report to the Resolution Authorizing The City Administrator, Or Her Designee, To Award A Construction Contract For The City Stables Paddocks Project To The Lowest Responsible Bidder/Contractor To Be Named Upon Successful Bidding Of The Project For An Amount Not To Exceed Three Hundred Fifty Thousand Dollars (\$350,000.00), Or If All Bids Submitted Are Non-Responsive, To Reject All Bids, Waive Further Competitive Bidding Requirements, And Negotiate A Contract Within Budget, For An Amount Not To Exceed Three Hundred Fifty Thousand Dollars (\$350,000.00), Without Return To Council**

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### SUMMARY

This supplemental report provides information that was not available at the time of the writing of the July 8, 2008, City Stables Paddocks project agenda report and resolution. The original agenda report and resolution were written in advance because construction and completion of the project must be expedited due to the 2009 expiration of a State grant, which funds a portion of the work.

On June 16, 2008, the City Clerk received two bids for the City Stables Paddocks project. Rockridge Builders (Oakland) and Bay Construction Co. (Oakland) submitted bids of \$323,907.00 and \$409,350.00, respectively. Refer to Attachment A for a summary of the bids.

Rockridge Builder's proposal of \$323,907.00 is the lowest responsive responsible bid. They have met the City's Local/Small Local Business Enterprise requirements which have been verified by the Contract Compliance Division of the City Administrator's Office as shown in Attachment B. Sufficient funding is available to execute the construction contract.

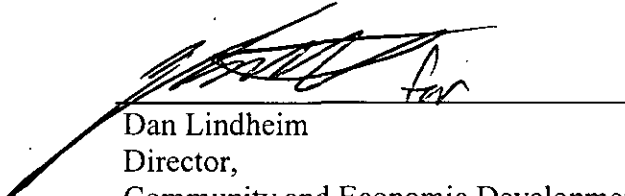
### ACTION REQUESTED OF THE CITY COUNCIL

It is requested that the City Council accept this supplemental report, and it is recommended that the City Council approve the resolution authorizing the City Administrator, or her designee, to award a construction contract for the City Stables Paddocks project in an amount not to exceed three hundred fifty thousand dollars (\$350,000.00), or if all bids submitted are non-responsive, to

Item: \_\_\_\_\_  
Public Works Committee  
July 8, 2008

reject all bids, waive further competitive bidding requirements, and negotiate a contract within budget, for an amount not to exceed three hundred fifty thousand dollars (\$350,000.00). The firm of Rockridge Builders has submitted the lowest responsive and responsible bid in the amount of \$323,907.00 for the project. If Rockridge Builders cannot subsequently meet all of the contract or program requirements, the construction contract will then be awarded to the next lowest, responsive and responsible contractor.

Respectfully submitted,

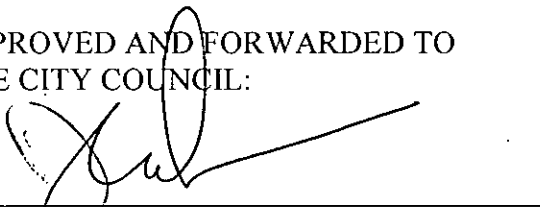


Dan Lindheim  
Director,  
Community and Economic Development Agency

Reviewed by:  
Michael Neary, P.E.  
Deputy Director,  
Community and Economic Development Agency  
Design & Construction Services

Prepared by:  
Diane Tannenwald, CIP Coordinator  
Project Delivery Division

APPROVED AND FORWARDED TO  
THE CITY COUNCIL:



Office of the City Administrator

Attachment: A. Canvas of Bids  
B. Contract Compliance Analysis

Item: \_\_\_\_\_

Public Works Committee  
July 8, 2008

CITY OF OAKLAND  
DEPARTMENT OF CONTRACTING AND PURCHASING  
CONTRACT ADMINISTRATION  
CANVASS OF BID

PROJECT : City Stables Paddocks

BID DATE: June 16, 2008

PROJECT # : C213720

WORKING DAYS: 150

ENGINEER'S ESTIMATE: \$300,000.00

ITEM NO.	SPEC. SEC. NO.	QTY	UNIT OF MEASURE	CONTRACT ITEM	Engineer's Estimate		Rockridge Builders		Bay Construction Co.	
					UNIT PRICE	TOTAL AMOUNT	UNIT PRICE	TOTAL AMOUNT	UNIT PRICE	TOTAL AMOUNT
							(510)535-1682		(510)658-7225	
1	7-2.2.1	1	LS	Electronic Payroll Submission	\$3,000.00	\$3,000.00	\$6,000.00	\$6,000.00	\$2,500.00	\$2,500.00
2	9-3.4	1	LS	Mobilization (4%)	\$12,000.00	\$12,000.00	\$10,800.00	\$10,800.00	\$15,625.00	\$15,625.00
3	7-10	1	LS	Vehicular Traffic & Pedestrian Control	\$5,000.00	\$5,000.00	\$4,000.00	\$4,000.00	\$12,500.00	\$12,500.00
4	02070	1	LS	Demolition	\$6,500.00	\$6,500.00	\$30,000.00	\$30,000.00	\$25,000.00	\$25,000.00
5	02070	1	SF	Remediation of Hazardous Materials	\$10,000.00	\$10,000.00	\$10,000.00	\$10,000.00	\$25,000.00	\$25,000.00
6	01100	1	CY	Earthwork	\$17,000.00	\$17,000.00	\$50,000.00	\$50,000.00	\$37,500.00	\$37,500.00
7	02200	274	SF	Chemically Treated Wood Post Remediation	\$100.00	\$27,400.00	\$36.50	\$10,000.00	\$75.00	\$20,550.00
8	02600	13	Ton	Chemically Treated Utility Pole/Wheel Stop Remediation	\$200.00	\$2,600.00	\$384.62	\$5,000.00	\$150.00	\$1,950.00
9	02600	70	EA	Class II Contaminated Soil Remediation	\$150.00	\$10,500.00	\$71.43	\$5,000.00	\$160.00	\$11,200.00
10	02761	175	EA	Imported Material or Backfill	\$32.00	\$5,600.00	\$85.71	\$15,000.00	\$125.00	\$21,875.00
11	02930	1	EA	Water Distribution System	\$12,000.00	\$12,000.00	\$7,500.00	\$7,500.00	\$16,250.00	\$16,250.00
12	02935	1	LF	Site Drainage	\$15,000.00	\$15,000.00	\$22,000.00	\$22,000.00	\$22,500.00	\$22,500.00

ATTACHMENT A

CITY OF OAKLAND  
DEPARTMENT OF CONTRACTING AND PURCHASING  
CONTRACT ADMINISTRATION  
CANVASS OF BID

PROJECT : City Stables Paddocks  
 BID DATE: June 16, 2008  
 PROJECT # : C213720  
 WORKING DAYS: 150  
 ENGINEER'S ESTIMATE: \$300,000.00

ITEM NO.	SPEC. SEC. NO.	QTY	UNIT OF MEASURE	CONTRACT ITEM	Engineer's Estimate		Rockridge Builders		Bay Construction Co.	
					UNIT PRICE	TOTAL AMOUNT	UNIT PRICE	TOTAL AMOUNT	UNIT PRICE	TOTAL AMOUNT
							1730 Tenth Avenue	4026 Martin Luther King Jr. Way		
							Oakland, CA 94606	Oakland, CA 94609		
							(510)535-1682	(510)658-7225		
13	02761	1	EA	Pavement Markings, Signage & Access Control	\$1,500.00	\$1,500.00	\$2,000.00	\$2,000.00	\$6,250.00	\$6,250.00
14	02930	6,300	SF	Hydroseeding	\$2.00	\$12,600.00	\$0.79	\$5,000.00	\$0.50	\$3,150.00
15	02935	1	SF	Landscape Maintenance	\$5,000.00	\$5,000.00	\$3,500.00	\$3,500.00	\$6,250.00	\$6,250.00
16	03300	20	EA	Concrete Foundations	\$1,250.00	\$25,000.00	\$1,000.00	\$20,000.00	\$562.50	\$11,250.00
17	03300	1	EA	Miscellaneous Concrete	\$5,000.00	\$5,000.00	\$2,707.00	\$2,707.00	\$12,500.00	\$12,500.00
18	13120	1	EA	Paddock Barn #1	\$49,000.00	\$49,000.00	\$65,000.00	\$65,000.00	\$67,500.00	\$67,500.00
19	13120	1	EA	Paddock Barn #2	\$57,000.00	\$57,000.00	\$40,000.00	\$40,000.00	\$67,500.00	\$67,500.00
20	16500	1	EA	Security Lighting	\$19,000.00	\$19,000.00	\$10,400.00	\$10,400.00	\$22,500.00	\$22,500.00
Total of 20 Items:						\$297,550.00		\$323,907.00		\$409,350.00

CITY OF OAKLAND  
DEPARTMENT OF CONTRACTING AND PURCHASING  
CONTRACT ADMINISTRATION  
CANVASS OF BID

PROJECT : City Stables Paddocks  
 BID DATE: June 16, 2008  
 PROJECT #: C213720  
 WORKING DAYS: 150  
 ENGINEER'S ESTIMATE: \$300,000.00

Additive Alternate 1: (Paddock Barn Concrete Slabs Paddock Barns #1 and #2)

QTY	UNIT OF MEASURE	CONTRACT ITEM	Engineer's Estimate		Rockridge Builders		Bay Construction Co.	
			UNIT PRICE	TOTAL	UNIT PRICE	TOTAL	UNIT PRICE	TOTAL
1	EA	Paddock Barns Concrete Slabs Paddock Barns #1 and #2	\$20,000.00	\$20,000.00	\$68,310.00	\$68,310.00	\$58,000.00	\$58,000.00
TOTAL ADDITIVE ALTERNATE 1:				\$20,000.00		\$68,310.00		\$58,000.00

Additive Alternate 2: (Pre-Engineered Hay Barn)

QTY	UNIT OF MEASURE	CONTRACT ITEM	Engineer's Estimate		Rockridge Builders		Bay Construction Co.	
			UNIT PRICE	TOTAL	UNIT PRICE	TOTAL	UNIT PRICE	TOTAL
1	EA	Pre-Engineered Hay Barn	\$90,000.00	\$90,000.00	\$108,261.00	\$108,261.00	\$89,000.00	\$89,000.00
TOTAL ADDITIVE ALTERNATE 2:				\$90,000.00		\$108,261.00		\$89,000.00

CITY OF OAKLAND  
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CONTRACT ADMINISTRATION  
CANVASS OF BID

PROJECT : City Stables Paddocks  
 BID DATE: June 16, 2008  
 PROJECT # : C213720  
 WORKING DAYS: 150  
 ENGINEER'S ESTIMATE: \$300,000.00

Additive Alternate 3: (Hay Barn Concrete Slab)			Engineer's Estimate		Rockridge Builders		Bay Construction Co.	
QTY	UNIT OF MEASURE	CONTRACT ITEM	UNIT PRICE	TOTAL	UNIT PRICE	TOTAL	UNIT PRICE	TOTAL
1	EA	Hay Barn Concrete Slab	\$11,000.00	\$11,000.00	\$28,969.00	\$28,969.00	\$28,000.00	\$28,000.00
TOTAL ADDITIVE ALTERNATE 3:				\$11,000.00		\$28,969.00		\$28,000.00

Additive Alternate 4: (Turn-Out Area #1)			Engineer's Estimate		Rockridge Builders		Bay Construction Co.	
QTY	UNIT OF MEASURE	CONTRACT ITEM	UNIT PRICE	TOTAL	UNIT PRICE	TOTAL	UNIT PRICE	TOTAL
1	EA	Turn-Out Area #1	\$22,500.00	\$22,500.00	\$43,677.00	\$43,677.00	\$52,000.00	\$52,000.00
TOTAL ADDITIVE ALTERNATE 4:				\$22,500.00		\$43,677.00		\$52,000.00

Additive Alternate 5: (Turn-Out Area Fencing Areas #2,3,4)			Engineer's Estimate		Rockridge Builders		Bay Construction Co.	
QTY	UNIT OF MEASURE	CONTRACT ITEM	UNIT PRICE	TOTAL	UNIT PRICE	TOTAL	UNIT PRICE	TOTAL
1	EA	Paddock Barns Concrete Slabs	\$4,000.00	\$4,000.00	\$99,997.00	\$99,997.00	\$61,000.00	\$61,000.00
TOTAL ADDITIVE ALTERNATE 5:				\$68,000.00		\$99,997.00		\$61,000.00
			TOTAL BASE BID PLUS ALTERNATES:			\$673,121.00		\$2,690,172.00

Comments: Rockridge Builders had a clerical error and did not submit unit prices. The amount set forth in the "total column" shall prevail. All bidders deemed responsive and responsible.

Approved By: Ewen McCormick Date: 6-25-2008



**Memo**

**Department of Contracting and Purchasing**  
 Social Equity Division

**To:** Diane Tannewald - Project Manager  
**From:** Sophany Hang - Acting Contract Compliance Officer  
**Through:** Deborah Barnes - DC & P Director  
 Shelley Darenburg - Sr. Contract Compliance Officer *S. Darenburg*  
**CC:** Gwen McCormick - Contract Administrator Supervisor  
**Date:** July 1, 2008  
**Re:** C213720-City Stables Paddocks

The Department of Contracting and Purchasing (DC&P), Division of Social Equity, reviewed two (2) 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.

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	\$323,907	76.41%	0%	76.41%	NA	76.41%	5%	\$307,711.65	2%	Y
Mark Lee and Yong Kay, Inc. dba Bay Construction	\$409,350	77.35%	0%	77.35%	100%	77.35%	5%	\$388,882.50	2%	Y

**Comments:** As noted above, Rockridge Builders and Mark Lee and Yong Kay, Inc. dba Bay Construction Co. met and/or exceeded the minimum 20% Local/Small Local Business Enterprise participation requirement. Both firms are EBO compliant.

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		
NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA

**Comments:** NA

**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:** NA  
**Project Name:** NA  
**Project No.** NA

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

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

**15% Oakland Apprenticeship Program**

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

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 Apprenticeship Hours	Apprenticeship Goal and Hours		Apprentice Shortfall Hours
		Goal	Hours	Goal	Hours					Goal	Hours	
A	B	C	C	D	D	E	F	G	H	I	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 Rockridge Builders. They have not completed any project for the City of Oakland in the last fiscal years.

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



**DEPARTMENT OF CONTRACTING AND PURCHASING**



**Social Equity Division**

**PROJECT EVALUATION FORM**

**PROJECT NO.:** C213720

**PROJECT NAME:** City Stables Paddocks

**CONTRACTOR:** Rockridge Builders

<b>Engineer's Estimate:</b> 300,000	<b>Contractors' Bid Amount</b> \$323,907	<b>Over/Under Engineer's Estimate</b> -23,907
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<b>Discounted Bid Amount:</b> \$307,711.65	<b>Amount of Bid Discount</b> \$16,195.35	<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 **0.00%**
  - c) % of SLBE participation **76.41%**
3. Did the contractor meet the Trucking requirement? **N/A**
  - a) Total SLBE/LBE trucking participation **0%**
4. Did the contractor receive bid discounts? **YES**

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

**Per the Project Manager trucking is not warranted on this project.**

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

7/1/2008

Date

**Reviewing  
Officer:**

**Date:** 7/1/08

**Approved By:**

**Date:** 7/1/08

# LBE/SLBE PARTICIPATION

## BIDDER 1

Project Name: **City Stables Paddocks**

Project No.: <b>C213720</b>		Engineers Est: <b>300,000</b>				Under/Over Engineers Estimate: <b>-23,907</b>				For Tracking Only		
Discipline	Prime & Subs	Location	Cert. Status	LBE	SLBE	Total LBE/SLBE	L/SLBE Trucking	Total Trucking	TOTAL Dollars	Ethn.	MBE	WBE
<b>PRIME</b> Demo, Hazart grading,, Hauling Electrical Barn Supplier	Rockridge Builders	Oakland	CB		168,949	168,949			168,949	C		
	Downrite Corp	Oakland	CB		78,558	78,558			78,558	C		
	County Electric	Concord	UB						10,400	C		
	MD Barns & Buildings	Stockton	UB						66,000	C		
<b>Project Totals</b>				\$0	\$247,507	\$247,507	\$0	\$0	\$323,907		\$0	\$0
				0%	76.41%	76.41%	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	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.:** C213720

**PROJECT NAME:** City Stables Paddocks

**CONTRACTOR:** Mark Lee and Yong Kay, Inc. dba Bay Construction Co.

<b>Engineer's Estimate:</b>	<b>Contractors' Bid Amount</b>	<b>Over/Under Engineer's Estimate</b>
\$300,000	\$409,350	(\$109,350)

<b>Discounted Bid Amount:</b>	<b>Amount of Bid Discount</b>	<b>Discount Points:</b>
\$388,882.50	\$20,467.50	5%

- 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 **77.35%**
- 3. Did the contractor meet the Trucking requirement? **N/A**
  - a) Total SLBE/LBE trucking participation **100%**
- 4. Did the contractor receive bid discounts? **YES**  
(If yes, list the percentage received) **5%**
- 5. Additional Comments.

**Per the Project Manager trucking is not warranted on this project. However, contractor listed \$2,000 trucking dollars amount.**

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

**Reviewing Officer:**

*[Signature]*

7/1/2008  
Date  
Date: 7/1/08

**Approved By:**

*Shelley Darenburg*

Date: 7/1/08

## LBE/SLBE PARTICIPATION BIDDER 2

Project Name: **City Stables Paddocks**

Project No.: <b>C213720</b>		Engineers Est: <b>300,000</b>				Under/Over Engineers Estimate:				For Tracking Only		
Discipline	Prime & Subs	Location	Cert. Status	LBE	SLBE	Total LBE/SLBE	L/SLBE Trucking	Total Trucking	TOTAL Dollars	Ethn.	MBE	WBE
<b>PRIME</b>	Mark Lee and Yong Kay, Inc. dba Bay Construction Co.	Oakland	CB		314,650	314,650			314,650			
Tree Removal	Arbortech	Hayward	UB						13,000	C		
Fence Installation	Bailey Fence	Hayward	UB						9,700	C		
Bldg Assembly	Metal Bldg. Co	Oakland							42,000	C		
Trucking	Williams Trucking	Oakland	CB		2,000	2,000	2,000	2,000	2,000	AA	2000	
Electrical	N2 Electric	Livermore	UB						13,000	C		
Contaminazed Soil Remediation	Decon Env. Svcs.	Hayward	UB						15,000	C		
<b>Project Totals</b>				\$0	\$316,650	\$316,650	\$2,000	\$2,000	\$409,350		\$2,000	\$0
				0%	77.35%	77.35%	100%	100%	100%		0.49%	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				