



FILED
OFFICE OF THE CITY CLERK
OAKLAND

2015 MAR 12 PM 10:05

AGENDA REPORT

TO: JOHN A. FLORES
INTERIM CITY ADMINISTRATOR

FROM: Brooke A. Levin

SUBJECT: Rehab of Sanitary Sewers

DATE: February 5, 2015

City Administrator
Approval

Date:

2/9/15

COUNCIL DISTRICT: Citywide

RECOMMENDATION

Staff recommends that the City Council adopt the following two resolutions:

- 1) Resolution awarding a construction contract to Pacific Trenchless, Inc., the lowest responsive and responsible bidder, in accordance with plans and specifications for the On-Call Sanitary Sewers Emergency Projects Fiscal Year (FY) 2014-15 (Project No. C455620) and with contractor's bid in the amount of one million two hundred eighty-five thousand eight hundred twenty-five dollars (\$1,285,825.00)
- 2) Resolution awarding a construction contract to Andes Construction, Inc., the lowest responsive and responsible bidder, in accordance with plans and specifications for the Rehabilitation of Sanitary Sewers in West Grand Avenue between Wood Street and San Pablo Avenue, and in 20th Street between Broadway and Harrison Street (Project No. C329142) and with contractor's bid in the amount of five million nine hundred twenty-seven thousand five hundred seventy-seven dollars (\$5,927,577.00)

OUTCOME

Approval of these resolutions will authorize the City Administrator to execute a construction contract with Pacific Trenchless, Inc. in the amount of \$1,285,825.00, and a construction contract with Andes Construction, Inc. in the amount of \$5,927,577.00 for Sanitary Sewer Rehabilitation. The work to be completed under these projects is part of the City's annual Sanitary Sewer Rehabilitation program and is required under the 2014 sewer Consent Decree. Construction is scheduled to begin July 2015.

Item: _____
Public Works Committee
March 24, 2015

BACKGROUND/LEGISLATIVE HISTORY

- 1. The On-Call Sanitary Sewers Emergency Projects FY 2014-15 (Project No. C455620):** The proposed work consists, in general, of rehabilitating sanitary sewers and appurtenant structures in the City streets or backyard easements. Sanitary sewer rehabilitation works under this contract will be performed Citywide on an as-needed basis and as directed by the engineer based on emergency repairs needed.

On January 29, 2015, the City Clerk received three bids for this project in the amounts of \$1,285,825.00, \$1,315,520.00 and \$1,415,525.00. Pacific Trenchless, Inc. is deemed the lowest responsive and responsible bidder and therefore is recommended for the award. The Engineer's estimate for the work is \$1,162,400.00. The project was rebid because previous bids received on December 18, 2014 were deemed non responsive.

- 2. The Rehabilitation of Sanitary Sewers in West Grand Avenue between Wood Street and San Pablo Avenue, and in 20th Street between Broadway and Harrison Street (Project No. C329142):** The proposed work consists, in general, of rehabilitating approximately 56 linear feet of existing 30" diameter sewer pipes, approximately 3,085 linear feet of existing 48" diameter sewer pipes and approximately 1,267 linear feet of existing 60" diameter sanitary sewer pipes by Cured in Place Pipe (CIPP); rehabilitating approximately 1,072 linear feet of existing 60"x66" conduit sewer pipes and approximately 1,656 linear feet of existing 72"x78" conduit sewer pipes by inserting Fiberglass Reinforced Plastic Mortar (FRPM) method; rehabilitating approximately 340 linear feet of existing 3'x4'-10" conduit sewer pipes by Composite Liner method; rehabilitating sewer structures; reconnecting house connection sewers; and other related work as indicated on the plans and specifications for a total of 7,476 linear feet or 1.4 miles of pipe.

On February 5, 2015, the City Clerk received three bids for this project in the amounts of \$5,927,577.00, \$6,639,582.00 and \$6,854,855.00. Andes Construction, Inc. is deemed the lowest responsive and responsible bidder and therefore is recommended for the award. The lowest bidder is determined based on the base bid plus the lowest of two bid alternatives. The Engineer's estimate for the work is \$5,901,924. The project was rebid because previous bids received on December 11, 2014 were deemed non responsive.

ANALYSIS

Adoption of these resolutions will allow the City Administrator or designee to execute one construction contract with Pacific Trenchless, Inc. and one construction contract with Andes Construction, Inc. for sewer rehabilitation at various locations as follows:

- 1. The On-Call Sanitary Sewers Emergency Projects FY 2014-15 (Project No. C455620):** Under the proposed contract with Pacific Trenchless, Inc., the Local Business Enterprise/Small Local Business Enterprise (LBE/SLBE) participation will be 99.92%, which exceeds the City's 50% LBE/SLBE requirement. The contractor shows (100%) for L/SLBE. Trucking participation was 100%, exceeding the 50% requirement. The contractor is required to have 50% of the work hours performed by Oakland residents, and 50% of all new hires are to be Oakland residents. The LBE/SLBE information has been verified by the Social Equity Division of the Department of Contracting and Purchasing, and is shown in *Attachment C1*.

Construction is scheduled to begin in July 2015 and should be completed by July 2016. The contract specifies \$1,000.00 in liquidated damages per calendar day if the contract is not completed within one calendar year. The project schedule is shown in *Attachment B*.

- 2. The Rehabilitation of Sanitary Sewers in West Grand Avenue between Wood Street and San Pablo Avenue, and in 20th Street between Broadway and Harrison Street (Project No. C329142):** Under the proposed contract with Andes Construction, Inc., the Local Business Enterprise/Small Local Business Enterprise (LBE/SLBE) participation will be 65.37%, which exceeds the City's 50% LBE/SLBE requirement. The contractor will also have 100% L/SLBE trucking participation, exceeding the 50% requirement. The contractor is required to have 50% of the work hours performed by Oakland residents, and 50% of all new hires are to be Oakland residents. The LBE/SLBE information has been verified by the Social Equity Division of the Department of Contracting and Purchasing, and is shown in *Attachment C2*.

Construction is scheduled to begin in July 2015 and should be completed by March 2016. The contract specifies \$1,000.00 in liquidated damages per calendar day if the contract is not completed within 120 working days. The project schedule is shown in *Attachment B*.

The Environmental Protection Agency (EPA) mandates the reduction of sanitary sewer flows during storm events. These projects are part of the City-wide program to improve pipe conditions and reduce wet weather peak flows in sanitary sewer system. Staff has reviewed the submitted bids for the work and has determined that the bids are reasonable for the current construction climate.

PUBLIC OUTREACH/INTEREST

The Home Owner Associations and Merchants Associations in the area have been notified in writing about this project. Prior to starting construction, residents with work in the easement will be notified individually of the construction schedule, planned activities and contact information.

COORDINATION

The work to be done under these contracts was coordinated with OPW Bureau of Infrastructure and Operations. In addition, the Office of the City Attorney, Controller's Bureau and Contracts and Compliance Division reviewed this report and resolutions.

COST SUMMARY/IMPLICATIONS

1. AMOUNT OF RECOMMENDATION/COST OF PROJECT:

FUNDING SOURCE	AMOUNT
The On-Call Sanitary Sewers Emergency Projects FY 2014-15 (Project No. C455620)	\$1,285,825.00
The Rehabilitation of Sanitary Sewers in West Grand Avenue between Wood Street and San Pablo Avenue, and in 20th Street between Broadway and Harrison Street (Project No. C329142)	\$5,927,577.00

2. COST ELEMENTS OF AGREEMENTS/CONTRACTS: \$7,213,402

3. SOURCE OF FUNDING:

FUNDING SOURCES	AMOUNT
Sewer Service Fund (3100); Capital Project – Sanitary Sewer Design Organization (92244); Sewers Account (57417); Project C455620	\$1,285,825.00
Sewer Service Fund (3100); Capital Project – Sanitary Sewer Design Organization (92244); Sewers Account (57417); Project C329142	\$5,927,577.00

4. FISCAL IMPACT:

Approval of the two resolutions will authorize the City Administrator to execute construction contracts in the amounts of \$1,285,825.00 and \$5,927,577.00. These projects will rehabilitate existing sewer pipes, reduce sewer overflows, improve sewer pipe conditions in the area, and reduce ongoing maintenance costs.

PAST PERFORMANCE, EVALUATION AND FOLLOW-UP

The Contractor Performance Evaluation for Pacific Trenchless, Inc. from a previously completed project is satisfactory and is included as *Attachment D1*.

The Contractor Performance Evaluation for Andes Construction, Inc. from a previously completed project is satisfactory and is included as *Attachment D2*.

SUSTAINABLE OPPORTUNITIES

Economic: The contractors are all verified for Local Business Enterprise and Small Local Business Enterprise (LBE/SLBE) participation by the Social Equity Division of the Department of Contracting and Purchasing. The contractors are required to have 50% of the work hours performed by Oakland residents, and 50% of all new hires are to be Oakland residents, which will result in dollars being spent locally.

Environmental: Replacing sanitary sewers will minimize sewer leakage and overflows, thus preventing potential harm to property, groundwater resources and the bay. Replacement of the sanitary sewers will reduce sanitary sewer flows during storm events and will comply with EPA requirements.

Social Equity: This project is part of the citywide program to eliminate wastewater overflows, thereby benefiting all Oakland residents.

For questions regarding this report, please contact Gus Amirzehni, Engineering Design and Right-of-Way Manager at (510) 238-6601.

Respectfully submitted,



Brooke A. Levin
Director, Oakland Public Works

Reviewed by:
Michael J. Neary, P.E., Assistant Director
Bureau of Engineering and Construction

Reviewed by:
Gus Amirzehni, P.E., Engineering Design and R.O.W.
Division Manager

Prepared by:
Jimmy Mach, P.E., Supervising Civil Engineer
Engineering Design and R.O.W. Management Division

Attachments:

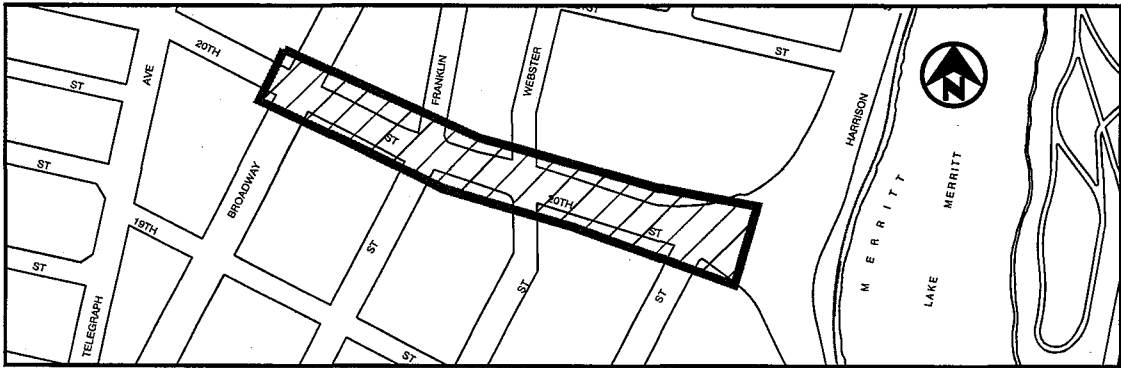
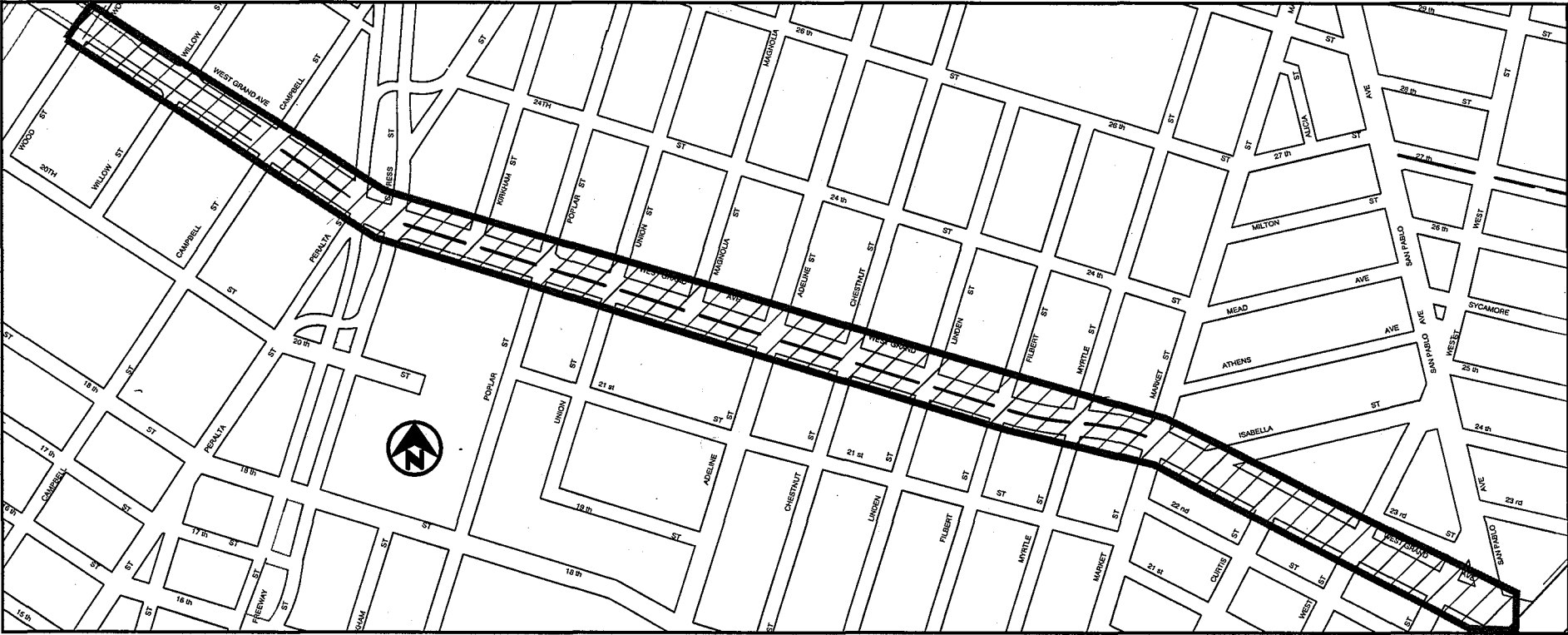
- Attachment A – Project Location Map
- Attachment B – Project Construction Schedule
- Attachment C1 and C2 – Contracts & Compliance Unit Compliance Evaluation
- Attachment D1 and D2 – Contractor Performance Evaluation


Item: _____
Public Works Committee
March 24, 2015

Attachment A

Attachment A

PLANS FOR THE REHABILITATION OF SANITARY SEWERS IN WEST GRAND AVENUE BETWEEN SAN PABLO AVENUE AND WOOD STREET, AND IN 20TH STREET BETWEEN BROADWAY AND HARRISON STREET
CITY PROJECT NO. C329142



LOCATION MAP
NOT TO SCALE
LIMIT OF WORK 

Attachment C



INTER OFFICE MEMORANDUM

TO: Gunawan Santoso,
Civil Engineer

FROM: Deborah Barnes, *Deborah Barnes*
Director, Contracts & Compliance

SUBJECT: Compliance Analysis
Rebid-The On-Call Sanitary Sewers Emergency Projects FY 2014-2015
Project No. C455620

DATE: February 4, 2015

City Administrator's Office, Contracts and Compliance Unit reviewed three (3) bids in response to the above referenced project. Below is the outcome of the compliance evaluation for the minimum 50% 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 to L/SLBE and/or EBO Policies		Proposed Participation					Earned Credits and Discounts			EBO Compliant?
Company Name	Original Bid Amount	Total LBE/SLBE	LBE	SLBE	*VSLBE/LPG	L/SLBE Trucking	Total Credited participation	Earned Bid Discounts	Adjusted Bid Amount	
Pacific Trenchless	\$1,285,825.00	99.92%	0.00%	99.92%	0.00%	100.00%	99.92%	5%	\$1,221,533.75	Y
Andes Construction	\$1,315,520.00	99.70%	0.00%	99.70%	0.38%	100.00%	99.32%	5%	\$1,249,744.00	Y
J. Howard Engineering, Inc.	\$1,451,525.00	96.90%	0.00%	96.56%	0.34%	100.00%	96.90%	5%	\$1,378,948.75	Y

Comments: As noted above, all firms met and/or exceeded the minimum 50% L/SLBE participation requirement. All firms are EBO compliant.

*Andes Construction and J. Howard Engineering's proposed VSLBE/LPG participation value at 0.38% and 0.34%. However, per the L/SLBE Program a VSLBE/LPG's participation is double counted towards meeting the requirement. Therefore, the VSLBE/LPG values for Andes Construction and J. Howard Engineering is .76% and 0.68% respectively.

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: Pacific Trenchless

Project Name: Rehab. Of Sanitary Sewers between Moore, Saroni and Arrowhead

Project No: C329125

50% Local Employment Program (LEP)

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

15% Oakland Apprenticeship Program

Was the 15% Apprenticeship Goal achieved?	Yes	If no, shortfall hours?	
Were shortfalls satisfied?	Yes	If no, penalty amount?	

The spreadsheet below provides details of the 50% LEP and 15% Apprenticeship Programs. Information provided includes the following data: A) total project hours, B) core workforce hours deducted, C) LEP project employment and work hour goal; D) LEP employment and work hours achieved; E)# resident new hires; F) shortfall hours; G) percent LEP compliance; H) total apprentice hours; I) apprenticeship goal and hours achieved; and J) Apprentice shortfall hours.

Total Project Hours	50% Local Employment Program (LEP)							15% Apprenticeship Program				
	Core Workforce Hours Deducted	LEP Project Employment and Work Hours Goal		LEP Employment and Work Hours Achieved		# Resident New Hires	Shortfall Hours	% LEP Compliance	Total Oakland Apprenticeship Hours Achieved	Apprenticeship Goal and Hours		Apprentice Shortfall Hours
		Goal	Hours	Goal	Hours					Goal	Hours	
A	B	C		D		E	F	G	H	I		J
740	0	50%	370	100%	370	0	0	100%	111	15%	111	0

Comments: Pacific Trenchless exceeded the Local Employment Program's 50% resident hiring goal with 100% resident employment and met the 15% Oakland Apprenticeship Program goals with 56 on-site hours and 56 off-site hours.

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



Contracts and Compliance Project Evaluation Report

Project No: C455620

Project Name: Rebid-The On-Call Sanitary Sewers Emergency Projects FY 2014-2015

Contractor: PacificTrenchless, Inc.

<u>Engineer's Estimate:</u>	<u>Contractor's Bid Amount:</u>	<u>Under/Over Engineer's Estimate:</u>
\$1,162,400.00	\$1,285,825.00	(\$123,425.00)
<u>Discounted Bid Amount:</u>	<u>Amount of Bid Discount:</u>	<u>Discount Points:</u>
\$1,221,533.75	\$64,291.25	5.00%

1. Did the 50% Local/Small Local requirement apply? Yes

2. Did the contractor meet the 50% requirement? Yes

a) % of LBE participation 0.00%

b) % of SLBE participation 99.92%

c) % of VSLBE/LPG participation (double counted value)

3. Did the contractor meet the Trucking requirement? NA

a) % of SLBE/LBE trucking participation 100.00%

b) % of VSLBE trucking participation

4. Did the Contractor receive any bid discount? Yes

(if yes, list the percentage received) 5.00%

5. Additional Comments

6. Date evaluation completed and returned to initiating department. 2/4/2015

Reviewing Officer: Sophany Hang

Reviewing Officer Date: 2/4/2015

Approved By: [Signature]

Approved By Date: 2/5/15

LBE/SLBE/VSLBE/LPG PARTICIPATION

Bidder 1

Project Name: Rebid-The On-Call Sanitary Sewers Emergency Projects FY 2014-2015

Project No: C455620

Engineers Estimate: \$1,162,400.00

Under/Over Engineers Estimate: (\$123,425.00)

No. Discipline	Contractor	Location	Cert. Status	LBE	SLBE	VSLBE/LPG	VSLBE Trucking	L/SLBE Trucking	UB Trucking	UB Dollars	For Tracking Only			
											Eth	MBE	WBE	
1 Prime	PacificTrenchless, Inc.	Oakland	CB		1,284,825.00							C		
2 Trucking	All-City Trucking	Oakland	CB					1,000.00				AI		
Project Totals:					1,284,825.00			1,000.00						
					99.92%			100.00%		0.00%				

REQUIREMENTS: The 50% Requirements, is a combination of 25% LBE and 25% SLBE participation. An SLBE firm can be counted 100% towards achieving the 50% requirements and a VSLBE/LPG firm can be counted double towards achieving the 50% requirements.

LBE = Local Business Enterprise
 SLBE = Small Local Business Enterprise
 VSLBE = Very Small Local Business Enterprise
 LPG = Locally Produced Goods
 NPSLBE = NonProfit Small Local Business Enterprise
 NPLBE = NonProfit Local Business Enterprise

UB = Uncertified Business
 CB = Certified Business
 MBE = Minority Business Enterprise
 WBE = Women Business Enterprise

Total LBE/SLBE Dollars and Percents:	\$1,284,825.00	99.92%	Total Bid Amount: \$1,285,825.00
Total VSLBE/LPG Dollars and Percents:		0.00%	Total Participation of
Total SLBE/LBE Trucking Dollars and Percents:	\$1,000.00	100.00%	VSLBE / SLBE / LBE / LPG: 99.92%
Total VSLBE Trucking Dollars and Percents:		0.00%	

ETHNICITY:
 AA = African American NA = Native American
 AI = Asian Indian O = Other
 AP = Asian Pacific NL = Not Listed
 C = Caucasian MO = Multiple Ownership
 H = Hispanic



Contracts and Compliance Project Evaluation Report

Project No: C455620

Project Name: Rebid-The On-Call Sanitary Sewers Emergency Projects FY 2014-2015

Contractor: Andes Construction, Inc.

<u>Engineer's Estimate:</u>	<u>Contractor's Bid Amount:</u>	<u>Under/Over Engineer's Estimate:</u>
\$1,162,400.00	\$1,315,520.00	(\$153,120.00)
<u>Discounted Bid Amount:</u>	<u>Amount of Bid Discount:</u>	<u>Discount Points:</u>
\$1,249,744.00	\$65,776.00	5.00%

1. Did the 50% Local/Small Local requirement apply? Yes

2. Did the contractor meet the 50% requirement? Yes

a) % of LBE participation	<u>0.00%</u>	
b) % of SLBE participation	<u>99.32%</u>	
c) % of VSLBE/LPG participation	<u>38.00%</u>	<u>76.00% (double counted value)</u>

3. Did the contractor meet the Trucking requirement? NA

a) % of SLBE/LBE trucking participation	
b) % of VSLBE trucking participation	<u>100.00%</u>

4. Did the Contractor receive any bid discount? Yes

(if yes, list the percentage received) 5.00%

5. Additional Comments *Andes Construction proposed VSLBE/LPG participation value is 0.38%, however, per the L/SLBE Program a VSLBE/LPG's participation is double counted towards meeting the requirement. Therefore, the VSLBE/LPG values for Andes Construction is .76%.
%.

6. Date evaluation completed and returned to initiating department. 2/4/2015

Reviewing Officer: Sophany Hang

Reviewing Officer Date: 2/4/2015

Approved By: Vita [Signature]

Approved By Date: 2/5/15

LBE/SLBE/VSLBE/LPG PARTICIPATION

Bidder 2

Project Name: Rebid-The On-Call Sanitary Sewers Emergency Projects FY 2014-2015

Project No: C455620

Engineers Estimate: \$1,162,400.00

Under/Over Engineers Estimate: (\$153,120.00)

No. Discipline	Contractor	Location	Cert. Status	LBE	SLBE	VSLBE/LPG	VSLBE Trucking	L/SLBE Trucking	UB Trucking	UB Dollars	For Tracking Only			
											Eth	MBE	WBE	
1 Prime	Andes Construction, Inc.	Oakland	CB		1,306,520.00						H			
2 Trucking	Foston Trucking	Oakland	CB			5,000.00	5,000.00				AA	5,000.00		
3 saw cut	Bay Line	Berkeley	UB				0.00			3,000.00	H	3,000.00		
4 Pipe HDPE	P & F Distributors	Brisbane	UB							500.00	C			
5 MH Precast	Old Castle	Pleasanton	UB							500.00	C			
Project Totals:					1,306,520.00	5,000.00	5,000.00			4,000.00		8,000.00		
					99.32%	0.38%	100.00%		0.00%	0.30%		0.61%		

REQUIREMENTS: The 50% Requirements, is a combination of 25% LBE and 25% SLBE participation. An SLBE firm can be counted 100% towards achieving the 50% requirements and a VSLBE/LPG firm can be counted double towards achieving the 50% requirements.

Total LBE/SLBE Dollars and Percents:	\$1,306,520.00	99.32%	Total Bid Amount: \$1,315,520.00
Total VSLBE/LPG Dollars and Percents:	\$5,000.00	0.38%	Total Participation of
Total SLBE/LBE Trucking Dollars and Percents:		0.00%	VSLBE / SLBE / LBE / LPG: 99.70%
Total VSLBE Trucking Dollars and Percents:	\$5,000.00	100.00%	

LBE = Local Business Enterprise
 SLBE = Small Local Business Enterprise
 VSLBE = Very Small Local Business Enterprise
 LPG = Locally Produced Goods
 NPSLBE = NonProfit Small Local Business Enterprise
 NPLBE = NonProfit Local Business Enterprise

UB = Uncertified Business
 CB = Certified Business
 MBE = Minority Business Enterprise
 WBE = Women Business Enterprise

ETHNICITY:	
AA = African American	NA = Native American
AI = Asian Indian	O = Other
AP = Asian Pacific	NL = Not Listed
C = Caucasian	MO = Multiple Ownership
H = Hispanic	



Contracts and Compliance Project Evaluation Report

Project No: C455620

Project Name: Rebid-The On-Call Sanitary Sewers Emergency Projects FY 2014-2015

Contractor: J. Howard Engineering

<u>Engineer's Estimate:</u>	<u>Contractor's Bid Amount:</u>	<u>Under/Over Engineer's Estimate:</u>
\$1,162,400.00	\$1,451,525.00	(\$289,125.00)
<u>Discounted Bid Amount:</u>	<u>Amount of Bid Discount:</u>	<u>Discount Points:</u>
\$1,378,948.75	\$72,576.25	5.00%

1. Did the 50% Local/Small Local requirement apply? Yes

2. Did the contractor meet the 50% requirement? Yes

- a) % of LBE participation 0.00%
- b) % of SLBE participation 96.56%
- c) % of VSLBE/LPG participation 0.34% 0.68% (double counted value)

3. Did the contractor meet the Trucking requirement? NA

- a) % of SLBE/LBE trucking participation
- b) % of VSLBE trucking participation 100.00%

4. Did the Contractor receive any bid discount? Yes

(if yes, list the percentage received) 5.00%

5. Additional Comments *J. Howard Engineering's proposed VSLBE/LPG participation value is 0.34%, however, per the L/SLBE Program a VSLBE/LPG's participation is double counted towards meeting the requirement. Therefore, the VSLBE/LPG values for J. Howard Engineering is 0.68%.

6. Date evaluation completed and returned to initiating department. 2/4/2015

Reviewing Officer: Sophany Hang

Reviewing Officer Date: 2/4/2015

Approved By: Shelley Danenobung

Approved By Date: _____

Project Name: Rebid-The On-Call Sanitary Sewers Emergency Projects FY 2014-2015

Project No: C455620

Engineers Estimate: \$1,162,400.00

Under/Over Engineers Estimate: (\$289,125.00)

No. Discipline	Contractor	Location	Cert. Status	LBE	SLBE	VSLBE/LPG	L/SLBE Trucking	UB Trucking	UB Dollars	For Tracking Only		
										Ethn	MBE	WBE
1 Prime	J. Howard Engineering	Oakland	CB		1,401,525.00					C		
2 Trucking	Monroe's Trucking	Oakland	CB							AA	3,500.00	
3 HDPE Pipe	P & F Distributors	Brisbane	UB						20,000.00	C		
4 Saw Cutting	Bay Line	Berkeley	UB						3,500.00	H	3,500.00	
5 Fittings	Pace Supply Corp	Oakland	UB						2,000.00	NL		
6 Drain	Argent Materials	Oakland	UB						3,000.00	C		
7 Manhole Mat	Old Castle Precast	Pleasanton	UB						6,500.00	C		
8 Concrete	Right Away Ready Mix	Oakland	UB						3,500.00	C		
9 AC	Gallagher & Burk, Inc.	Oakland	CB			5,000.00				C		
10 Manhole	Contech of California	Stockton	UB						3,000.00	C		

Project Totals:

1,401,525.00 5,000.00 41,500.00 7,000.00
 96.56% 0.34% 2.86% 0.48%

REQUIREMENTS: The 50% Requirements, is a combination of 25% LBE and 25% SLBE participation. An SLBE firm can be counted 100% towards achieving the 50% requirements and a VSLBE/LPG/VSLBE Trucking firm can be counted double towards achieving the 50% requirements.

Total LBE \ SLBE \$ and %: \$1,401,525.00 96.56% Total Bid Amount: \$1,451,525.00
 Total LBE \ SLBE Trucking \$ and %:
 Total VSLBE/LPG \$ and %: \$5,000.00 0.34% Total Participation of VSLBE / SLBE / LBE / LPG: 96.90%

LBE = Local Business Enterprise
 SLBE = Small Local Business Enterprise
 VSLBE = Very Small Local Business Enterprise
 LPG = Locally Produced Goods
 NPSLBE = NonProfit Small Local Business Enterprise
 NPLBE = NonProfit Local Business Enterprise
 UB = Uncertified Business
 CB = Certified Business
 MBE = Minority Business Enterprise
 WBE = Women Business Enterprise

*** Notes:**

ETHNICITY:
 AA = African American
 AI = Asian Indian
 AP = Asian Pacific
 C = Caucasian
 H = Hispanic
 NA = Native American
 O = Other
 NL = Not Listed
 MO = Multiple Ownership



Attachment C2

INTER OFFICE MEMORANDUM

TO: Gunawan Santoso
Civil Engineer

FROM: Deborah Barnes, Director *DB*
Contracts and Compliance

SUBJECT: Compliance Analysis

DATE: February 13, 2014

**The Rehabilitation of Sanitary Sewers in West Grand Avenue between Wood Street and San Pablo Avenue, and in 20th Street between Broadway and Harrison Street-Including Bid Alternate No. 2
Project No. C329142 Rebid**

The City Administrator's Office, Contracts and Compliance Unit, reviewed three (3) bids in response to the above referenced project. Below is the outcome of the compliance evaluation for the minimum 50% 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.

The above referenced project contains Cured in Place Pipe (CIPP) specialty work. The Standard Specifications for Public Works Construction, "Greenbook", page 10 section 2-3.2 (Attachment A) describes how specialty work may be addressed. Based upon the Greenbook and per the specifications, the CIPP specialty items have been excluded from the contractor's bid price for purposes of determining compliance with the minimum 50% L/SLBE requirement.

The Compliance spreadsheet is a revised format specifically for this analysis. The spreadsheet shows: Column A - Original Bid Amount; Column B - Specialty Dollar Amount submitted by the contractor; Column C - Non-Specialty Bid Amount (difference between column A and B); Column D - Total Credited Participation; Column E - Earned Bid Discounts as a result of the total credited participation and Column F - Adjusted Bid Amount calculated by applying the earned bid discount to the Original Bid Amount (column A).

Responsive		Proposed Participation							Earned Credits and Discounts			EBO Compliant? Y/N
Company Name	Original Bid Amount	Specialty Dollar Amount	Non Specialty Dollar Amount	Total LBE/SLBE/VSL BE/LPG	LBE	SLBE	VSLBE/LPG	L/SLBE Trucking	Total Credited participation	Earned Bid Discounts	Adjusted Bid Amount	
	<i>A</i>	<i>B</i>	<i>C</i>						<i>D</i>	<i>E</i>	<i>F</i>	
Andes Construction, Inc.	\$5,927,577	\$2,817,926	\$3,109,651	65.69%	0.00%	65.37%	0.32%	100%	65.69%	3%	\$5,834,287.47	Y
Pacific Trenchless, Inc.	\$6,639,582	\$3,473,610	\$3,165,972	78.67%	0.00%	78.67%	0.00%	100%	78.67%	4%	\$6,512,943.12	Y
J. Howard Engineering, Inc.	\$6,854,855	\$3,419,826	\$3,435,029	64.92%	0.00%	64.18%	0.74%	100%	64.92%	3%	\$6,751,804.13	Y

Comments: As noted above, all firms exceeded the minimum 50% Local/Small Local Business Enterprise participation requirement. All firms are EBO compliant.

*Andes Construction Inc. and J. Howard Engineering, Inc.'s proposed VSLBE/LPG participation values are 0.32% and 0.74%, however, per the L/SLBE Program a VSLBE/LPG's participation is double counted towards meeting the requirement. Therefore, the VSLBE/LPG values are 0.64% and 1.48%.

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: Andes Construction
Project Name: Rehab or SS in the Easement by Knowland Zoo
Project No: C329116

50% Local Employment Program (LEP)

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

15% Oakland Apprenticeship Program

Was the 15% Apprenticeship Goal achieved?	Yes	If no, shortfall hours?	
Were shortfalls satisfied?	Yes	If no, penalty amount?	

The spreadsheet below provides details of the 50% LEP and 15% Apprenticeship Programs. Information provided includes the following data: A) total project hours, B) core workforce hours deducted, C) LEP project employment and work hour goal; D) LEP employment and work hours achieved; E)# resident new hires; F) shortfall hours; G) percent LEP compliance; H) total apprentice hours; I) apprenticeship goal and hours achieved; and J) Apprentice shortfall hours.

Total Project Hours	50% Local Employment Program (LEP)							15% Apprenticeship Program				
	Core Workforce Hours Deducted	LEP Project Employment and Work Hours Goal		LEP Employment and Work Hours Achieved		# Resident New Hires	Shortfall Hours	% LEP Compliance	Total Oakland Apprenticeship Hours Achieved	Apprenticeship Goal and Hours		Apprentice Shortfall Hours
		Goal	Hours	Goal	Hours					Goal	Hours	
A	B	C		D		E	F	G	H	I		J
651	0	50%	326	100%	326	0	0	100%	98	15%	98	0

Comments: Andes Construction exceeded the Local Employment Program's 50% resident hiring goal with 100% resident employment and met the 15% Oakland Apprenticeship Program goals with 49 on-site hours and 49 off-site hours.

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

CONTRACTS AND COMPLIANCE UNIT



Contract Compliance Division

PROJECT EVALUATION FORM

PROJECT NO.: C329142

PROJECT NAME: Rebid-The Rehabilitation of Sanitary Sewers in West Grand Avenue between Wood Street and San Pablo Avenue, and in 20th Street between Broadway and Harrison Street-Including Bid Alternate No.2

CONTRACTOR: Andes Construction, Inc.

<u>Engineer's Estimate:</u>	<u>Contractors' Original Bid Amount</u>	<u>Specialty Dollar Amount</u>	<u>Over/Under Engineer's Estimate</u>
\$5,901,924.00	\$5,927,577.00	\$2,817,926.00	-\$25,653.00

<u>Discounted Bid Amount:</u>	<u>Amount of Bid Discount</u>	<u>Non-Specialty Bid Amount</u>	<u>Discount Points:</u>
\$5,834,287.47	\$93,289.53	\$3,109,651.00	3%

- 1. Did the 50% requirements apply? **YES**
- 2. Did the contractor meet the 50% requirement? **YES**
 - b) % of LBE participation **0.00%**
 - c) % of SLBE participation **65.37%**
 - d) % of VSLBE/LPG participation **0.32%** (double **0.64%** Counted value)
- 3. Did the contractor meet the L/SLBE Trucking requirement? **YES**
 - a) Total L/SLBE trucking participation **100%**
- 4. Did the contractor receive bid discounts? **YES**
 - (If yes, list the percentage received) **3.00%**

5. Additional Comments.

Bid Items #7,9, 11, 25 and #26 are considered specialty work and were excluded from the total bid price for the purposes of determining compliance with the 50% L/SLBE requirement. *Proposed VSLBE/LPG participation is valued at 0.32%, however per the L/SLBE Program a VSLBE/LPG's participation is double counted towards meeting the requirement. Therefore, the value is 0.64%.

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

Reviewing Officer:

Date:

2/13/2015

Date

2/13/2015

Approved By:

Date:-

2/13/2015

LBE/SLBE PARTICIPATION BIDDER 1

Project Name: **Rebid-The Rehabilitation of Sanitary Sewers in West Grand Avenue between Wood Street and San Pablo Avenue, and in 20th Street between Broadway and Harrison Street-Including Bid Alternate No.2**

C329142		Engineers Est: \$5,901,924.00				Under/Over Engineers Estimate: -\$25,653.00				For Tracking Only				
Discipline	Prime & Subs	Location	Cert. Status	LBE	SLBE	**VSLBE/LPG double counted value	Total	L/SLBE	Total	*Non-Specialty Bid Amount	TOTAL Original Bid Amount Dollars	Ethn.	MBE	WBE
							LBE/SLBE	Trucking	Trucking					
PRIME	Andes Construction, Inc.	Oakland	CB		2,027,651		2,027,651			2,027,651	4,148,577	H	2,027,651	
Saw Cut	Bayline	Oakland	UB							3,000	3,000	H	3,000	
Trucking	Foston Trucking	Oakland	CB		5,000		5,000	5,000	5,000	5,000	5,000	AA	5,000	
By Pass Pump	D.W. Pumps	San Leandro	UB							50,000	50,000	C		
Precast	Old Castle	Pleasanton	UB							35,000	35,000	C		
Structure Repair	H & R Plumbing	El Sobrante	UB							100,000	100,000	H	100,000	
Shoring	National Trench Safety	Fremont	UB							10,500	10,500	C		
Grout	Cell-Crete	Hayward	UB							50,000	50,000	C		
AC	Gallagher & Burk	Oakland	CB			10,000	10,000			10,000	10,000	C		
AB	Inner City	Oakland	UB							15,000	15,000	C		
Rock	Dutra	San Rafael	UB							7,500	7,500	C		
Pipe	Hobas	Houston, Tx	UB							600,000	600,000	C		
Rehab Material	Contech	Stockton	UB							20,000	20,000	C		
Cleaning	Brenford	Pearland	UB							98,000	98,000	C		
Conar	National Plant	Long Beach	UB							78,000	78,000	C		
CIPP Felt	Masterliner	Hammond	UB								197,000	C		
Resin	Composites One	Sacramento	UB								500,000	C		
Project Totals				\$0	\$2,032,651	\$10,000	\$2,042,651	\$5,000	\$5,000	\$3,109,651	\$5,927,577		\$2,135,651	\$0
				0.00%	65.37%	0.32%	65.69%	100%	100%	100%	100%		68.68%	0%
Requirements: The 50% requirement is a combination of 25% LBE and 25% SLBE participation. An SLBE firm can be counted 100% towards achieving the 50% requirement. A VSLBE and LPG's participation is double counted toward meeting the requirement.				LBE 25%	SLBE 25%	VSLBE/LPG	TOTAL LBE/SLBE/ VSLBE/LPG	50% LBE/SLBE TRUCKING				Ethnic AA = African American AI = Asian Indian AP = Asian Pacific C = Caucasian H = Hispanic NA = Native American O = Other NL = Not Listed MO = Multiple Ownership		
Legend	LBE = Local Business Enterprise SLBE = Small Local Business Enterprise VSLBE = very Small Business Enterprise LPG = Locally Produced Goods 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										

* The above project contains specialty work. The Non-Specialty Work Bid Dollars were used for the purposes of determining compliance with minimum 50% L/SLBE participation requirement.

** Proposed VSLBE/LPG participation is valued at 0.32%, however per the L/SLBE Program a VSLBE/LPG's participation is double counted towards meeting the requirement. Double counted percentage is reflected on the evaluation form and cover memo.

CONTRACTS AND COMPLIANCE UNIT



Contract Compliance Division

PROJECT EVALUATION FORM

PROJECT NO.: C329142

PROJECT NAME: Rebid-The Rehabilitation of Sanitary Sewers in West Grand Avenue between Wood Street and San Pablo Avenue, and in 20th Street between Broadway and Harrison Street-Including Bid Alternate No.2

CONTRACTOR: Pacific Trenchless, Inc.

<u>Engineer's Estimate:</u>	<u>Contractors' Original Bid Amount</u>	<u>Specialty Dollar Amount</u>	<u>Over/Under Engineer's Estimate</u>
\$5,901,924.00	\$6,639,582.00	\$3,473,610.00	-\$737,658.00

<u>Discounted Bid Amount:</u>	<u>Amount of Bid Discount</u>	<u>Non-Specialty Bid Amt.</u>	<u>Discount Points:</u>
\$6,512,943.12	\$126,638.88	\$3,165,972.00	4%

- 1. Did the 50% requirements apply? **YES**

- 2. Did the contractor meet the 50% requirement? **YES**
 - b) % of LBE participation **0.00%**
 - c) % of SLBE participation **78.67%**
 - d) % of VSLBE/LPG Participation **0.00%**

- 3. Did the contractor meet the L/SLBE Trucking requirement? **YES**
 - a) Total L/SLBE trucking participation **100%**

- 4. Did the contractor receive bid discounts? **YES**
 - (If yes, list the percentage received) **4%**

5. Additional Comments.

Bid items #7, 9, 11, 25 and #26 are considered specialty work and were excluded from the total bid price for the purposes of determining compliance with the 50% L/SLBE requirement.

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

2/13/2015
Date

Reviewing Officer:

Date:

2/13/2015

Approved By:

Date:

2/13/2015

BIDDER 2

Project Name: Rebid-The Rehabilitation of Sanitary Sewers in West Grand Avenue between Wood Street and San Pablo Avenue, and in 20th Street between Broadway and Harrison Street-including Bid Alternate No.2

C329142		Engineers Est. \$5,901,924.00					Under/Over Engineers Estimate: -\$737,658.00					For Tracking Only		
Discipline	Prime & Subs	Location	Cert. Status	LBE	SLBE	**VSLBE/LPG double counted value	Total	L/SLBE	Total	*Non-Specialty Bid Amount	TOTAL Original Bid Amount Dollars	Ethn.	MBE	WBE
							LBE/SLBE	Trucking	Trucking					
PRIME Trucking Grouting Mainline Sewer Spray Coating C/PP Lining Pipe Cleaning Manhole Lining Sewer Bypass	Pacific Trenchless, Inc.	Oakland	CB		2,475,610		2,475,610			2,167,972	4,404,582	C		
	All City Trucking	Oakland	CB		15,000		15,000	15,000	15,000	15,000	15,000	AI	15,000	
	Cell-Crete	Hayward	UB							100,000	100,000	C		
	H & R Plumbing	El Sobrante	UB							110,000	110,000	H	110,000	
	Michels Pipeline Pipe & Plant	Salem, OR	UB								1,237,000	C		
	Solutions	Berkeley	UB							355,000	355,000	C		
	Contech of California	Stockton	UB							18,000	18,000	C		
	Munson Pump Services	Anderson.	UB							400,000	400,000	C		
												C		
												C		
Project Totals				\$0	\$2,490,610	\$0.00	\$2,490,610	\$15,000	\$15,000	\$3,165,972	\$6,639,582		\$125,000	\$0
				0.00%	78.67%	0.00%	78.67%	100%	100%	100%	100%		3.95%	0.00%
Requirements: The 50% requirement is a combination of 25% LBE and 25% SLBE participation. An SLBE firm can be counted 100% towards achieving the 50% requirement. A VSLBE and LPG's participation is double counted toward meeting the				LBE 25%	SLBE 25%	VSLBE/LPG	TOTAL LBE/SLBE/VSLBE/LPG	50% LBE/SLBE TRUCKING				Ethnici AA = African American AI = Asian Indian AP = Asian Pacific C = Caucasian H = Hispanic NA = Native American O = Other NL = Not Listed MO = Multiple Ownership		
Legend				LBE = Local Business Enterprise SLBE = Small Local Business Enterprise VSLBE = Very Small Local Business Enterprise LPG = Locally Produced Goods 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										

* The above project contains specialty work. The Non-Specialty Work Bid Dollars were used for the purposes of determining compliance with minimum 50% L/SLBE participation requirement.

CONTRACTS AND COMPLIANCE UNIT



Contract Compliance Division

PROJECT EVALUATION FORM

PROJECT NO.: C329142

PROJECT NAME: Rebid-The Rehabilitation of Sanitary Sewers in West Grand Avenue between Wood Street and San Pablo Avenue, and in 20th Street between Broadway and Harrison Street-Including Bid Alternate No.2

CONTRACTOR: J. Howard Engineering, Inc.

<u>Engineer's Estimate:</u>	<u>Contractors' Original Bid Amount</u>	<u>Specialty Dollar Amount</u>	<u>Over/Under Engineer's Estimate</u>
\$6,901,924.00	\$6,854,855.00	\$3,419,826.00	-\$952,931.00

<u>Discounted Bid Amount:</u>	<u>Amount of Bid Discount</u>	<u>Non-Specialty Bid Amt.</u>	<u>Discount Points:</u>
\$6,751,804.13	\$103,050.87	\$3,435,029.00	3%

1. Did the 50% requirements apply? **YES**

2. Did the contractor meet the 50% requirement? **YES**
 - b) % of LBE participation **0.00%**
 - c) % of SLBE participation **64.18%**
 - d) % of VSLBE/LPG Participation **0.74%** **1.48%** (double Counted value)

3. Did the contractor meet the L/SLBE Trucking requirement? **YES**
 - a) Total L/SLBE trucking participation **100%**

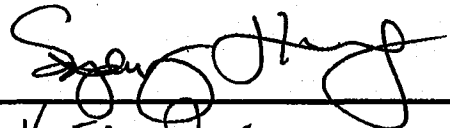

4. Did the contractor receive bid discounts? **YES**

(If yes, list the percentage received) **3.00%**

5. Additional Comments.

Bid item #7, 9, 11, 25 and #26 are considered specialty work and were excluded from the total bid price for the purposes of determining compliance with the 50% L/SLBE requirement. *Proposed VSLBE/LPG participation is valued at 0.74%, however per the L/SLBE Program a VSLBE/LPG's participation is double counted towards meeting the requirement. Therefore, the value is 1.48%.

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

<u>Reviewing Officer:</u>		<u>Date:</u>	<u>2/13/2016</u> Date
<u>Approved By:</u>		<u>Date:</u>	<u>2/13/2015</u>

LBE/SLBE PARTICIPATION BIDDER 3

Project Name: **Rebid-The Rehabilitation of Sanitary Sewers in West Grand Avenue between Wood Street and San Pablo Avenue, and in 20th Street between Broadway and Harrison Street-Including Bid Alternate No.2**

Project No.: C329142		Engineers Est: \$5,901,924.00					Under/Over Engineers Estimate: -\$952,931.00					For Tracking Only		
Discipline	Prime & Subs	Location	Cert. Status	LBE	SLBE	**VSLBE/LPG double counted value	Total	L/SLBE	Total	*Non-Specialty	TOTAL Original	Ethn.	MBE	WBE
							LBE/SLBE	Trucking	Trucking	Bid Amount	Bid Amount			
PRIME	J. Howard Engineering, Inc.	Oakland	CB		2,204,529		2,204,529			2,204,529	4,774,355	C		
Trucking	Monroe's Trucking	Oakland	CB			20,000	20,000	20,000	20,000	20,000	20,000	AA	20,000	
Saw Cutting	Bayline Cutting	Berkeley	UB							3,000	3,000	H	3,000	
By Pass Pump	D.W. Pumps	San Leandro	UB							50,000	50,000	C		
Grout	Cell-Crete	Hayward	UB							50,000	50,000	C	50,000	
MH Materials	Old Castle	Pleasanton	UB							20,000	20,000	C		
Rehab Conduit	H & R Plumbing	EL Sobrante	UB							110,000	110,000	H	110,000	
CIPP	Michels Corp.	Salem, OR	UB								850,000	C		
Concrete	Right Away Ready	Oakland	UB							4,000	4,000	C		
AC	Gallagher & Burk	Oakland	CB			5,500	5,500			5,500	5,500	C		
Recycles	Argent Materials	Oakland	UB							3,000	3,000	C		
Pipe	Thompson U.S Corp Pipe	Zachary	UB							800,000	800,000	C		
Pipe Cleaning	Pipe & Plant Solution	Berkeley	UB							75,000	75,000	C		
Haz Removal	Advanced Pipeline Services, Inc.	Discovery	UB							65,000	65,000	C		
Manhole Rehab	Contech of CA	Stockton	UB							25,000	25,000	C		
Project Totals				\$0	\$2,204,529	\$25,500	\$2,230,029	\$20,000	\$20,000	\$3,435,029	\$6,854,855		\$183,000	\$0.00
				0.00%	64.18%	0.74%	64.92%	100%	100%	100%	100%		2.67%	0.00%
Requirements: The 50% requirement is a combination of 25% LBE and 25% SLBE participation. An SLBE firm can be counted 100% towards achieving the 50% requirement. A VSLBE and LPG's participation is double counted toward meeting the requirement.				LBE 25%	SLBE 25%	VSLBE/LPG	TOTAL LBE/SLBE/VSLBE/LPG	50% LBE/SLBE-TRUCKING				Ethnicity AA = African American AI = Asian Indian AP = Asian Pacific C = Caucasian H = Hispanic NA = Native American O = Other NL = Not Listed MO = Multiple Ownership		
Legend				LBE = Local Business Enterprise SLBE = Small Local Business Enterprise VSLBE = Very Small Local Business Enterprise LPG = Locally Produced Goods 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								

* The above project contains specialty work. The Non-Specialty Work Bid Dollars were used for the purposes of determining compliance with minimum 50% L/SLBE participation requirement. ** Proposed VSLBE/LPG participation is valued at 0.74%, however per the L/SLBE Program a VSLBE/LPG's participation is double counted towards meeting the

Attachment D

Attachment D1

**Schedule L-2
City of Oakland
Public Works Agency
CONTRACTOR PERFORMANCE EVALUATION**

C329125 / SS Rehab in Moore & Allken, Saroni & Arrowhead, Glencourt & Homewood

Project Number/Title: _____

Work Order Number (if applicable): _____

Contractor: Pacific Trenchless Inc.

Date of Notice to Proceed: 4/16/2011

Date of Notice of Completion: 1/16/2013

Date of Notice of Final Completion: 1/16/2013

Contract Amount: \$320,405.00

Evaluator Name and Title: Paul Tran, Resident Engineer

The City's Resident Engineer most familiar with the Contractor's performance must complete this evaluation and submit it to Manager, PWA Project Delivery Division, within 30 calendar days of the issuance of the Final Payment.

Whenever the Resident Engineer finds the Contractor is performing below Satisfactory for any category of the Evaluation, the Resident Engineer shall discuss the perceived performance shortfall at the periodic site meetings with the Contractor. An Interim Evaluation will be performed if at any time the Resident Engineer finds that the overall performance of a Contractor is Marginal or Unsatisfactory. An Interim Evaluation is required prior to issuance of a Final Evaluation Rating of Unsatisfactory. The Final Evaluation upon Final Completion of the project will supersede interim ratings.

The following list provides a basic set of evaluation criteria that will be applicable to all construction projects awarded by the City of Oakland that are greater than \$50,000. Narrative responses are required to support any evaluation criteria that are rated as Marginal or Unsatisfactory, and must be attached to this evaluation. If a narrative response is required, indicate before each narrative the number of the question for which the response is being provided. Any available supporting documentation to justify any Marginal or Unsatisfactory ratings must also be attached.

If a criterion is rated Marginal or Unsatisfactory and the rating is caused by the performance of a subcontractor, the narrative will note this. The narrative will also note the General Contractor's effort to improve the subcontractor's performance.

ASSESSMENT GUIDELINES:

Outstanding (3 points)	Performance among the best level of achievement the City has experienced.
Satisfactory (2 points)	Performance met contractual requirements.
Marginal (1 point)	Performance barely met the lower range of the contractual requirements or performance only met contractual requirements after extensive corrective action was taken.
Unsatisfactory (0 points)	Performance did not meet contractual requirements. The contractual performance being assessed reflected serious problems for which corrective actions were ineffective.

WORK PERFORMANCE

Unsatisfactory
Marginal
Satisfactory
Outstanding
Not Applicable

		Unsatisfactory	Marginal	Satisfactory	Outstanding	Not Applicable
1	Did the Contractor perform all of the work with acceptable Quality and Workmanship?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
1a	If problems arose, did the Contractor provide solutions/coordinate with the designers and work proactively with the City to minimize impacts? If "Marginal or Unsatisfactory", explain on the attachment. Provide documentation.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
2	Was the work performed by the Contractor accurate and complete? If "Marginal or Unsatisfactory", explain on the attachment and provide documentation. Complete (2a) and (2b) below.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
2a	Were corrections requested? If "Yes", specify the date(s) and reason(s) for the correction(s). Provide documentation.			Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>	N/A <input type="checkbox"/>
2b	If corrections were requested, did the Contractor make the corrections requested? If "Marginal or Unsatisfactory", explain on the attachment. Provide documentation.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
3	Was the Contractor responsive to City staff's comments and concerns regarding the work performed or the work product delivered? If "Marginal or Unsatisfactory", explain on the attachment. Provide documentation.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
4	Were there other significant issues related to "Work Performance"? If Yes, explain on the attachment. Provide documentation.				Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>
5	Did the Contractor cooperate with on-site or adjacent tenants, business owners and residents and work in such a manner as to minimize disruptions to the public. If "Marginal or Unsatisfactory", explain on the attachment.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
6	Did the personnel assigned by the Contractor have the expertise and skills required to satisfactorily perform under the contract? If "Marginal or Unsatisfactory", explain on the attachment.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
7	Overall, how did the Contractor rate on work performance? The score for this category must be consistent with the responses to the questions given above regarding work performance and the assessment guidelines. Check 0, 1, 2, or 3.	0 <input type="checkbox"/>	1 <input type="checkbox"/>	2 <input checked="" type="checkbox"/>	3 <input type="checkbox"/>	

Unsatisfactory
Marginal
Satisfactory
Outstanding
Not Applicable

TIMELINESS

8	Did the Contractor complete the work within the time required by the contract (including time extensions or amendments)? If "Marginal or Unsatisfactory", explain on the attachment why the work was not completed according to schedule. Provide documentation.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
9	Was the Contractor required to provide a service in accordance with an established schedule (such as for security, maintenance, custodial, etc.)? If "No", or "N/A", go to Question #10. If "Yes", complete (9a) below.			Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>	N/A <input type="checkbox"/>
9a	Were the services provided within the days and times scheduled? If "Marginal or Unsatisfactory", explain on the attachment and specify the dates the Contractor failed to comply with this requirement (such as tardiness, failure to report, etc.). Provide documentation.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
10	Did the Contractor provide timely baseline schedules and revisions to its construction schedule when changes occurred? If "Marginal or Unsatisfactory", explain on the attachment. Provide documentation.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
11	Did the Contractor furnish submittals in a timely manner to allow review by the City so as to not delay the work? If "Marginal or Unsatisfactory", explain on the attachment. Provide documentation.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
12	Were there other significant issues related to timeliness? If yes, explain on the attachment. Provide documentation.				Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>
13	Overall, how did the Contractor rate on timeliness? The score for this category must be consistent with the responses to the questions given above regarding timeliness and the assessment guidelines. Check 0, 1, 2, or 3.	0 <input type="checkbox"/>	1 <input type="checkbox"/>	2 <input checked="" type="checkbox"/>	3 <input type="checkbox"/>	

FINANCIAL

Unsatisfactory
Marginal
Satisfactory
Outstanding
Not Applicable

14	Were the Contractor's billings accurate and reflective of the contract payment terms? If "Marginal or Unsatisfactory", explain on the attachment. Provide documentation of occurrences and amounts (such as corrected invoices).	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
15	Were there any claims to increase the contract amount? If "Yes", list the claim amount. Were the Contractor's claims resolved in a manner reasonable to the City? Number of Claims: _____ Claim amounts: \$ _____ Settlement amount: \$ _____				Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>
16	Were the Contractor's price quotes for changed or additional work reasonable? If "Marginal or Unsatisfactory", explain on the attachment. Provide documentation of occurrences and amounts (such as corrected price quotes).	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
17	Were there any other significant issues related to financial issues? If Yes, explain on the attachment and provide documentation.				Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>
18	Overall, how did the Contractor rate on financial issues? The score for this category must be consistent with the responses to the questions given above regarding financial issues and the assessment guidelines. Check 0, 1, 2, or 3.	0 <input type="checkbox"/>	1 <input type="checkbox"/>	2 <input checked="" type="checkbox"/>	3 <input type="checkbox"/>	

COMMUNICATION

Unsatisfactory
Marginal
Satisfactory
Outstanding
Not Applicable

19	Was the Contractor responsive to the City's questions, requests for proposal, etc.? If "Marginal or Unsatisfactory", explain on the attachment.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
20	Did the Contractor communicate with City staff clearly and in a timely manner regarding:					
20a	Notification of any significant issues that arose? If "Marginal or Unsatisfactory", explain on the attachment.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
20b	Staffing issues (changes, replacements, additions, etc.)? If "Marginal or Unsatisfactory", explain on the attachment.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
20c	Periodic progress reports as required by the contract (both verbal and written)? If "Marginal or Unsatisfactory", explain on the attachment.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
20d	Were there any billing disputes? If "Yes", explain on the attachment.				Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>
21	Were there any other significant issues related to communication issues? Explain on the attachment. Provide documentation.				Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>
22	Overall, how did the Contractor rate on communication issues? The score for this category must be consistent with the responses to the questions given above regarding communication issues and the assessment guidelines. Check 0, 1, 2, or 3.	0 <input type="checkbox"/>	1 <input type="checkbox"/>	2 <input checked="" type="checkbox"/>	3 <input type="checkbox"/>	

SAFETY

Unsatisfactory
Marginal
Satisfactory
Outstanding
Not Applicable

23	Did the Contractor's staff consistently wear personal protective equipment as appropriate? If "No", explain on the attachment.				Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>
24	Did the Contractor follow City and OSHA safety standards? If "Marginal or Unsatisfactory", explain on the attachment.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
25	Was the Contractor warned or cited by OSHA for violations? If Yes, explain on the attachment.				Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>
26	Was there an inordinate number or severity of injuries? Explain on the attachment. If Yes, explain on the attachment.				Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>
27	Was the Contractor officially warned or cited for breach of U.S. Transportation Security Administration's standards or regulations? If "Yes", explain on the attachment.				Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>
28	Overall, how did the Contractor rate on safety issues? The score for this category must be consistent with the responses to the questions given above regarding safety issues and the assessment guidelines. Check 0, 1, 2, or 3.	0 <input type="checkbox"/>	1 <input type="checkbox"/>	2 <input checked="" type="checkbox"/>	3 <input type="checkbox"/>	

OVERALL RATING

Based on the weighting factors below, calculate the Contractor's overall score using the scores from the four categories above.

- | | | | |
|---|----------|----------|------------|
| 1. Enter Overall score from Question 7 | <u>2</u> | X 0.25 = | <u>0.5</u> |
| 2. Enter Overall score from Question 13 | <u>2</u> | X 0.25 = | <u>0.5</u> |
| 3. Enter Overall score from Question 18 | <u>2</u> | X 0.20 = | <u>0.4</u> |
| 4. Enter Overall score from Question 22 | <u>2</u> | X 0.15 = | <u>0.3</u> |
| 5. Enter Overall score from Question 28 | <u>2</u> | X 0.15 = | <u>0.3</u> |

TOTAL SCORE (Sum of 1 through 5): 2.0

OVERALL RATING: 2.0

- Outstanding: Greater than 2.5
Satisfactory: Greater than 1.5 & less than or equal to 2.5
Marginal: Between 1.0 & 1.5
Unsatisfactory: Less than 1.0

PROCEDURE:

The Resident Engineer will prepare the Contractor Performance Evaluation and submit it to the Supervising Civil Engineer. The Supervising Civil Engineer will review the Contractor Performance Evaluation to ensure adequate documentation is included, the Resident Engineer has followed the process correctly, the Contractor Performance Evaluation has been prepared in a fair and unbiased manner, and the ratings assigned by the Resident Engineer are consistent with all other Resident Engineers using consistent performance expectations and similar rating scales.

The Resident Engineer will transmit a copy of the Contractor Performance Evaluation to the Contractor. Overall Ratings of Outstanding or Satisfactory are final and cannot be protested or appealed. If the Overall Rating is Marginal or Unsatisfactory, the Contractor will have 10 calendar days in which they may file a protest of the rating. The Public Works Agency Assistant Director, Design & Construction Services Department, will consider a Contractor's protest and render his/her determination of the validity of the Contractor's protest. If the Overall Rating is Marginal, the Assistant Director's determination will be final and not subject to further appeal. If the Overall Rating is Unsatisfactory and the protest is denied (in whole or in part) by the Assistant Director, the Contractor may appeal the Evaluation to the City Administrator, or his/her designee. The appeal must be filed within 14 calendar days of the Assistant Director's ruling on the protest. The City Administrator, or his/her designee, will hold a hearing with the Contractor within 21 calendar days of the filing of the appeal. The decision of the City Administrator regarding the appeal will be final.

Contractors who receive an Unsatisfactory Overall Rating (i.e., Total Score less than 1.0) will be allowed the option of voluntarily refraining from bidding on any City of Oakland projects within one year from the date of the Unsatisfactory Overall Rating, or of being categorized as non-responsible for any projects the Contractor bids on for a period of one year from the date of the Unsatisfactory Overall Rating. Two Unsatisfactory Overall Ratings within any five year period will result in the Contractor being categorized by the City Administrator as non-

responsible for any bids they submit for future City of Oakland projects within three years of the date of the last Unsatisfactory overall rating.


Any Contractor that receives an Unsatisfactory Overall Rating is required to attend a meeting with the City Administrator, or his/her designee, prior to returning to bidding on City projects. The Contractor is required to demonstrate improvements made in areas deemed Unsatisfactory in prior City of Oakland contracts.

The Public Works Agency Contract Administration Section will retain the final evaluation and any response from the Contractor for a period of five years. The City shall treat the evaluation as confidential, to the extent permitted by law.

COMMUNICATING THE EVALUATION: *The Contractor's Performance Evaluation has been communicated to the Contractor. Signature does not signify consent or agreement.*


Contractor / Date 01/25/2013


Resident Engineer / Date 1/16/13


Supervising Civil Engineer / Date 1/16/13

**Schedule L-2
City of Oakland
Public Works Agency
CONTRACTOR PERFORMANCE EVALUATION**

Project Number/Title: C329113 / On-Call SS Emergency Projects FY 2010-2011

Work Order Number (if applicable): Purchase Order No. 201003326

Contractor: Andes Construction Inc.

Date of Notice to Proceed: 3/24/2010

Date of Notice of Completion: 12/14/2011

Date of Notice of Final Completion: 12/14/2011

Contract Amount: \$340,384.57

Evaluator Name and Title: Paul Tran, Resident Engineer for Julius Kales, RE

The City's Resident Engineer most familiar with the Contractor's performance must complete this evaluation and submit it to Manager, PWA Project Delivery Division, within 30 calendar days of the issuance of the Final Payment.

Whenever the Resident Engineer finds the Contractor is performing below Satisfactory for any category of the Evaluation, the Resident Engineer shall discuss the perceived performance shortfall at the periodic site meetings with the Contractor. An Interim Evaluation will be performed if at any time the Resident Engineer finds that the overall performance of a Contractor is Marginal or Unsatisfactory. An Interim Evaluation is required prior to issuance of a Final Evaluation Rating of Unsatisfactory. The Final Evaluation upon Final Completion of the project will supersede interim ratings.

The following list provides a basic set of evaluation criteria that will be applicable to all construction projects awarded by the City of Oakland that are greater than \$50,000. Narrative responses are required to support any evaluation criteria that are rated as Marginal or Unsatisfactory, and must be attached to this evaluation. If a narrative response is required, indicate before each narrative the number of the question for which the response is being provided. Any available supporting documentation to justify any Marginal or Unsatisfactory ratings must also be attached.

If a criterion is rated Marginal or Unsatisfactory and the rating is caused by the performance of a subcontractor, the narrative will note this. The narrative will also note the General Contractor's effort to improve the subcontractor's performance.

ASSESSMENT GUIDELINES:

Outstanding (3 points)	Performance among the best level of achievement the City has experienced.
Satisfactory (2 points)	Performance met contractual requirements.
Marginal (1 point)	Performance barely met the lower range of the contractual requirements or performance only met contractual requirements after extensive corrective action was taken.
Unsatisfactory (0 points)	Performance did not meet contractual requirements. The contractual performance being assessed reflected serious problems for which corrective actions were ineffective.

Unsatisfactory
Marginal
Satisfactory
Outstanding
Not Applicable

WORK PERFORMANCE

1	Did the Contractor perform all of the work with acceptable Quality and Workmanship?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
1a	If problems arose, did the Contractor provide solutions/coordinate with the designers and work proactively with the City to minimize impacts? If "Marginal or Unsatisfactory", explain on the attachment. Provide documentation.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
2	Was the work performed by the Contractor accurate and complete? If "Marginal or Unsatisfactory", explain on the attachment and provide documentation. Complete (2a) and (2b) below.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
2a	Were corrections requested? If "Yes", specify the date(s) and reason(s) for the correction(s). Provide documentation.			Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>	N/A <input type="checkbox"/>
2b	If corrections were requested, did the Contractor make the corrections requested? If "Marginal or Unsatisfactory", explain on the attachment. Provide documentation.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
3	Was the Contractor responsive to City staff's comments and concerns regarding the work performed or the work product delivered? If "Marginal or Unsatisfactory", explain on the attachment. Provide documentation.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
4	Were there other significant issues related to "Work Performance"? If Yes, explain on the attachment. Provide documentation.				Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>
5	Did the Contractor cooperate with on-site or adjacent tenants, business owners and residents and work in such a manner as to minimize disruptions to the public. If "Marginal or Unsatisfactory", explain on the attachment.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
6	Did the personnel assigned by the Contractor have the expertise and skills required to satisfactorily perform under the contract? If "Marginal or Unsatisfactory", explain on the attachment.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
7	Overall, how did the Contractor rate on work performance? The score for this category must be consistent with the responses to the questions given above regarding work performance and the assessment guidelines. Check 0, 1, 2, or 3.	0 <input type="checkbox"/>	1 <input type="checkbox"/>	2 <input checked="" type="checkbox"/>	3 <input type="checkbox"/>	

TIMELINESS

Unsatisfactory
Marginal
Satisfactory
Outstanding
Not Applicable

8	Did the Contractor complete the work within the time required by the contract (including time extensions or amendments)? If "Marginal or Unsatisfactory", explain on the attachment why the work was not completed according to schedule. Provide documentation.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
9	Was the Contractor required to provide a service in accordance with an established schedule (such as for security, maintenance, custodial, etc.)? If "No", or "N/A", go to Question #10. If "Yes", complete (9a) below.			Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>	N/A <input type="checkbox"/>
9a	Were the services provided within the days and times scheduled? If "Marginal or Unsatisfactory", explain on the attachment and specify the dates the Contractor failed to comply with this requirement (such as tardiness, failure to report, etc.). Provide documentation.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
10	Did the Contractor provide timely baseline schedules and revisions to its construction schedule when changes occurred? If "Marginal or Unsatisfactory", explain on the attachment. Provide documentation.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
11	Did the Contractor furnish submittals in a timely manner to allow review by the City so as to not delay the work? If "Marginal or Unsatisfactory", explain on the attachment. Provide documentation.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
12	Were there other significant issues related to timeliness? If yes, explain on the attachment. Provide documentation.				Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>
13	Overall, how did the Contractor rate on timeliness? The score for this category must be consistent with the responses to the questions given above regarding timeliness and the assessment guidelines. Check 0, 1, 2, or 3.	0 <input type="checkbox"/>	1 <input type="checkbox"/>	2 <input checked="" type="checkbox"/>	3 <input type="checkbox"/>	

FINANCIAL

Unsatisfactory
Marginal
Satisfactory
Outstanding
Not Applicable

14	Were the Contractor's billings accurate and reflective of the contract payment terms? If "Marginal or Unsatisfactory", explain on the attachment. Provide documentation of occurrences and amounts (such as corrected invoices).	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
15	Were there any claims to increase the contract amount? If "Yes", list the claim amount. Were the Contractor's claims resolved in a manner reasonable to the City? Number of Claims: _____ Claim amounts: \$ _____ Settlement amount: \$ _____				Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>
16	Were the Contractor's price quotes for changed or additional work reasonable? If "Marginal or Unsatisfactory", explain on the attachment. Provide documentation of occurrences and amounts (such as corrected price quotes).	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
17	Were there any other significant issues related to financial issues? If Yes, explain on the attachment and provide documentation.				Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>
18	Overall, how did the Contractor rate on financial issues? The score for this category must be consistent with the responses to the questions given above regarding financial issues and the assessment guidelines. Check 0, 1, 2, or 3.	0 <input type="checkbox"/>	1 <input type="checkbox"/>	2 <input checked="" type="checkbox"/>	3 <input type="checkbox"/>	

Unsatisfactory
Marginal
Satisfactory
Outstanding
Not Applicable

COMMUNICATION

19	Was the Contractor responsive to the City's questions, requests for proposal, etc.? If "Marginal or Unsatisfactory", explain on the attachment.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
20	Did the Contractor communicate with City staff clearly and in a timely manner regarding:					
20a	Notification of any significant issues that arose? If "Marginal or Unsatisfactory", explain on the attachment.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
20b	Staffing issues (changes, replacements, additions, etc.)? If "Marginal or Unsatisfactory", explain on the attachment.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
20c	Periodic progress reports as required by the contract (both verbal and written)? If "Marginal or Unsatisfactory", explain on the attachment.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
20d	Were there any billing disputes? If "Yes", explain on the attachment.				Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>
21	Were there any other significant issues related to communication issues? Explain on the attachment. Provide documentation.				Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>
22	Overall, how did the Contractor rate on communication issues? The score for this category must be consistent with the responses to the questions given above regarding communication issues and the assessment guidelines. Check 0, 1, 2, or 3.	0 <input type="checkbox"/>	1 <input type="checkbox"/>	2 <input checked="" type="checkbox"/>	3 <input type="checkbox"/>	

SAFETY

Unsatisfactory
Marginal
Satisfactory
Outstanding
Not Applicable

23	Did the Contractor's staff consistently wear personal protective equipment as appropriate? If "No", explain on the attachment.				Yes	No
					<input checked="" type="checkbox"/>	<input type="checkbox"/>
24	Did the Contractor follow City and OSHA safety standards? If "Marginal or Unsatisfactory", explain on the attachment.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
25	Was the Contractor warned or cited by OSHA for violations? If Yes, explain on the attachment.				Yes	No
					<input type="checkbox"/>	<input checked="" type="checkbox"/>
26	Was there an inordinate number or severity of injuries? Explain on the attachment. If Yes, explain on the attachment.				Yes	No
					<input type="checkbox"/>	<input checked="" type="checkbox"/>
27	Was the Contractor officially warned or cited for breach of U.S. Transportation Security Administration's standards or regulations? If "Yes", explain on the attachment.				Yes	No
					<input type="checkbox"/>	<input checked="" type="checkbox"/>
28	Overall, how did the Contractor rate on safety issues? The score for this category must be consistent with the responses to the questions given above regarding safety issues and the assessment guidelines. Check 0, 1, 2, or 3.	0	1	2	3	
		<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	

OVERALL RATING

Based on the weighting factors below, calculate the Contractor's overall score using the scores from the four categories above.

1. Enter Overall score from Question 7	<u>2.0</u>	X 0.25 =	<u>0.50</u>
2. Enter Overall score from Question 13	<u>2.0</u>	X 0.25 =	<u>0.50</u>
3. Enter Overall score from Question 18	<u>2.0</u>	X 0.20 =	<u>0.40</u>
4. Enter Overall score from Question 22	<u>2.0</u>	X 0.15 =	<u>0.30</u>
5. Enter Overall score from Question 28	<u>2.0</u>	X 0.15 =	<u>0.30</u>

TOTAL SCORE (Sum of 1 through 5): 2.0

OVERALL RATING: Satisfactory

Outstanding:	Greater than 2.5
Satisfactory	Greater than 1.5 & less than or equal to 2.5
Marginal:	Between 1.0 & 1.5
Unsatisfactory:	Less than 1.0

PROCEDURE:

The Resident Engineer will prepare the Contractor Performance Evaluation and submit it to the Supervising Civil Engineer. The Supervising Civil Engineer will review the Contractor Performance Evaluation to ensure adequate documentation is included, the Resident Engineer has followed the process correctly, the Contractor Performance Evaluation has been prepared in a fair and unbiased manner, and the ratings assigned by the Resident Engineer are consistent with all other Resident Engineers using consistent performance expectations and similar rating scales.

The Resident Engineer will transmit a copy of the Contractor Performance Evaluation to the Contractor. Overall Ratings of Outstanding or Satisfactory are final and cannot be protested or appealed. If the Overall Rating is Marginal or Unsatisfactory, the Contractor will have 10 calendar days in which they may file a protest of the rating. The Public Works Agency Assistant Director, Design & Construction Services Department, will consider a Contractor's protest and render his/her determination of the validity of the Contractor's protest. If the Overall Rating is Marginal, the Assistant Director's determination will be final and not subject to further appeal. If the Overall Rating is Unsatisfactory and the protest is denied (in whole or in part) by the Assistant Director, the Contractor may appeal the Evaluation to the City Administrator, or his/her designee. The appeal must be filed within 14 calendar days of the Assistant Director's ruling on the protest. The City Administrator, or his/her designee, will hold a hearing with the Contractor within 21 calendar days of the filing of the appeal. The decision of the City Administrator regarding the appeal will be final.


Contractors who receive an Unsatisfactory Overall Rating (i.e., Total Score less than 1.0) will be allowed the option of voluntarily refraining from bidding on any City of Oakland projects within one year from the date of the Unsatisfactory Overall Rating, or of being categorized as non-responsible for any projects the Contractor bids on for a period of one year from the date of the Unsatisfactory Overall Rating. Two Unsatisfactory Overall Ratings within any five year period will result in the Contractor being categorized by the City Administrator as non-

responsible for any bids they submit for future City of Oakland projects within three years of the date of the last Unsatisfactory overall rating.


Any Contractor that receives an Unsatisfactory Overall Rating is required to attend a meeting with the City Administrator; or his/her designee, prior to returning to bidding on City projects. The Contractor is required to demonstrate improvements made in areas deemed Unsatisfactory in prior City of Oakland contracts.

The Public Works Agency Contract Administration Section will retain the final evaluation and any response from the Contractor for a period of five years. The City shall treat the evaluation as confidential, to the extent permitted by law.

COMMUNICATING THE EVALUATION: *The Contractor's Performance Evaluation has been communicated to the Contractor. Signature does not signify consent or agreement.*

 5/20/13
Contractor / Date

 5/9/13
Resident Engineer / Date

 5/9/13
Supervising Civil Engineer / Date

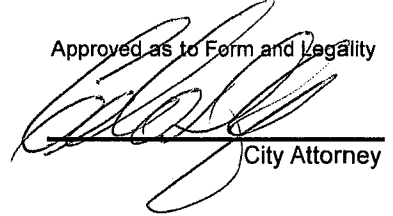
ATTACHMENT TO CONTRACTOR PERFORMANCE EVALUATION:

Use this sheet to provide any substantiating comments to support the ratings in the Performance Evaluation. Indicate before each narrative the number of the question for which the response is being provided. Attach additional sheets if necessary.

2015 MAR 12 PM 10:05

OAKLAND CITY COUNCIL

Approved as to Form and Legality



City Attorney

RESOLUTION No. _____ C.M.S.

Introduced by Councilmember _____

RESOLUTION AWARDING A CONSTRUCTION CONTRACT TO PACIFIC TRENCHLESS, INC., THE LOWEST RESPONSIVE AND RESPONSIBLE BIDDER, IN ACCORDANCE WITH PLANS AND SPECIFICATIONS FOR THE ON-CALL SANITARY SEWERS EMERGENCY PROJECTS FY 2014-15 (PROJECT NO. C455620) AND WITH CONTRACTOR'S BID IN THE AMOUNT OF ONE MILLION TWO HUNDRED EIGHTY-FIVE THOUSAND EIGHT HUNDRED TWENTY-FIVE DOLLARS (\$1,285,825.00)

WHEREAS, on January 29, 2015, three bids were received by the Office of the City Clerk of the City of Oakland for the On-Call Sanitary Sewers Emergency Projects FY 2014-15 (Project No. C455620); and

WHEREAS, the project was rebid because previous bids received on December 18, 2014 were deemed non responsive; and

WHEREAS, Pacific Trenchless, Inc., a certified SLBE bidding as a prime, is deemed the lowest responsive and responsible bidder for the project; and

WHEREAS, there are sufficient funds in the project budget for the work. Funding for this project is available in the following project account:

- Sewer Service Fund (3100); Capital Projects - Sanitary Sewer Design Organization (92244); Sewers Account (57417); Project No. C455620; \$1,285,825.00; and these funds were specifically allocated for this project; this project will help reduce the amount of sanitary sewer maintenance requirement; and

WHEREAS, the City Council finds and determines based on the representations set forth in the City Administrator's report accompanying this Resolution that the construction contract approved hereunder is temporary in nature; and

WHEREAS, the City lacks the equipment and qualified personnel to perform the necessary work, that the performance of this contract is in the public interest because of economy or better performance and that this contract is of a professional, scientific or technical nature; and

WHEREAS, Pacific Trenchless, Inc. complies with all LBE/SLBE and trucking requirements; and

WHEREAS, the City Council finds and determines that the performance of this contract shall not result in the loss of employment or salary by any person having permanent status in the competitive service now, therefore, be it

RESOLVED: That the City Administrator is authorized to award a construction contract to Pacific Trenchless, Inc., the lowest responsive and responsible bidder, in accordance with plans and specifications for the On-Call Sanitary Sewers Emergency Projects FY 2014-15 (Project No. C455620) and with contractor's bid in the amount of One Million Two Hundred Eighty-Five Thousand Eight Hundred Twenty-Five Dollars (\$1,285,825.00) dated January 29, 2015; and be it

FURTHER RESOLVED: That the amount of the bond for faithful performance bond, \$1,285,825.00, and the bond to guarantee payment of all claims for labor and materials furnished and for the amount under the Unemployment Insurance Act, \$1,285,825.00, with respect to such work are hereby approved; and be it

FURTHER RESOLVED: That the City Administrator, or designee, is hereby authorized to enter into a contract with Pacific Trenchless, Inc. on behalf of the City of Oakland and to execute any amendments or modifications of the contract within the limitations of the project specifications; and be it

FURTHER RESOLVED: That the City Administrator, or designee, is hereby authorized to negotiate with the second lowest bidder and/or next lowest bidder for the same awarded amount, if Pacific Trenchless, Inc. fails to return the complete signed contract documents and supporting documents within the days specified in the Special Provision without going back to City Council; and be it

FURTHER RESOLVED: That the plans and specifications prepared for this project, including any subsequent changes during construction, that will be reviewed and adopted by the Director, or his/her designee, are hereby approved; and be it

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

FURTHER RESOLVED: That the 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, _____, 20_____

PASSED BY THE FOLLOWING VOTE:

AYES - BROOKS, CAMPBELL WASHINGTON, GALLO, GUILLEN, KALB, KAPLAN, REID, and PRESIDENT GIBSON MCELHANEY

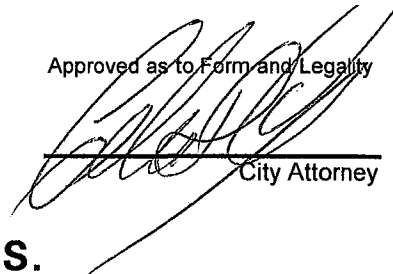
NOES -

ABSENT -

ABSTENTION -

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

OAKLAND CITY COUNCIL



City Attorney

2015 MAR 12 PM 10:05

RESOLUTION No. _____ C.M.S.

Introduced by Councilmember _____

RESOLUTION AWARDING A CONSTRUCTION CONTRACT TO ANDES CONSTRUCTION, INC., THE LOWEST RESPONSIVE AND RESPONSIBLE BIDDER, IN ACCORDANCE WITH PLANS AND SPECIFICATIONS FOR THE REHABILITATION OF SANITARY SEWERS IN WEST GRAND AVENUE BETWEEN WOOD STREET AND SAN PABLO AVENUE, AND IN 20TH STREET BETWEEN BROADWAY AND HARRISON STREET (PROJECT NO. C329142) AND WITH CONTRACTOR'S BID IN THE AMOUNT OF FIVE MILLION NINE HUNDRED TWENTY-SEVEN THOUSAND FIVE HUNDRED SEVENTY-SEVEN DOLLARS (\$5,927,577.00)

WHEREAS, on February 5, 2015, three bids were received by the Office of the City Clerk of the City of Oakland for the Rehabilitation of Sanitary Sewers in West Grand Avenue between Wood Street and San Pablo Avenue, and in 20th Street between Broadway and Harrison Street (Project No. C329142); and

WHEREAS, the project was rebid because previous bids received on December 11, 2014 were deemed non responsive; and

WHEREAS, Andes Construction, Inc., a certified SLBE bidding as a prime, is deemed the lowest responsive and responsible bidder for the project; and

WHEREAS, there are sufficient funds in the project budget for the work. Funding for this project is available in the following project account:

- Sewer Service Fund (3100); Capital Projects - Sanitary Sewer Design Organization (92244); Sewers Account (57417); Project No. C329142; \$5,927,577.00; and these funds were specifically allocated for this project; this project will help reduce the amount of sanitary sewer maintenance requirement; and

WHEREAS, the City Council finds and determines based on the representations set forth in the City Administrator's report accompanying this Resolution that the construction contract approved hereunder is temporary in nature; and

WHEREAS, the City lacks the equipment and qualified personnel to perform the necessary work, that the performance of this contract is in the public interest because of economy or better performance and that this contract is of a professional, scientific or technical nature; and

WHEREAS, Andes Construction, Inc. complies with all LBE/SLBE and trucking requirements; and

WHEREAS, the City Council finds and determines that the performance of this contract shall not result in the loss of employment or salary by any person having permanent status in the competitive service now, therefore, be it

RESOLVED: That the City Administrator is authorized to award a construction contract to Andes Construction, Inc., the lowest responsive and responsible bidder, in accordance with plans and specifications for the Rehabilitation of Sanitary Sewers in West Grand Avenue between Wood Street and San Pablo Avenue, and in 20th Street between Broadway and Harrison Street (Project No. C329142) and with contractor's bid in the amount of Five Million Nine Hundred Twenty-Seven Thousand Five Hundred Seventy-Seven Dollars (\$5,927,577.00) dated February 05, 2015; and be it

FURTHER RESOLVED: That the amount of the bond for faithful performance bond, \$5,927,577.00, and the bond to guarantee payment of all claims for labor and materials furnished and for the amount under the Unemployment Insurance Act, \$5,927,577.00, with respect to such work are hereby approved; and be it

FURTHER RESOLVED: That the City Administrator, or designee, is hereby authorized to enter into a contract with Andes Construction, Inc. on behalf of the City of Oakland and to execute any amendments or modifications of the contract within the limitations of the project specifications; and be it

FURTHER RESOLVED: That the City Administrator, or designee, is hereby authorized to negotiate with the second lowest bidder and/or next lowest bidder for the same awarded amount, if Andes Construction, Inc. fails to return the complete signed contract documents and supporting documents within the days specified in the Special Provision without going back to City Council; and be it

FURTHER RESOLVED: That the plans and specifications prepared for this project, including any subsequent changes during construction, that will be reviewed and adopted by the Director, or designee, are hereby approved; and be it

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

FURTHER RESOLVED: That the 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, _____, 20_____

PASSED BY THE FOLLOWING VOTE:

AYES - BROOKS, CAMPBELL WASHINGTON, GALLO, GUILLEN, KALB, KAPLAN, REID, and PRESIDENT GIBSON MCELHANEY

NOES -

ABSENT -

ABSTENTION -

ATTEST: _____

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