



Attachment C

INTER OFFICE MEMORANDUM

Department of Workforce & Employment Standards (DWES)

TO: David Ng
Assistant Engineer II

FROM: Deborah Barnes, Director,
DW & ES *Deborah Lusk-Barnes*

PREPARED BY: Vivian Inman, *Vivian Inman*
Acting CCO Supervisor

DATE: September 14, 2021

SUBJECT: Compliance Analysis
Rehabilitation of Sanitary Sewer Sub Basin 83-202
Project No. 1004810

The Sr. Contract Compliance Officer reviewed two (2) 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).

The above referenced project contains Cured in Place Pipe (CIPP) specialty work. The Standard Specifications for Public Works Construction, "Greenbook", page 10 section 2-3.2 (Attachment A) describes how specialty work may be addressed. Based upon the Greenbook and per the specifications, the CIPP specialty items have been excluded from the contractor's bid price for purposes of determining compliance with the minimum 50% L/SLBE requirement.

The spreadsheet below is a revised format specifically for this analysis. The spreadsheet shows: Column A - Original Bid Amount; Column B - Specialty Dollar Amount submitted by the contractor; Column C - Non-Specialty Bid Amount (difference between column A and B); Column D - Total Credited Participation; Column E - Earned Bid Discounts as a result of the total credited participation and Column F - Adjusted Bid Amount calculated by applying the earned bid discount to the non-specialty work (column C) and then subtracting that difference from the original bid amount (column A).

Responsive		Proposed Participation							Earned Credits and Discounts			EBO Compliant? Y/N
Company Name	Original Bid Amount	Specialty Dollar Amount	Non Specialty Dollar Amount	Total LBE/SLBE	LBE/LPG	SLBE	*VSLBE	L/SLBE Trucking	Total Credited participation	Earned Bid Discounts	Adjusted Bid Amount	
	A	B	C						D	E	F	
Pacific Trenchless	\$5,877,485	\$325,210	\$5,544,275	92.25%	.85%	91.40%	0%	100%	92.25%	5%	\$5,600,271	Y

Comments: As noted above, Pacific Trenchless exceeded the minimum 50% Local/Small Local Business Enterprise participation requirement. Both firms are EBO compliant.

Non-Responsive		Proposed Participation							Earned Credits and Discounts			EBO Compliant? Y/N
Company Name	Original Bid Amount	Specialty Dollar Amount	Non Specialty Dollar Amount	Total LBE/SLBE	LBE/LPG	SLBE	*VSLBE	L/SLBE Trucking	Total Credited participation	Earned Bid Discounts	Adjusted Bid Amount	
	A	B	C						D	E	F	
Andes Construction	\$5,125,017	\$485,263	\$4,491,684	94.01%	.56%	93.45%	0%	0%	0%	0%	\$0	Y

Comments: As noted above, Andes Construction failed to meet the minimum 50% Local/Small Local Business Enterprise trucking requirement. Therefore, the firm is deemed non-responsive.

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

L/SLBE PARTICIPATION BIDDER 1

Project Name: Rehabilitation of Sanitary Sewer Sub Basin 83-202

Project No. 1004810		Engineers Est: \$5,900,000.00					Under/Over Engineers Estimate: \$774,983.00					For Tracking Only			
Discipline	Prime & Subs	Location	Cert. Status	LBE/LPG	SLBE	**VSLBE	Total	L/SLBE	Total	*Non-Specialty Bid Amount	TOTAL Original Bid Amount	Ethn.	MBE	WBE	
							LBE/SLBE	Trucking	Trucking	Dollars					
PRIME Sawcutting	Andes Construction	Oakland	CB		4,197,684		4,197,684			4,197,684	4,197,684	C			
	Bayline	SF	UB									5,000	5,000	H	5,000
Trucking	18th Trucking	Hayward	UB						25,000	25,000	25,000	H	25,000		
HDPE Pipe	P&F Distributors	Brisbane	UB							95,000	95,000	C			
AC	Gallagher & Burk	Oakland	CB	25,000			25,000			25,000	25,000	C			
AC	Hanson West	Berkeley	UB							35,000	35,000				
AB-DR	Dutra Materials	Rafael	UB							30,000	30,000	C			
MH Precast	Old Castle	n	UB							40,000	40,000	C			
MH Rehab	Contech	Stockton	UB							24,000	54,070	C			
Survey	Benchmark Engineering	Modesto	UB							15,000	15,000	C			
CIPP Liner	Masterliner	Hammond	UB								458,263	C			
Resin	Composites	to	UB								65,000	C			
Grinding/Pavin	QA Constructors	SF	UB								\$80,000	H	\$80,000		
Project Totals				\$25,000	\$4,197,684	\$0.00	\$4,222,684	\$0	\$25,000	\$4,491,684	\$5,125,017		\$30,000	\$0	
				0.56%	93.45%	0.00%	94.01%	0%	100%	100%	100%		0.67%	0.00%	
Requirements: The 50% requirement is a combination of 25% LBE and 25% SLBE participation. An SLBE firm can be counted 100% towards achieving the 50% requirement. A VSLBE's participation is double counted toward meeting the requirement.				LBE 25%	SLBE 25%	VSLBE/LPG	TOTAL LBE/SLBE/ VSLBE/LPG	50% LBE/SLBE TRUCKING			Ethnici AA = African American AI = Asian Indian AP = Asian Pacific C = Caucasian H = Hispanic NA = Native American O = Other NL = Not Listed MO = Multiple Ownership				
Legend		LBE = Local Business Enterprise SLBE = Small Local Business Enterprise VSLBE = Very Small Local Business Enterprise LPG = Locally Produced Goods Total LBE/SLBE = All Certified Local and Small Local Businesses NPLBE = NonProfit Local Business Enterprise NPSLBE = NonProfit Small Local Business Enterprise					UB = Uncertified Business CB = Certified Business 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.

DEPARTMENTN OF WORKPLACE AND EMPLOYMENT STANDARDS



(DWES)

PROJECT EVALUATION FORM

PROJECT NO.: 1004810

PROJECT NAME: Rehabilitation of Sanitary Sewer Sub Basin 83-202

CONTRACTOR: Andes Construction

<u>Engineer's Estimate:</u>	<u>Contractors' Original Bid</u>	<u>Specialty Dollar Amount</u>	<u>Over/Under Engineer's</u>
\$5,900,000.00	<u>Amount</u>	\$458,263.00	<u>Estimate</u>
	\$5,125,017.00		\$774,983.00
<u>Discounted Bid Amount:</u>	<u>Amount of Bid Discount</u>	<u>Non-Specialty Bid Amt.</u>	<u>Discount Points:</u>
\$0.00	\$0.00	\$4,491,684.00	0%

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

- 2. Did the contractor meet the 50% requirement? **YES**
 - b) % of LBE/LPG participation **0.56%**
 - c) % of SLBE participation **93.45%**
 - d) % of VSLBE Participation **0.00%**

- 3. Did the contractor meet the L/SLBE Trucking requirement? **NO**
 - a) Total L/SLBE trucking participation **0%**

- 4. Did the contractor receive bid discounts? **NO**
 - (If yes, list the percentage received) **0%**

- 5. Additional Comments.

Bid items # 14, 15 & 16 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. **9/14/2021**
Date

Reviewing Officer: Vivian Anman **Date:** 9/14/2021

Approved By: Vivian Anman (for Deborah Barnes) **Date:** 9/14/2021

LBE/SLBE PARTICIPATION

BIDDER 2

Project Name: Rehabilitation of Sanitary Sewer Sub Basin 83-202

Project No.: 1004810		Engineers Est: \$5,900,000.00					Under/Over Engineers Estimate: \$22,515.00					For Tracking Only			
Discipline	Prime & Subs	Location	Cert. Status	LBE/LPG	SLBE	**VSLBE	Total	L/SLBE	Total	*Non-Specialty	TOTAL Original	Ethn.	MBE	WBE	
							LBE/SLBE	Trucking	Trucking	Bid Amount	Bid Amount				
PRIME	Pacific Trenchless	Oakland	CB		5,067,629		5,067,629			5,067,629	5,067,629	C			
	Trucking	A1 Trucking Svc. Christian Bros	Oakland	CB				21,000	21,000	21,000	21,000	C			
	CIPP Lining	AC Grind & Pave	Fairfield	UB							325,210	C			
		MCK Services, Inc.	Martinez	UB							103,646	103,646	C		
	HDPE Pipe	P & F Distributors	Brisbane	UB							279,000	279,000	C		
	Manhole Lining	Contech of CA	Stockton	UB							13,000	13,000	C		
	Class II AB	Argent Materials	Oakland	CB	18,000			18,000			18,000	18,000	C		
	Drain Rock	Argent Materials	Oakland	CB	12,000			12,000			12,000	12,000	C		
	Asphalt	Gallagher & Burk	Oakland	CB	17,000			17,000			17,000	17,000	C		
	Pipe Coupling	Mission Clay Prod.	Oakland	UB							13,000	13,000	C		
Survey	Benchmark Eng.,	Modesto	UB								8,000	C			
Project Totals				\$47,000	\$5,067,629	\$0	\$5,114,629	\$21,000	\$21,000	\$5,544,275	\$5,877,485		\$0.00	\$0.00	
				0.85%	91.40%	0.00%	92.25%	100%	100%	100%	100%		0.00%	0.00%	
Requirements: The 50% requirement is a combination of 25% LBE and 25% SLBE participation. An SLBE firm can be counted 100% towards achieving the 50% requirement. A VSLBEE's participation is double counted toward meeting the requirement.				LBE 25%	SLBE 25%	VSLBE/LPG	TOTAL LBE/SLBE/VSLBE/LPG	50% LBE/SLBE TRUCKING				Ethnicity AA = African American AI = Asian Indian AP = Asian Pacific C = Caucasian H = Hispanic NA = Native American O = Other NL = Not Listed MO = Multiple Ownership			
Legend	LBE = Local Business Enterprise SLBE = Small Local Business Enterprise VSLBE = Very Small Local Business Enterprise LPG = Locally Produced Goods Total LBE/SLBE = All Certified Local and Small Local Businesses NPLBE = NonProfit Local Business Enterprise NPSLBE = NonProfit Small Local Business Enterprise		UB = Uncertified Business CB = Certified Business 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.: 1004810

PROJECT NAME: Rehabilitation of Sanitary Sewer Sub Basin 83-202

CONTRACTOR: Pacific Trenchless

<u>Engineer's Estimate:</u>	<u>Contractors' Original Bid Amount</u>	<u>Specialty Dollar Amount</u>	<u>Over/Under Engineer's Estimate</u>
\$5,900,000.00	\$5,877,485.00	\$325,210.00	\$22,515.00

<u>Discounted Bid Amount:</u>	<u>Amount of Bid Discount</u>	<u>Non-Specialty Bid Amt.</u>	<u>Discount Points:</u>
\$5,600,271.25	\$277,213.75	\$5,544,275.00	5%

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

- 2. Did the contractor meet the 50% requirement? **YES**
 - b) % of LBE/LPG participation **0.85%**
 - c) % of SLBE participation **91.40%**
 - d) % of VSLBE Participation **0.00%**

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

- 4. Did the contractor receive bid discounts? **YES**

(If yes, list the percentage received) **5.00%**

- 5. Additional Comments.

Bid items # 14, 15 & 16 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.

9/14/2021

Date

Reviewing

Officer:

Vivian Inman

Date:

9/14/2021

Approved By:

Vivian Inman (for Deborah Barnes)

Date:

9/14/2021