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 OFFICE OF THE CITY CLERK
 OAKLAND, CA
 2012 OCT 11 PM 2:03

AGENDA REPORT

TO: DEANNA J. SANTANA
 CITY ADMINISTRATOR

FROM: Vitaly B. Troyan, P.E.

SUBJECT: Award Sewer Construction Contract

DATE: September 11, 2012

City Administrator
 Approval

Date

10/10/12

COUNCIL DISTRICT: 6

RECOMMENDATION

Staff recommends that the City Council adopt a resolution awarding a construction contract to Pacific Trenchless, Inc. for the Rehabilitation of Sanitary Sewers in the Area Bounded by Mountain Boulevard, Greenridge Drive, and Keller Avenue (Sub-Basin 85-502 – Project No. C312510) in the amount of One Million Three Hundred Twenty Thousand Three Hmdred Ninety-Four Dollars (\$1,320,394.00).

OUTCOME

Approval of this resolution will authorize the City Administrator to execute a construction contract with Pacific Trenchless, Inc. in the amount of \$1,320,394.00. The work to be completed under this project is part of the City's annual Sanitary Sewer Rehabilitation program. The work is located in Council District 6 as shown in *Attachment A*.

This project will rehabilitate existing sewer pipes, reduce rain-related sewer overflows, and improve sewer pipe conditions in the area.

BACKGROUND/LEGISLATIVE HISTORY

On August 16, 2012, the City Clerk received three bids for this project.

Company	Location	Bid Amount
Pacific Trenchless, Inc.	Oakland	\$1,320,394.00
J. Howard Engineering, Inc.	Burlingame	\$1,388,410.00
Andes Construction, Inc	Oakland	\$1,421,027.00
Engineer's Estimate		\$1,496,670.00

Pacific Trenchless, Inc. is deemed the lowest responsive and responsible bidder, and therefore is recommended for the award.

Item: _____
 Public Works Committee
 October 23, 2012

The project is required as part of a program mandated by the California State Water Resources Control Board to reduce the infiltration and inflow of storm water into the sanitary sewer system, thus reducing wet-weather sewer overflows.

ANALYSIS

Construction is scheduled to begin in December 2012 and should be completed by September 2013. The contract specifies \$1,000.00 in liquidated damages per calendar day if the contract is not completed within 200 working days. The project schedule is shown in *Attachment B*.

Under the proposed contract with Pacific Trenchless, Inc., Local Business Enterprise/Small Local Business Enterprise (LBE/SLBE) participation of \$1,110,55.00 (87.75%) exceeds the City's 50% LBE/SLBE requirement. The contractor shows \$12,000.00 (100%) for trucking, exceeding the 50% Local Trucking 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 C*.

Staff has reviewed the submitted bid for this work and has determined that the bid is reasonable for the current construction climate.

PUBLIC OUTREACH/INTEREST

The project area improvement and merchants associations have been notified in writing about this project. The project is in a residential area and residents will be notified before construction. Notices will include a description of the work, schedule, and City and Contractor contact information.

COORDINATION

Offices consulted in the preparation of this report are the following:

- Office of the City Attorney
- City Budget Office
- Public Works Agency – Department of Infrastructure and Operations

COST SUMMARY/IMPLICATIONS

Approval of this resolution will authorize the City Administrator to award a construction contract to Pacific Trenchless, Inc. in the amount of \$1,320,394.00.

Item: _____
Public Works Committee
October 23, 2012

1. AMOUNT OF RECOMMENDATION/COST OF PROJECT:
The Engineer's estimate for the work is \$1,496,670.00.
The contractor bid price is \$1,320,394.00.
2. COST ELEMENTS OF AGREEMENT/CONTRACT: \$1,320,394.00
3. SOURCE OF FUNDING:

FUNDING SOURCE	AMOUNT
Sewer Service Fund (3100); Capital Project – Sanitary Sewer Design Organization (92244); Sewers Account (57417); Project C312510	\$1,320,394.00

4. FISCAL IMPACT:

Approval of this resolution will authorize the City Administrator to award a construction contract to Pacific Trenchless, Inc. in the amount of \$1,320,394.00. This project will rehabilitate existing sewer pipes, reduce rain-related sewer overflows, and 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 included as **Attachment D**.

SUSTAINABLE OPPORTUNITIES

Economic: The contractor is 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 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, 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. The contractor will be required to make every effort to reuse clean fill materials and use recyclable concrete and asphalt products. Best Management Practices for the protection of storm water runoff during construction will be required.

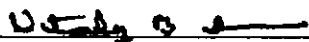
Social Equity: This project is part of the citywide program to eliminate wastewater overflows, thereby benefiting all Oakland residents.

CEQA

A Negative Declaration for sewer rehabilitation projects was adopted by Ordinance No. 10876 C.M.S. and with approval by City Council on June 23, 1987.

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

Respectfully submitted,


VITALY B. TROYAN, P.E.
Director, Public Works Agency

Reviewed by:
Michael Neary, P.E., Assistant Director,
PWA, Department of Engineering and Construction

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

Prepared by:
Allen Law, P.E., Supervising Civil Engineer
Engineering Design & R.O.W. Management Division

Attachments:

- Attachment A – Project Location Map
- Attachment B – List of Bidders and Project Construction Schedule
- Attachment C – Contracts & Compliance Unit Compliance Evaluation
- Attachment D – Contractor Performance Evaluation

Item: _____
Public Works Committee
October 23, 2012

Attachment A

*Rehabilitation of Sanitary Sewers in the Area Bounded by Mountain Boulevard,
Greenridge Drive, and Keller Avenue (Sub-Basin 85-502 - Project No. C312510)*

Project Location



Attachment C

Rehabilitation of Sanitary Sewers in the Area Bounded by Mountain Boulevard, Greenridge Drive, and Keller Avenue (Sub-Basin 85-502)

**Department of Contracting and Purchasing
Compliance Evaluation**



INTER OFFICE MEMORANDUM

CITY OF OAKLAND

TO: Jimmy Mach
Civil Engineer

FROM: Deborah Barnes

SUBJECT: Compliance Analysis
For Rehabilitation of Sanitary Sewers
Bounded by Mountain Boulevard, Greenridge
Drive and Keller Avenue (Sub-Basin 85-502)
Project No. C312510

DATE: September 11, 2012

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 spreadsheet below 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/VSLBE/LPG	LBE	SLBE	VSLBE/LPG	L/SLBE Trucking	Total Credited participation	Earned Bid Discounts	Adjusted Bid Amount	
	A	B	C						D	E	F	
Pacific Trenchless, Inc.	\$1,320,394	\$54,839	\$1,265,555	87.75%	1.19%	86.57%	0.00%	100%	87.75%	5%	\$1,257,116.25	Y
J. Howard Engineering, Inc	\$1,368,410	\$58,377	\$1,330,033	88.65%	2.33%	86.32%	0.00%	100%	88.65%	5%	\$1,321,908.35	Y
Andes Construction, Inc.	\$1,421,027	\$125,599	\$1,295,428	90.81%	0.62%	88.65%	3.08%	100%	92.35%	5%	\$1,356,255.60	Y

Comments: As noted above, all firms exceeded the minimum 50% Local/Small Local Business Enterprise participation requirement. All firms are EBO compliant. Per the L/SLBE program VSLBE/LPG participation has been double counted towards meeting the requirement.

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, Inc
 Project Name: Rehab of SS in the Area off Alvarado Road ... Evergreen
 Project No: C282811

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
1002	0	50%	501	100%	501	0	0	100%	150	15%	150	0

Comments: Pacific Trenchless Construction exceeded the Local Employment Program's 50% resident hiring goal with 100% resident employment and met the 15% Oakland Apprenticeship Program goals with 75 on-site hours and 75 off-site hours.

Shelley Orensburg for
 Deborah Barnes, Manager
 Contracts and Compliance

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

CONTRACTS AND COMPLIANCE UNIT



Contract Compliance Division

PROJECT EVALUATION FORM

PROJECT NO.: C312510

PROJECT NAME: Rehabilitation of Sanitary Sewers Bounded by Mountain Boulevard, Greenridge Drive and Keller Avenue(Sub-Basin 85-502)

CONTRACTOR: Pacific Trenchless, Inc.

	<u>Contractors' Original Bid</u>		<u>Over/Under Engineer's</u>
<u>Engineer's Estimate:</u>	<u>Amount</u>	<u>Specialty Dollar Amount</u>	<u>Estimate</u>
\$1,496,670.00	\$1,320,394.00	\$54,839.00	\$176,276.00

<u>Discounted Bid Amount:</u>	<u>Amount of Bid Discount</u>	<u>Non-Specialty Bid Amt.</u>	<u>Discount Points:</u>
\$1,257,116.25	\$63,277.75	\$1,265,555.00	5%

- 1. Did the 50% requirements apply? YES
- 2. Did the contractor meet the 50% requirement? YES
 - b) % of LBE participation 1.19%
 - c) % of SLBE participation 86.57%
 - 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) 5%
- 5. Additional Comments.

Bid item # 7 is considered specialty work and was 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.

9/11/2012
Date

Reviewing Officer:

Shelley Harg

Date:

9/11/2012

Approved By:

Shelley Darenburg

Date:

9/11/2012

BIDDER 1

Project Name: **Rehabilitation of Sanitary Sewers Bounded by Mountain Boulevard, Greenridge Drive and Keller Avenue (Sub-Basin 85-502)**

0312610		Engineers Est: \$1,496,670.00				Under/Over Engineers Estimate: \$176,276.00					For Tracking Only				
Discipline	Prime & Subs	Location	Cert. Status	LBE	SLBE	**VSLBE/LPG	Total	L/SLBE	Total	*Non-Specialty Bid Amount	TOTAL Original Bid Amount	Ethn.	MBE	WBE	
							LBE/SLBE	Trucking	Trucking	Dollars					
PRIME Trucking Grind & Pave	Pacific Trenchless, Inc.	Oakland	CB		1,053,555		1,053,555			1,053,555	1,054,324	C			
	Williams Trucking	Oakland	CB		12,000		12,000	12,000	12,000	12,000	12,000	AA	12,000		
	AJW Construction	Oakland	CB		30,000		30,000			30,000	30,000	H	30,000		
HOPE Pipe MH	P&F Distributors	Brisbane	UB							130,000	130,000	C			
Materials Pipe Couplings Manhole Lining	US Concrete, Inc.	Livermore	UB							12,000	12,000	C			
	Mission Clay Products	Oakland	CB	15,000			15,000			15,000	15,000	C			
CIPP	Contech of California	Stockton	UB							13,000	13,000	C			
	Chstian Brothers Lining/Co	Aua Dulce	UB								54,070	C			
Project Totals				\$15,000	\$1,095,555	\$0.00	\$1,110,555	\$12,000	\$12,000	\$1,265,555	\$1,320,394		\$42,000	\$0	
				1.19%	86.57%	0.00%	87.75%	100%	100%	100%	100%		3.32%	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					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 = Vary 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.: C312510

PROJECT NAME: Rehabilitation of Sanitary Sewers Bounded by Mountain Boulevard, Greenridge Drive and Keller Avenue(Sub-Basin 85-502)

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>
\$1,496,670.00	\$1,386,410.00	\$68,377.00	\$108,260.00

<u>Discounted Bid Amount:</u>	<u>Amount of Bid Discount</u>	<u>Non-Specialty Bid Amt.</u>	<u>Discount Points:</u>
\$1,321,908.36	\$66,501.65	\$1,330,033.00	5%

1. Did the 50% requirements apply? YES
2. Did the contractor meet the 50% requirement? YES
 - b) % of LBE participation 2.33%
 - c) % of SLBE participation 66.32%
 - 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) 5.00%
5. Additional Comments.

Bid Item #7 is considered specialty work and was 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.

9/11/2012

Date

Reviewing Officer:

Suzanne H. [Signature]

Date:

9/11/2012

Approved By:

Shelley Darenburg

Date:

9/11/2012

LBE/SLBE PARTICIPATION

BIDDER 2

Project Name: **Rehabilitation of Sanitary Sewers Bounded by Mountain Boulevard, Greenridge Drive and Keller Avenue(Sub-Basin 85-502)**

Project No.: C312510		Engineers Est \$1,49E,679.00					Under/Over Engineers Estimate: \$108,260.00					For Tracking Only			
Discipline	Prima & Subs	Location	Carl Status	LBE	SLBE	**VSLBE/LPG	Total	L/SLBE	Total	*Non-Specialty	TOTAL Original	Ethn.	MBE	WBE	
							LBE/SLEE	Trucking	Trucking	Bid Amount	Bid Amount				
PRIME	J. Howard Engineering, Inc.	Oakland	CB		1,094,033		1,094,033			1,094,033	1,087,033	C			
Trucking	Williams Trucking	Oakland	Ca		19,000		19,000	19,000	19,000	19,000	19,000	AA	19,000		
Trucking	CJC Trucking	Oakland	CB		19,000		19,000	18,000	19,000	19,000	19,000	AA	19,000		
Saw Cutting	Bay Line	Berkeley	UB							6,000	6,000	H	6,000		
CIPP	Instuform Tech	Antelope	UB								85,377	C			
HDPE Pipe	P & F Distributors	Brisbane	UB							126,000	126,000	C			
Manhole Materials	U.S. Concrete	Livermore	UB							10,000	10,000	C			
Pipe Couplings	Mission Clay	Oakland	CB	17,000			17,000			17,000	17,000	C			
Readymix Concrete	Right Away Ready	Oakland	Ca	14,000			14,000			14,000	14,000	C			
Recycle Mat.	Inner City	Oakland	CB		16,000		16,000			16,000	16,000	C			
Manhole Lining	Contech of CA	Stockton	UB							9,000	9,000	C			
Project Totals				\$31,000	51,148,033	\$0	\$1,179,033	\$38,000	\$38,000	\$1,330,033	\$1,388,410		\$44,000.00	\$0.00	
				2.33%	86.32%	0.00%	88.65%	100%	100%	100%	100%		3.17%	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 MSE = 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.: C312510

PROJECT NAME: Rehabilitation of Sanitary Sewers Bounded by Mountain Boulevard, Greenridge Drive and Keller Avenue(Sub-Basin 85-502)

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>
\$1,496,670.00	\$1,421,027.00	\$125,599.00	\$75,643.00

<u>Discounted Bid Amount:</u>	<u>Amount of Bid Discount</u>	<u>Non-Specialty Bid Amt</u>	<u>Discount Points:</u>
\$1,356,256.60	\$64,771.40	\$1,295,428.00	5%

1. Did the 50% requirements apply? YES
2. Did the contractor meet the 50% requirement? YES
 - b) % of LBE participation 0.62%
 - c) % of SLBE participation 88.65%
 - d) % of VSLBE/LPG participation 3.08%
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) 5.00%
5. Additional Comments.

Bid item #7 is considered specialty work and was 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 1.54%, however per the L/SLBE Program a VSLBE/LPG's participation is double counted towards meeting the requirement

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

9/11/2012
Date

Reviewing Officer:

[Signature]

Date:

9/11/2012

Approved By:

[Signature]

Date:

9/11/2012

LBE/SLBE PARTICIPATION

BIDDER 3

Project Name: **Rehabilitation of Sanitary Sewers Bounded by Mountain Boulevard, Greenridge Drive and Keller Avenue(Sub-Basin 85-502)**

C312S10		Engineers Est: \$1,496,670.00					Under/Over Engineers Estimate: \$75,643.00					For Tracing Only			
Disciplina	Prime & Subs	Location	Cert Status	LBE	SLBE	**VSLBE/LPG	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		1,133,428		1,133,428			1,133,428	1,244,527	H	1,133,428		
Saw Curing	Bay Line	Berkeley	UB							5,000	5,000	H	5,000		
Trucking	Foston Trucking	Oakland	CB		10,000		10,000	10,000	10,000	10,000	10,000	AA	10,000		
Precast	U.S. Concrete	Livermore	UB							15,000	15,000	C			
HDPE Pipe	ISCO	Louisville	UB							80,000	80,000	C			
Pipe Fittings	Mission Clay	Oakland	CB	3,000			3,000			3,000	3,000	C			
Rehab Mat.	Contech	Stockton	UB							9,000	9,000	C			
AC Mat.	Gallagher & Burk	Oakland	CB			20,000	20,000			20,000	20,000	C			
OR Mat.	Outra Material	San Rafael	UB							3,000	3,000	C			
Concrete															
Material	Right Away Ready	Oakland	CB	5,000			5,000			5,000	5,000	C			
Felt Mat.	Masterliners	Hammond	UB								6,000	C			
Resin Mat	Composites	Sacramento	UB								8,500	C			
Pip fittings	Greogers	Hayward	UB							\$2,000	\$2,000	C			
AB Material	Inner-City	Oakland	CB		\$5,000		\$5,000			\$10,000	\$10,000	C			
Project Totals				\$8,000	\$1,148,428	\$20,000.00	\$1,178,428	\$10,000	\$10,000	\$1,295,428	\$1,421,027		\$1,148,428	\$0	
				0.82%	88.85%	1.54%	90.81%	100.00%	100.00%	100.00%	100.00%		88.85%	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				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 CA = 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 1.54%; 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.

Attachment D

Rehabilitation of Sanitary Sewers in the Area Bounded by Mountain Boulevard, Greenridge Drive, and Keller Avenue (Sub-Basin 85-502)

Contractor Performance Evaluation

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

Project Number/Title: C312210 / SS Rehab w/in MacArthur Blvd, 64th Ave
 Work Order Number (if applicable): Simson St & 72nd Ave
 Contractor: PACIFIC TRENCHLESS INC.
 Date of Notice to Proceed: 9/30/11
 Date of Notice of Completion: PENDING
 Date of Notice of Final Completion: PENDING
 Contract Amount: \$ 3,064,854.00
 Evaluator Name and Title: PAUL TRAN, RESIDENT ENGR

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
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"/>	N/A		<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"/>	

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 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"/>	

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 <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 2 X 0.25 = 0.5
2. Enter Overall score from Question 13 2 X 0.25 = 0.5
3. Enter Overall score from Question 18 2 X 0.20 = ~~0.8~~ 0.4
4. Enter Overall score from Question 22 2 X 0.15 = ~~0.8~~ 0.3
5. Enter Overall score from Question 28 2 X 0.15 = ~~0.8~~ 0.3

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

 9/13/12

Resident Engineer / Date

 09/13/12

Supervising Civil Engineer / Date

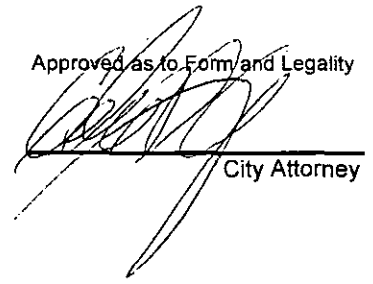
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OFFICE OF THE CITY CLERK
OAKLAND

2012 OCT 11 PM 2:04

OAKLAND CITY COUNCIL

RESOLUTION No. _____ C.M.S.

Approved as to Form and Legality



City Attorney

RESOLUTION:

AUTHORIZING THE CITY ADMINISTRATOR TO AWARD A CONSTRUCTION CONTRACT TO PACIFIC TRENCHLESS, INC., THE LOWEST RESPONSIBLE, RESPONSIVE BIDDER FOR THE REHABILITATION OF SANITARY SEWERS IN THE AREA BOUNDED BY MOUNTAIN BOULEVARD, GREENRIDGE DRIVE, AND KELLER AVENUE (SUB-BASIN 85-502 PROJECT NO. C312510) IN ACCORD WITH PLANS AND SPECIFICATIONS FOR THE PROJECT AND CONTRACTOR'S BID IN THE AMOUNT OF ONE MILLION THREE HUNDRED TWENTY THOUSAND THREE HUNDRED NINETY-FOUR THOUSAND DOLLARS (\$1,320,394.00) IN ACCORD WITH THE PROJECT PLANS AND SPECIFICATIONS AND THE CONTRACTOR'S BID

WHEREAS, on August 16, 2012, three bids were received by the Office of the City Clerk of the City of Oakland for the Rehabilitation of Sanitary Sewers In The Area Bounded By Mountain Boulevard, Greenridge Drive, and Keller Avenue (Sub-Basin 85-502 - Project No. C312510); 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. C312510; \$1,320,394.00; 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;

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

FURTHER RESOLVED: That the City Administrator is authorized to award a construction contract for the Rehabilitation of Sanitary Sewers in the Area Bounded By Mountain Boulevard, Greenridge Drive, and Keller Avenue (Sub-Basin 85-502 - Project No. C312510) to Pacific Trenchless, Inc., the lowest responsive and responsible bidder, in an amount not-to-exceed One Million Three Hundred Twenty Thousand Three Hundred Ninety- Four Thousand Dollars (\$1,320,394.00) in accord with plans and specifications for the Project and contractor's bid dated August 16, 2012; and be it

FURTHER RESOLVED: That the City Council hereby approves the plans and specifications prepared at the direction of the Assistant Director of Public Works for this project; and be it

FURTHER RESOLVED: That the City Administrator is authorized to execute any amendments or modifications of the contract with Andes Construction, Inc. within the limitations of the project specifications; and be it

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

FURTHER RESOLVED: That the faithful performance bond and a bond to guarantee payment of all claims for labor and materials furnished and for the amount of 100% of the contract price and due under the Unemployment Insurance Act submitted 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 for form and legality prior to execution and placed on file in the Office of the City Clerk.

IN COUNCIL, OAKLAND, CALIFORNIA, _____

PASSED BY THE FOLLOWING VOTE:

AYES - BROOKS, BRUNNER, DE LA FUENTE, KAPLAN, KERNIGHAN, NADEL, SCHAAF, and
PRESIDENT REID

NOES -

ABSENT -

ABSTENTION -

ATTEST: _____

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