

FILED
OFFICE OF THE CITY CLERK
OAKLAND **CITY OF OAKLAND**
AGENDA REPORT

2011 OCT 27 PM 1:04

TO: Office of the City Administrator
ATTN: Deanna Santana
FROM: Public Works Agency
DATE: November 8, 2011

RE: Resolution Awarding A Construction Contract To Pacific Trenchless, Inc. The Lowest Responsive and Responsible Bidder, For The Rehabilitation of Sanitary Sewers in the Easement Between Moore Drive and Aitken Drive, Easement Between Saroni Drive and Arrowhead Drive, and Easement Between Glencourt Drive and Homewood Drive (Project No. C329125), In Accord With Plans and Specification for the Project and Contractor's Bid In The Amount Of Two Hundred Fifty-Three Thousand Six Hundred Four Dollars (\$253,604.00)

SUMMARY

A resolution has been prepared awarding a construction contract in the amount of \$253,604.00 to Pacific Trenchless Inc. for the Rehabilitation of Sanitary Sewers in the Easement Between Moore Drive and Aitken Drive, the Easement Between Saroni Drive and Arrowhead Drive, and the Easement Between Glencourt Drive and Homewood Drive (Project No. C329125). The work to be completed under this project is part of the City's annual Sanitary Sewer Rehabilitation program. The location of work is shown in *Attachment A*.

FISCAL IMPACT

Approval of this resolution will authorize the City Administrator to award a construction contract to Pacific Trenchless, Inc. in the amount of \$253,604.00. Funding for this project is available in:

- Sewer Service Fund (3100); Capital Project – Sanitary Sewer Design Organization (92244); Sewers Account (57417); Project C329125; \$253,604.00.

This project will rehabilitate existing sewer pipes, reducing rain-related sewer overflows and minimizing the demand for sanitary sewer maintenance.

BACKGROUND

On September 15, 2011, the City Clerk received five bids for this project in the amounts of \$253,604.00, \$257,035.00, \$298,408.00, \$299,795.00, and \$308,524.00. A summary is shown below and in *Attachment B*. Pacific Trenchless, Inc. is deemed the lowest responsive and responsible bidder, therefore is recommended for the award. The Engineer's estimate for the work is \$254,140.00.

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Public Works Committee
November 8, 2011

List of Bidders

Company	Bid Amount
Pacific Trenchless, Inc	\$253,604.00
Andes construction	\$257,035.00
J Howard Engineering, Inc.	\$298,408.00
Mosto Construction	\$299,795.00
B-Side Construction	\$308,524.00

Under the proposed contract with Pacific Trenchless, Inc., the Local Business Enterprise and Small Local Business Enterprise (LBE/SLBE) participation will be 94.46%, which exceeds the City's 20% LBE/SLBE requirement. The contractor shows a 100% participation for trucking. 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.

KEY ISSUES AND IMPACTS

The Environmental Protection Agency (EPA) mandates the reduction of sanitary sewer overflows. This project is part of the Citywide program to eliminate wastewater overflows. Construction is scheduled to begin in February 2012 and should be completed by April 2012. The contract specifies \$1,000.00 in liquidated damages per calendar day if the contract is not completed within 60 working days. The project schedule is shown in *Attachment B*.

PROJECT DESCRIPTION

In general, the proposed work consists of the rehabilitation of 1,612 linear feet of existing sanitary sewers pipes by pipe-expanding method; rehabilitating sewer structures; reconnecting house connecting sewers; and other work specifically shown on the project plans or included in the Special Provisions.

EVALUATION OF PAST PERFORMANCE

Previous work by this contractor has been satisfactory. The Contractor Performance Evaluation for Pacific Trenchless, Inc. is included as *Attachment D*.

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SUSTAINABLE OPPORTUNITIES

Economic: The contractor will have 50% of the work hours performed by Oakland residents and 50% of all new hires are to be Oakland residents, which will result in local dollars being spent locally.

Environmental: The replacement of the sanitary sewers will minimize sewer leakage and overflows, thus preventing potential harm to property, groundwater resources and the Bay. Best Management Practices for the protection of storm water runoff during construction will be required.

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

DISABILITY AND SENIOR CITIZEN ACCESS

There is no direct impact or benefit to seniors or people with disabilities. During construction, the contractor will be required to provide safe and accessible travel through the construction area.

RECOMMENDATION AND RATIONALE

It is recommended that the construction contract be awarded to Pacific Trenchless, Inc., the lowest responsive and responsible bidder, in the amount of \$253,604.00 for the Rehabilitation of Sanitary Sewers in the Easement Between Moore Drive and Aitken Drive, Easement Between Saroni Drive and Arrowhead Drive, and Easement Between Glencourt Drive and Homewood Drive (Project No. C329125). Pacific Trenchless, Inc. has met the LBE/SLBE requirements, and there are sufficient funds in the project account.

ACTION REQUESTED OF THE CITY COUNCIL

Staff recommends that the City Council approve the resolution.

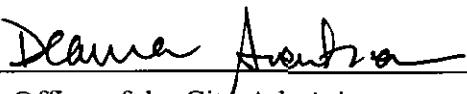
Respectfully submitted,


Vitaly B. Troyan, P.E., Director
Public Works Agency

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

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

**APPROVED AND FORWARDED TO
THE PUBLIC WORKS COMMITTEE:**

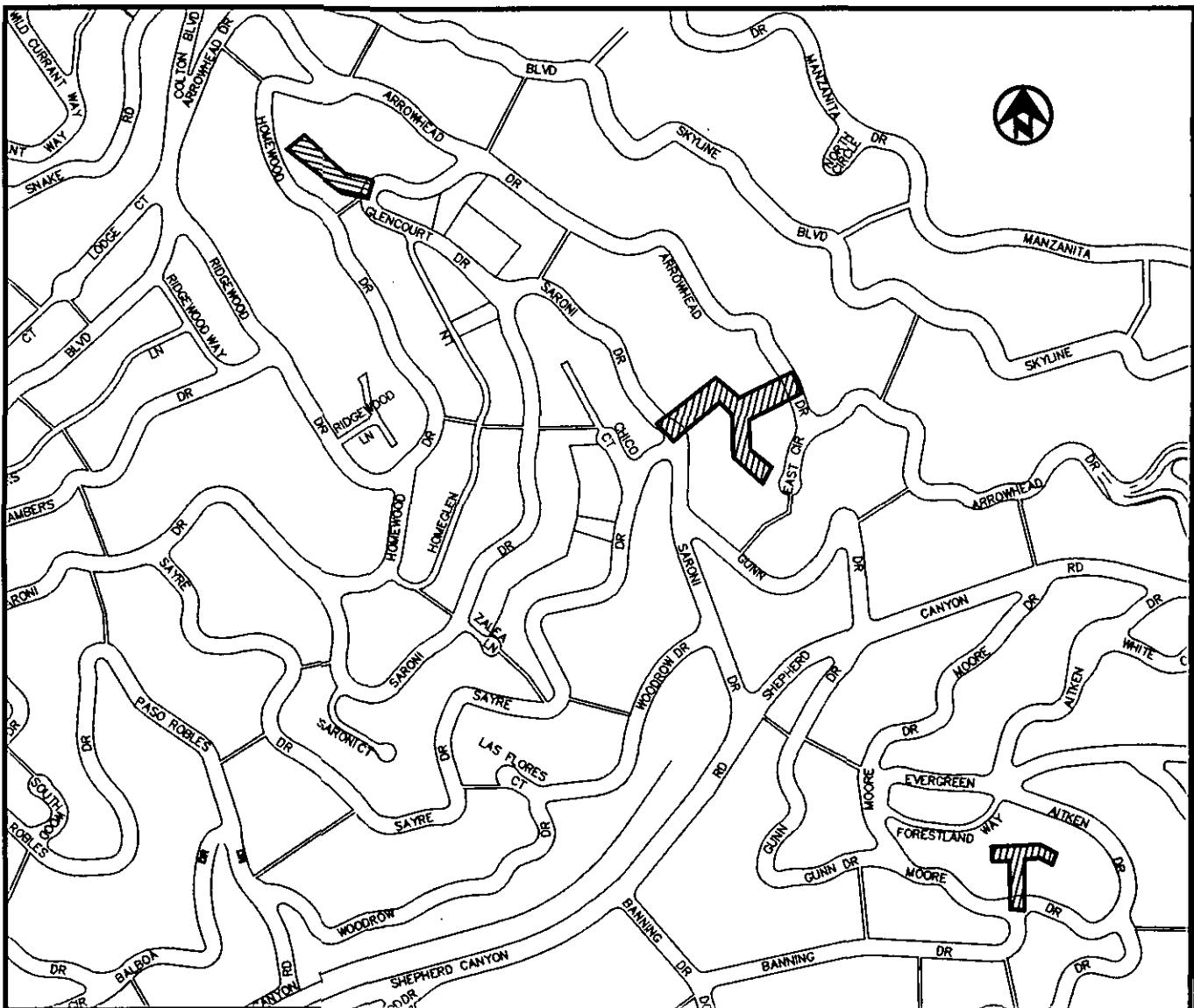

Deanna Santana
Office of the City Administrator

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Public Works Committee
November 8, 2011

ATTACHMENT A

**REHABILITATION OF SANITARY SEWERS IN THE
EASEMENTS BETWEEN MOORE DR. AND AITKEN DR.,
BETWEEN SARONI DR. AND ARROWHEAD DR.,
AND BETWEEN GLENCOURT DR. AND HOMEWOOD DR.**

CITY PROJECT NO. C329125



LOCATION MAP

NOT TO SCALE

LIMIT OF WORK 

Attachment B

**The Rehabilitation of Sanitary Sewers in the
Easement Between Moore Drive and Aitken Drive,
Easement Between Saroni Drive and Arrowhead Drive, and
Easement Between Glencourt Drive and Homewood Drive**

(Project No. C329125)

List of Bidders

Company	Bid Amount
Pacific Trenchless, Inc	\$253,604.00
Andes construction	\$257,035.00
J Howard Engineering, Inc.	\$298,408.00
Mosto Construction	\$299,795.00
B-Side Construction	\$308,524.00

Project Construction Schedule

Attachment C

Memo
City Administrator's Office - Contracts and Compliance Unit

To: Gunawan Santoso - Project Manager
From: Sophany Hang - Assistant Contract Compliance Officer
Through: Deborah Barnes - Contracts and Compliance Director *Deborah Barnes*
CC: Shelley Daresburg - Sr. Contract Compliance Officer
Date: September 29, 2011
Re: C329125- The Rehabilitation of Sanitary Sewers in the Easement Behind Moore Drive and Aiken Drive, Easement Between Saroni Drive and Arrowhead Drive, and Easement Between Glencourt Drive and Homewood Drive

The City Administrator's Office, Contracts and Compliance Unit, reviewed five (5) bids in response to the above referenced project. Below is the outcome of the compliance evaluation for the minimum 20% 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.

Responsive to L/SLBE and/or EBO Policies		Proposed Participation				Earned Credits and Discounts				Banked Credits Eligibility Y/N	EBO Compliant? Y/N
Company Name	Original Bid Amount	Total LBE/SLBE	LBE	SLBE	L/SLBE Trucking	Total Credited participation	Earned Bid Discounts	Adjusted Bid Amount			
Pacific Trenchless.	\$253,604.00	94.46%	0.00%	94.46%	NA	94.46%	5%	\$240,923.80	2%	Y	
Andes Construction	\$257,035.00	99.61%	0.00%	99.61%	NA	99.61%	5%	\$244,183.25	2%	Y	
Mosto Construction	\$272,700.00	100%	0.00%	100%	NA	100%	5%	\$259,065.00	2%	Y	
J. Howard Engineering	\$298,408.00	20.27%	0.00%	20.27%	NA	20.27%	2%	\$292,439.84	0%	N	
B-Side, Inc.	\$308,524.00	67.59%	0.00%	67.59%	NA	67.59%	5%	\$293,097.80	1%	Y	

Comments: As noted above, all firms met and/or exceeded the minimum 20% Local/Small Local Business Enterprise participation requirement. J. Howard Engineering is not EBO compliant.

Non-Responsive to L/SLBE and/or EBO Policies		Proposed Participation				Earned Credits and Discounts				Banked Credits Eligibility Y/N	EBO Compliant? Y/N
Company Name	Original Bid Amount	Total LBE/SLBE	LBE	SLBE	Trucking	Total Credited participation	Earned Bid Discounts	Adjusted Bid Amount			
NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA

Comments: There were no non-responsive bidders

For Informational Purposes

Listed below is the lowest responsible bidder's compliance with the 50% Local Employment Program (LEP) and the 15% Oakland Apprenticeship Program for the lowest bidder's most recently completed City of Oakland project.

Contractor Name: Pacific Trenchless, Inc

Project Name: Rehab of SS in the Area off Alvarado Road ... Evergreen

Project No: C282811

Date: 3/30/11

50% Local Employment Program (LEP)

Was the 50% LEP Goal achieved?	Yes	If no, shortfall hours?	
Were all shortfalls satisfied?	Yes	If no, penalty amount	

15% Oakland Apprenticeship Program

Was the 15% Apprenticeship Goal achieved?	Yes	If no, shortfall hours?	
Were shortfalls satisfied?	Yes	If no, penalty amount?	

The spreadsheet below provides details of the 50% LEP and 15% Apprenticeship Programs. Information provided includes the following data: A) total project hours, B) core workforce hours deducted, C) LEP project employment and work hour goal; D) LEP employment and work hours achieved; E) # resident new hires; F) shortfall hours; G) percent LEP compliance; H) total apprentice hours; I) apprenticeship goal and hours achieved; and J) Apprentice shortfall hours.

Total Project Hours	Core Workforce Hours Deducted	50% Local Employment Program (LEP)						15% Apprenticeship Program					
		C		D		# Resident New Hires	Shortfall Hours	% LEP Compliance	Total Oakland Apprenticeship Hours Achieved	I		Apprentice Shortfall Hours	
A	B	Goal	Hours	Goal	Hours	E	F	G	H	Goal	Hours	J	
1002	0	50%	501	100%	501	0	0	100%	150	15%	150	0	

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

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.: C329125

PROJECT NAME: The Rehabilitation of Sanitary Sewers in the Easement Behind Moore Drive and Aitken Drive, Easement Between Saroni Drive and Arrowhead Drive, and Easement Between Glencourt Drive and Homewood Drive

CONTRACTOR: Pacific Trenchless Inc.

<u>Engineer's Estimate:</u>	<u>Contractors' Bid Amount</u>	<u>Over/Under Engineer's Estimate</u>
\$254,140.00	\$253,604.00	\$536.00
<u>Discounted Bid Amount:</u>	<u>Amount of Bid Discount</u>	<u>Discount Points:</u>
\$240,923.80	\$12,680.20	5.00%

1. Did the 20% requirements apply? YES

2. Did the contractor meet the 20% requirement? YES

b) % of LBE participation 0.00%
c) % of SLBE participation 94.46%

3. Did the contractor meet the Trucking requirement? NA

a) Total SLBE/LBE trucking participation 100.00%

4. Did the contractor receive bid discounts? NA

(If yes, list the percentage received) 5.00%

5. Additional Comments.

Per the Project Manager trucking is not warranted on this project.

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

9/29/2011

Date

Reviewing Officer:

Date: 9/29/2011

Approved By:

Date: 9/29/2011

LBE/SLBE PARTICIPATION

BIDDER 1

Project Name: The Rehabilitation of Sanitary Sewers in the Easement Behind Moore Drive and Aitken Drive, Easement Between Saroni Drive and Arrowhead Drive, and Easement Between Glencourt Drive and Homewood Drive

Project No.:		C329125	Engineers Est:			\$254,140.00	Under/Over Engineers Estimate:				\$536.00		
Discipline	Prime & Subs	Location	Cert. Status	LBE	SLBE	Total LBE/SLBE	L/SLBE Trucking	Total Trucking	TOTAL Dollars	Ethn.	MBE	WBE	
PRIME Trucking	Pacific Trenchless Inc.	Oakland	CB		239,066.00	239,066.00			239,066.00	C			
HDPE Pipe	Williams Trucking	Oakland	CB		500.00	500.00	500.00	500.00	500.00	AA	500.00		
	P&F Distributors	Brisbane	UB						14,038.00	C			
Project Totals				\$0.00	\$239,566.00	\$239,566.00	\$500.00	\$500.00	\$253,604.00		\$500.00	\$0.00	
				0.00%	94.46%	94.46%	100.00%	100.00%	100.00%		0.20%	0.00%	
Requirements: The 20% requirements is a combination of 10% LBE and 10% SLBE participation. An SLBE firm can be counted 100% towards achieving 20% requirements.				LBE 10%	SLBE 10%	TOTAL LBE/SLBE	20% LBE/SLBE TRUCKING			Ethnicity AA = African American AI = Asian Indian AP = Asian Pacific			
Legend				LBE = Local Business Enterprise	UB = Uncertified Business					C = Caucasian			
				SLBE = Small Local Business Enterprise	CB = Certified Business					H = Hispanic			
				Total LBE/SLBE = All Certified Local and Small Local Businesses						NA = Native American			
				NPLBE = NonProfit Local Business Enterprise						O = Other			
				NPSLBE = NonProfit Small Local Business Enterprise						NL = Not Listed			
										MO = Multiple Ownership			

CONTRACTS AND COMPLIANCE UNIT



Contract Compliance Division

PROJECT EVALUATION FORM

PROJECT NO.: C329125

PROJECT NAME: The Rehabilitation of Sanitary Sewers in the Easement Behind Moore Drive and Aitken Drive, Easement Between Saroni Drive and Arrowhead Drive, and Easement Between Glencourt Drive and Homewood Drive

CONTRACTOR: Andes Construction

<u>Engineer's Estimate:</u>	<u>Contractors' Bid Amount</u>	<u>Over/Under Engineer's Estimate</u>
\$254,140.00	\$257,035.00	-\$2,895.00

<u>Discounted Bid Amount:</u>	<u>Amount of Bid Discount</u>	<u>Discount Points:</u>
\$244,183.25	\$12,851.75	5.00%

1. Did the 20% requirements apply? YES

2. Did the contractor meet the 20% requirement? YES

b) % of LBE participation 0.00%
c) % of SLBE participation 99.61%

3. Did the contractor meet the Trucking requirement? NA

a) Total SLBE/LBE trucking participation 0.00%

4. Did the contractor receive bid discounts? NA

(If yes, list the percentage received)

5. Additional Comments.

Per the Project Manager trucking is not warranted on this project.

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

9/29/2011

Date

Reviewing
Officer:

Date:

9/29/2011

Approved By:

Date:

9/29/2011

LBE/SLBE PARTICIPATION

BIDDER 2

Project Name: The Rehabilitation of Sanitary Sewers in the Easement Behind Moore Drive and Aitken Drive, Easement Between Saroni Drive and Arrowhead Drive, and Easement Between Glencourt Drive and Homewood Drive

Project No.:		C329125	Engineers Est:			\$254,140.00	Under/Over Engineers Estimate:				-\$2,895.00			
Discipline	Prime & Subs	Location	Cert. Status	LBE	SLBE	Total	L/SLBE	Total	TOTAL	For Tracking Only				
						LBE/SLBE	Trucking	Trucking	Dollars	Ethn.	MBE	WBE		
PRIME Trucking	Andes Construction Foston Trucking	Oakland Oakland	CB UB		256,035.00	256,035.00			256,035.00	H	256,035.00			
									1,000.00	AA	1,000.00			
Project Totals				\$0.00	\$256,035.00	\$256,035.00	\$0.00	\$1,000.00	\$257,035.00		\$257,035.00	\$0.00		
				0.00%	99.61%	99.61%	0.00%	100.00%	100.00%		100.00%	0.00%		
Requirements: The 20% requirements is a combination of 10% LBE and 10% SLBE participation. An SLBE firm can be counted 100% towards achieving 20% requirements.				LBE 10%	SLBE 10%	TOTAL LBE/SLBE	20% 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				

CONTRACTS AND COMPLIANCE UNIT



Contract Compliance Division

PROJECT EVALUATION FORM

PROJECT NO.: C329125

PROJECT NAME: The Rehabilitation of Sanitary Sewers in the Easement Behind Moore Drive and Aitken Drive, Easement Between Saroni Drive and Arrowhead Drive, and Easement Between Glencourt Drive and Homewood Drive

CONTRACTOR: Mosto Construction

<u>Engineer's Estimate:</u>	<u>Contractors' Bid Amount</u>	<u>Over/Under Engineer's Estimate</u>
\$254,140.00	\$272,700.00	-\$18,560.00

<u>Discounted Bid Amount:</u>	<u>Amount of Bid Discount</u>	<u>Discount Points:</u>
\$259,065.00	\$13,635.00	5.00%

1. Did the 20% requirements apply?	<u>YES</u>
2. Did the contractor meet the 20% requirement?	<u>YES</u>
b) % of LBE participation	<u>0.00%</u>
c) % of SLBE participation	<u>100.00%</u>
3. Did the contractor meet the Trucking requirement?	<u>NA</u>
a) Total SLBE/LBE trucking participation	<u>100.00%</u>
4. Did the contractor receive bid discounts?	<u>YES</u>
(If yes, list the percentage received)	<u>5.00%</u>

5. Additional Comments.

Per the Project Manager trucking is not warranted on this project.

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

9/29/2011
Date

Reviewing Officer:

Date: 9/29/2011

Approved By:

Date: 9/29/2011

LBE/SLBE PARTICIPATION

BIDDER 3

Project Name:	The Rehabilitation of Sanitary Sewers in the Easement Behind Moore Drive and Aitken Drive, Easement Between Saroni Drive and Arrowhead Drive, and Easement Between Glencourt Drive and Homewood Drive												
Project No.:	C329125	Engineers Est:			\$254,140.00		Under/Over Engineers Estimate:			-18,560			
Discipline	Prime & Subs	Location	Cert. Status	LBE	SLBE	Total LBE/SLBE	L/SLBE Trucking	Total Trucking	TOTAL Dollars	For Tracking Only			
PRIME Trucking	Mosto Construction	Oakland	CB	271,200.00	271,200.00	271,200.00	1,500.00	1,500.00	1,500.00	Ethn.	MBE	WBE	
	Monroe Trucking	Oakland	CB	1,500.00	1,500.00					H	271,200.00		
										AA	1,500.00		
Project Totals				\$0	\$272,700.00	\$272,700.00	\$1,500.00	\$1,500.00	\$272,700.00		\$272,700.00	\$0.00	
0.00% 100.00% 100.00% 100.00% 100.00% 100.00%													
Requirements: The 20% requirements is a combination of 10% LBE and 10% SLBE participation. An SLBE firm can be counted 100% towards achieving 20% requirements.				LBE 10%	SLBE 10%	TOTAL LBE/SLBE	20% LBE/SLBE TRUCKING	20% LBE/SLBE TRUCKING	TOTAL LBE/SLBE	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 UB = Uncertified Business SLBE = Small Local Business Enterprise CB = Certified Business Total LBE/SLBE = All Certified Local and Small Local Businesses MBE = Minority Business Enterprise NPLBE = NonProfit Local Business Enterprise WBE = Women Business Enterprise NPSLBE = NonProfit Small Local Business Enterprise													

CONTRACTS AND COMPLIANCE UNIT



Contract Compliance Division

PROJECT EVALUATION FORM

PROJECT NO.: C329125

PROJECT NAME: The Rehabilitation of Sanitary Sewers in the Easement Behind Moore Drive and Aitken Drive, Easement Between Saroni Drive and Arrowhead Drive, and Easement Between Glencourt Drive and Homewood Drive

CONTRACTOR: J. Howard Engineering, Inc.

<u>Engineer's Estimate:</u> \$254,140.00	<u>Contractors' Bid Amount</u> \$298,408.00	<u>Over/Under Engineer's Estimate</u> -\$44,268.00
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<u>Discounted Bid Amount:</u> \$292,439.84	<u>Amount of Bid Discount</u> \$5,968.16	<u>Discount Points:</u> 2.00%
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1. Did the 20% requirements apply? YES

2. Did the contractor meet the 20% requirement? YES

b) % of LBE participation 0.00%
c) % of SLBE participation 20.27%

3. Did the contractor meet the Trucking requirement? NA

a) Total SLBE/LBE trucking participation 100.00%

4. Did the contractor receive bid discounts? YES

(If yes, list the percentage received) 2.00%

5. Additional Comments.

Per the Project Manager trucking is not warranted on this project.

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

9/29/2011

Date

Reviewing Officer:

Siegling Heng

Date: _____

Approved By:

Shelley Qarenbrun

Date: 9/29/2011

LBE/SLBE PARTICIPATION
BIDDER 4

Project: The Rehabilitation of Sanitary Sewers in the Easement Behind Moore Drive and Aitken Drive, Easement Name: Between Saroni Drive and Arrowhead Drive, and Easement Between Glencourt Drive and Homewood Drive

Project No.: C329125		Engineers Est: \$254,140.00			Under/Over Engineers Estimate: -\$44,268.00				For Tracking Only			
Discipline	Prime & Subs	Location	Cert. Status	LBE	SLBE	Total LBE/SLBE	L/SLBE Trucking	Total Trucking	TOTAL Dollars	Ethn.	MBE	WBE
PRIME	J. Howard Engineering, Inc.	Oakland	UB						252,408.00	C		
Trucking	All City Trucking	Oakland	CB	18,000.00	18,000.00	18,000.00	18,000.00	18,000.00	18,000.00	AI	18,000.00	18,000.00
	Rosas Construction	Oakland	CB	28,000.00	28,000.00				28,000.00	H	28,000.00	
Paving	Rosas Construction	Oakland	CB	5,500.00	5,500.00				5,500.00	H	5,500.00	
CCTU	Albion Plumbing	Oakland	CB	5,500.00	5,500.00				5,500.00	AA	5,500.00	
Saw Cutting	Bay Line Concrete Cutting & Coring	Oakland	CB	3,500.00	3,500.00				3,500.00	H	3,500.00	
Project Totals				\$0	\$60,500.00	\$60,500.00	\$18,000.00	\$18,000.00	\$298,408.00		\$51,500.00	\$18,000.00
				0.00%	20.27%	20.27%	100.00%	100.00%	100.00%		17.26%	6.03%
Requirements: The 20% requirements is a combination of 10% LBE and 10% SLBE participation. An SLBE firm can be counted 100% towards achieving 20% requirements.				LBE 10%	SLBE 10%	TOTAL LBE/SLBE	20% 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		

CONTRACTS AND COMPLIANCE UNIT



Contract Compliance Division

PROJECT EVALUATION FORM

PROJECT NO.: C329125

PROJECT NAME: The Rehabilitation of Sanitary Sewers in the Easement Behind Moore Drive and Aitken Drive, Easement Between Saroni Drive and Arrowhead Drive, and Easement Between Glencourt Drive and Homewood Drive'

CONTRACTOR: B-Side, Inc.

<u>Engineer's Estimate:</u> \$254,140.00	<u>Contractors' Bid Amount</u> \$308,524.00	<u>Over/Under Engineer's Estimate</u> -\$54,384.00
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<u>Discounted Bid Amount:</u> \$293,097.80	<u>Amount of Bid Discount</u> \$15,426.20	<u>Discount Points:</u> 5.00%
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1. Did the 20% requirements apply? YES
2. Did the contractor meet the 20% requirement?
b) % of LBE participation 0.00%
c) % of SLBE participation 67.59%
3. Did the contractor meet the Trucking requirement?
a) Total SLBE/LBE trucking participation 100.00%
4. Did the contractor receive bid discounts?
(If yes, list the percentage received) 5.00%

5. Additional Comments.

Per the Project Manager trucking is not warranted on this project

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

9/29/2011

Date

Reviewing Officer:

Date: 9/29/2011

Approved By:

Date: 9/29/2011

LBE/SLBE PARTICIPATION

BIDDER 5

<p>Project Name: The Rehabilitation of Sanitary Sewers in the Easement Behind Moore Drive and Aitken Drive, Easement Between Saroni Drive and Arrowhead Drive, and Easement Between Glencourt Drive and Homewood Drive</p>									
Project No.:	C32912S	Engineers Est: \$264,140.00				Under/Over Engineers Estimate: \$64,384.00			
Discipline	Prime & Subs	Location	Cert. Status	LBE	SLBE	Total LBE/SLBE	U/SLBE Trucking	Total Trucking	TOTAL Dollars
PRIME Plumbing Trucking	B-Side, Inc. AM PM Plumbing CJC Trucking	Oakland Concord Oakland	CB UB CB	198,524.00 10,000.00	198,524.00 10,000.00	198,524.00 10,000.00	100,000.00 10,000.00	100,000.00 10,000.00	198,524.00 10,000.00
Project Totals				\$0.00 0.00%	\$208,524.00 67.59%	\$208,524.00 67.59%	\$10,000.00 100.00%	\$10,000.00 100.00%	\$308,524.00 100.00%
<p>Requirements: The 20% requirements is a combination of 10% LBE and 10% SLBE participation. An SLBE firm can be counted 100% towards achieving 20% requirements.</p>				LBE 10%	SLBE 10%	TOTAL LBE/SLBE	20% 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	<p>LBE = Local Business Enterprise SLBE = Small Local Business Enterprise Total LBE/SLBE = All Certified Local and Small Local Businesses NPLBE = NonProfit Local Business Enterprise NPSLB = NonProfit Small Local Business Enterprise</p> <p>UB = Uncertified Business CB = Certified Business MBE = Minority Business Enterprise WBE = Women Business Enterprise</p>								

Attachment D

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

Project Number/Title: E181870/SS H St, Unwood Ave
 Work Order Number (if applicable): Greenwood Ave Wellington Ave
 Contractor: Pacific Trunkless
 Date of Notice to Proceed: June 14, 2009
 Date of Notice of Completion: Nov 2 2009
 Date of Notice of Final Completion: Nov 4 2009
 Contract Amount: \$249,715
 Evaluator Name and Title: James Michael Corst Mar

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"/>	

Unsatisfactory Marginal Satisfactory Outstanding Not Applicable

TIMELINESS

8	Did the Contractor complete the work within the time required by the contract (including time extensions or amendments)?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
9	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 type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
9a	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 #8. If "Yes", complete (9a) below.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<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.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<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	1	2	3	<input checked="" 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: \$ _____	<input type="checkbox"/>				Yes <input type="checkbox"/> No <input 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.	<input type="checkbox"/>				Yes <input type="checkbox"/> No <input type="checkbox"/>
18	Overall, how did the Contractor rate on financial issues? The score for this category must be consistent with the responses to the questions given above regarding financial issues and the assessment guidelines. Check 0, 1, 2, or 3.	0 <input type="checkbox"/>	1 <input type="checkbox"/>	2 <input checked="" type="checkbox"/>	3 <input type="checkbox"/>	

Unsatisfactory	Marginal	Satisfactory	Outstanding	Not Applicable
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COMMUNICATION

20a	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"/>
20b	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.					
21	Were there any other significant issues related to communication issues? Explain on the attachment. Provide documentation.					
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	1	2	3	
		<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	

SAFETY

Unsatisfactory	Marginal	Satisfactory	Outstanding	Not Applicable
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23	Did the Contractor's staff consistently wear personal protective equipment as appropriate? If "No", explain on the attachment.	<input checked="" type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>			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 type="checkbox"/>			Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>
25	Was the Contractor warned or cited by OSHA for violations? If Yes, explain on the attachment.	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>			Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>
26	26. Was there an inordinate number or severity of injuries? Explain on the attachment. If Yes, explain on the attachment.	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>			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.	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>			Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>
28	Overall, how did the Contractor rate on safety issues? The score for this category must be consistent with the responses to the questions given above regarding safety issues and the assessment guidelines. Check 0, 1, 2, or 3.	0 <input type="checkbox"/>	1 <input type="checkbox"/>	2 <input checked="" type="checkbox"/>	3 <input type="checkbox"/>

OVERALL RATING

Based on the weighting factors below, calculate the Contractor's overall score using the scores from the four categories above.

1. Enter Overall score from Question 7

2 X 0.25 = .5

2. Enter Overall score from Question 13

2 X 0.25 = .5

3. Enter Overall score from Question 18

2 X 0.20 = .4

4. Enter Overall score from Question 22

2 X 0.15 = .3

5. Enter Overall score from Question 28

2 X 0.15 = .3

TOTAL SCORE (Sum of 1 through 5): 1.8

OVERALL RATING: 2

Outstanding: Greater than 2.5

Satisfactory: Greater than 1.5 & less than or equal to 2.5

Marginal: Between 1.0 & 1.5

Unsatisfactory: Less than 1.0

PROCEDURE:

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

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

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

responsible for any bids they submit for future City of Oakland projects within three years of the date of the last Unsatisfactory overall rating.

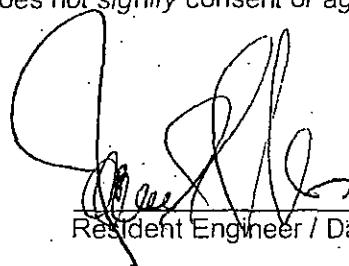
Any Contractor that receives an Unsatisfactory Overall Rating is required to attend a meeting with the City Administrator, or his/her designee, prior to returning to bidding on City projects. The Contractor is required to demonstrate improvements made in areas deemed Unsatisfactory in prior City of Oakland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

The Public Works Agency Contract Administration Section will retain the final evaluation and any response from the Contractor for a period of five years. The City shall treat the evaluation as confidential, to the extent permitted by law.

COMMUNICATING THE EVALUATION: *The Contractor's Performance Evaluation has been communicated to the Contractor. Signature does not signify consent or agreement.*


Contractor / Date
ALAN CASSERLY V.P.
PACIFIC TRENCHLESS INC.

Supervising Civil Engineer / Date


Resident Engineer / Date
11/10/09

ATTACHMENT TO CONTRACTOR PERFORMANCE EVALUATION:

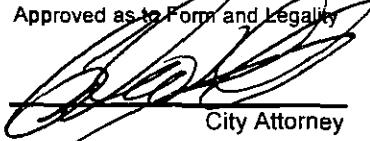
Use this sheet to provide any substantiating comments to support the ratings in the Performance Evaluation. Indicate before each narrative the number of the question for which the response is being provided. Attach additional sheets if necessary.

FILED
OFFICE OF THE CITY CLERK
OAKLAND

OAKLAND CITY COUNCIL

2011 OCT 27 PM ~~RESOLUTION NO.~~ _____ C.M.S.

Introduced by Councilmember _____

Approved as to Form and Legality

City Attorney

**RESOLUTION AWARDING A CONSTRUCTION CONTRACT TO
PACIFIC TRENCHLESS, INC. THE LOWEST RESPONSIVE AND
RESPONSIBLE BIDDER, FOR THE REHABILITATION OF SANITARY
SEWERS IN THE EASEMENT BETWEEN MOORE DRIVE AND AITKEN
DRIVE, EASEMENT BETWEEN SARONI DRIVE AND ARROWHEAD
DRIVE, AND EASEMENT BETWEEN GLEN COURT DRIVE AND
HOMEWOOD DRIVE (PROJECT NO. C329125) IN ACCORD WITH
PLANS AND SPECIFICATIONS FOR THE PROJECT AND
CONTRACTOR'S BID IN THE AMOUNT OF TWO HUNDRED FIFTY-
THREE THOUSAND SIX HUNDRED FOUR DOLLARS (\$253,604.00)**

WHEREAS, on September 15, 2011, five bids were received by the Office of the City Clerk of the City of Oakland for The Rehabilitation of Sanitary Sewers in the Easement Between Moore Drive and Aitken Drive, Easement Between Saroni Drive and Arrowhead Drive, and Easement Between Glencourt Drive and Homewood Drive (Project No. C329125); and

WHEREAS, Pacific Trenchless, Inc., a certified SLBE bidding as a prime, is deemed the lowest responsive and responsible bidder for the project; and

WHEREAS, there are sufficient funds in the project budget for the work in the following project account:

- Sewer Service Fund (3100); Capital Projects - Sanitary Sewer Design Organization (92244); Sewers Account (57417); Project No. C329125; \$253,604.00; and these funds were specifically allocated for this project; this project will help reduce the amount of sanitary sewer maintenance requirement; and

WHEREAS, the City Council finds that the City lacks the equipment and qualified personnel to perform the necessary work, and that the performance of this contract is in the public interest because of economy or better performance and that this contract is of a professional, scientific or technical nature; and

WHEREAS, Pacific Trenchless, Inc. complies with all LBE/SLBE and trucking requirements; and

WHEREAS, the City Administrator has determined 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 services; now, therefore, be it

RESOLVED: That the construction contract for The Rehabilitation of Sanitary Sewers in the Easement Between Moore Drive and Aitken Drive, Easement Between Saroni Drive and Arrowhead Drive, and Easement Between Glencourt Drive and Homewood Drive (Project No. C329125) is hereby awarded to Pacific Trenchless, Inc. in accordance with the project plans and specifications and the contractor's bid therefore, dated September 15, 2010, for the amount of Two Hundred Fifty-Three Thousand Six Hundred Four Dollars (\$253,604.00); and be it

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

FURTHER RESOLVED: That the amount of the bond for faithful performance, \$253,604.00, and the amount for a bond to guarantee payment of all claims for labor and materials furnished and for the amount due under the Unemployment Insurance Act, \$253,604.00, with respect to such work are hereby approved; and be it

FURTHER RESOLVED: That the City Administrator, or her designee, is hereby authorized to enter into a contract with Pacific Trenchless, Inc. on behalf of the City of Oakland and to execute any amendments or modifications to said agreement within the limitations of the project specifications; and be it

FURTHER RESOLVED: That all other bids are hereby rejected; and be it

FURTHER RESOLVED: That the City Council finds that 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

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