## CITY OF OAKLAND

OFFICE OF THE CITY CLERK

AGENDA REPORT

2010 FEB 10 AM 9: 59

Office of the City Administrator

ATTN: Dan Lindheim

FROM: Community and Economic Development Agency

DATE: February 23, 2010

RE: Resolutions Authorizing The City Administrator, Or Designee, To Award Nine

Construction Contracts For On-Call Construction Services With Bay

Construction, Beliveau Engineering, Dan Peters Construction, DC Construction,

JUV Inc., Malachi Construction, Rockridge Builders, Turner Group

Construction, and Van Every Construction, For An Amount Not-To-Exceed Two Hundred And Fifty Thousand Dollars (\$250,000.00) Each, And Waiving The Open-Market Advertising And Bidding Requirements Of Oakland Municipal

Code Chapter 2.04 For Any On-Call Construction Work To Be Let To Said

**Contractors** 

#### **SUMMARY**

Resolutions have been prepared authorizing the City Administrator, or designee, to award a construction contract for on-call construction work to each of the following nine certified Small Local Business Enterprise firms:

- Bay Construction
- Beliveau Engineering
- Dan Peters Construction
- DC Construction
- JUV Inc.
- Malachi Construction
- Rockridge Builders
- Turner Group Construction
- Van Every Construction

Consistent in part with the "Implement a Small Contracts Rotation Program" recommendation of the Fairness in Purchasing and Contracting Disparity Study report of September 29, 2009, these contractors were solicited through a Request for Qualifications process that targeted Small Local Business Enterprise (SLBE) firms only. Most of these firms have not worked with the City as a general, prime contractor.

Each contract is for an amount not-to-exceed \$250,000.00 over a three-year period and will be managed by the Community and Economic Development Agency, Department of Engineering and Construction. On-call construction work contracts not only facilitate the delivery of small projects promptly and efficiently, but also help to spread the work to some small local contractors that do not usually bid on City projects.

Ite	m:	
Public W	orks Comr	nittee
Fe	bruary 23,	2010

On-call construction services may be utilized for various capital improvement projects within the City's right-of-way and for its municipal facilities. These include streets and sidewalks, bike routes, creeks and waterways, bridges, parks, athletic fields, recreation centers, public safety buildings, libraries, and other municipal facilities. The resolutions will also waive Oakland Municipal Code Chapter 2.04 open-market advertising and bidding requirements for on-call construction work, so that the work can be let to prequalified contractors on a rotating, solicitation basis.

#### FISCAL IMPACT

Each contract is for an amount not-to-exceed \$250,000.00 or a total of \$2,250,000.00 for all nine contracts. The approval of these contracts will not result in the additional appropriation of funds. The construction services will be funded through appropriations within the various individual projects. Funds will be identified prior to issuing any work orders under these contracts.

#### **BACKGROUND**

The City's Fairness in Purchasing and Contracting Disparity Study report of September 29, 2009, provides recommendations on how to increase and support the hiring of small local businesses. One of the recommendations, to implement a small contracts rotation program, would involve establishing a program or process for small, local construction-licensed contractors to undertake some of the City's routine maintenance and repair work that is more streamlined, expeditious and less costly.

To support this concept, the City issued a Request for Qualifications (RFQ) for on-call construction services with the expressed goal of enhancing contracting opportunities for qualified Oakland contractors meeting the definition of a Small Local Business Enterprise (SLBE) in October 2009. The on-call work will involve various small capital improvement projects within the City's right-of-way and for its municipal facilities, including streets and sidewalks, bike routes, creeks and waterways, bridges, parks, athletic fields, recreation centers, public safety buildings, libraries, and other municipal facilities.

The RFQ targeted general contractors possessing either a current "A" or "B" type contractor license. Ten firms responded to the RFQ. All but one firm, Infiniti Engineering, are certified as Small Local Business Enterprises. In addition, Infiniti Engineering provided an incomplete RFQ submittal package. As part of the City's effort to nurture and encourage new small local general contractors to bid on City projects, staff has attempted to contact Infiniti Engineering by telephone and fax to offer assistance with completing the submittal package but the contractor did not respond.

Upon execution of the on-call contracts and as work arises, staff will let on-call work through a rotating solicitation process with the prequalified contractors.

	Item:
Public	Works Committee
	February 23, 2010

#### KEY ISSUES AND IMPACTS

It is anticipated that small, local contractors and the City will benefit from prequalifying the licensed contractors and utilizing the on-call contracts to let the work to the prequalified contractor pool instead of open-market advertising and bidding. Projects with limited scope and budget, or urgent unscheduled projects will occur throughout the three-year period and will most likely require use of the on-call construction contracts. In addition to making it far easier and expeditious for the prequalified contractors to bid on City work, the on-call construction contracts enable the City to promptly respond to and provide the construction work in an efficient and timely manner. The contracts will eliminate the five to six month process and costs associated with formally bidding and awarding projects on an individual project-by-project basis.

For the various on-call construction work, the City Council may waive the open-market advertising and bidding requirements of the Oakland Municipal Code (OMC) under section 2.04.050.I.5 upon a finding that it is in its best interests to do so. The implementation of actual on-call construction work orders will include efforts to provide opportunities for all the prequalified contractors. Staff will first consider factors such as type of construction work, contractor's experience and expertise, contractor's availability, and contractor's bonding capacity at the time of work solicitation, and then solicit bids from groups of firms on a rotating basis. Work orders will be awarded to the lowest responsive bidder of that group.

A compliance evaluation of the qualifications submitted by the ten contractors is provided in *Attachment A*.

#### SUSTAINABLE OPPORTUNITIES

**Economic:** The project will generate business tax, sales tax, and other revenues for the City by those firms who work on the project. These contracts specifically target small local businesses in an effort to spend local dollars locally.

**Environmental:** Environmental factors and opportunities will be considered and incorporated to the extent feasible in terms of specifying recycled materials and integrating other environmental opportunities for waste reduction and energy conservation. Contractors will be required to comply with the City's waste reduction and recycling policies for construction debris.

**Social Equity:** The proposed on-call construction services will facilitate implementation of capital improvements that have the potential to reduce blight to neighborhoods and enhance various parks and community facilities to support increased recreational and social usage.

#### DISABILITY AND SENIOR CITIZEN ACCESS

The capital improvements performed by the on-call contractors will be designed to comply with applicable accessibility codes and the Americans with Disabilities Act.

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#### RECOMMENDATION AND RATIONALE

On-call construction services contracts will expedite the implementation of capital improvement projects. The administrative burden and cost currently expended to formally bid and award projects to contractors on a project-by-project basis will be reduced. These contracts enhance the contracting opportunities for certified SLBE firms.

It is recommended that the City Administrator, or designee, award nine construction contracts for on-call construction services with Bay Construction, Beliveau Engineering, Dan Peters Construction, DC Construction, JUV Inc., Malachi Construction, Rockridge Builders, Turner Group Construction, and Van Every Construction. Each contract is for an amount not-to-exceed \$250,000.00. It is also recommended that the City Council waive OMC Chapter 2.04 openmarket advertising and bidding requirements for construction work to be let under the on-call contracts.

#### ACTION REQUESTED OF THE CITY COUNCIL

Staff recommends that the City Council approve the resolutions.

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 December 10, 2009

Item: \_\_\_\_\_Public Works Committee

February 23, 2010<sup>1</sup>

## Memo

## Department of Contracting and Purchasing

Social Equity Division

To:

Calvin Hao, Project Manager

From:

Sophany Hang, Acting Contract Compliance Officer

Through:

Deborah Barnes, Director, DCP

Shelley Darensburg, Sr. Contract Compliance Officer & . Sarensburg

CC:

Gwen McCormick, Contract Administration Supervisor

Date:

December 10, 2009

Re:

Request For Qualifications (RFQ)--On-Call Construction Services

Department of Contracting and Purchasing (DCP), Division of Social Equity, reviewed ten (10) proposals in response to the above RFQ. This RFQ was limited to certified Small Local Business Enterprises (SLBE). Below is the outcome of the compliance evaluation for the minimum 20% Local and Small Local Business Enterprise (L/SLBE) participation requirement, and a preliminary review for compliance with the Equal Benefits Ordinance (EBO).

Responsive			Propos	ed Participa	tion		Earned and Dis	-	thing	X.Y.
		.B						1	Eligibility	
Сопрапу Name	Original Bid Amount	Total LBE/SL	LBE	SLBE	Trucking	Total Credited	Earned Credits	Adjusted Bid Amount	Banked Credits	EBO Compliant?
Bay Construction	NA	100%	0%	100%	NA	100%	5 points	NA	2 points	Y
Beliveau Engineering Contractors, Inc.	ŅA	100%	0%	100%	NA	100%	5 points	NA	2 points	Y
Donny Chu Construction, Inc.	NA	100%	0%	100%	NA	100%	5 points	NA	2 points	Y
Malachi Construction	NA	100%	0%	100%	NA	100%	5 points	NA	2 points	Y
Rockridge Builders	NA	100%	0%	100%	NA	100%	5 points	NA	2 points	Y
Turner Group Construction	NA	100%	0%	100%	NA	100%	5 points	NA	2 points	Y
Van Every Construction, Inc.	NA	100%	0%	100%	NA	100%	5 points	NA	2 points	N
JUV, Inc.	NA	100%	0%	100%	NA	100%	5 points	NA	2 points	Y
Peters Construction	NA	100%	0%	100%	NA	100%	5 points	NA	2 points	N

Comments: As noted above, all firms met and/or exceeded the minimum 20% L/SLBE requirement. Firms that are not EBO compliant will have to come into compliance prior to contract award.

Page 2

Non-Respons	ive		Proposed I	Participation	1	Earned C	redits and	Discounts		
Company Name	Original Bid Amount	Total LBE/SLBE	LBE	SLBE	Trucking	Total Credited participation	Earned Bid Discounts	Adjusted Bid Amount	Banked Credits Eligibility	EBO Compliant?
Infiniti Engineering Builders	NA ,	0%	0%	0%	NA	0%	0%	NA	NA	N

<u>Comments:</u> As noted above, this RFQ was limited to certified SLBE firms. Infiniti Engineering Builders is not certified as SLBE. Therefore, they are deemed non-responsive.

Should you have any questions you may contact Sophany Hang at (510) 238-3970.



## Social Equity Division

	COMPLIANCE EVALUATION FOR:
Project No.	NA
RE:	RFQOn-Call Construction Services
	ANT/CONTRACTOR: Bay Construction
	Over/Under Engineer's
· <del></del> ,	Engineer's Estimate: Contractors' Bid Amount Estimate
	NA NA NA
	Bid discounted amount: Discount/Preference Points:
TOWKE THE YORK THE FACE A	NA 5 5
	Did the 20% local/small local requirement apply:  YES  YES
	2. Did the contractor meet the 20% requirement  a) % of LBE participation  YES  6%
•	
•	b) % of SLBE participation 100%
	3. Did the contractor receive bid discount/preference points? YES
	(If yes, list the points received) 5 points
	5. Additional Comments.
	RFQ was limited to SLBE firms.
	Date evaluation completed and returned to Contract Admin./Initiating Dept.
	·12/10/2009
•	Date
Reviewing	C a House
Officer:	Date: 12/10/09
Approved By:	Shelley Darenstrus Date: 12/10/09
Approved by	Shelley Warenstrung Date: 12/10/09

# LBE/SLBE Participation Bay Construction

Project Name: RFQ-On-Call Construction Services

Project No.	.: NA	Engineer's Est	Imate	:		Under/Over Engir	neers Est	imate:			
Discipline	Prime & Subs	Location	Cert. Status	LBE	SLBE	Total LBE/SLBE %	Tota Percent	i •	Fc Sthri	r Tracking MBE	Only WBE
PRIME	Bay Construction	Oakland	CB		100%	100%	,	100%	4	100%	
	Proje	ct Totals	<i>ب</i> ر.	0	% 100%	100%		100%		100%	0%
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Legend	LBE = Local Business Enterpris SLBE = Small Local Business E Total LBE/SLBE = All Certified I NPLBE = NonProfit Local Busin NPSLBE = NonProfit Small Loc	nterprise Local and Small Local B ess Enterprise	zeccenieu					5 5 5 5 5 5 5 5 5 5 5 5 5 5 5 5 5 5 5	C ≈ Caruc H = Hispa NA ≠ Nat O = Othe NL ≃ Not	enic live American	



## Social Equity Division

PROJECT	COMPLIANCE EVALU	ATION FOR:	*	
Project No	. NA			
RE:	RFQOn-Call Construc	tion Services		
*				,
RASES OF THE PERSON NAMED IN				
CONSULT	ANT/CONTRACTOR: Be	eliveau Engineering C	ontractors, In	<u>c.</u> Over/Under
Ē	ngineer's Estimate: Co	ntractors' Bld Amount		Engineer's
	NA	, NA		NA
	Bid discounted amount:	Discount/F	reference Poin	ts.
	N/A		5	
The section of the se	Commence of the Commence of th			
	1. Did the 20% local/small	local requirement apply:	_	YES
	Did the contractor meet	the 20% requirement		YES
	a) % of LBE pa		0%	120
	b) % of SLBE ;		<u>100%</u>	•
				<u> </u>
	,			·
	<ol><li>Did the contractor received</li></ol>	ve bid discount/preferenc	e points? YES	
	(If yes, list the points rec	eived)		5 points
-	(ii yes, not the points rec		•	·
	5. Additional Comments.			
	RFQ was limited to SLBE firm	ns,		
	;			
	6. Date evaluation complet	ted and returned to Contr	act Admin./initia	ling Dept.
		. 12/10/2009		
		Date		
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Officer:	askun ) O :	<u> </u>	Date: \C	1/10/09
Approved By	5hollow Ra	Newplana	Date: [2]	10/09
,,	7	1		<del></del>

LBE/SLBE Participation
Beliveau Engineering Contractors, Inc.

Project Name: RFQ-On-Call Construction Services

				<u> </u>		·					
Project No.:		Engineer's Estim	ate			Under/Over Eng	ineers Estim	ate:			
Discipline	Prime & Subs	Location	Cert.	LBE ,	SLBE	Total	Total		For	Tracking (	only 👑
		\ ·	Status			LBE/SLBE %	Percentag	e <b>s</b>	& Ethn.	::MBE	<b>WBE</b>
PRIME	Beliveau Engineering Contractors, Inc.	Oakland	CB		100%	100	10	00%	C	100%	
		1 7 4 1		0%	100%	100%	10	00%		100%	. 0%
	Proj	ect Totals									
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							20.000		Al = Asian Ind C = Caucasian		
Legend	LBE = Local Business Enterprise				UB = Uncertifie	ezenleu8 b			H = Hispanic		·
9	SLBE = Small Local Business Ent	erprise .			CB = Certified E	Business			NA = Native A	merican	
	Total LBE/SLBE = All Certified Lo	cal and Small Local Busines	8908		MBE = Minor	ity Business Enterpri	5ê		O≖ Other		
	NPLBE = NonProfit Local Busines NPSLBE = NonProfit Small Local	•		}	WBE = Wom	en Business Enterpris	30		NL ≃ Not Liste	d	



#### Social Equity Division

#### PROJECT COMPLIANCE EVALUATION FOR:

Project No. NA RE: RFQ—On-Call Construction Services CONSULTANT/CONTRACTOR: Donny Chu Construction, Inc. Over/Under Engineer's Engineer's Estimate: Contractors' Bid Amount **Estimate** Bid discounted amount: **Discount/Preference Points:** YES 1. Did the 20% local/small local requirement apply: 2. Did the contractor meet the 20% requirement YES a) % of LBE participation b) % of SLBE participation 100% 3. Did the contractor receive bid discount/preference points? YES (If yes, list the points received) points 5. Additional Comments. RFQ was limited to SLBE firms. 6. Date evaluation completed and returned to Contract Admin./Initiating Dept. 12/10/2009 Reviewing Officer: Date:

Donny Chu Construction, Inc.

Project Name: RFQ-On-Call Construction Services

Project No.:	NA	Engineer's	Estimate	· · · · · · · · · · · · · · · · · · ·	ž.	Under/Over	Engineers Estimate:		3	
Discipline	Prime & Subs	Location	Cert.	LBE	SLBE .	Total	Totai		Tracking	
		]	Status	]	i 	LBE/SLBE %	Percentages	Ethn	MBE	∴WBE
PRIME	Donny Chu Construction, Inc.	Oakland	СВ		100%	100%	100%	AP	100%	
	•									
	Project 7	otals		0%	100%	100%	100%		100%	0%
participation. An S requirements.	ents is a combination of 10% LBE LBE firm can be counted 100% to	vards achievin	ng 20%		SLBE	TOTAL TBE/SLBE	TOTAL %	Ethnicity AA = African Ar AP = Aslan Par Af = Aslan Indi	cific	
Legend	LBE = Local Business Enterprise  SLBE = Small Local Business Enterpr  Total LBE/SLBE = All Certified Local a  NPLBE = NonProfit Local Business Enterprise  NPSLBE = NonProfit Small Local Business Enterprise  NPSLBE = NonProfit Small Local Business Enterprise	se nd Small Local I terprise	Businesses				<u> </u>	C'= Çaucasian H = Hispanic NA = Native Ar O = Other NL = Not Lister	merican	



#### Social Equity Division

PROJECT COMPLIANCE EVALUATION FOR:
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RE:	RFQ-On-Call Construction Se	ervices			<del> </del>	
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CONSULT	ANT/CONTRACTOR: Malach	ii Construction			•	
					er Engineer's	
Eng	ineer's Estimate Contractors' Bid A NA	Amount NA		Estimate	NA	
ent i di	4 . 1	<b>5</b> : 48		D-1-4		
Bid disc	ounted amount: N/A	<u>Discount/F</u>	<u>reterence</u> 5	Points:		
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	2. Did the contractor meet the 20	0% requirement		YES		
•	a) % of LBE participation		<u>0%</u>			
	b) % of SLBE participation	n	<u>100%</u>			
	·					
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	3. Did the contractor receive bid	discount/preferen	ce points?	YES		
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	If yes, list the points received)	discount/preferen	ce points?			· · · · · · · · · · · · · · · · · · ·
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Malachi Construction

Project RFQ--On-Call Construction Services
Name:

Project No.:	NA	Engineer's	Estimate		:	Under/Over Er	ngineers Estimate:	,	
Discipline	Prime & Subs	Location	Cert. Status	LBE	SLBĘ	Total LBE/SLBE %	Total Percentages	For Tracking Ethn MBE	Only WBE
PRIME	Malachi Construction	Oakland	СВ		100%	100%	100%	The Company of the Co	
	Project	Totals		0%	100%	100%	100%	100%	0%
10% SLBE pai 100% towards	nents: irements is a combin- rticipation. An SLBE i achieving 20% requir	firm can be cou ements.	nted	BE:10%	SLBE 10%	ITOTAL TOTAL	TOTAL:	Ethnicity  AA = African American  AP = Asian Pacific  AI = Asian Indian	
Legend	LBE = Local Business SLBE = Small Local Bu Total LBE/SLBE = All C NPLBE = NonProfit Lo NPSLBE = NonProfit S	usiness Enterprise Certified Local and cal Business Ente	l Small Local Bu rprise	sìnesses	1		•	C = Caucastan H = Hispanic NA = Native American O = Other NL = Not Listed	



#### Social Equity Division

#### PROJECT COMPLIANCE EVALUATION FOR:

Project No. NA

RE: RFQ-On-Call Construction Services	
CONSULTANT/CONTRACTOR: Rockridge Builders	
	O
Engineer's Estimate: Contractors' Bid Amount	Over/Under Engineer's Estimate
NA NA	NA
Bid discounted amount: Discount/Preference Po	olnts:
N/A 5	PPECETE OF SETS ASSESSMENT SETS OF THE SET
1. Did the 20% local/small local requirement apply:	YES
2. Did the contractor meet the 20% requirement	YES
a) % of LBE participation 0% b) % of SLBE participation 100%	
	·
3. Did the contractor receive bid discount/preference points? YES	•
(If yes, list the points received)	5 points
5. Additional Comments.	
RFQ was limited to SLBE firms.	
6. Date evaluation completed and returned to Contract Admin./Initiat	ing Dept.
12/10/2009	
Reviewing Date	5 6
Officer: Date:	12/10/09
Approved By: Shalley Darensburg Date: 1	2/10/09

Rockridge Builders

Project Name: RFQ--On-Call Construction Services

Project No.:	NA NA	Engineer's Est	imate		:		Under/Over Eng	ineer	s Estimate:	mate:			
Discipline	Prime & Subs	Location	Cert.	LB	E	SLBE	Total	Per	Total centages	75. A. S. C. C. S.	racking MBE	984.695488	
PRIME	Rockridge Builders	Oakiand	СВ			100%	100%		100%	1000 00 10 10 10			
	Proje	ct Totals			0%	100%	100%	•	100%		0%	0%	
participation. An SL requirements.	S:  Into is a combination of 10% BE firm can be counted 100	% towards achieving		BE	10% 10%	SLBE 10/35	LTOTAL 19.		OTIAL FOR	Ethinicity AA = Africar AP = Asian AI = Asian I C = Caucas	n American Pacific Indian		
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										H = Hispani NA = Native O = Other Nt. = Not Lis	c American		



## Social Equity Division

Project l	No: NA	
RE:	RFQOn-Call Construction Services	
Para Carra		12
CONSTI	LTANT/CONTRACTOR: Turner Group Construction	
	Engineer's Estimate: Contractors' Bid Amount Over/Under Engineer's	
	NA 'NA NA	
Tack today (Alegna	Bid discounted amount: Discount/Preference Points:  N/A  0%	4462 T
	Did the 20% local/small local requirement apply: YES	
- nga galling t debte ble b alaman	Did the contractor meet the 20% requirement YES     a) % of LBE participation <u>0%</u> b) % of SLBE 100%	
	3. Did the contractor receive bid discount/preference points? YES	
	(If yes, list the points received) 5 points	
	5. Additional Comments.	
	RFQ was limited to SLBE firms.	
	6. Date evaluation completed and returned to Contract Admin./Initiating Dept.	_
	12/10/2009	
	Date	
Reviewing Officer:	Date: 12/10/09	

Approved By: <u>GRolley Qarenoby</u> Date: 12/10/09

## **Turner Group Construction**

Project Name: RFQ--On-Call Construction Service:

Project No	D.: NA	Engineer's Est	imate			Under/Over Eng	ineers Estimate	: <		·
Discipline	Prime & Subs	Location -	Cert. Status	LBE	SLBE	Total LBE/SLBE %	Total Percentages	For Ethn.	Tracking MBE	Only WBE
PRIME	Turner Group Construction	Oakland	СВ		100%	100%	100%		100%	
	Projec	t Totals		0%	100%	100%	100%	6	100%	0%
participation. An S requirements.	ents is a combination of 10% LBE firm can be counted 100	% towards achlevin	ng 20%	LBE 10%	SLBE 10%	TOTAL SUBERY	TOTAL	Ethnicit AA = Africa AP = Asian AI = Asian	n American Pacific	
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				g general reference to manufacture.			=	C = Caucasian H ≃ Hispanic NA = Native American O = Other NL = Not Listed		



## Social Equity Division

#### PROJECT COMPLIANCE EVALUATION FOR:

<u>ULTANT/CONTRACTOR:\</u>	an Every Construction	<u>on</u>			
Engineer's Estimate: Contra	ctors' Bid Amount		Over/Under Estimate	Engineer's	•
NA	NA ·	. ~		NA	
Bid discounted amount: N/A	Discount	/Preference P 5	oints:		
1. Did the 20% local/sma	Il local requirement apply	er et en la erreta en	YES	A CONTRACTOR OF THE PARTY OF TH	
Did the contractor med			YES		
a) % of LBE par b) % of SLBE pa	ticipation	<u>0%</u> 100%			
Did the contractor rece	ka hid discount/oreform		····-	· 	-
(If yes, list the points receiv	,	ce points? Te	5 points		
5. Additional Comments.	cuy	-	o points	^	
RFQ was limited to SLBE	firms.				
6. Date evaluation comple	eted and returned to Con	tract Admin./In	nitiating Dept	, <u>.    </u>	
·	12/9/2009				

Van Every Construction
Project Name: RFQ--On-Call Construction Services

Project No.	: NA	En	gineer's Es	timate			Under/Over Eng	ineers Estimate:	1		
Discipline	Prime & Subs		ocation	Cert.	LBE	SLBE	Total	Total	For	racking	Only
·		1		Status	<u> </u>		LBE/SLBE %	Percentages	***********		WBE
PRIME	Van Every Construction	Oa	kland	СВ		100%	100%	100%	С		
						i			ļ		
•				-		; ;			1	,	
						1		,	· · ·	<del></del>	
	Project	T	otals		0%	100%	100%	100%	ŀ	0%	0%
		•	J.u.J				·				
Requireme	ents:			É	TOP STOP	<b>新教育教育</b>		New York Control	Ethnicit	y	
The 20% require	ements is a combination of 10					SLBE!	z ZTOTALS	TOTAL	AA = Africat	n American	
participation. Ar 20% requiremen	n SLBE firm can be counted to	00%	towards ach	ileving		310%		0/0-	AP = Asian	Pacific	
Le M redollettlett									AI = Asian	Indian	
	<b>東京市には大き事の中心といかがあるのかは本本のの</b>	# 7/2(J	gwarings	iekowaniana wa P	<b>公用委托纳</b> 第2	4 34 54	<b>国内中国共和国</b>		C = Caucas	dan	
Legend	LBE = Local Business Enterpris	e	ļ			UB = Uncert	ified Business		H = Hispani		
Legella .	SLBE = Small Local Business Enterprise			•	CB = Certifie			NA = Native			
	Total LBE/SLBE = All Certified I	ocal	and Small Loc	al Businesses		MBE = MI	nority Business Ent	erprise	O = Other		
	NPLBE = NonProfit Local Busin		1			WBE = Wo	omen Business Ent	erprise	NL = Not Li	sted	
1	NPSLBE = NonProfit Small Loc	al Bu	siness Enterpr	ise		;			1	4	



## Social Equity Division

## PROJECT COMPLIANCE EVALUATION FOR:

Project I	No. NA				. ,	
RE:	RFQOn-Call Const	ruction Servic	es			
CONSU	LTANT/CONTRACT	ΓOR: Peters	Constructi	on		•
<u>Eng</u>	ineer's Estimate: NA	Contractors' E NA	Bid Amount		<u>r/Under</u> neer's Estimate NA	<u>9</u>
<u>Bi</u>	d discounted amount: N/A	Discount/Pre	eference Po 5	oints:	٠.	
artemate to the re	1. Did the 20% local/sn		ement apply		Consideration of the second	e co
	Did the contractor m     a) % of LBE     b) % of SLE	Ξ	<u>0%</u> 100%	YES		
	3. Did the contractor re	ceive bid disco	unt/preferen	ce points?	(ES	·
	(If yes, list the points	received) _		5 point	ts	
	5. Additional Comment	s.				
	RFQ was limited to SLI	BE firms.		···		
	6. Date evaluation com	pleted and retu	med to Con	tract Admin./	Initiating Dept.	-
		12/9/2009	Э			
Reviewin g Officer:	Splur (	Date		ialiolo	q	
Approved	By: Chellory 6	tarenstrug	Date: (2	110109		

## **Peters Construction**

Project Name: RFQ--On-Call Construction Service

Project No.	: NA	Engineer's	Estimate			Under/Over E	ngineers Estimate:				
Discipline	Prime & Subs	Location	Cert.	LBE	SLBE	Total	Total	ě,	- For	Tracking	Only
			Status			LBE/SLBE %	Percentages		Ethn	MBE	WBE
PRIME	Peters Construction	Oakland	СВ		100%	100%		****	C		
	Project	Totals		0%	100%	100%	100%			0%	0%
10% SLBE parti 100% towards a	ents: ements is a combina cipation. An SLBE f chieving 20% requir	irm can be col ements,	unted	LBE 10%	SLBE	TOTALS TABLE TAB TAB TAB TAB TAB TAB TAB TAB TAB TAB	TOTAL	AA AP	thnicity = African Ar = Aslan Pac = Aslan Indi	cific	I
Legend <sub>.</sub>	LBE = Local Busines SLBE = Small Local Total LBE/SLBE = AI NPLBE = NonProfit L NPSLBE = NonProfit	Business Enterp I Certified Local ocal Business E	and Small Local Interprise				•	н N О	<ul> <li>Caucasian</li> <li>Hispanic</li> <li>Native Ar</li> <li>Other</li> <li>Not Usted</li> </ul>	merican	



## Social Equity Division

## PROJECT COMPLIANCE EVALUATION FOR:

Project No. NA
RE: RFQOn-Call Construction Services
CONSULTANT/CONTRACTOR: JUV, Inc.
Over/Under
Engineer's Estimate: Contractors' Bid Amount Engineer's Estimate
NA NA NA
Bid discounted amount: Discount/Preference Points:
N/A 5
Did the 20% local/small local requirement apply:     YES
2. Did the contractor meet the 20' YES
a) % of LBE <u>0%</u>
b) % of SLBE <u>100%</u>
3. Did the contractor receive bid discount/preference points? YES
(If yes, list the points received) 5 points
(iii yes, list the politis received)
5. Additional Comments.
RFQ was limited to SLBE firms.
6. Date evaluation completed and returned to Contract Admin./Initiating Dept.
12/9/2009
Date
g Officer: Date: 12/10/09
Approved By: Sheller Darensley Date: 12/10/09
V V

JUV, Inc.

Project Name: RFQ-On-Call Construction Services

	<u> </u>					<del></del>				<del></del>
Project No.:	NA NA	Enginee	r's Estimate			der/Over Engin	eers Estimate:			
Discipline	Prime & Subs	Location	n Cert.	LBE	SLBE	Total	Total	For T	racking C	)nly
			Status	_		LBE/SLBE %	Percentages	Ėthn	MBE	WBE
PRIME	JUV, Inc.	Oakland	CB		100%	100%	100%	C		
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	Droiset'	Total	<u> </u>	0%	100%	100%	100%		0%	0%
	Project '	ı Otai	5			É				
Danillana				2577787544578	PROBLEMS	DISCOUNT VERSEND THE PART		Ethnicity		
Requirement The 20% requirement		o of 100/ I	25 and 1004				TOTAL	AA = African Amer	rican	
SLBE participation.	An SLBE firm can	be counted	1100%	<b>ELBE</b>	SLBE	MI TOTAL!	AND AL	AP = Aslan Pacific		
towards achieving 2	0% requirements.			7010%	10%	LBE/SLBE				
THE PARTY OF THE P	edition of the PA Charles William Co.	Harristonia esperante de la constanta de la co		70-110		1.50		Al = Asian Indian		
er orr.   Gr. John Harrist Hall State (SA)	an emperior (12 per 1) e Ventre III. (1 de julio	AMOUNT THE SECTION OF	Commence of the Commence of th	PASS ST. ASS. D. C. COLLEGE	I ave utilitatis variet.	and the community of the same and a few same	SOUTH CENTURES AND THE PARTY.	C = Caucasian		
Legend	LBE = Local Busines	ss Enterprise	H		UB = Uncert	lfled Business		H = Hispanic		
_	SLBE = Small Local		•		CB = Certifie			NA = Native Amer	ican	
	Total LBE/SLBE = A			Businesses		=	*	O = Other .		
	NPLBE = NonProfit I		•		WBE = W	omen Business E	nterprise	NL = Not Listed		
	NPSLBE = NonProfit	t Small Local	Business Enterprise	8		·				



## **Social Equity Division**

## PROJECT COMPLIANCE EVALUATION FOR:

Project No. N	ĮΑ
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Project No. P	NA.	•				
	RFQOn-Call Con	struction Service	es			
96855W5000		Charles and the second	STOCKERS STOCKERS			
CONSULTA	NT/CONTRACTO	R: Infiniti Eng	ineering Bu	<u>ilders</u>	_ "' '	
Eng	ineer's Estimate: NA	Contractors' B	id Amount NA		<u>Over/Under</u> Engineer's Es NA	timate
<u>Bi</u>	d discounted amount	<u>.</u>	Discount/F	reference	Points:	
PERCENTURE PARCENTAGE	dinas established in the set of the second	and and executive the second second second	CONTRACTOR OF CONTRACTOR	assummercus cares	USA, WELL MENDE TESKIT CTHACKERIA	Management of the second state
	1. Did the 20% local/	small local require	ment apply:		YES	
	2. Did the contractor	meet the 20% red	quirement		NO	
		BE participation  LBE participation		<u>0%</u> 0%		
	<i>b) 7</i> 8 0 0 0	LDC participation				
	3. Did the contractor	receive bid discou	int/preference	e points? N	0	
	(If yes, list the point	s received)		_	0 points	
	5. Additional Comme	nts.				
	RFQ was limited to S are deemed non-resp		Engineering	Builders is	not certified as SLB	E. Therefore, they
	6. Date evaluation co	mpleted and retur	ned to Contr	act Admin./	Initiating Dept.	. •
		, 12 <i>J</i> *	10/2009		,	
		I	Date	<del></del>		
Reviewing Officer:	Superod	fing		Date:	12/10/09	
Approved By:	Shelley O	arendlrine	)	Date:	2/10/09	

## LBE/SLBE Participation Infiniti Engineering Builders Project Name: RFQ--On-Call Construction Services

Project No.:	NA	Engineer's Estimate				Under/Over Engin				
Discipline	Prime & Subs	Location	Cert.	LBE	SLBE	Total	Total	, For	Tracking	Only 🖂
•			Status			LBE/SLBE %	Percentages	Ethn.	MBE:	WBE
PRIME	Infiniti Engineering Builders	Oakland	UВ				100%	c		
<del></del>	Project	Totals		0%	0%	50%	100%		0%	0%
participation. An SLE requirements.	S: nts is a combination of 10% BE firm can be counted 100	% towerds achiev	Ing 20%	LBE 10%	SLBE 10%	TOTAL LBE/SLBE	TOTAL %	Ethnicity AA = African AP = Asian F AI = Asian Ir	American Pacific	
Legend	LBE = Local Business Enterpr SLBE = Small Local Business Total LBE/SLBE = All Certifled NPLBE = NonProfit Local Bus NPSLBE = NonProfit Small Lo	ise Enterprise Local and Small Lo Iness Enterprise	cai Businesess		•			C = Caucasia H = Hispanic NA = Native O = Other NL = Not List	American	

OFFICE OF THE CITY CLERK

City Attorney

and Legality

Approved as to Form and Legality

## 2010 FEB 10 AM 9: 59 OAKLAND CITY COUNCIL

RESOLUTION	No.	C.M.	S.

RESOLUTION AWARDING A CONSTRUCTION CONTRACT FOR ON-CALL LICENSED CONSTRUCTION WORK TO THE PREQUALIFIED FIRM OF BAY CONSTRUCTION FOR AN AMOUNT NOT-TO-EXCEED TWO HUNDRED AND FIFTY THOUSAND DOLLARS (\$250,000.00), AND WAIVING THE OPENMARKET ADVERTISING AND BIDDING REQUIREMENTS OF OAKLAND MUNICIPAL CODE CHAPTER 2.04 FOR ANY ON-CALL CONSTRUCTION WORK TO BE LET TO SAID CONTRACTOR

WHEREAS, The City's Fairness in Purchasing and Contracting Disparity Study report of September 29, 2009, included a recommendation to implement a small contracts rotation program or process for small, local construction-licensed contractors to undertake some of the City's routine maintenance and repair work, that is more streamlined, expeditious and cost efficient; and

WHEREAS, the City would benefit from maintaining a list of prequalified contractors to perform construction work on an on-call basis to undertake projects with limited scope, budget, or of an urgent nature so that it can promptly respond to and provide construction services in an efficient and timely manner; and

WHEREAS, the construction services will be funded through the various individual projects and funds will be identified prior to the performance of the construction services; and

WHEREAS, the City issued a Request for Qualifications (RFQ) that was limited to certified Small Local Business Enterprise contractors with "A" or "B" licenses and ten firms responded; and

WHEREAS, Bay Construction, a small local business that responded to the RFQ, meets the requirements of the RFQ; and

WHEREAS, once on-call contracts are executed with the list of prequalified licensed contractors and a project arises, the City will solicit bids for work from groups of prequalified contractors on a rotating basis in light of factors such as type of work, contractor's experience and expertise, contractor's availability and contractor's bonding capacity at the time of solicitation, and will award work orders to the lowest responsive bidder; and

WHEREAS, it is in the City's best interests not to advertise or solicit competitive bids on the open market for on-call construction work that can be handled by the list of prequalified contractors in the interest of supporting the recommendation for a small contracts rotation program and because such advertising and bidding delays work, would result in unnecessary administrative cost and burden, does not facilitate the participation of small local licensed contractors in bidding for the work and would be unlikely to render significantly better prices for the work; and

WHEREAS, the City Council may waive the advertising and bidding requirements of the Oakland Municipal Code (OMC) under section 2.04.050.I.5 upon a finding that it is in the best interest to do so; and

WHEREAS, the City Administrator has determined that the construction contract approved hereunder is temporary in nature and that 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 Council awards a construction contract to Bay Construction, prequalified for construction work to be let/assigned thereunder, in an amount not-to-exceed two hundred and fifty thousand dollars (\$250,000.00) for on-call construction work; and be it

FURTHER RESOLVED: That the City Council approves the on-call construction specifications as prepared by the Deputy Director of the Department of Engineering and Construction, and authorizes the execution of any amendments or modifications of said contract within the limitations of the specifications for the on-call construction work; and be it

**FURTHER RESOLVED:** That the contract term will be for three (3) years from the date of contract execution; and be it

FURTHER RESOLVED: That the City Council hereby finds, pursuant to OMC Section 2.04.050.I.5 and the reasons stated above and in the City Administrator's report accompanying this resolution, that it is in the best interests of the City to waive the open-market advertising and competitive bid requirements of OMC Chapter 2.04 for any on-call construction work to be awarded to said prequalified contractor, and so waives the requirements; and be it

**FURTHER RESOLVED:** That the contractor shall provide performance and payment bonds for 100% of the value of the work assignment prior to the commencement of any work under its on-call construction services contract; 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,	, 1
PASSED BY THE FOLLOWING VOTE:	
AYES - BROOKS, DE LA FUENTE, KAPLAN, KERNIGHAN, N	IADEL, QUAN, REID, and PRESIDENT BRUNNER
NOES -	
ABSENT -	
ABSTENTION -	ATTEST:  LaTonda Simmons  City Clerk and Clerk of the Council of the City of Oakland, California

Approved as to Form and Legality

FILED
OFFICE OF THE CITY CLERK
OAKLAND

## 2010 FEB 10 AM 10. QAKLAND CITY COUNCIL

RESOLUTION NO. \_\_\_\_\_C.M.S.

RESOLUTION AWARDING A CONSTRUCTION CONTRACT FOR ON-CALL LICENSED CONSTRUCTION WORK TO THE PREQUALIFIED FIRM OF VAN EVERY CONSTRUCTION FOR AN AMOUNT NOT-TO-EXCEED TWO HUNDRED AND FIFTY THOUSAND DOLLARS (\$250,000.00), AND WAIVING THE OPEN-MARKET ADVERTISING AND BIDDING REQUIREMENTS OF OAKLAND MUNICIPAL CODE CHAPTER 2.04 FOR ANY ON-CALL CONSTRUCTION WORK TO BE LET TO SAID CONTRACTOR

WHEREAS, The City's Fairness in Purchasing and Contracting Disparity Study report of September 29, 2009, included a recommendation to implement a small contracts rotation program or process for small, local construction-licensed contractors to undertake some of the City's routine maintenance and repair work, that is more streamlined, expeditious and cost efficient; and

WHEREAS, the City would benefit from maintaining a list of prequalified contractors to perform construction work on an on-call basis to undertake projects with limited scope, budget, or of an urgent nature so that it can promptly respond to and provide construction services in an efficient and timely manner; and

WHEREAS, the construction services will be funded through the various individual projects and funds will be identified prior to the performance of the construction services; and

WHEREAS, the City issued a Request for Qualifications (RFQ) that was limited to certified Small Local Business Enterprise contractors with "A" or "B" licenses and ten firms responded; and

WHEREAS, Van Every Construction, a small local business that responded to the RFQ, meets the requirements of the RFQ; and

WHEREAS, once on-call contracts are executed with the list of prequalified licensed contractors and a project arises, the City will solicit bids for work from groups of prequalified contractors on a rotating basis in light of factors such as type of work, contractor's experience and expertise, contractor's availability and contractor's bonding capacity at the time of solicitation, and will award work orders to the lowest responsive bidder; and

WHEREAS, it is in the City's best interests not to advertise or solicit competitive bids on the open market for on-call construction work that can be handled by the list of prequalified contractors in the interest of supporting the recommendation for a small contracts rotation program and because such advertising and bidding delays work, would result in unnecessary administrative cost and burden, does not facilitate the participation of small local licensed contractors in bidding for the work and would be unlikely to render significantly better prices for the work; and

WHEREAS, the City Council may waive the advertising and bidding requirements of the Oakland Municipal Code (OMC) under section 2.04.050.I.5 upon a finding that it is in the best interest to do so; and

WHEREAS, the City Administrator has determined that the construction contract approved hereunder is temporary in nature and that 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 Council awards a construction contract to Van Every Construction, prequalified for construction work to be let/assigned thereunder, in an amount not-to-exceed two hundred and fifty thousand dollars (\$250,000.00) for on-call construction work; and be it

FURTHER RESOLVED: That the City Council approves the on-call construction specifications as prepared by the Depúty Director of the Department of Engineering and Construction, and authorizes the execution of any amendments or modifications of said contract within the limitations of the specifications for the on-call construction work; and be it

**FURTHER RESOLVED:** That the contract term will be for three (3) years from the date of contract execution; and be it

FURTHER RESOLVED: That the City Council hereby finds, pursuant to OMC Section 2.04.050.I.5 and the reasons stated above and in the City Administrator's report accompanying this resolution, that it is in the best interests of the City to waive the open-market advertising and competitive bid requirements of OMC Chapter 2.04 for any on-call construction work to be awarded to said prequalified contractor, and so waives the requirements; and be it

**FURTHER RESOLVED:** That the contractor shall provide performance and payment bonds for 100% of the value of the work assignment prior to the commencement of any work under its on-call construction services contract; 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, KEF	NIGHAN, 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
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Approved as to Form and Legality

City Attorney

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OFFICE OF THE CITY CLERA

## **OAKLAND CITY COUNCIL**

2010 FEB 10 AM 10: 00

RESOLUTION NO. \_\_\_\_\_\_ C.M.S.

RESOLUTION AWARDING A CONSTRUCTION CONTRACT FOR ON-CALL LICENSED CONSTRUCTION WORK TO THE PREQUALIFIED FIRM OF TURNER GROUP CONSTRUCTION FOR AN AMOUNT NOT-TO-EXCEED TWO HUNDRED AND FIFTY THOUSAND DOLLARS (\$250,000.00), AND WAIVING THE OPEN-MARKET ADVERTISING AND BIDDING REQUIREMENTS OF OAKLAND MUNICIPAL CODE CHAPTER 2.04 FOR ANY ON-CALL CONSTRUCTION WORK TO BE LET TO SAID CONTRACTOR

WHEREAS, The City's Fairness in Purchasing and Contracting Disparity Study report of September 29, 2009, included a recommendation to implement a small contracts rotation program or process for small, local construction-licensed contractors to undertake some of the City's routine maintenance and repair work, that is more streamlined, expeditious and cost efficient; and

WHEREAS, the City would benefit from maintaining a list of prequalified contractors to perform construction work on an on-call basis to undertake projects with limited scope, budget, or of an urgent nature so that it can promptly respond to and provide construction services in an efficient and timely manner; and

WHEREAS, the construction services will be funded through the various individual projects and funds will be identified prior to the performance of the construction services; and

WHEREAS, the City issued a Request for Qualifications (RFQ) that was limited to certified Small Local Business Enterprise contractors with "A" or "B" licenses and ten firms responded; and

WHEREAS, Turner Group Construction, a small local business that responded to the RFQ, meets the requirements of the RFQ; and

WHEREAS, once on-call contracts are executed with the list of prequalified licensed contractors and a project arises, the City will solicit bids for work from groups of prequalified contractors on a rotating basis in light of factors such as type of work, contractor's experience and expertise, contractor's availability and contractor's bonding capacity at the time of solicitation, and will award work orders to the lowest responsive bidder; and

WHEREAS, it is in the City's best interests not to advertise or solicit competitive bids on the open market for on-call construction work that can be handled by the list of prequalified contractors in the interest of supporting the recommendation for a small contracts rotation program and because such advertising and bidding delays work, would result in unnecessary administrative cost and burden, does not facilitate the participation of small local licensed contractors in bidding for the work and would be unlikely to render significantly better prices for the work; and

1

WHEREAS, the City Council may waive the advertising and bidding requirements of the Oakland Municipal Code (OMC) under section 2.04.050.I.5 upon a finding that it is in the best interest to do so; and

WHEREAS, the City Administrator has determined that the construction contract approved hereunder is temporary in nature and that 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 Council awards a construction contract to Turner Group Construction, prequalified for construction work to be let/assigned thereunder, in an amount not-to-exceed two hundred and fifty thousand dollars (\$250,000.00) for on-call construction work; and be it

**FURTHER RESOLVED:** That the City Council approves the on-call construction specifications as prepared by the Deputy Director of the Department of Engineering and Construction, and authorizes the execution of any amendments or modifications of said contract within the limitations of the specifications for the on-call construction work; and be it

FURTHER RESOLVED: That the contract term will be for three (3) years from the date of contract execution; and be it

FURTHER RESOLVED: That the City Council hereby finds, pursuant to OMC Section 2.04.050.I.5 and the reasons stated above and in the City Administrator's report accompanying this resolution, that it is in the best interests of the City to waive the open-market advertising and competitive bid requirements of OMC Chapter 2.04 for any on-call construction work to be awarded to said pregualified contractor, and so waives the requirements; and be it

**FURTHER RESOLVED:** That the contractor shall provide performance and payment bonds for 100% of the value of the work assignment prior to the commencement of any work under its on-call construction services contract; 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, N	ADEL, QUAN, REID, and PRESIDENT BRUNNER
NOES -	
ABSENT -	
ABSTENTION -	ATTEST:  LaTonda Simmons  City Clerk and Clerk of the Council of the City of Oakland, California

FILED.
OFFICE OF THE CITY CLERK
OAKLAND

# Approved as to Form and Legality City Attorney

## 2010 FEB 10 AM 10: WAKLAND CITY COUNCIL

RESOLUTION NO	o	C.M.S.

RESOLUTION AWARDING A CONSTRUCTION CONTRACT FOR ON-CALL LICENSED CONSTRUCTION WORK TO THE PREQUALIFIED FIRM OF ROCKRIDGE. BUILDERS FOR AN AMOUNT NOT-TO-EXCEED TWO HUNDRED AND FIFTY THOUSAND DOLLARS (\$250,000.00), AND WAIVING THE OPEN-MARKET ADVERTISING AND BIDDING REQUIREMENTS OF OAKLAND MUNICIPAL CODE CHAPTER 2.04 FOR ANY ON-CALL CONSTRUCTION WORK TO BE LET TO SAID CONTRACTOR

WHEREAS, The City's Fairness in Purchasing and Contracting Disparity Study report of September.

29, 2009, included a recommendation to implement a small contracts rotation program or process for the September small, local construction-licensed contractors to undertake some of the City's routine maintenance and repair work, that is more streamlined, expeditious and cost efficient; and

WHEREAS, the City would benefit from maintaining a list of prequalified contractors to perform construction work on an on-call basis to undertake projects with limited scope, budget, or of an urgent nature so that it can promptly respond to and provide construction services in an efficient and timely manner; and

WHEREAS, the construction services will be funded through the various individual projects and funds will be identified prior to the performance of the construction services; and

WHEREAS, the City issued a Request for Qualifications (RFQ) that was limited to certified Small Local Business Enterprise contractors with "A" or "B" licenses and ten firms responded; and

WHEREAS, Rockridge Builders, a small local business that responded to the RFQ, meets the requirements of the RFQ; and

WHEREAS, once on-call contracts are executed with the list of prequalified licensed contractors and a project arises, the City will solicit bids for work from groups of prequalified contractors on a rotating basis in light of factors such as type of work, contractor's experience and expertise, contractor's availability and contractor's bonding capacity at the time of solicitation, and will award work orders to the lowest responsive bidder; and

WHEREAS, it is in the City's best interests not to advertise or solicit competitive bids on the open market for on-call construction work that can be handled by the list of prequalified contractors in the interest of supporting the recommendation for a small contracts rotation program and because such advertising and bidding delays work, would result in unnecessary administrative cost and burden, does not facilitate the participation of small local licensed contractors in bidding for the work and would be unlikely to render significantly better prices for the work; and

pala a

WHEREAS, the City Administrator has determined that the construction contract approved hereunder is temporary in nature and that 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 Council awards a construction contract to Rockridge Builders, prequalified for construction work to be let/assigned thereunder, in an amount not-to-exceed two hundred and fifty thousand dollars (\$250,000.00) for on-call construction work; and be it

**FURTHER RESOLVED:** That the City Council approves the on-call construction specifications as prepared by the Deputy Director of the Department of Engineering and Construction, and authorizes the execution of any amendments or modifications of said contract within the limitations of the specifications for the on-call construction work; and be it

**FURTHER RESOLVED:** That the contract term will be for three (3) years from the date of contract execution; and be it

FURTHER RESOLVED: That the City Council hereby finds, pursuant to OMC Section 2.04.050.I.5 and the reasons stated above and in the City Administrator's report accompanying this resolution, that it is in the best interests of the City to waive the open-market advertising and competitive bid requirements of OMC Chapter 2.04 for any on-call construction work to be awarded to said prequalified contractor, and so waives the requirements; and be it

PASSED BY THE FOLLOWING VOTE:	
AYES - BROOKS, DE LA FUENTE, KAPLAN, KERNIGHAN, NADEL, QUAN, REID, and PRESIDENT E	3RUNNER
NOES -	
ABSENT -	
ABSTENTION -  ATTEST:  LaTonda Simmons  City Clerk and Clerk of the Co of the City of Oakland, Califo	- 1

FILED
OFFICE OF THE CITY CLERK
OAKLAND

Approved as to Form and Legality

City Attorney

#### 2010 FEB 10 AM 10: 00 OAKLAND CITY COUNCIL

RESOLUTION NO.	C.M.	S.

RESOLUTION AWARDING A CONSTRUCTION CONTRACT FOR ON-CALL LICENSED CONSTRUCTION WORK TO THE PREQUALIFIED FIRM OF MALACHI CONSTRUCTION FOR AN AMOUNT NOT-TO-EXCEED TWO HUNDRED AND FIFTY THOUSAND DOLLARS (\$250,000.00), AND WAIVING THE OPEN-MARKET ADVERTISING AND BIDDING REQUIREMENTS OF OAKLAND MUNICIPAL CODE CHAPTER 2.04 FOR ANY ON-CALL CONSTRUCTION WORK TO BE LET TO SAID CONTRACTOR

WHEREAS, The City's Fairness in Purchasing and Contracting Disparity Study report of September 29, 2009, included a recommendation to implement a small contracts rotation program or process for small, local construction-licensed contractors to undertake some of the City's routine maintenance and repair work, that is more streamlined, expeditious and cost efficient; and

WHEREAS, the City would benefit from maintaining a list of prequalified contractors to perform construction work on an on-call basis to undertake projects with limited scope, budget, or of an urgent nature so that it can promptly respond to and provide construction services in an efficient and timely manner; and

WHEREAS, the construction services will be funded through the various individual projects and funds will be identified prior to the performance of the construction services; and

WHEREAS, the City issued a Request for Qualifications (RFQ) that was limited to certified Small Local Business Enterprise contractors with "A" or "B" licenses and ten firms responded; and

WHEREAS, Malachi Construction, a small local business that responded to the RFQ, meets the requirements of the RFQ; and

WHEREAS, once on-call contracts are executed with the list of prequalified licensed contractors and a project arises, the City will solicit bids for work from groups of prequalified contractors on a rotating basis in light of factors such as type of work, contractor's experience and expertise, contractor's availability and contractor's bonding capacity at the time of solicitation, and will award work orders to the lowest responsive bidder; and

WHEREAS, the City Administrator has determined that the construction contract approved hereunder is temporary in nature and that 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 Council awards a construction contract to Malachi Construction, prequalified for construction work to be let/assigned thereunder, in an amount not-to-exceed two hundred and fifty thousand dollars (\$250,000.00) for on-call construction work; and be it

FURTHER RESOLVED: That the City Council approves the on-call construction specifications as prepared by the Deputy Director of the Department of Engineering and Construction, and authorizes the execution of any amendments or modifications of said contract within the limitations of the specifications for the on-call construction work; and be it

FURTHER RESOLVED: That the contract term will be for three (3) years from the date of contract execution; and be it

FURTHER RESOLVED: That the City Council hereby finds, pursuant to OMC Section 2.04.050.I.5 and the reasons stated above and in the City Administrator's report accompanying this resolution, that it is in the best interests of the City to waive the open-market advertising and competitive bid requirements of OMC Chapter 2.04 for any on-call construction work to be awarded to said prequalified contractor, and so waives the requirements; and be it

IN COUNCIL, OAKLAND, CALIFORNIA,	,		
PASSED BY THE FOLLOWING VOTE:			
AYES - BROOKS, DE LA FUENTE, KAPLAN, KERNIGHAN,	NADEL, QUAN,	REID, and PRESIDENT BRUN	NER
NOES -			
ABSENT -	•		
ABSTENTION -	ATTEST:		
•		LaTonda Simmons  City Clerk and Clerk of the Council of the City of Oakland, California	
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<i>3.</i>			

OFFICE OF THE CITY CLERK

Approved as to Form and Legality

City Attorney

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## 2010 FEB 10 AM 10: QAKLAND CITY COUNCIL

RESOLUTION No.	C.M.S	

RESOLUTION AWARDING A CONSTRUCTION CONTRACT FOR ON-CALL LICENSED CONSTRUCTION WORK TO THE PREQUALIFIED FIRM OF JUV, INC., FOR AN AMOUNT NOT-TO-EXCEED TWO HUNDRED AND FIFTY THOUSAND DOLLARS (\$250,000.00), AND WAIVING THE OPEN-MARKET ADVERTISING AND BIDDING REQUIREMENTS OF OAKLAND MUNICIPAL CODE CHAPTER 2.04 FOR ANY ON-CALL CONSTRUCTION WORK TO BE LET TO SAID CONTRACTOR

WHEREAS, The City's Fairness in Purchasing and Contracting Disparity Study report of September.

29, 2009, included a recommendation to implement a small contracts rotation program or process for small, local construction-licensed contractors to undertake some of the City's routine maintenance and repair work, that is more streamlined, expeditious and cost efficient; and

WHEREAS, the City would benefit from maintaining a list of prequalified contractors to perform construction work on an on-call basis to undertake projects with limited scope, budget, or of an urgent nature so that it can promptly respond to and provide construction services in an efficient and timely manner; and

WHEREAS, the construction services will be funded through the various individual projects and funds will be identified prior to the performance of the construction services; and

WHEREAS, the City issued a Request for Qualifications (RFQ) that was limited to certified Small Local Business Enterprise contractors with "A" or "B" licenses and ten firms responded; and

WHEREAS, JUV, Inc., a small local business that responded to the RFQ, meets the requirements of the RFQ; and

WHEREAS, once on-call contracts are executed with the list of prequalified licensed contractors and a project arises, the City will solicit bids for work from groups of prequalified contractors on a rotating basis in light of factors such as type of work, contractor's experience and expertise, contractor's availability and contractor's bonding capacity at the time of solicitation, and will award work orders to the lowest responsive bidder; and

WHEREAS, it is in the City's best interests not to advertise or solicit competitive bids on the open market for on-call construction work that can be handled by the list of prequalified contractors in the interest of supporting the recommendation for a small contracts rotation program and because such advertising and bidding delays work, would result in unnecessary administrative cost and burden, does not facilitate the participation of small local licensed contractors in bidding for the work and would be unlikely to render significantly better prices for the work; and

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WHEREAS, the City Administrator has determined that the construction contract approved hereunder is temporary in nature and that 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 Council awards a construction contract to JUV, Inc., prequalified for construction work to be let/assigned thereunder, in an amount not-to-exceed two hundred and fifty thousand dollars (\$250,000.00) for on-call construction work; and be it

FURTHER RESOLVED: That the City Council approves the on-call construction specifications as prepared by the Deputy Director of the Department of Engineering and Construction, and authorizes the execution of any amendments or modifications of said contract within the limitations of the specifications for the on-call construction work; and be it

FURTHER RESOLVED: That the contract term will be for three (3) years from the date of contract execution; and be it

FURTHER RESOLVED: That the City Council hereby finds, pursuant to OMC Section 2.04.050.1.5 and the reasons stated above and in the City Administrator's report accompanying this resolution, that it is in the best interests of the City to waive the open-market advertising and competitive bid requirements of OMC Chapter 2.04 for any on-call construction work to be awarded to said prequalified contractor, and so waives the requirements; and be it

IN COUNCIL, OAKLAND, CALIFORNIA,		
PASSED BY THE FOLLOWING VOTE:		•
AYES - BROOKS, DE LA FUENTE, KAPLAN, KERNIGHAN, NA	DEL, QUAN, R	EID, and PRESIDENT BRUNNER
NOES -		
ABSENT -		
ABSTENTION -		LaTonda Simmons  Clerk and Clerk of the Council the City of Oakland, California

FILED
OFFICE OF THE CITY CLERK
OAKLAND

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Approved as to Form and Legality

City Attorney

#### 2010 FEB 10 AM 10: 00 OAKLAND CITY COUNCIL

RESOLUTION	No.	C.M.S.

RESOLUTION AWARDING A CONSTRUCTION CONTRACT FOR ON-CALL LICENSED CONSTRUCTION WORK TO THE PREQUALIFIED FIRM OF DC CONSTRUCTION FOR AN AMOUNT NOT-TO-EXCEED TWO HUNDRED AND FIFTY THOUSAND DOLLARS (\$250,000.00), AND WAIVING THE OPENMARKET ADVERTISING AND BIDDING REQUIREMENTS OF OAKLAND MUNICIPAL CODE CHAPTER 2.04 FOR ANY ON-CALL CONSTRUCTION WORK TO BE LET TO SAID CONTRACTOR

WHEREAS, The City's Fairness in Purchasing and Contracting Disparity Study report of September 29, 2009, included a recommendation to implement a small contracts rotation program or process for small, local construction-licensed contractors to undertake some of the City's routine maintenance and repair work, that is more streamlined, expeditious and cost efficient; and

WHEREAS, the City would benefit from maintaining a list of prequalified contractors to perform construction work on an on-call basis to undertake projects with limited scope, budget, or of an urgent nature so that it can promptly respond to and provide construction services in an efficient and timely manner; and

WHEREAS, the construction services will be funded through the various individual projects and funds will be identified prior to the performance of the construction services; and

WHEREAS, the City issued a Request for Qualifications (RFQ) that was limited to certified Small Local Business Enterprise contractors with "A" or "B" licenses and ten firms responded; and

WHEREAS, DC Construction, a small local business that responded to the RFQ, meets the requirements of the RFQ; and

WHEREAS, once on-call contracts are executed with the list of prequalified licensed contractors and a project arises, the City will solicit bids for work from groups of prequalified contractors on a rotating basis in light of factors such as type of work, contractor's experience and expertise, contractor's availability and contractor's bonding capacity at the time of solicitation, and will award work orders to the lowest responsive bidder; and

WHEREAS, the City Administrator has determined that the construction contract approved hereunder is temporary in nature and that 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 Council awards a construction contract to DC Construction, prequalified for construction work to be let/assigned thereunder, in an amount not-to-exceed two hundred and fifty thousand dollars (\$250,000.00) for on-call construction work; and be it

**FURTHER RESOLVED:** That the City Council approves the on-call construction specifications as prepared by the Deputy Director of the Department of Engineering and Construction, and authorizes the execution of any amendments or modifications of said contract within the limitations of the specifications for the on-call construction work; and be it

FURTHER RESOLVED: That the contract term will be for three (3) years from the date of contract execution; and be it

**FURTHER RESOLVED:** That the City Council hereby finds, pursuant to OMC Section 2.04.050.I.5 and the reasons stated above and in the City Administrator's report accompanying this resolution, that it is in the best interests of the City to waive the open-market advertising and competitive bid requirements of OMC Chapter 2.04 for any on-call construction work to be awarded to said pregualified contractor, and so waives the requirements; and be it

IN COUNCIL, OAKLAND, CALIFORNIA,	<u> </u>
PASSED BY THE FOLLOWING VOTE:	
AYES - BROOKS, DE LA FUENTE, KAPLAN, KERNIGHAN, NADEL, QU	JAN, REID, and PRESIDENT BRUNNER
NOES -	
ABSENT -	
ABSTENTION - ATTES	:T:
	LaTonda Simmons City Clerk and Clerk of the Council of the City of Oakland, California

FILED
OFFICE OF THE CITY CLERK
OAKLAND

Approved as to Form and Legality

City Attorney

#### 2010 FEB 10 AM 10: 00 OAKLAND CITY COUNCIL

RESOLUTION NO.	C.M.S

RESOLUTION AWARDING A CONSTRUCTION CONTRACT FOR ON-CALL LICENSED CONSTRUCTION WORK TO THE PREQUALIFIED FIRM OF DAN PETERS CONSTRUCTION FOR AN AMOUNT NOT-TO-EXCEED TWO HUNDRED AND FIFTY THOUSAND DOLLARS (\$250,000.00), AND WAIVING THE OPEN-MARKET ADVERTISING AND BIDDING REQUIREMENTS OF OAKLAND MUNICIPAL CODE CHAPTER 2.04 FOR ANY ON-CALL CONSTRUCTION WORK TO BE LET TO SAID CONTRACTOR

WHEREAS, The City's Fairness in Purchasing and Contracting Disparity Study report of September 29, 2009, included a recommendation to implement a small contracts rotation program or process for small, local construction-licensed contractors to undertake some of the City's routine maintenance and repair work, that is more streamlined, expeditious and cost efficient; and

WHEREAS, the City would benefit from maintaining a list of prequalified contractors to perform construction work on an on-call basis to undertake projects with limited scope, budget, or of an urgent nature so that it can promptly respond to and provide construction services in an efficient and timely manner; and

WHEREAS, the construction services will be funded through the various individual projects and funds will be identified prior to the performance of the construction services; and

WHEREAS, the City issued a Request for Qualifications (RFQ) that was limited to certified Small Local Business Enterprise contractors with "A" or "B" licenses and ten firms responded; and

WHEREAS, Dan Peters Construction, a small local business that responded to the RFQ, meets the requirements of the RFQ; and

WHEREAS, once on-call contracts are executed with the list of prequalified licensed contractors and a project arises, the City will solicit bids for work from groups of prequalified contractors on a rotating basis in light of factors such as type of work, contractor's experience and expertise, contractor's availability and contractor's bonding capacity at the time of solicitation, and will award work orders to the lowest responsive bidder; and

WHEREAS, the City Administrator has determined that the construction contract approved hereunder is temporary in nature and that 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 Council awards a construction contract to Dan Peters Construction, prequalified for construction work to be let/assigned thereunder, in an amount not-to-exceed two hundred and fifty thousand dollars (\$250,000.00) for on-call construction work; and be it

**FURTHER RESOLVED:** That the City Council approves the on-call construction specifications as prepared by the Deputy Director of the Department of Engineering and Construction, and authorizes the execution of any amendments or modifications of said contract within the limitations of the specifications for the on-call construction work; and be it

FURTHER RESOLVED: That the contract term will be for three (3) years from the date of contract execution; and be it

FURTHER RESOLVED: That the City Council hereby finds, pursuant to OMC Section 2.04.050.I.5 and the reasons stated above and in the City Administrator's report accompanying this resolution, that it is in the best interests of the City to waive the open-market advertising and competitive bid requirements of OMC Chapter 2.04 for any on-call construction work to be awarded to said prequalified contractor, and so waives the requirements; and be it

IN COUNCIL, OAKLAND, CALIFORNIA,	<del></del> ,
PASSED BY THE FOLLOWING VOTE:	
AYES - BROOKS, DE LA FUENTE, KAPLAN, KERNIGHAN,	NADEL, QUAN, REID, and PRESIDENT BRUNNER
NOES -	·
ABSENT -	
ABSTENTION -	ATTEST:
	of the City of Oakland, California

FILED
OFFICE OF THE CITY GLERN
OAKLAND

# Approved as to Form and Legality Source Works City Attorney

### 2010 FEB 10 AM 10: 0PAKLAND CITY COUNCIL

RESOLUTION	No.	C.	M	S.	,

RESOLUTION AWARDING A CONSTRUCTION CONTRACT FOR ON-CALL LICENSED CONSTRUCTION WORK TO THE PREQUALIFIED FIRM OF BELIVEAU ENGINEERING FOR AN AMOUNT NOT-TO-EXCEED TWO HUNDRED AND FIFTY THOUSAND DOLLARS (\$250,000.00), AND WAIVING THE OPEN-MARKET ADVERTISING AND BIDDING REQUIREMENTS OF OAKLAND MUNICIPAL CODE CHAPTER 2.04 FOR ANY ON-CALL CONSTRUCTION WORK TO BE LET TO SAID CONTRACTOR

WHEREAS, The City's Fairness in Purchasing and Contracting Disparity Study report of September 29, 2009, included a recommendation to implement a small contracts rotation program or process for small, local construction-licensed contractors to undertake some of the City's routine maintenance and repair work, that is more streamlined, expeditious and cost efficient; and

WHEREAS, the City would benefit from maintaining a list of prequalified contractors to perform construction work on an on-call basis to undertake projects with limited scope, budget, or of an urgent nature so that it can promptly respond to and provide construction services in an efficient and timely manner; and

WHEREAS, the construction services will be funded through the various individual projects and funds will be identified prior to the performance of the construction services; and

WHEREAS, the City issued a Request for Qualifications (RFQ) that was limited to certified Small Local Business Enterprise contractors with "A" or "B" licenses and ten firms responded; and

WHEREAS, Beliveau Engineering, a small local business that responded to the RFQ, meets the requirements of the RFO; and

WHEREAS, once on-call contracts are executed with the list of prequalified licensed contractors and a project arises, the City will solicit bids for work from groups of prequalified contractors on a rotating basis in light of factors such as type of work, contractor's experience and expertise, contractor's availability and contractor's bonding capacity at the time of solicitation, and will award work orders to the lowest responsive bidder; and

WHEREAS, the City Administrator has determined that the construction contract approved hereunder is temporary in nature and that 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 Council awards a construction contract to Beliveau Engineering, prequalified for construction work to be let/assigned thereunder, in an amount not-to-exceed two hundred and fifty thousand dollars (\$250,000.00) for on-call construction work; and be it

**FURTHER RESOLVED:** That the City Council approves the on-call construction specifications as prepared by the Deputy Director of the Department of Engineering and Construction, and authorizes the execution of any amendments or modifications of said contract within the limitations of the specifications for the on-call construction work; and be it

FURTHER RESOLVED: That the contract term will be for three (3) years from the date of contract execution; and be it

FURTHER RESOLVED: That the City Council hereby finds, pursuant to OMC Section 2.04.050.I.5 and the reasons stated above and in the City Administrator's report accompanying this resolution, that it is in the best interests of the City to waive the open-market advertising and competitive bid requirements of OMC Chapter 2.04 for any on-call construction work to be awarded to said prequalified contractor, and so waives the requirements; and be it

IN COUNCIL, OAKLAND, CALIFORNIA,	
PASSED BY THE FOLLOWING VOTE:	•
AYES - BROOKS, DE LA FUENTE, KAPLAN, KERNIGHAN, NA	ADEL, QUAN, REID, and PRESIDENT BRUNNER
NOES -	
ABSENT -	
ABSTENTION -	ATTEST:LaTonda Simmons City Clerk and Clerk of the Council
	of the City of Oakland, California