

CITY OF OAKLAND
COUNCIL AGENDA REPORT

FILED
OFFICE OF THE CITY CLERK
OAKLAND

2004 APR 28 PM 5:13

To: Office of the City Manager
Attn: Deborah Edgerly
From: Public Works Agency
Date: May 11, 2004

Re: RESOLUTION AUTHORIZING THE CITY MANAGER TO AWARD A CONSTRUCTION CONTRACT TO AMERICAN CIVIL CONSTRUCTORS, INC., FOR THE GARFIELD PARK FIELD REPAIR (PROJECT NO. C196610) IN THE AMOUNT OF ONE HUNDRED SIXTY TWO THOUSAND FOUR HUNDRED AND TWENTY-SEVEN DOLLARS (\$162,427)

SUMMARY

A resolution has been prepared authorizing the City Manager, or her designee, to award a construction contract to American Civil Constructors, Inc., for the Garfield Park Field Repair project (Project No. C196610) in the amount of \$162,427. American Civil Constructors, Inc., is the lowest responsible bidder and has met the City Local Business Program goals. Funds are available for this contract.

This project is consistent with the Mayoral and City Council Goal to "Maintain and Enhance Oakland's Physical Assets" by developing and improving quality open space and public parks. The project is located in Council District 2.

FISCAL IMPACT

This resolution will authorize a \$162,427 contract with American Civil Constructors, Inc. The construction budget for the project is \$180,000, which includes a contingency of \$17,573. Funding for the contract and contingency are available from the Municipal Improvement Capital Fund in the amount of \$130,000 (Fund No. 5500, Project No. C196610, Organization No. 92270, Account No. 57212) and from the Oakland Raiders' ticket surcharge funds in the amount of \$50,000 (Fund No. 1010, Project No. P43300, Organization No. 509290, Account No. 52511). The Oakland Raiders' ticket surcharge funds is a part of the 1995 Master Agreement between the Coliseum and the Raiders that a \$1.00 per ticket surcharge was created on all tickets sold for Raiders football games. The proceeds of this surcharge are to be distributed to the City and County to benefit youth activities and to fund the on-going maintenance of ballfields. The Contract Compliance fee and Public Art fee will be assessed in Project No. C196610. Since this project is to repair the existing field, batting cage and irrigation system, there will be no additional operational and maintenance costs as a result of this project. Drainage improvements should actually reduce some maintenance costs.

Item: 10
Public Works Committee
5-11-04

BACKGROUND

On March 29, 2004, three bids were received by the City Clerk for the project. American Civil Constructors, Inc. (Benicia), Bay Construction Company (Oakland), and Ray's Electric (Oakland) submitted base bids of \$162,427, \$190,000, and \$233,000 respectively. The revised construction estimate is \$143,750 and does include the installation of a new sod field (in lieu of seeding) and the addition of soil amendments for the entire play field. The bid amount of \$162,427 from the lowest bidder, American Civil Constructors, Inc., is within the project budget, and they have met the City's LBE/SLBE and local trucking programs. American Civil Constructors, Inc., is recommended for award of the construction contract.

There will be LBE/SLBE participation of \$33,180 (20.4%), which exceeds the 20% LBE/SLBE requirements. There will also be \$2,000 (100%) in local trucking participation for this project. 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 Contract Compliance & Employment Services Division of the City Manager's Office and is shown on *Attachment A*.

The overall scope of the project consists of the re-grading of the existing playing field, the installation of a new subsurface drainage system, renovation of the infield area, installation of new sod, repair of the batting cage and modification/repair of the irrigation system.

KEY ISSUES AND IMPACTS

Garfield Park is heavily used by the community and the adjoining Garfield Elementary School, especially during the school year. It is important that the construction start at the beginning of the summer recess to minimize the disruption to the school activities. Upon approval of the resolution, a contract will be executed and construction will start in June 2004. The project duration is 45 working days from the date of the Notice to Proceed and completion is anticipated in August 2004, followed by a 90-day plant establishment and maintenance period. The construction contract specifies \$500 in liquidated damages per calendar day if the contract completion time of 45 working days is exceeded.

SUSTAINABLE OPPORTUNITIES

Economic: The project will generate business tax, sales tax, and other revenues for the City by those who work on the project.

Environmental: The contractor will be required to use recyclable construction materials to the extent feasible and is required to recycle construction debris.

Social Equity: The proposed project will provide a safe and improved playing field that can be enjoyed by the neighborhood, especially the school children.

DISABILITY AND SENIOR CITIZEN ACCESS

The project will improve the accessibility to persons with disabilities and senior citizens. All improvements related to the new construction will comply with the Americans with Disabilities Act (ADA).

RECOMMENDATION AND RATIONALE

It is recommended that the City Manager, or her designee, be authorized to award a construction contract for the Garfield Park Field Repair to American Civil Constructors, Inc., in the amount of One Hundred Sixty Two Thousand Four Hundred and Twenty-Seven Dollars (\$162,427). American Civil Constructors, Inc., has met the City's local business requirements, and there are sufficient funds in the project account.

ACTION REQUESTED OF THE CITY COUNCIL

Staff recommends that the City Council approve the resolution.

Respectfully submitted,



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

Reviewed by:
David Lau, P.E.
Division Manager
Project Delivery Division

Prepared by:
Jadia Wu, AIA
CIP Coordinator
Project Delivery Division

APPROVED AND FORWARDED
TO THE PUBLIC WORKS COMMITTEE


OFFICE OF THE CITY MANAGER

Memorandum

To: Gwen McCormick, PWA--Contract Administration
CC: Shelley Darensburg
From: Deborah Barnes, Contract Compliance & Employment Services MB
Date: April 6, 2004
Regarding: Compliance Evaluation --Garfield Park Field Repair
Project No. C196610

Contract Compliance & Employment Services (CC&ES) reviewed the three bids received for the above referenced project.

An analysis of the L/SLBE Participation, beginning with the lowest bidder is as follows:

<u>Company Name</u>	<u>LBE</u>	<u>SLBE</u>	<u>Total</u>	<u>Bid Discounts</u>
American Civil Constructors	5.2%	15.2%	20.4%	2%
Bay Construction	0%	74.2%	74.2%	5%
Ray's Electric	0%	38.5%	38.5%	3%

As noted above, all three bidders met the 20% L/SLBE requirement. Therefore, all bids are responsive as it relates to the L/SLBE Program.

If you have any questions or need additional information, please contact me at 238-6270 or Shelley Darensburg, the Contract Compliance Officer assigned to this project at 238-7325.

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LBE/SLBE Participation Bidder 1

Project Name: **Garfield Park Field Repair**

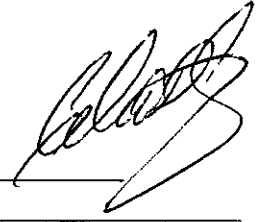
Project No.: C196610		Engineers Estimate: 100,530			Under/Over Engineers Estimate: -61,897.00							
Discipline	Prime & Subs	Location	Cert. Status	LBE	SLBE	LOCAL TRUCKING	TOTAL TRUCKING	TOTAL LBE/SLBE	TOTAL Dollars	For Tracking Only		
										Ethn.	MBE	WBE
PRIME	American Civil Constructors	Benicia	UB						129,247			
Landscape	Sundance Landscape	Oakland	CB		22,680			22,680	22,680			
Concrete Site Work	J.H. Fitzmaurice, Inc.	Oakland	CB	8,500				8,500	8,500			
Trucking	Williams Trucking	Oakland	CB		2,000	2,000	2,000	2,000	2,000			
Project Totals				8,500	\$24,680	\$2,000	\$2,000	\$33,180	\$162,427		0	0
				5.2%	15.2%	100%	100%	20.4%	100%		0%	0%
										Ethnicity AA = African American A = Asian C = Caucasian H = Hispanic NA = Native American O = Other		
Requirements: The 20% requirements is a combination of 10% LBE and 10% SLBE participation. An SLBE firm can be counted 100% towards achieving 20% requirement. LBE firms can only be counted up to 10% of the total contract amount.				LBE 10% MAX CREDIT	SLBE 10%	TRUCKING 20%		LBE/SLBE 20%				
Legend				LBE = Local Business Enterprise SLBE = Small Local Business Enterprise Total LBE/SLBE = All Certified Local and Small Local Businesses NPLBE = NonProfit Local Business Enterprise NPSLBE = NonProfit Small Local Business Enterprise UB = Uncertified Business CB = Certified Business MBE = Minority Business Enterprise WBE = Women Business Enterprise								

FILED
OFFICE OF THE CITY CLERK
OAKLAND

OAKLAND CITY COUNCIL

RESOLUTION No. _____ C.M.S.

2004 APR 28 PM 5:11
INTRODUCED BY COUNCILMEMBER _____



Requires the two-thirds vote of the Council

RESOLUTION AUTHORIZING THE CITY MANAGER TO AWARD A CONSTRUCTION CONTRACT TO AMERICAN CIVIL CONSTRUCTORS, INC., FOR THE GARFIELD PARK FIELD REPAIR (PROJECT NO. C196610) IN THE AMOUNT OF ONE HUNDRED SIXTY TWO THOUSAND FOUR HUNDRED AND TWENTY-SEVEN DOLLARS (\$162, 427)

WHEREAS, on March 29, 2004, three bids were received by the Office of the City Clerk for the Garfield Park Field Repair project; and

WHEREAS, American Civil Constructors is the lowest responsible bidder and has met the City's S/LBE and local trucking program requirements; and

WHEREAS, there are sufficient funds of \$180,000, including \$17,573 for contingency, in the project budget for the work; and

WHEREAS, funding for the contract and contingency are available from the Capital Improvement Fund in the amount of \$130,000 (Fund No. 5500, Project No. C196610, Organization No. 92270, Account No. 57212) and from the Raider Funds in the amount of \$50,000 (Fund No. 1010, Project No. P43300, Organization No. 509290, Account No. 52511); and

WHEREAS, 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 is in the public interest because of economy; and

WHEREAS, the City Council finds that services under this contract will be temporary; and

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

RESOLVED: That the City Manager, or her designee, is hereby authorized to award a construction contract on behalf of the City of Oakland for the Garfield Park Field Repair project to American Civil Constructors, Inc., in the amount of One Hundred Sixty Two Thousand Four Hundred and Twenty-Seven Dollars (\$162,427) and to execute any amendments or modifications of said contract within the limitations of the project specifications; and be it

FURTHER RESOLVED: That the City Manager is hereby authorized to reject all other bids; and be it

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MAY 11 2004

FURTHER RESOLVED: The amount of the bond for faithful performance, \$162,427, and the amount for a bond to guarantee payment of all claims for labor and material furnished and for the amount due under the Unemployment Insurance Act, \$162,427, with respect to such work are hereby approved; and be it

FURTHER RESOLVED: That the contract shall be reviewed and approved by the City Attorney and placed on file in the Office of the City Clerk; and be it

FURTHER RESOLVED: That the approval of this Resolution requires a two-thirds vote of the Council members.

IN COUNCIL, OAKLAND, CALIFORNIA, _____, 2004

PASSED BY THE FOLLOWING VOTE:

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

NOES-

ABSENT-

ABSTENTION-

ATTEST: _____
CEDA FLOYD
City Clerk and Clerk of the Council
of the City of Oakland, California

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MAY 11 2004