



# INTER OFFICE MEMORANDUM

Department of Workplace and Employment Standards (DWES)

**TO:** Pablo Miras,  
Civil Engineer

**FROM:** Shelley Darensburg, *SD*  
Contract Compliance Supervisor

**PREPARED BY:** Paula Peav,  
Contract Compliance Officer

**DATE:** February 11, 2025

**SUBJECT:** Compliance Analysis- Citywide Pavement Rehab 2024A  
Project No. 1007572

The Department of Workplace and Employment Standards (DWES) conducted a Compliance Analysis of three (3) bids submitted to the City in response to the above referenced project.

The Local and Small Local Business Enterprise (L/SLBE) participation requirement for this project was set at **20%**: 15% LBE and 5% SLBE. Specialty items have been excluded from the contractor's overall bid price for purposes of determining compliance with the minimum 20% L/SLBE requirement.

**All firms met the 20%: 15% LBE and 5% minimum requirement.** All firms have also been awarded **Bid Discounts** as summarized below:

Bidder	Original Bid Amount	Specialty Dollar Amount	Non-Specialty Dollar Amount	Proposed versus Credited L/SLBE Participation							Trucking Met	L/SLBE Met	Earned Bid Discounts
				LBE PROPOSED	LBE CREDITED	SLBE PROPOSED	SLBE CREDITED	VSLBE PROPOSED	VSLBE CREDITED	TOTAL CREDITED	Yes or No	Yes or No	2-10%
Gallagher & Burk, Inc.	\$25,740,000	\$1,077,500	\$24,662,500	70.76%	15.00%	10.69%	10.69%	0%	0%	<b>25.69%</b>	Yes	Yes	2%
McGuire and Hester	\$25,948,875	\$1,835,000	\$24,113,875	25.4%	15.00%	9.17%	9.17%	4.30%	8.61%	<b>32.78%</b>	Yes	Yes	3%
Teichert Construction	\$27,994,780	\$3,645,000	\$24,349,780	19.75%	15.00%	8.72%	8.72%	0%	0%	<b>23.72%</b>	Yes	Yes	2%

Please contact Paula Peav, Contract Compliance Officer, at [ppeav@oaklandca.gov](mailto:ppeav@oaklandca.gov) or (510) 238-3190 with any questions.

## LBE/SLBE PARTICIPATION BIDDER 1

<b>Project Name:</b> Citywide Pavement Rehabilitation 2024A															
<b>Project No.:</b> 1007572															
Discipline	Prime & Subs	Location	Cert.  Status	LBE/LPG	SLBE	VSLBE  double counted value	Total	L/SLBE	VSLBE	Total	Non-Specialty Bid Amount	TOTAL ORIGINAL BID AMOUNT	For Tracking Only		
							LBE/SLBE	Trucking	Trucking	Trucking	Dollars	Dollars	Ethn.	MBE	WBE
PRIME  Materials  Trucking  Adjust Iron Minor Concrete & Related Crack Seal & Slurry Seal Striping & Signs, Channelizers Railroad Track & Tree Stumps Removal Adjust Iron	Gallagher & Burk Inc	Oakland	CB	5,908,825			5,908,825				5,908,825	5,908,825	C		
	Gallagher & Burk Materials	Oakland	CB	4,845,400			4,845,400				4,845,400	4,845,400	C		
	Double D Trucking	Dublin	UB								100,000	100,000	C		
	Monroe Trucking	Oakland	CB		2,520,000		2,520,000	2,520,000		2,520,000	2,520,000	2,520,000	AA	2,520,000	
	Rosas Brothers Construction	Oakland	CB	6,697,000			6,697,000				6,697,000	6,697,000	H	6,697,000	
	Bond Blacktop Inc	Union City	UB									302,250	C		
	Chrisp Company	Fremont	UB								4,474,275	5,249,525	C		
	Dekay Demolition & Clearing	Oakland	CB		117,000		117,000				117,000	117,000	O	117,000	
	TDW Construction	Livermore	UB								888,500	888,500	H	888,500	
<b>Project Totals</b>				17,451,225	2,637,000	0	20,088,225	2,520,000	0	2,520,000	24,662,500	25,740,000		9,334,000	0
<b>Percentages %</b>				70.760	10.692	0.000	81.453	100.000	0.000	100.000	100.000			36.263	0.000
<b>Requirements:</b> The 50% requirements is a combination of 25% LBE and 25% SLBE participation. An SLBE firm can be counted 100% towards achieving 50% requirements. A VSLBE's participation is double counted toward meeting the				LBE/LPG	SLBE	VSLBE	Total	L/SLBE	VSLBE	Total	Non-Specialty Bid Amount	TOTAL ORIGINAL BID AMOUNT			
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								AA = African American AI = Asian Indian AP = Asian Pacific C = Caucasian H = Hispanic NA = Native American O = Other NL = Not Listed MO - Multiple Ownership			



## **DEPARTMENT OF WORKPLACE & EMPLOYMENT STANDARDS**

### **Contracts and Compliance Unit**

#### **PROJECT EVALUATION FORM**

**PROJECT NO.:** 1007572

**PROJECT NAME:** Citywide Pavement Rehabilitation 2024A

**CONTRACTOR:** Gallagher & Burk Inc

**Contractor's Bid Amount:** \$25,740,000

**Specialty Dollar Amount**  
**\$1,077,500**

**Non-Specialty Bid Amount**  
**\$24,662,500**

**Discount Points:**  
**2%**

1. Did the 20% local/small local requirements apply?  
(15% LBE, 5% SLBE)

**YES**

2. Did the contractor meet the 20% requirement?

**YES**

- a) % of LBE participation
- b) % of SLBE participation
- c) % of VSLBE participation
- d) Total % L/SLBE participation

PROPOSED	CREDITED
<b><u>70.76%</u></b>	<b><u>15.00%</u></b>
<b><u>10.69%</u></b>	<b><u>10.69%</u></b>
<b><u>0.00%</u></b>	<b><u>0.00%</u></b>
<b><u>81.45%</u></b>	<b><u>25.69%</u></b>

3. Did the contractor meet the Trucking requirement?

**YES**

- a) Total SLBE/LBE trucking participation

**100%**

4. Did the contractor receive bid discounts?

**YES**

(If yes, list the percentage received)

**2%**

5. Additional Comments.

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

**2/11/25**

Date

**Reviewing  
Officer:**

*Paula Peav*

**Date:** 2/11/2025

**Approved By:**

*Shelley Darensburg*

**Date:** 2/11/2025

## LBE/SLBE PARTICIPATION BIDDER 2

Project Name: Citywide Pavement Rehabilitation 2024A																	
Project No.: 1007572																	
Discipline	Prime & Subs	Location	Cert. Status	LBE/LPG	SLBE	VSLBE <small>double counted value</small>	Total	L/SLBE	VSLBE	Total	Non-Specialty Bid Amount	TOTAL ORIGINAL BID AMOUNT	For Tracking Only				
							LBE/SLBE	Trucking	Trucking	Trucking	Dollars	Dollars	Ethn.	MBE	WBE		
PRIME	McGuire & Hester	Oakland	CB	6,125,372			6,125,372				6,125,372	6,125,372	C				
Adjust Iron	D's General Engineering	Oakland	CB			1,038,000	1,038,000				1,038,000	1,038,000	H	1038000.00			
Concrete	RK Engineering	SF	UB								6,243,250	6,243,250	C				
Crack Seal & Slurry Seal	Bond Blacktop Inc	Union City	UB									302,250	C		302250.00		
Trucking	D's Trucking Services Inc	Oakland	CB		2,210,644		2,210,644	2,210,644		2,210,644	2,210,644	2,210,644	H	2210644.00			
Hot Mix Asphalt	Dutra Materials	Richmond	UB								4,028,206	4,028,206	C				
Grinding	Pavement Recycling Systems	Jurupa Valley	UB								383,828	383,828	C				
Striping	Chrisp Company	Bloomington	UB								3,716,775	5,249,525	C				
Survey	Benchmark Engineering	Modesto	UB								93,000	93,000	O	93000.00			
Tack Oil	Pacific Northwest Oil	Stockton	UB								274,800	274,800	O	274800.00			
				Project Totals			6,125,372	2,210,644	1,038,000	9,374,016	2,210,644	0	2,210,644	24,113,875	25,948,875	3,616,444	302,250
				Percentages %			25.402	9.168	8.609	38.874	100.000	0.000	100.000	100.000			13.937
<b>Requirements:</b> The 50% requirements is a combination of 25% LBE and 25% SLBE participation. An SLBE firm can be counted 100% towards achieving 50% requirements. A VSLBE's participation is double counted toward meeting the				LBE/LPG	SLBE	VSLBE	Total	L/SLBE		Total	Non-Specialty Bid Amount	TOTAL ORIGINAL BID AMOUNT					
<div style="display: flex; justify-content: space-between;"> <div>           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            LBE/LPG = Local Produced Goods LBE         </div> <div>           UB = Uncertified Business            CB = Certified Business            MBE = Minority Business Enterprise            WBE = Women Business Enterprise         </div> </div>													AA = African American AI = Asian Indian AP = Asian Pacific C = Caucasian H = Hispanic NA = Native American O = Other NL = Not Listed MO - Multiple Ownership				



## DEPARTMENT OF WORKPLACE & EMPLOYMENT STANDARDS

### Contracts and Compliance Unit

#### PROJECT EVALUATION FORM

PROJECT NO.: 1007572

PROJECT NAME: Citywide Pavement Rehabilitation 2024A

CONTRACTOR: McGuire & Hester

Contractor's Bid Amount: \$25,948,875

Specialty Dollar Amount  
**\$1,835,000**

Non-Specialty Bid Amount  
**24,113,875**

Discount Points:  
**3%**

1. Did the 20% local/small local requirements apply?  
(15% LBE, 5% SLBE)

**YES**

2. Did the contractor meet the 20% requirement?

**YES**

- a) % of LBE participation
- b) % of SLBE participation
- c) % of VSLBE participation
- d) Total % of L/S/VSLBE

PROPOSED	CREDITED
<u><b>25.40%</b></u>	<u><b>15.00%</b></u>
<u><b>9.17%</b></u>	<u><b>9.17%</b></u>
<u><b>4.30%</b></u>	<u><b>8.61%</b></u>
<u><b>38.87%</b></u>	<u><b>32.78%</b></u>

3. Did the contractor meet the Trucking requirement?

**YES**

- a) Total SLBE/LBE trucking participation

**100%**

4. Did the contractor receive bid discounts?

**YES**

(If yes, list the percentage received)

**3%**

5. Additional Comments.

**VSLBE participation was double counted.**

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

**2/11/2025**  
Date

Reviewing  
Officer:

*Paula Peav*

Date: **2/11/2025**

Approved By:

*Shelley Darensburg*

Date: **2/11/2025**

LBE/SLBE PARTICIPATION															
BIDDER 3															
Project Name: Citywide Pavement Rehabilitation 2024A															
Project No.: 1007572															
Discipline	Prime & Subs	Location	Cert.	LBE/LPG	SLBE	VSLBE	Total	L/SLBE	VSLBE	Total	Non-Specialty Bid Amount	TOTAL ORIGINAL BID AMOUNT	For Tracking Only		
			Status											Ethn.	MBE
PRIME	A. Teichert & Son, Inc.	Pleasanton	UB	4,797,949	2,005,092		2,005,092	2,005,092		2,005,092	7,455,214	7,455,214	C		
Trucking	SN Sands Corp dba S & S Trucking	Oakland	CB										H	2,005,092	
Supplier of Asphalt	Oliver DeSilva dba Gallagher & Burk Inc	Oakland	CB										C		
Railroad Tracks and Tree Stump Removal	DeKay Demolition and Clearance Inc	Oakland	CB										O	117,000	
Utility Adjustment	JCC Inc	Concord	UB										C		
Supplier of Aggregate Base	Argent Materials Inc	Oakland	CB										C		
Crack Seal/Slurry Seal	Bond Blacktop Inc	Union City	UB										C		302,250
Operated Grinder Rental	Anrak Corporation	Sacramento	UB										C		
Striping and Marking	Chrisp Company	Fremont	UB										C		
Minor Concrete	Spencon Construction Inc	Danville	UB										C		
	Project Totals			4,809,949	2,122,092	0	6,932,041	2,005,092	0	2,005,092	24,349,780	27,994,780		2,122,092	302,250
	Percentages %			19.754	8.715	0.000	28.469	100.000	0.000	100.000	100.000			7.580	1.080
Requirements: The 50% requirements is a combination of 25% LBE and 25% SLBE participation. An SLBE firm can be counted 100% towards achieving 50% requirements. A VSLBE's participation is double counted toward meeting the requirements.				LBE/LPG	SLBE	VSLBE	Total	L/SLBE	VSLBE	Total	Non-Specialty Bid Amount	TOTAL ORIGINAL BID AMOUNT			
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								AA = African American AI = Asian Indian AP = Asian Pacific C = Caucasian H = Hispanic NA = Native American O = Other NL = Not Listed MO = Multiple Ownership			



## DEPARTMENT OF WORKPLACE & EMPLOYMENT STANDARDS

### Contracts and Compliance Unit

#### PROJECT EVALUATION FORM

PROJECT NO.: 1007572

PROJECT NAME: Citywide Pavement Rehabilitation 2024A

CONTRACTOR: A. Teichert & Son, Inc.

Contractor's Bid Amount: \$27,994,780

Specialty Dollar Amount  
\$3,645,000

Non-Specialty Bid Amount  
\$24,249,780

Discount Points:  
2%

1. Did the 20% local/small local requirements apply?  
(15% LBE, 5% SLBE)

YES

2. Did the contractor meet the 20% requirement?

YES

a) % of LBE participation

PROPOSED	CREDITED
<u>19.75%</u>	<u>15.00%</u>
<u>8.72%</u>	<u>8.72%</u>
<u>0.00%</u>	<u>0.00%</u>
<u>28.47%</u>	<u>23.72%</u>

b) % of SLBE participation

c) % of VSLBE participation

d) Total % of L/S/VSLBE participation

3. Did the contractor meet the Trucking requirement?

YES

a) Total SLBE/LBE trucking participation

100%

4. Did the contractor receive bid discounts?

YES

(If yes, list the percentage received)

2%

5. Additional Comments.

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

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