

CITY OF OAKLAND

FILED
OFFICE OF THE CITY CLERK
OAKLAND

AGENDA REPORT

2017 MAR -2 PM 1:45

TO: Sabrina B. Landreth
City Administrator

FROM: Jeffrey Tumlin
Interim Director, DOT

SUBJECT: High St, Courtland Ave, & Ygnacio Ave
Intersection Improvements Project

DATE: February 17, 2017

City Administrator Approval

Date:

3/1/17

RECOMMENDATION

Staff Recommends That The City Council Adopt: A Resolution Awarding A Construction Contract To Beliveau Engineering, The Lowest Responsive, Responsible Bidder, In Accordance With Plans And Specifications And Contractor's Bid For The High Street, Courtland Avenue, And Ygnacio Avenue Intersection Improvements Project (Project No. C490610) In The Amount Of One Million One Hundred Seventy-One Thousand One Hundred Sixty-One Dollars And Fifty Cents (\$1,171,161.50).

EXECUTIVE SUMMARY

Approval of this resolution will authorize the City Administrator to execute a construction contract with Beliveau Engineering in the amount of \$1,171,161.50 for the High Street, Courtland Avenue, and Ygnacio Avenue Intersection Improvements Project. The construction phase of the project is funded by Federal funds from the Active Transportation Program (ATP) and Measure B Local Match for Federal Funds. This project is located in Council District 5 as shown in **Attachment A**.

BACKGROUND / LEGISLATIVE HISTORY

On July 15, 2014, the City Council authorized the City Administrator by Resolution No. 85106 C.M.S. to apply for \$1,128,000.00 in Federal Active Transportation Program (ATP) funds for the High Street, Courtland Avenue, and Ygnacio Avenue Intersection Improvements Project. The City was awarded the grant for the 2015-2016 fiscal year.

The project includes installation of raised median, pedestrian refuge, curb extension and/or extended sidewalks to shorten crossings, Americans with Disabilities Act (ADA) ramps, bicycle detection and symbols, pedestrian countdown heads, signage, landscaping, bio-filtration measures, pavement marking and striping, traffic lanes realignment, new traffic signals, and new roadway paving.

ANALYSIS AND POLICY ALTERNATIVES

The construction phase of the project is funded by Federal funds. Therefore, the construction contract is subject to the Federal Disadvantage Business Enterprise (DBE) program. The DBE goal for the project is set at 20.76%. The Engineer's Estimate for the construction cost is \$884,707.00.

Item: _____
Public Works Committee
March 14, 2017

The City advertised the project in October 2016 and received five (5) bids on December 8, 2016 in the amounts of \$1,171,161.50, \$1,239,256.00, \$1,303,200.00, \$1,340,580.00, and \$1,433,992.18. Beliveau Engineering was the lowest bidder. Staff has reviewed the submitted bids and has determined that the bids are reasonable for the current market conditions, which has recently increased regionally.

Beliveau Engineering is deemed the lowest responsive and responsible bidder and therefore is recommended for the award. The Beliveau Engineering's bid has 20.89% DBE participation, which exceeds the 20.76% calculated by Contracts and Compliance Division of the City Administrator's Office. Although not required, Beliveau Engineering also has 57.36% Small Local Business Enterprise (SLBE) participation. The DBE and LBE/SLBE information has been verified by Contracts and Compliance Division of the City Administrator's Office and is shown in **Attachment C**.

Construction is projected to begin in May 2017 and should be completed by February 2018. The contract specifies \$800.00 in liquidated damages per calendar day if the contract is not completed within 180 working days. The project list of bidders and schedule is shown in **Attachment B**.

FISCAL IMPACT

Funding for the construction contract is available in the following project accounts:

| FUNDING SOURCE | AMOUNT |
|--|-----------------------|
| Department of Transportation Fund (2116); Engineering Design: Streets & Structures Organization (92242); Street Construction Account (57411); Project 1003200; Engineering Design Program (IN05) | \$884,706.00 |
| Measure B Fund (2211); Engineering Design: Streets & Structures Organization (92242); Street Construction Account (57411); Project 1003200; Engineering Design Program (IN05) | \$286,455.50 |
| TOTAL FUNDS | \$1,171,161.50 |

PUBLIC OUTREACH / INTEREST

Improvements of the High/Courtland/Ygnacio intersection was initially part of the Redevelopment Agency's Foothill/High/Melrose Streetscape project that was identified as an opportunity to improve the quality of life for residents, business owners and patrons of the area. The former Community Economic and Development Agency (CEDA) engaged Design, Community & Environment, (DC&E) consulting firm to review existing area conditions, involve the community and collaborate with a Technical Advisory Committee (TAC) over an eight-month process to arrive at a Final Preferred Alternative Design and 35% Design Development

Documents. A workshop to discuss potential project improvements took place at Horace Mann Elementary School on May 30, 2007.

Due to shortage of funding, the High/Courtland/Ygnacio intersection was extracted as a stand-alone project from Foothill/High/Melrose Streetscape project. However, the City obtained funding on September 12, 2016 from the Federal Active Transportation Program (ATP) as part of a grant application.

COORDINATION

The work to be done under this contract was coordinated with Oakland Public Works (OPW) Bureau of Infrastructure and Operations and Contracts and Compliance Division of the City Administrator's Office. In addition, the Office of City Attorney, and the Controller's Bureau were consulted in preparation of this report.

PAST PERFORMANCE, EVALUATION AND FOLLOW-UP

The Contractor Performance Evaluation for Beliveau Engineering from a previously completed project is satisfactory and is included as **Attachment D**.

SUSTAINABLE OPPORTUNITIES

Economic: As part of the federal fund requirement, the contractors are all verified to meet the 20.76% DBE obligation. In addition to the DBE requirement, Beliveau Engineering's bid also includes 57.36% Small Local Business Enterprise (SLBE) verified by the Contracts and Compliance Division of the City Administrator's Office which will result in dollars being spent locally.

Environmental: The project's combined improvements will contribute to an overall shift in mode of transportation away from single occupancy vehicles, and towards walking and biking. As a result, vehicle emissions, as well as the City's carbon footprint, will be reduced. In addition, the project includes the installation of green infrastructure through bio filtration areas that meet the requirements of the City's storm water permit, which will help improve water quality and reduce flooding.

Social Equity: The proposed improvements are within an identified Metropolitan Transportation Commission 2013 "Community of Concern". A Community of Concern is a geographic area disadvantaged with regards to certain demographic and socioeconomic characteristics. The great Fruitvale district is at the center of some of the highest disadvantaged areas in the City. The Disadvantage Index is high in the following categories: limited English proficiency population, seniors 75 years and over, and cost-burdened renters. Overall, this new infrastructure will improve transportation, safety, and economic activity in the Fruitvale district as shown in **Attachment E**.

ACTION REQUESTED OF THE CITY COUNCIL

Staff Recommends That The City Council Adopt:

A Resolution Awarding A Construction Contract To Beliveau Engineering, The Lowest Responsive, Responsible Bidder, In Accordance With Plans And Specifications And Contractor's Bid For The High Street, Courtland Avenue, And Ygnacio Avenue Intersection Improvements Project (Project No. C490610) In The Amount Of One Million One Hundred Seventy-One Thousand One Hundred Sixty-One Dollars And Fifty Cents (\$1,171,161.50).

For questions regarding this report, please contact Mohamed Alaoui, Supervising Civil Engineer, Engineering Design and Right-of-Way Management Division at (510) 238-3469.

Respectfully submitted,



Jeffrey Tumlin, Interim Director,
Department of Transportation

Reviewed by:
Wladimir Wlassowsky, P.E.,
Acting Assistant Director
Bureau of Engineering and Construction

Prepared by:
Mohamed Alaoui, P.E.,
Supervising Civil Engineer
Engineering Design and R.O.W. Mgmt Division

Attachments (5):

- A: Project Location Map*
- B: Bidders List & Project Construction Schedule*
- C: Contracts & Compliance Unit Compliance Evaluation*
- D: Contractor Performance Evaluation*
- E: Disadvantage Index*



PROJECT AREA MAP

NOT TO SCALE

**High Street, Courtland Avenue, Ygnacio Avenue Intersection Improvements
(Project No. C490610)**

List of Bidders

| Company | Location | Bid Amount |
|--|-------------------|----------------|
| Beliveau Engineering Contractors, Inc. | Oakland, CA | \$1,171,161.50 |
| Ray's Electric | Oakland, CA | \$1,239,256.00 |
| McGuire & Hester | Oakland, CA | \$1,303,200.00 |
| Redgewick Construction | Livermore, CA | \$1,340,580.00 |
| CF Contracting, Inc. | San Francisco, CA | \$1,433,992.18 |

Engineer's Estimate

\$884,706.00

Project Schedule

| ID | Task Name | Start | Finish | C490610 - High, Courtland, Ygnacio Intersection Improvements | | | | | | | | | | | | | | | | | | | | | |
|----|--|---------|---------|--|-------------|-------------|-------------|-------------|-------------|-------------|-------------|-------------|-------------|-------------|-----|-----|-----|-----|-----|-----|-----|-----|--|--|--|
| | | | | Qtr 4, 2016 | Qtr 1, 2017 | Qtr 2, 2017 | Qtr 3, 2017 | Qtr 4, 2017 | Qtr 1, 2018 | Qtr 2, 2018 | Qtr 3, 2018 | Qtr 4, 2018 | Qtr 1, 2019 | Qtr 2, 2019 | | | | | | | | | | | |
| | | | | Oct | Nov | Dec | Jan | Feb | Mar | Apr | May | Jun | Jul | Aug | Sep | Oct | Nov | Dec | Jan | Feb | Mar | Apr | | | |
| 1 | C490610 - High, Courtland, Ygnacio Intersection Improvements | 12/8/16 | 2/5/18 | 307 days | | | | | | | | | | | | | | | | | | | | | |
| 2 | Bid Opening | 12/8/16 | 12/8/16 | Bid Opening 12/8/16 | | | | | | | | | | | | | | | | | | | | | |
| 3 | Contract Award | 12/9/16 | 3/21/17 | 75 days | | | | | | | | | | | | | | | | | | | | | |
| 4 | Contract Execution | 3/22/17 | 5/31/17 | 51 days | | | | | | | | | | | | | | | | | | | | | |
| 5 | Construction | 6/1/17 | 2/5/18 | 180 days | | | | | | | | | | | | | | | | | | | | | |



INTER OFFICE MEMORANDUM

TO: Nadar Rabahat, Civil Engineer

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

SUBJECT: Compliance Analysis
High Street, Courtland Avenue & Ygnacio
Avenue Intersection Improvements
Project No. C490610

DATE: January 3, 2017

The City Administrator's Office, Contracts & Compliance, reviewed five (5) bids in response to the above referenced project. Below are the results of the compliance evaluations for the Disadvantaged Business Enterprise (DBE) program and a preliminary review for compliance with the Equal Benefits Ordinance (EBO). There is a DBE goal of 20.76% for this project.

Below are the results of our findings:

| Responsive with DBE and/or EBO Policies | | Proposed Participation | | | | Earned Credits and Discounts | | | EBO Compliant? Y/N |
|---|---------------------|------------------------|--------|--------------------|----------|------------------------------|----------------------|---------------------|-----------------------|
| Company Name | Original Bid Amount | DBE Total | LBE | SLBE/VSLBE/ LPG | Trucking | Total Credited participation | Earned Bid Discounts | Adjusted Bid Amount | |
| Beliveau Engineering Contractors, Inc. | \$1,171,161.50 | 20.89% | 0.00% | 57.36% | NA | NA | NA | NA | Y |
| Ray's Electric | \$1,239,256.00 | 22.99% | 0.00% | 67.68% | NA | NA | NA | NA | Y |
| McGuire & Hester | \$1,303,200.00 | 21.39% | 66.35% | 3.91% | NA | NA | NA | NA | Y |
| Redgwick Construction | \$1,340,580.00 | 20.94% | 5.17% | 21.42% | NA | NA | NA | NA | N |

Comments: As noted above, all firms exceeded the minimum 20.76% DBE participation goal. Redgwick is not EBO compliant and must come into compliance prior to contract execution.

| Non-Responsive with DBE and/or EBO Policies | | Proposed Participation | | | | Earned Credits and Discounts | | | EBO Compliant? Y/N |
|---|---------------------|------------------------|-----|--------------------|----------|------------------------------|----------------------|---------------------|-----------------------|
| Company Name | Original Bid Amount | DBE Total | LBE | SLBE/VSL BE/LPG | Trucking | Total Credited participation | Earned Bid Discounts | Adjusted Bid Amount | |
| CF Contracting Inc. | \$1,433,992.18 | 0% | 0% | 0% | NA | NA | NA | NA | N |

Comments: As noted above, CF Contracting Inc. did not meet the minimum 20.76% DBE participation goals and are not compliant with the EBO.

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: Rehabilitation of Sanitary Sewers at Lakeside Park Pump Station
Project Name: Beliveau Engineering
Project No. C267640 Date: 11/15/2016

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 chart below provides details of the 50% LEP and 15% Apprenticeship Programs. Information provided includes: 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.

| 50% Local Employment Program (LEP) | | | | | | | | | | | | |
|------------------------------------|-------------------------------|--|-------|-----------------------------|-------|----------------------|-----------------|------------------|---|-------------------------------|-------|----------------------------|
| Total Project Hours | Core Workforce Hours Deducted | LEP Project Employment and Work Hours Goal | | LEP 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 | | | | | I | | |
| | | | | | | | | | | Goal | Hours | |
| A | B | C | C | D | D | E | F | G | H | I | I | J |
| 115.87 | 0 | 50% | 57.56 | 100% | 57.56 | 0 | 0 | 100% | 23 | 15% | 23 | 0 |

Comments: Beliveau Engineering exceeded the 50% resident hiring goal with 100% resident employment and exceeded the 15% Oakland Apprenticeship Program goals with 23 on-site hours and 23 off-site hours.


 Deborah Barnes, Director
 Contracts & Compliance

Should you have any questions, you may contact Vivian Inman, Contract Compliance Officer at (510) 238-6261.



OFFICE OF THE CITY ADMINISTRATOR

Contracts & Compliance Unit

PROJECT COMPLIANCE EVALUATION FOR :

Construction Services Disadvantaged Business Enterprise (DBE)

PROJECT NO.: C490610

PROJECT NAME: High Street, Courtland Avenue & Ygnacio Avenue Intersection Improvements

CONTRACTOR: Beliveau Engineering Contractors, Inc.

Engineer's Estimate:

| | | |
|---------------------|---------------------------------------|--|
| | <u>Contractors' Bid Amount</u> | <u>Over/Under Engineer's Estimate</u> |
| \$884,706.00 | \$1,171,161.50 | -\$286,455.50 |

Discounted Bid Amount:

Amt. of Bid Discount

Discount Points:

N/A

N/A

N/A

1. Did the DBE Program apply? **YES**

2. Did the contractor meet the DBE goal of 20.76% **YES**

b) % of DBE participation **20.89%**

c) % of LBE participation **0.00%**

d) % of SLBE/VSLBE/LPG participation **57.36%**

3. Was Good Faith Effort (GFE) Documentation submitted? **NO**

4. Additional Comments.

5. Date evaluation completed and returned to Contract Admin./Initiating Dept. **1/3/2017**

Reviewing Officer:

Date: 1/3/2017

Approved By: Shelley Darenburg

Date: 1/3/2017

DBE Participation Bidder 1

| Project Name: High Street, Courtland Avenue & Ygnacio Avenue Intersection Improvements | | | | | | | | | | | |
|--|--|------------------------------|--------------|-------------|------------------------|-----------------------------------|---|----------------|------------------------------|--------------|--------|
| Project No.: C490610 | | Engineer's Est. \$884,706.00 | | | | | Over/Under Engineers Estimate -\$286,455.50 | | | | |
| Discipline | Prime & Subs | Location | Cert. Status | LBE Dollars | SLBE/VSLEB/LPG Dollars | Total LBE/SLBE/VS LBE/LPG Dollars | DBE Dollars | Total Dollars | Certified DBE/WBE | | |
| | | | | | | | | | Ethn. | DBE | WBE |
| PRIME | Beliveau Engineering Contractors, Inc. | Oakland | UB | | 616,836.50 | 616,836.50 | | 599,274.50 | C | | |
| Trucking | All City Trucking | Oakland | CB | | 20,000.00 | 20,000.00 | 20,000.00 | 20,000.00 | AI | 20,000.00 | |
| Supply Concrete | CEMEX | Oakland | UB | | | | | 25,000.00 | C | | |
| Supply Asphalt | Gallagher & Burk | Oakland | UB | | 29,000.00 | 29,000.00 | | 29,000.00 | C | | |
| Tree Arborist/Removal | Waraner Tree Experts | Concord | UB | | | | | 3,500.00 | C | | |
| Electrical | Tennyson Electric Co., Inc. | Livermore | UB | | | | | 232,125.00 | C | | |
| Trenching | Phoenix Electric Co. Inc. | San Francisco | CB | | | | 125,000.00 | 125,000.00 | AP | 125,000.00 | |
| Striping | Striping Graphics | Cotati | UB | | | | | 23,562.00 | C | | |
| Rock Supply | Argent Materials | Oakland | UB | | 6,000.00 | | | 6,000.00 | C | | |
| Slurry Seal/Crack Repair | Bond Pavement Solutions | San Jose | UB | | | | | 8,000.00 | C | | |
| Landscape | Los Loza | Castro Valley | CB | | | | 99,700.00 | 99,700.00 | H | 99,700.00 | |
| Project Totals | | | | \$0.00 | \$671,836.50 | \$665,836.50 | \$244,700.00 | \$1,171,161.50 | | \$244,700.00 | \$0.00 |
| | | | | 0.00% | 57.36% | 56.85% | 20.89% | 100.00% | | 20.89% | 0.00% |
| Legend | | | | | | | | | DBE Ethnicity | | |
| UB = Uncertified Business | | | | | | | | | AA = African American | | |
| CB = Certified Business | | | | | | | | | AI = Asian Subcontinent | | |
| DBE = Disadvantaged Business Enterprise | | | | | | | | | AP = Asian Pacific Islander; | | |
| WBE = Women Business Enterprise | | | | | | | | | NA = Native American; | | |
| | | | | | | | | | H = Hispanic/Latino; | | |
| | | | | | | | | | W = Women | | |



OFFICE OF THE CITY ADMINISTRATOR

Contracts & Compliance Unit

PROJECT COMPLIANCE EVALUATION FOR :

Construction Services Disadvantaged Business Enterprise (DBE)

PROJECT NO.: C490610

PROJECT NAME: High Street, Courtland Avenue & Ygnacio Avenue Intersection Improvements

CONTRACTOR: Ray's Electric

| | | |
|------------------------------------|---------------------------------------|--|
| <u>Engineer's Estimate:</u> | <u>Contractors' Bid Amount</u> | <u>Over/Under Engineer's Estimate</u> |
| \$884,706.00 | \$1,239,256.00 | -\$354,550.00 |

| | | |
|--------------------------------------|------------------------------------|--------------------------------|
| <u>Discounted Bid Amount:</u> | <u>Amt. of Bid Discount</u> | <u>Discount Points:</u> |
| N/A | N/A | N/A |

- 1. Did the DBE Program apply? **YES**
- 2. Did the contractor meet the DBE goal of 20.76% **YES**
 - b) % of DBE participation **22.99%**
 - c) % of LBE participation **0.00%**
 - d) % of SLBE/VSLBE/LPG participation **67.68%**
- 3. Was Good Faith Effort (GFE) Documentation submitted? **YES**
- 4. Additional Comments.
- 5. Date evaluation completed and returned to Contract Admin./Initiating Dept. **1/3/2017**

Reviewing Officer:

William [Signature]

Date: 1/3/2017

Approved By:

Shelley [Signature]

Date: 1/3/2017

DBE Participation Bidder 2

| Project Name: High Street, Courtland Avenue & Ygnacio Avenue Intersection Improvements | | | | | | | | | | | |
|--|--------------------------------|------------------------------|--------------|-------------|------------------------|----------------------------------|---|----------------|--|--------------|--------|
| Project No.: C490610 | | Engineer's Est. \$884,706.00 | | | | | Over/Under Engineers Estimate -\$354,550.00 | | | | |
| Discipline | Prime & Subs | Location | Cert. Status | LBE Dollars | SLBE/VSLBE/LPG Dollars | Total LBE/SLBE/VSLBE/LPG Dollars | DBE Dollars | Total Dollars | Certified DBE/WBE | | |
| | | | | | | | | | Ethn. | DBE | WBE |
| PRIME | Ray's Electric | Oakland | UB | | 803,703.00 | 803,703.00 | | 803,703.00 | C | | |
| Concrete Supplier | A-1 Ready Mix | Hayward | CB | | | | | 39,200.00 | C | | |
| Import & Export Trucking | All City Trucking | Oakland | CB | | 11,000.00 | 11,000.00 | 11,000.00 | 11,000.00 | AI | 11,000.00 | |
| SWPPP | Appian UDBA SWPPP | El Sobrante | CB | | | | 3,000.00 | 3,000.00 | AA | 3,000.00 | |
| Pavement | Asphalt Impressions | Sacramento | UB | | | | | 37,441.00 | C | | |
| Saw Cutting | Bayline Cutting & Coring, Inc. | Berkeley | CB | | | | 6,600.00 | 6,600.00 | H | 6,600.00 | |
| Survey Monument | Cunha Engineers, Inc. | Pinole | UB | | | | | 2,150.00 | C | | |
| AC Pavement | Gallagher & Burk | Oakland | UB | | 24,000.00 | 24,000.00 | | 24,000.00 | C | | |
| Crack Sealing Slurry Seal | Graham Contractors, Inc. | San Jose | UB | | | | | 24,332.00 | C | | |
| Electrical Supplier | Raper Electric Dist, Inc. | Sangera | CB | | | | 66,180.00 | 66,180.00 | H | 66,180.00 | |
| Drainage | TDW Construction, Inc. | Livermore | CB | | | 138,368.00 | 138,368.00 | 138,368.00 | H | 138,368.00 | |
| Traffic Striping | Striping Graphics | Cotati | UB | | | | | 23,582.00 | C | | |
| Landscape & Irrigation | Los Loza Landscaping | Castro Valley | CB | | | | 59,700.00 | 59,700.00 | H | 59,700.00 | |
| Project Totals | | | | \$0.00 | \$838,703.00 | \$977,071.00 | \$284,848.00 | \$1,239,256.00 | | \$284,848.00 | \$0.00 |
| | | | | 0.00% | 67.68% | 78.84% | 22.99% | 100.00% | | 22.99% | 0.00% |
| Legend UB = Uncertified Business CB = Certified Business DBE = Disadvantaged Business Enterprise. WBE = Women Business Enterprise | | | | | | | | | DBE Ethnicity AA=African American AI=Asian Subcontinent AP=Asian Pacific Islander; NA = Native American; H=Hispanic/Latino; W=Women | | |
| | | | | | | | | | | | |



OFFICE OF THE CITY ADMINISTRATOR

Contracts & Compliance Unit

PROJECT COMPLIANCE EVALUATION FOR :

Construction Services Disadvantaged Business Enterprise (DBE)

PROJECT NO.: C490610

PROJECT NAME: High Street, Courtland Avenue & Ygnacio Avenue Intersection Improvements

CONTRACTOR: McGuire & Hester

| | | |
|--|---|---|
| <u>Engineer's Estimate:</u> \$884,706.00 | <u>Contractors' Bid Amount</u> \$1,303,200.00 | <u>Over/Under Engineer's Estimate</u> -\$418,494.00 |
|--|---|---|

| | | |
|---|---|---------------------------------------|
| <u>Discounted Bid Amount:</u> N/A | <u>Amt. of Bid Discount</u> N/A | <u>Discount Points:</u> N/A |
|---|---|---------------------------------------|

1. Did the DBE Program apply? **YES**

2. Did the contractor meet the DBE goal of 20.76% **YES**

b) % of DBE participation **21.39%**

c) % of LBE participation **66.35%**

d) % of SLBE/VSLBE/LPG participation **3.91%**

3. Was Good Faith Effort (GFE) Documentation submitted? **NO**

4. Additional Comments.

5. Date evaluation completed and returned to Contract Admin./Initiating Dept. **1/3/2017**

Reviewing Officer:

Vincent [Signature]

Date: 1/3/2017

Approved By:

Shelley [Signature]

Date: 1/3/2017

DBE Participation Bidder 3

Project Name: **High Street, Courtland Avenue & Ygnacio Avenue Intersection Improvements**

| Project No.: C490610 | | Engineer's Est. \$884,706.00 | | | | Over/Under Engineers Estimate -\$418,494.00 | | | | | |
|---|---------------------|------------------------------|--------------|--------------|------------------------|---|--------------|----------------|--|-------------|--------------|
| Discipline | Prime & Subs. | Location | Cert. Status | LBE Dollars | SLBE/SLBE /LPG Dollars | Total LBE/SLBE/VS LBE/LPG Dollars | DBE Dollars | Total Dollars | Certified DBE/WBE | | |
| | | | | | | | | | Ethn. | DBE | WBE |
| PRIME | McGuire & Hester | Oakland | UB | 864,670.00 | | 864,670.00 | | 864,670.00 | C | | |
| Concrete | Central Concrete | San Jose | UB | | | | | 45,800.00 | C | | |
| Electrical | Columbia Electric | San Leandro | CB | | | | 182,400.00 | 182,400.00 | C | | 182,400.00 |
| Striping | Striping Graphics | Cotati | UB | | | | | 23,582.00 | C | | |
| Decorative Crosswalk | Asphalt Impressions | Sacramento | CB | | | | | 37,410.00 | C | | |
| Asphalt | Gallagher & Burk | Oakland | UB | | 15,000.00 | 15,000.00 | | 15,000.00 | C | | |
| Crack Seal Slurry Seal | Bond Blacktop | Union City | UB | | | | | 37,938.00 | C | | |
| Trucking | S&S Trucking | Oakland | CB | | 35,900.00 | 35,900.00 | 35,900.00 | 35,900.00 | H | 35,900.00 | |
| Concrete | Giron Construction | San Francisco | CB | | | | 60,500.00 | 60,500.00 | AA | 60,500.00 | |
| Project Totals | | | | \$864,670.00 | \$50,900.00 | \$915,570.00 | \$278,800.00 | \$1,303,200.00 | | \$96,400.00 | \$182,400.00 |
| | | | | 66.35% | 3.91% | 70.26% | 21.39% | 100.00% | | 7.40% | 14.00% |
| Legend UB = Uncertified Business CB = Certified Business DBE = Disadvantaged Business Enterprise WBE = Women Business Enterprise | | | | | | | | | DBE Ethnicity AA=African American AP=Asian Subcontinent AP=Asian Pacific Islander; NA = Native American; H=Hispanic/Latino; W=Women | | |
| | | | | | | | | | | | |



OFFICE OF THE CITY ADMINISTRATOR

Contracts & Compliance Unit

PROJECT COMPLIANCE EVALUATION FOR :

Construction Services Disadvantaged Business Enterprise (DBE)

PROJECT NO.: C490610

PROJECT NAME: High Street, Courtland Avenue & Ygnacio Avenue Intersection Improvements

CONTRACTOR: Redgwick Construction Co.

| | | |
|--|---|---|
| <u>Engineer's Estimate:</u> \$884,706.00 | <u>Contractors' Bid Amount</u> \$1,340,580.00 | <u>Over/Under Engineer's Estimate</u> -\$455,874.00 |
|--|---|---|

| | | |
|---|---|---------------------------------------|
| <u>Discounted Bid Amount:</u> N/A | <u>Amt. of Bid Discount</u> N/A | <u>Discount Points:</u> N/A |
|---|---|---------------------------------------|

- 1. Did the DBE Program apply? **YES**
- 2. Did the contractor meet the DBE goal of 20.76% **YES**
 - b) % of DBE participation **20.94%**
 - c) % of LBE participation **5.17%**
 - d) % of SLBE/VSLBE/LPG participation **21.42%**
- 3. Was Good Faith Effort (GFE) Documentation submitted? **YES**
- 4. Additional Comments.

5. Date evaluation completed and returned to Contract Admin./Initiating Dept. **1/3/2017**

Reviewing Officer:

Vivian An , **Date:** 1/3/2017

Approved By:

Shelley Darenburg **Date:** 1/3/2017

DBE Participation Bidder 4

Project Name: High Street, Courtland Avenue & Ygnacio Avenue Intersection Improvements

| Project No.: C490610 | | Engineer's Est. \$884,706.00 | | | | | Over/Under Engineers Estimate -\$455,874.00 | | | | |
|---|---------------------------|------------------------------|--------------|-------------|------------------------|-----------------------------------|---|----------------|----------------------------|-------------|--------------|
| Discipline | Prime & Subs | Location | Cert. Status | LBE Dollars | SLBE/VSLBE/LPG Dollars | Total LBE/SLBE/VS LBE/LPG Dollars | DBE Dollars | Total Dollars | Certified DBE/WBE | | |
| | | | | | | | | | Ethn. | DBE | WBE |
| PRIME | Redgwick Construction Co. | Livermore | UB | | | | | 809,479.40 | C | | |
| Concrete | AJW Construction | Oakland | UB | | 159,882.00 | 159,882.00 | | 159,882.00 | H | | |
| Electrical | Columbia Electric | San Leandro | CB | | | | 182,400.00 | 182,400.00 | C | | 182,400.00 |
| Landscape | RMT Landscape | Oakland | CB | 69,300.00 | | 69,300.00 | 69,300.00 | 69,300.00 | H | 69,300.00 | |
| Striping | Striping Graphics | Cotati | UB | | | | | 23,582.00 | C | | |
| Slurry | Bond Blacktop | Union City | UB | | | | | 37,936.60 | C | | |
| Trucking | All City Trucking | Oakland | CB | | 29,000.00 | 29,000.00 | 29,000.00 | 29,000.00 | AI | 29,000.00 | |
| Asphalt Material | Gallagher & Burk | Oakland | UB | | 19,000.00 | 19,000.00 | | 19,000.00 | C | | |
| Aggregate Base | Argent Materials. | Oakland | UB | | 10,000.00 | 10,000.00 | | 10,000.00 | C | | |
| Project Totals | | | | \$69,300.00 | \$217,882.00 | \$287,182.00 | \$280,700.00 | \$1,340,580.00 | | \$98,300.00 | \$182,400.00 |
| | | | | 5.17% | 16.25% | 21.42% | 20.94% | 100.00% | | 7.33% | 13.61% |
| Legend | | | | | | | | | DBE Ethnicity | | |
| UB = Uncertified Business | | | | | | | | | AA=African American | | |
| CB = Certified Business | | | | | | | | | AI=Asian Subcontinent | | |
| DBE = Disadvantaged Business Enterprise | | | | | | | | | AP=Asian Pacific Islander, | | |
| WBE = Women Business Enterprise | | | | | | | | | NA = Native American; | | |
| | | | | | | | | | H=Hispanic/Latino; | | |
| | | | | | | | | | W=Women | | |



OFFICE OF THE CITY ADMINISTRATOR

Contracts & Compliance Unit

PROJECT COMPLIANCE EVALUATION FOR:

Construction Services Disadvantaged Business Enterprise (DBE)

PROJECT NO.: C490610

PROJECT NAME: High Street, Courtland Avenue & Ygnacio Avenue Intersection Improvements

CONTRACTOR: CF Contracting

| | | |
|------------------------------------|---------------------------------------|--|
| <u>Engineer's Estimate:</u> | <u>Contractors' Bid Amount</u> | <u>Over/Under Engineer's Estimate</u> |
| \$884,706.00 | \$1,433,992.18 | -\$549,286.18 |

| | | |
|--------------------------------------|------------------------------------|--------------------------------|
| <u>Discounted Bid Amount:</u> | <u>Amt. of Bid Discount</u> | <u>Discount Points:</u> |
| N/A | N/A | N/A |

- 1. Did the DBE Program apply? **YES**
- 2. Did the contractor meet the DBE goal of 20.76% **NO**
 - b) % of DBE participation **0.00%**
 - c) % of LBE participation **0.00%**
 - d) % of SLBE/SLBE/LPG participation **0.00%**
- 3. Was Good Faith Effort (GFE) Documentation submitted? **NO**
- 4. Additional Comments.
- 5. Date evaluation completed and returned to Contract Admin./Initiating Dept **1/3/2017**

Reviewing Officer:

M. J. [Signature]

Date: 1/3/2017

Approved By:

Shelley [Signature]

Date: 1/3/2017

DBE Participation Bidder 5

| Project: High Street, Courtland Avenue & Ygnacio Avenue Intersection Improvements | | | | | | | | | | | |
|---|--------------------------|------------------------------|--------------|-------------|------------------------|-----------------------------------|---|----------------|--|--------|--------|
| Project No.: C490610 | | Engineer's Est. \$884,706.00 | | | | | Over/Under Engineers Estimate -\$549,286.18 | | | | |
| Discipline | Prime & Subs | Location | Cert. Status | LBE Dollars | SLBE/VSLBE/LPG Dollars | Total LBE/SLBE/VS LBE/LPG Dollars | DBE Dollars | Total Dollars | Certified DBE/WBE | | |
| | | | | | | | | | Ethn. | DBE | WBE |
| PRIME | CF Contracting | San Francisco | UB | | | | | 1,216,500.18 | C | | |
| Paving | CF Archibald Paving | Redwood | UB | | | | | 126,750.00 | NL | | |
| Slurry Seal | Graham Contractors, Inc. | San Jose | UB | | | | | 29,750.00 | NL | | |
| AC | The Asphalt Impressions | Sacramento | UB | | | | | 37,410.00 | NL | | |
| Striping | Striping Graphics | Cotati | UB | | | | | 23,582.00 | NL | | |
| Project Totals | | | | \$0.00 | \$0.00 | \$0.00 | \$0.00 | \$1,433,992.18 | | \$0.00 | \$0.00 |
| | | | | 0.00% | 0.00% | 0.00% | 0.00% | 100.00% | | 0.00% | 0.00% |
| Legend UB = Uncertified Business CB = Certified Business DBE = Disadvantaged Business Enterprise WBE = Women Business Enterprise | | | | | | | | | DBE Ethnicity | | |
| | | | | | | | | | AA=African American AI=Asian Subcontinent AP=Asian Pacific Islander; NA = Native American; H=Hispanic/Latino; W=Women | | |

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

Project Number/Title: C390710

Work Order Number (if applicable): _____

Contractor: Beliveau Engineering Contractors, Inc.

Date of Notice to Proceed: 5/15/12

Date of Notice of Completion: 1/14/13

Date of Notice of Final Completion: _____

Contract Amount: \$983,500.00

Evaluator Name and Title: Sidney Kong

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"/> | <input checked="" 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"/> | <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"/> | |

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.

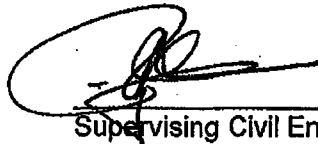
Any Contractor that receives an Unsatisfactory Overall Rating is required to attend a meeting with the City Administrator, or his/her designee, prior to returning to bidding on City projects. The Contractor is required to demonstrate improvements made in areas deemed Unsatisfactory in prior City of Oakland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

 8/1/13
Contractor / Date

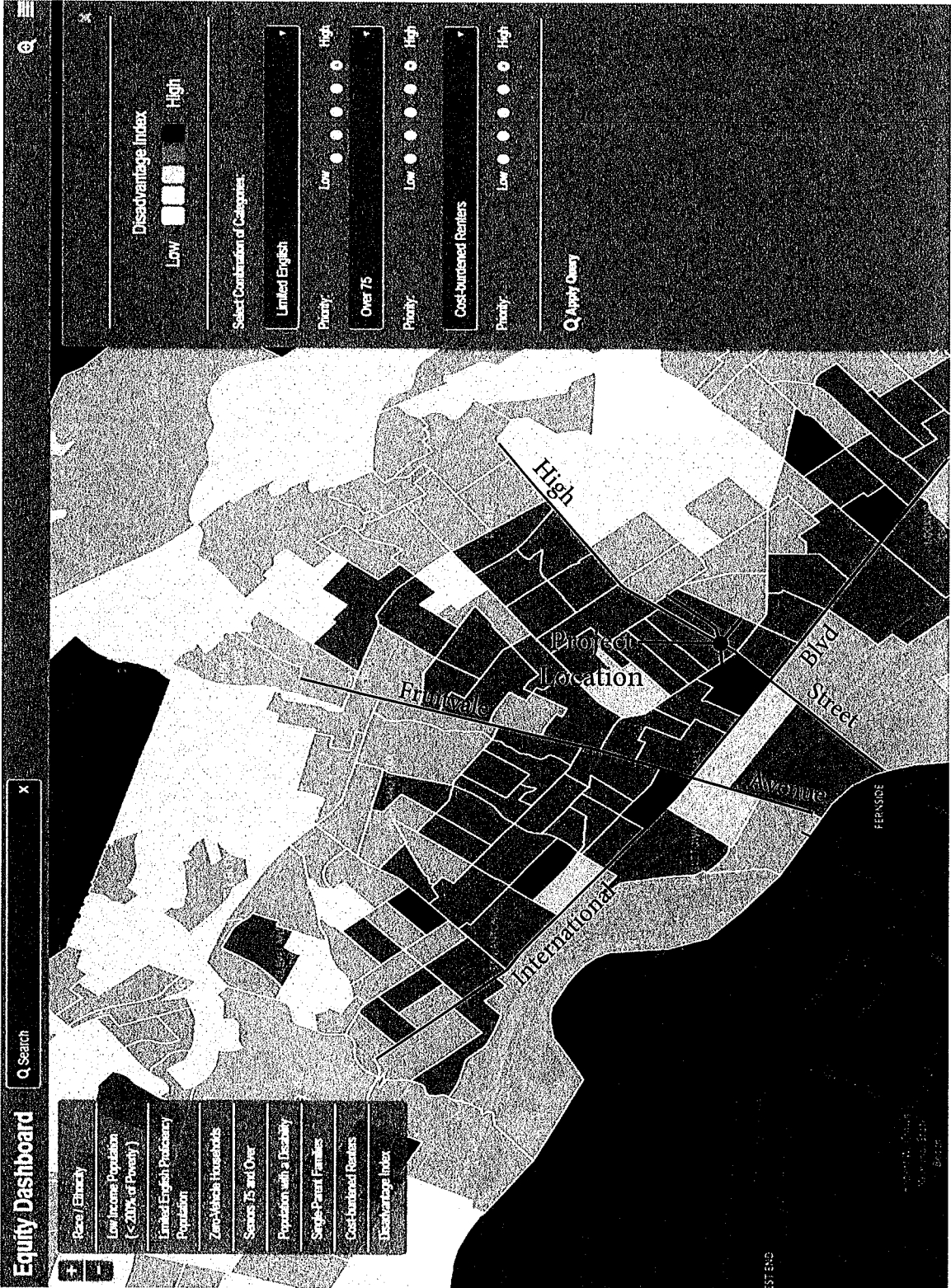
 8/1/13
Resident Engineer / Date

 8/1/13
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.

High Street, Courtland Avenue, Ygnacio Avenue Intersection Improvements
(Project No. C490610)

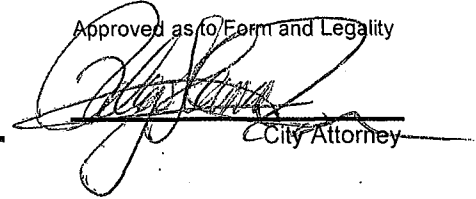


Disadvantage Index

2017 MAR -2 PM 1:45

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 BELIVEAU ENGINEERING, THE LOWEST RESPONSIVE, RESPONSIBLE BIDDER, IN ACCORDANCE WITH PLANS AND SPECIFICATIONS AND CONTRACTOR'S BID FOR THE HIGH STREET, COURTLAND AVENUE, AND YGNACIO AVENUE INTERSECTION IMPROVEMENTS PROJECT (PROJECT NO. C490610) IN THE AMOUNT OF ONE MILLION ONE HUNDRED SEVENTY-ONE THOUSAND ONE HUNDRED SIXTY-ONE DOLLARS AND FIFTY CENTS (\$1,171,161.50)

WHEREAS, on July 15, 2014, the City Council authorized the City Administrator to apply for \$1,128,000.00 in federal Active Transportation Program (ATP) funds for the High Street, Courtland Avenue, Ygnacio Avenue Intersection Improvement Project by Resolution No. 85106 C.M.S.; and

WHEREAS, the High Street, Courtland Avenue, and Ygnacio Avenue Intersection Improvements Project includes raised median, pedestrian refuge, curb extension and/or extended sidewalks to shorten crossings, ADA ramps, bicycle detection and symbols, pedestrian countdown heads, signage, landscaping, bio-filtration measures, pavement marking and striping, traffic lanes realignment, new traffic signals, and new roadway paving; and

WHEREAS, The City advertised the project in October 2016 and received five (5) bids with Beliveau Engineering's bid in the amount of \$1,171,161.50, being the lowest bid; and

WHEREAS, Beliveau Engineering is deemed the lowest responsive and responsible bidder meeting the federal DBE goal for the project and therefore is recommended for the award of contract; and

WHEREAS, funding for the construction contract in the amount of \$1,171,161.50 will be available in the following project accounts:

- Department of Transportation Fund (2116); Engineering Design: Streets & Structures Organization (92242); Street Construction Account (57411); Project 1003200; Engineering Design Program (IN05); \$884,706.00
- Measure B Fund (2211); Engineering Design: Streets & Structures Organization (92242); Street Construction Account (57411); Project 1003200; Engineering Design Program (IN05); \$286,455.50; 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, 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 Beliveau Engineering, the lowest responsive, responsible bidder, in accordance with plans and specifications and contractor's bid dated December 8, 2016 for the High Street, Courtland Avenue, and Ygnacio Avenue Intersection Improvements Project (Project No. C490610) in the amount of One Million One Hundred Seventy-One Thousand One Hundred Sixty-One Dollars and Fifty Cents (\$1,171,161.50); and be it

FURTHER RESOLVED: That the amount of the bond for faithful performance bond, \$1,171,161.50, and the bond to guarantee payment of all claims for labor and materials furnished and for the amount under the Unemployment Insurance Act, \$1,171,161.50, 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 Beliveau Engineering 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 Beliveau Engineering 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 City Engineer, 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, GIBSON MCELHANEY, GUILLEN, KALB, KAPLAN and PRESIDENT REID

NOES -

ABSENT -

ABSTENTION -

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