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OFFICE OF THE CITY CLERK
OAKLAND
2012 AUG 29 AM 9:44

AGENDA REPORT

TO: DEANNA J. SANTANA
CITY ADMINISTRATOR

FROM: Vitaly B. Troyan, P.E.

SUBJECT: Street Rehabilitation and Reconstruction DATE: July 3, 2012

City Administrator
Approval

Date

8/28/12

COUNCIL DISTRICT: City-Wide

RECOMMENDATION

Staff recommends that City Council adopt a resolution awarding a construction contract to Gallagher & Burk, Inc. for the Citywide Street Rehabilitation and Reconstruction Phase II (Project C369630) for a total contract authorization in The amount of six million five hundred eighty-seven thousand five hundred eighty-seven Dollars (\$6,587,587.00)

OUTCOME

As part of the City's street resurfacing program to improve pavement conditions, the selected streets will be rehabilitated to maintain the City's infrastructure, reduce maintenance costs, and improve driving conditions throughout Oakland. The work to be completed under this project is part of the City's street resurfacing program and includes streets from the City's Prioritized Paving Plan. The work is located throughout the City and a list of streets to be resurfaced is included as *Attachment A*.

BACKGROUND/LEGISLATIVE HISTORY

In general, the proposed work consists of resurfacing and slurry sealing approximately 15 centerline miles of City streets. The streets are listed in *Attachment A*. The project includes: Asphalt Concrete (AC) base repair; AC mill and overlay; Cold-In-Place Asphalt Recycling; Asphalt Rubber Chip Seal; replacement of traffic striping, pavement markers, and pavement markings; curb ramp construction; curb and gutter repair; sidewalk repair; and other related work indicated on the plans and specifications. The project includes 10.4 miles of bikeways, including improvements to 6.2 miles of existing bikeways and the installation of 4.2 miles of new bikeways.

Item: _____
Public Works Committee
September 11, 2012

This project is part of the citywide program to improve pavement conditions. Oakland has a current backlog of \$435 million in pavement rehabilitation. While small in relation to the current backlog, this contract will help address some of the backlog and prevent further deterioration of these streets. Construction work is anticipated to begin in November 2012 and should be completed by August 2013. The contract specifies \$1,000.00 in liquidated damages per calendar day dependent on specific project locations. The project schedule is shown in *Attachment B*.

ANALYSIS

On May 24, 2012, the City Clerk received three bids for the project in the amount of \$7,265,417.80, \$7,117,763.08, and \$6,587,587.00 as shown in *Attachment B*. Only two of the bidders met the City's compliance goals. The lowest bidder, Gallagher & Burk, Inc., is deemed responsive and responsible, and therefore is recommended for the award. The Engineer's estimate for the construction work is \$6,227,117.40. Staff has reviewed the bids and has deemed that it is reflective of the current construction bidding environment.

The streets selected for this contract are from the City's Prioritized Paving Plan or "worst streets". Consideration was also given to known planned utility projects, such as sewer rehabilitation, gas, and water replacement, which would impact the planned street rehabilitation. The list of proposed streets for this contract is included as *Attachment A*.

Under the proposed contract with Gallagher & Burk, Inc., the Local Business Enterprise and Small Local Business Enterprise (LBE/SLBE) participation will be 97.75%, which exceeds the City's 50% LBE/SLBE requirement. The contractor also shows a participation of 100% for trucking, which exceeds 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.

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

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September 11, 2012

Street resurfacing eliminates poor pavement conditions and provides a uniform travel surface for all roadway users. Consideration was also given to known planned utility projects, such as sewer rehabilitation, gas, and water replacement, which would impact the planned street rehabilitation.

COST SUMMARY/IMPLICATIONS

Approval of this resolution will authorize the City Administrator to execute a construction contract with Gallagher & Burk, Inc. in the amount of \$6,587,587.00.

1. AMOUNT OF RECOMMENDATION/COST OF PROJECT:
Construction Contract - \$6,587,587.00
2. COST ELEMENTS OF AGREEMENT/CONTRACT: \$6,587,587.00
3. SOURCE OF FUNDING:
 - Proposition IB California Transportation Bond (2165); Streets and Structures Organization (92242); Street Construction Account (57411); Project No. C369630; \$4,213,539.09;
 - Rubberized Pavement (TRP) Grant, Department of Resources Recycling and Recovery (Cal Recycle) (2159); Streets and Structures Organization (92242); Street Construction Account (57411); Project No. C369631; \$101,130.00;
 - Metropolitan Transportation Commission Grants Fund (2163); Infrastructure Plans Organization (92260); Street Construction Account (57411); MacArthur BART Bicycle Access Project (C410810); \$88,321.00;
 - California Gas Tax (2231); Streets and Structures Organization (92242); Street Construction Account (57411); Project No. C427810; \$1,700,000.00;
 - Measure B Bicycle/Pedestrian Pass-Thru Fund (2212); Infrastructure Plans Organization (92260); Street Construction Account (57411); Bicycle Facility Design and Implementation Project (C428410); \$131,830.28;
 - Transportation Development Act Fund (2162); Infrastructure Plans Organization (92260); Street Construction Account (57411); Harrison Street/Oakland Avenue Bikeway Project (C443210); \$59,000;
 - Measure B Local Streets and Roads Fund (2211); Infrastructure Plans Organization (92260); Street Construction Account (57411); Shattuck Avenue Resurfacing and Bikeway Project (C444710); \$132,863.98;
 - Vehicle Registration Fee (2215); Streets and Structures Organization (92242); Street Construction Account (57411); Project No. (C458810); \$1,439,000.00.

4. **FISCAL IMPACT:**

This resurfacing contract will rehabilitate and reconstruct selected streets, and improve existing pavement conditions, which will reduce the short-term street pavement maintenance demand on these resurfaced streets.

PAST PERFORMANCE, EVALUATION AND FOLLOW-UP

Contractor Performance Evaluation for Gallagher & Burk, Inc. from a previously completed project was satisfactory and is included as *Attachment D*.

SUSTAINABLE OPPORTUNITIES

Economic: The street rehabilitation program improves paving conditions, enhancing and protecting the City's infrastructure. Street repair and rehabilitation contracts create job opportunities for local contractors. Streets in good condition reflect well on the community and indirectly improve the business climate.

Environmental: Recyclable materials will be used within the concrete and asphalt concrete construction materials to the extent possible. Grindings from the asphalt paving will be recycled whenever possible. This project will use several paving methods in various locations promoting recycling

In addition, this contract will create new bike lanes which will further encourage residents to use bicycles more and drive less, thereby helping to reduce air pollution and traffic congestion. Improved pavement conditions reduce vehicle wear and tear and increase fuel efficiency.

Social Equity: The street rehabilitation program works to preserve the City's infrastructure, enhance public access and protect the public from hazardous conditions. The Pavement Management Program ensures that street rehabilitation funds are spent in a manner that is cost effective throughout the City.

CEQA

This project is not considered a project under CEQA. The rehabilitation of roads is part of maintenance work and the minimal separate storm sewer system (MS4) general permit.

Attachment A

**Citywide Street Rehabilitation and Reconstruction Phase II
(Project No. C369630)**

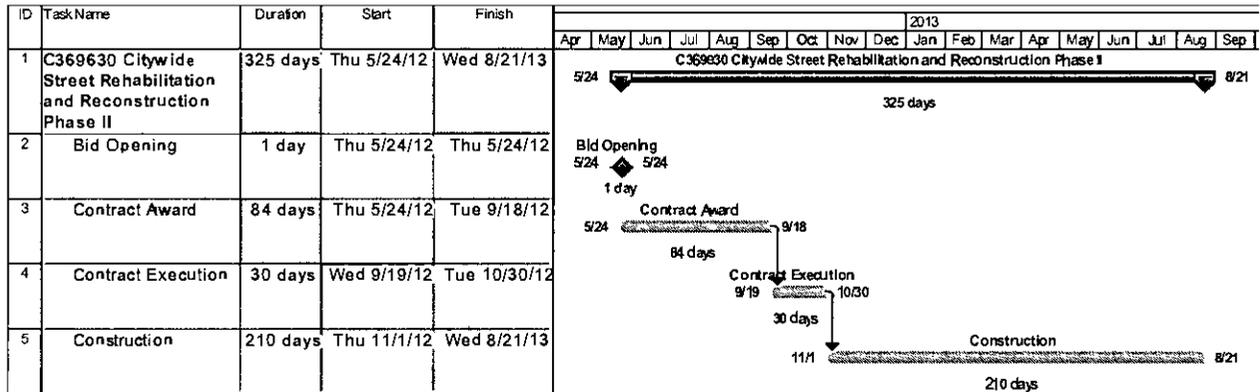
Project Location List

Street Name	Begin Location	End Location	Length in Miles
Piedmont Ave	Broadway	Randwick Ave	0.03
Piedmont Ave	Mac Arthur Blvd	Pleasant Valley Ave	0.67
Olaremont	Telegraph Ave	Hudson Ave	0.44
Elmwood Ave	Del Monte St	Fruitvale Ave	0.07
108 th Ave	Foothill Blvd	Mac Arthur Blvd	0.20
E 12 th Street	40 th Ave	46 th Ave	0.34
Mae Arthur Blvd	Millsview Ave	73 rd Ave	1.11
Foothill Blvd	Havenscourt Blvd	Mac Arthur Blvd	0.51
66 th Ave	Oakport Street	San Leandro Street	0.51
Grizzly Peak Blvd	Skyline Blvd	City Limits	5.51
Shattuck Ave	45 th Ave	City Limits	1.28
Hillmont Drive	73 rd Ave	Parker Ave	0.33
Helen St	34 th Street	Peralta Street	0.22
Campus Drive	580 N of Skypoint Court	13419 Campus Drive	0.65
St Cloud Court	Viewcrest Drive	West End	0.02
Viewcrest Court	Viewcrest Drive	East End	0.05
Twin Oaks Way	Fairway Ave	I-580 Crossing	0.08
10 th Street	Oak St	2 nd Ave	0.34
10 th Street	4 th Ave	5 th Ave	0.07
48 th Street	Shattuck Ave	Webster St	0.20
Harrison Street	Grand Ave	Bayo Vista Ave	0.99
Oakland Ave	Mac Arthur Blvd	Monte Vista Ave	0.32
Bayo Vista Ave	Oakland Ave	Harrison St	0.05
40 th Street	Webster St	Adeline St	0.98
		Total	14.97

Attachment B

**Citywide Street Rehabilitation and Reconstruction Phase II
(Project No. C369630)**

Project Construction Schedule



List of Bidders

Company	Location	Bid Amount
McGuire & Hester	Oakland	\$7,265,417.80
Bay Cities Paving & Grading, Inc.	Concord	\$7,041,263.08
Gallagher & Burk, Inc.	Oakland	\$6,587,587.00

Attachment C

Citywide Street Rehabilitation and Reconstruction Phase II
(Project No. C369630)

Department of Contracting and Purchasing
Compliance Evaluation

Memo



City Administrator's Office - Contracts and Compliance Unit

To: Jimmy Mach - Civil Engineer
From: Sophany Hang - Assistant Contract Compliance Officer
Through: Deborah Bames - Manager, Contracts and Compliance Unit *Deborah Bames*
 Shelley Darensburg - Sr. Contract Compliance Officer
CC: Calvin Hao - PWA - Contract Services
Date: June 18, 2012
Re: C369630- Rebid-Citywide Street Rehabilitation and Reconstruction Phase II-Base Bid Only

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 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 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 non-specialty work (column C) and then subtracting that difference from the original bid amount (column A).

Responsive to L/SLBE and/or EBO Policies		Proposed Participation				Earned Credits and Discounts			Banked Credits Eligibility	EBO Compliant? Y/N		
Company Name	Original Bid Amount	Specialty Dollar Amount	Non Specialty Dollar Amount	Total LBE/SLBE	LBE	SLBE	L/SLBE Trucking	Total Credited participation			Earned Bid Discounts	Adjusted Bid Amount
	A	B	C					D	E	F		
Gallagher & Burk	\$6,587,587.00	\$2,196,236	\$4,391,351.00	97.75%	70.42%	27.33%	100%	54.66%	2%	\$6,499,759.98	0%	Y
McGuire & Hester	\$7,265,417.80	\$2,153,708	\$5,112,709.80	100.00%	69.35%	30.65%	100%	61.30%	3%	\$7,112,036.51	0%	Y

Comments: As noted above, Gallagher & Burk and McGuire & Hester met and/or exceeded the minimum 50% Local/Small Local Business Enterprise participation requirement Both firms are EBO compliant The L/SLBE participation was calculated based on the Non-Specialty dollar amount.

Non-Responsive to L/SLBE and/or EBO Policies				Proposed Participation				Earned Credits and Discounts			Banked Credits Eligibility	EBO Compliant? Y/N
Company Name	Original Bid Amount	Specialty Dollar Amount	Non Specialty Dollar Amount	Total LBE/SLBE	LBE	SLBE	L/SLBE Trucking	Total Credited participation	Earned Bid Discounts	Adjusted Bid Amount		
	A	B	C					D	E	F		
Bay Cities Paving & Grading	\$7,041,263.08	\$2,444,817.80	\$4,596,445.50	13.92%	0%	13.92%	0%	NA	NA	NA	NA	NA

Comments: As noted above, Bay Cities Paving & Grading failed to meet the minimum 50% Local/Small Local Business Enterprise participation requirement. Therefore, they are deemed non-responsive.

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.

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: Gallagher & Burk

Project Name: Park and Street Improvements of El Embarcadero and Lakeshore

Project No: C242312

Date: 6/15/2012

50% Local Employment Program (LEP)

Was the 50% LEP Goal achieved?	No	If no, shortfall hours?	879
Were all shortfalls satisfied?	No	If no, penalty amount	\$39,256

15% Oakland Apprenticeship Program

Was the 15% Apprenticeship Goal achieved?	No	If no, shortfall hours?	845
Were shortfalls satisfied?	No	If no, penalty amount?	\$23,091

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			
25586	0	50%	12793	100%	8659	0	4133	47%	35%	15%	3838	2834

Comments: Gallagher & Burk did not meet the Local Employment Program's 50% resident hiring goal with 100% resident employment and did not meet the 15% Oakland Apprenticeship Program goals.

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.: C369630

PROJECT NAME: Rebid-Citywide Street Rehabilitation And Reconstruction Phase II-Base Bid Only

CONTRACTOR: Gallagher & Burk

<u>Engineer's Estimate:</u>	<u>Contractors' Original Bid</u>		<u>Over/Under Engineer's Estimate</u>
	<u>Amount</u>	<u>Specialty Dollar Amount</u>	
\$6,227,117.40	\$6,587,587.00	\$2,196,236.00	-\$360,469.60
<u>Discounted Bid Amount:</u>	<u>Amount of Bid Discount</u>	<u>Non-Specialty Bid Amt</u>	<u>Discount Points:</u>
\$6,499,759.98	\$87,827.02	\$4,391,351.00	2%

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

- 2. Did the contractor meet the 50% requirement? **YES**
 - b) % of LBE participation **70.42%**
 - c) % of SLBE participation **27.33%**

- 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) **2%**

S- Additional Comments:

Bid items # 14,17,18,22,23,24,25,26,28, and 33 are 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.

6/18/2012
Date

Reviewing Officer:

Stephen Hoang

Date:

6/18/2012

Approved By:

Shelley Denevburg

Date:

6/18/2012

BIDDER 1

Project Name: **Rebid-Citywide Street Rehabilitation And Reconstruction Phase II-Base Bid Only**

C369630		Engineers Est: \$6,227,117.40				Under/Over Engineers Estimate: -\$360,469.60				For Tracking Only			
Discipline	Prima & Subs	Location	CerL Status	LBE	SLBE	Total	L/SLBE	Total	*Non-Specialty Bid Amount	TOTAL Original Bid Amount Dollars	Ethn.	MBE	WBE
						LBE/SLBE	Trucking	Trucking					
PFIME	Gallagher & Burk	Oakland	CB	3,092,351		3,092,351			3,092,351	3,267,362	C		
Minor Concrete	A.J.W Construction	Oakland	CB		640,000	640,000			640,000	640,000	H	640,000	
Crack Seal	Bond Blacktop	Union City	UB						72,000	72,000	C		
Microsurfacing	Bond Blacktop	Union City	UB							299,000	C		
Cold in Place	Pavement Cycling Systems	Mira Loma	UB							547,000	C		
Asphalt Rubber Chip Seal	Inter Mountain Slurry Seal Inc.	Sacramento	UB							700,000	C		
Striping	Chrip Company	Fremont	UB							430,000	C		
Colorized Bikeway Coating	Schwartz Construction	Auburn	UB							45,225	C		
Trucking(partial)	Williams Trucking	Oakland	CB		350,000	350,000	350,000	350,000	350,000	350,000	AA	350,000	
Trucking(partial)	Monroe Trucking	Oakland	CB		210,000	210,000	210,000	210,000	210,000	210,000	AA	210,000	
Tree Trimming	Professional Tree Care	Bedceley	UB						27,000	27,000	C		
Project Totals				\$3,092,351	\$1,200,000	\$4,292,351	\$560,000	\$560,000	\$4,391,351	\$6,587,687		\$1,200,000	\$0
				70.42%	27.33%	97.75%	100.00%	100.00%	100.00%	100.00%		27.33%	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 50% requirement.				LBE/25%	SLBE/25%	TOTAL LBE/SLBE	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 WO = Multiple Ownership		
Legend LBE = Local Business Enterprise SLBE = Small Local Business Enterprise Total LBE/SLBE = All Certified Local and Small Local Businesses NPLBE = NonProfit Local Business Enterprise NPSLBE = NonProfit Small Local Business Enterprise UB = Uncertified Business CB = Certified Business MBE = Minority Business Enterprise WBE = Women Business Enterprise													

* 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.: C369630

PROJECT NAME: Rebid-Citywide Street Rehabilitation And Reconstruction Phase II-Base Bid Only

CONTRACTOR: McGuire & Hester

<u>Engineer's Estimate:</u> \$6,227,117.40	<u>Contractors' Original Bid</u> \$7,265,417.80	<u>Specialty Dollar</u> \$2,153,708.00	<u>Over/Under Engineer's Estimate</u> -\$1,038,300.40
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<u>Discounted Bid Amount:</u> \$7,112,036.51	<u>Amount of Bid Discount</u> \$153,381.29	<u>Non-Specialty Bid Amt</u> \$5,112,709.80	<u>Discount Points:</u> 3%
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- 1. Did the 50% requirements apply? **YES**

- 2. Did the contractor meet the 50% requirement? **YES**
 - b) % of LBE participation **69.35%**
 - c) % of SLBE participation **30.65%**

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

- 4. Did the contractor receive bid discounts? **YES**
 - (If yes, list the percentage received) **3%**

- 5. Additional Comments.

Bid item(s) # 14,17,18,22,23,24,25,26,28, and 33 are 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

6/18/2012

Date

Reviewing
Officer:

Sperry Hang

Date:

6/18/2012

Approved By:

Shelley Sorenburg

Date:

6/18/2012

LBE/SLBE PARTICIPATION

BIDDER 3

Project Name: **Rebid-Citywide Street Rehabilitation And Reconstruction Phase II-Base Bid Only**

Project No.: C369630		Engineers Est: \$6,227,117.40				Under/Over Engineers Estimate: -\$1,038,300.40					For Tracking Only			
Discipline	Prime & Subs	Location	Cert. Status	LBE	SLBE	Total LBE/SLBE	L/SLBE Trucking	Total Trucking	*Non-Specialty Bid Amount	TOTAL Original Bid Amount	Ethn.	MBE	WBE	
											PRIME	McGuire & Hoster	Oakland	CB
Trucking	S & S Trucking	Oakland	CB		240,000.00	240,000.00	240,000.00	240,000.00	240,000.00	240,000.00	H	240,000.00		
Trucking	Willama Trucking	Oakland	CB		240,000.00	240,000.00	240,000.00	240,000.00	240,000.00	240,000.00	AA	240,000.00		
Concrete	AJW Constnction	Oakland	CB		580,000.00	580,000.00			580,000.00	580,000.00	H	580,000.00		
Bike Colorizing	Schwartz Const.	Auburn	UB							45,225.00	C			
Stripping	Lineation Marking	Oakland	CB		507,000.00	507,000.00			507,000.00	507,000.00	C			
Cement Red	Griffin Soil	Pleasanton	UB							271,000.00	C			
Microsurfacing	Bond Black Top	Union City	UB							299,000.00	C			
Chip Seal	Inner Mountain	Sacramento	UB							753,000.00	C			
Project Totals				53,545,709.80	\$1,567,000.00	\$5,112,709.80	\$480,000.00	\$480,000.00	\$5,112,709.80	\$7,265,417.80		\$1,060,000.00	\$0.00	
				69.35%	30.65%	100.00%	100.00%	100.00%	100.00%	100.00%		14.59%	0.00%	
Requirements: The 50% requirements is a combination of 25% LBE and 25% SLBE participation. An SLBE firm can be counted 100% towards achieving				LBE 25%	SLBE 25%	TOTAL LBE/SLBE	50% LBE/SLBE TRUCKING				Ethnicity AA = African American AI = Asian Indian AP = Asian Pacific C = Caucasian H = Hispanic NA = Native American O = Other M = Not Listed MO = Multiple Ownership			
Legend				LBE = Local Business Enterprise SLBE = Small Local Business Enterprise Total LBE/SLBE = All Certified Local and Small Local Businesses NPLBE = NonProfit Local Business Enterprise NPSLBE = NonProfit Small Local Business Enterprise				UB = Uncertified Business CB = Certified Business MBE = Minority Business Enterprise WBE = Women Business Enterprise						

* 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.: C369630

PROJECT NAME: Rebid-Citywide Street Rehabilitation And Reconstruction Phase ii-Base Bid Only

CONTRACTOR: Bay Cities Paving & Grading

<u>Engineer's Estimate:</u>	<u>Contractors' Original Bid</u>	<u>Specialty Dollar Amount</u>	<u>Over/Under Engineer's Estimate</u>
\$6,227,117.40	\$7,041,263.08	\$2,444,817.80	-\$814,145.68

<u>Discounted Bid Amount:</u>	<u>Amount of Bid Discount</u>	<u>Non-Specialty Bid Amt.</u>	<u>Discount Points:</u>
\$4,596,445.50	\$0	\$4,596,445.50	0%

- 1. Did the 50% L/SLBE requirement apply? **YES**

- 2. Did the contractor meet the 50% requirement? **NO**
 - b) % of LBE participation **0%**
 - c) % of SLBE participation **13.92%**

- 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? **NO**
 - (If yes, list the percentage received) **0%**

5. Additional Comments.

Bid items # 14,17,18,22,23,24,25,26,28, and 33 are considered specialty work and was excluded from the total bid price for the purposes of determining compliance with the 50% L/SLBE requirement. Contractor failed to meet the minimum 50% L/SLBE participation requirement. Therefore, they are deemed non-responsive.

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

6/18/2012
Date

Reviewing Officer:

[Signature]

Date:

6/18/2012

Approved By:

[Signature]

Date:

6/18/2012

LBE/SLBE PARTICIPATION BIDDER 2

Project Name: **Rebid-Citywide Street Rehabilitation And Reconstruction Phase II-Base Bid Only**

Project No.: C369630		Engineers Est. \$6,227,117.40		Undsr/Ovsr Engineers Estimate: -\$514,145.60							For Tracking Only		
Discipline	Prime & Subs	Location	Cert. Status	LBE	SLBE	Total LBE/SLBE	L/SLBE Trucking	Total Trucking	*Non-Specialty Bid Amount	TOTAL Original Bid Amount	Ethn.	MBE	WBE
PRIME	Bay Cities Paving & Grading	Concord	UB						3,876,445.50	3,121,263.08	H		
Adjust Manhole	El Carmino Paving	Sunnyvale	UB						20,000.00	60,000.00	NL		
Concrete	AJW Constnction	Oakland	CB		640,000.00	640,000.00			640,000.00	640,000.00	H	640,000.00	
Striping/Markers	Chrisp. Co.	Fremont	UB							550,000.00	NL		
AC	Vulcan Materials	Pleasanton	UB							2,000,000.00	NL		
Cold in Place Recycling	FMG	San Jose	UB							650,000.00	C		
Project Totals				\$0.00 0.00%	\$640,000.00 13.92%	\$640,000.00 13.92%	\$0.00 0.00%	\$0.00 0.00%	\$4,596,445.50 100.00%	\$7,041,263.08 100.00%		\$640,000.00 13.92%	\$0 0.00%
Requirements: The 50% requirement is a combination of 25% LBE and 25% SLBE participation. An SLBE firm can be counted 100M towards achieving the 50% requirement.				LBE 25%	SLBE 25%	TOTAL LBE/SLBE	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 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 = Woman 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.

Attachment D

Citywide Street Rehabilitation and Reconstruction Phase II
(Project No. C369630)

Contractor Performance Evaluation

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

Project Number/Title: CITYWIDE STREET RESURFACING FY 2007-2008
 Work Order Number (if applicable): _____
 Contractor: GALLAGHER & BURK, INC.
 Date of Notice to Proceed: JUNE 8, 2009
 Date of Notice of Completion: JANUARY 3, 2011
 Date of Notice of Final Completion: JANUARY 3, 2011
 Contract Amount: \$ 1,672,405.66
 Evaluator Name and Title: WAI WONG, CONSTRUCTION COORDINATOR

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 type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
3	Was the Contractor responsive to City staff's comments and concerns regarding the work performed or the work product delivered? If "Marginal or Unsatisfactory", explain on the attachment. Provide documentation.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
4	Were there other significant issues related to "Work Performance"? If Yes, explain on the attachment. Provide documentation.				Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>
5	Did the Contractor cooperate with on-site or adjacent tenants, business owners and residents and work in such a manner as to minimize disruptions to the public. If "Marginal or Unsatisfactory", explain on the attachment.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
6	Did the personnel assigned by the Contractor have the expertise and skills required to satisfactorily perform under the contract? If "Marginal or Unsatisfactory", explain on the attachment.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
7	Overall, how did the Contractor rate on work performance? The score for this category must be consistent with the responses to the questions given above regarding work performance and the assessment guidelines. Check 0, 1, 2, or 3.	0 <input type="checkbox"/>	1 <input type="checkbox"/>	2 <input checked="" type="checkbox"/>	3 <input type="checkbox"/>	

TIMELINESS

		Unsatisfactory	Marginal	Satisfactory	Outstanding	Not Applicable
8	Did the Contractor complete the work within the time required by the contract (including time extensions or amendments)? If "Marginal or Unsatisfactory", explain on the attachment why the work was not completed according to schedule. Provide documentation.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
9	Was the Contractor required to provide a service in accordance with an established schedule (such as for security, maintenance, custodial, etc.)? If "No", or "N/A", go to Question #10. If "Yes", complete (9a) below.			Yes <input type="checkbox"/>	No <input type="checkbox"/>	N/A <input checked="" 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 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: Satisfactory

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

PROCEDURE:

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

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

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

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OAKLAND CITY COUNCIL

RESOLUTION No. _____ C.M.S.

RESOLUTION:

AWARDING A CONSTRUCTION CONTRACT TO GALLAGHER & BURKE, INC. THE LOWEST RESPONSIBLE, RESPONSIVE BIDDER, IN ACCORD WITH PLANS AND SPECIFICATIONS FOR CITYWIDE STREET REHABILITATION AND RECONSTRUCTION PHASE II PROJECT NO. C369630 AND CONTRACTOR'S BID THEREFOR, IN THE AMOUNT OF SIX MILLION, FIVE HUNDRED EIGHTY-SEVEN THOUSAND, FIVE HUNDRED EIGHTY-SEVEN DOLLARS (\$6,587,587.00)

WHEREAS, the City of Oakland's street infrastructure is considered a significant asset that impacts the quality of life for those who live and work in Oakland; and

WHEREAS, the Proposition 1B bond revenues must be invested in improving local streets, roads, and/or other priority local transportation projects; and

WHEREAS, eligible projects for Proposition 1B are those that reduce congestion, increase traffic safety, or rehabilitate and maintain local roads; and

WHEREAS, the City Council adopted Resolution No. 81039 C.M.S. establishing a 5-Year Paving Plan, representing the optimized distribution of paving funds as analyzed by the City's Pavement Management Program; and

WHEREAS, the projects associated with the 5-Year Paving Plan are eligible for the Proposition 1B Funds; and

WHEREAS, the project locations associated with this project are selected from the City's 5-Year Paving Plan; and

WHEREAS, the City Council adopted the target of eighty percent (80%) of available street rehabilitation funds each year be dedicated to rehabilitating streets from the 5-Year Paving Plan, and that the remaining twenty percent (20%) of available funds will be dedicated to rehabilitation selected "worst streets"; and

WHEREAS, the City of Oakland coordinates and screens all proposed streets for conflicts with sewer, storm drainage, gas, water, electrical, cable, and fiber optic replacement projects to insure that all underground rehabilitation work occurs prior to scheduled street rehabilitation projects; and

WHEREAS, there are sufficient Proposition IB California Transportation Bond funds (2165); Streets and Structures Organization (92242); Street Construction Account (57411); Project No. C369630; \$4,213,539.09; and

WHEREAS, there are sufficient Rubberized Pavement (TRP) Grant funds, Department of Resources Recycling and Recovery (Cal Recycle) (2159); Streets and Structures Organization (92242); Street Construction Account (57411); Project No. C369631; \$101,130.00; and

WHEREAS, there are sufficient Metropolitan Transportation Commission Grant funds in the project budget for the work and funding for this work is available in the following project account: (2163); Infrastructure Plans Organization (92260); Street Construction Account (57411); MacArthur BART Bicycle Access Project (C410810); \$88,321.00; and

WHEREAS, there are sufficient California Gas Tax (2231); Streets and Structures Organization (92242); Street Construction Account (57411); Project No. C427810; \$1,700,000.00;

WHEREAS, there are sufficient Measure B Bicycle/Pedestrian Pass-Thru funds in the project budget for the work and funding for this work is available in the following project account: (2212); Infrastructure Plans Organization (92260); Street Construction Account (57411); Bicycle Facility Design and Implementation Project (C428410); \$131,830.28; and

WHEREAS, there are sufficient Transportation Development funds in the project budget for the work and funding for this work is available in the following project account: (2162); Street Construction Account (57411); Harrison Street/Oakland Avenue Bikeway Project (C443210); \$59,000.00; and

WHEREAS, there are sufficient Measure B Local Streets and Roads funds in the project budget for the work and funding for this work is available in the following project account: (2211); Infrastructure Plans Organization (92260); Street Construction Account (57411); Shattuck Avenue Resurfacing and Bikeway Project (C444710); \$132,863.98; and

WHEREAS, there are sufficient Vehicle Registration Fee in the project budget for the work is available in the following project account: (2215); Streets and Structures Organization (92242); Street Construction Account (57411); Project No. C458810; \$1,439,000.00; and

WHEREAS, the City advertised and issued a solicitation for bids for Citywide Street Rehabilitation and Reconstruction Phase II (Project No. C369630) on May 24, 2012 with an Engineer's Estimate for the work of \$6,227,117.40, and received three bids for the project on May 24, 2012 from: Gallagher and Burk, Inc.- \$6,587,587.00, Bay Cities Construction - \$7,041,263.08, and McGuire & Hester - \$7,265,417.80; and

WHEREAS, the City Council finds that the City lacks the equipment and qualified personnel to perform the necessary repairs and that the performance of this contract is in the public interest because of the economy; and

WHEREAS, the City Administrator has determined that this contract is professional, scientific or technical and temporary in nature and shall not result in the loss of employment or salary by

any person having permanent status in the competitive services; now, therefore, be it

RESOLVED: That the contract for the Citywide Street Rehabilitation and Reconstruction Phase II Project No. C369630 is awarded to Gallagher & Burk, Inc., the lowest responsible, responsive bidder, in accordance with the plans and specifications for the Project and contractor's bid therefor, dated May 24, 2012, in the amount of Six Million Five Hundred Eighty-Seven Thousand Five Hundred Eighty-Seven Dollars (\$6,587,587.00); and be it

FURTHER RESOLVED: That all other bids submitted for Project No. C369630 are hereby rejected; and be it

FURTHER RESOLVED: That the amount of the bond for faithful performance and the amount for a bond to guarantee payment of all claims for labor and materials furnished and for amount due under the Unemployment Insurance Act, shall be for 100% of the contract price and are hereby approved; and be it

FURTHER RESOLVED: That the plans and specifications prepared by the Assistant Director of the Public Works Agency for this project, and reviewed and adopted by the City Engineer, are hereby approved; and be it

FURTHER RESOLVED: That the contract shall be reviewed and approved by the City Attorney for form and legality and placed on file in the Office of the City Clerk.

IN COUNCIL, OAKLAND, CALIFORNIA, _____, 20_____

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