

INTER OFFICE MEMORANDUM

Department of Workforce & Employment Standards (DWES)

TO: Mastewal Cherinet,
Civil Engineer

FROM: Shelley Darensburg, Contract
Compliance Supervisor--DWES *Shelley Darensburg*

PREPARED BY: Vivian Inman, *Vivian Inman*

SUBJECT: Compliance Analysis
Citywide Pavement Rehabilitation 2021
(Negotiated Bid June 21, 2022)
Project No. 1006103

DATE: August 19, 2022

The City of Oakland received three (3) bids in response to the solicitation of bids for Project No. 1006103. DWES initially reviewed the three bids in November 2021 and completed its initial evaluation of compliance for those bids..

At the City Council Meeting of January 18, 2022, the initiating agency was directed to go back and negotiate with the original 3 bidders. DWES received three (3) negotiated bids.

Below are the results of the compliance evaluation for the minimum 50% Local and Small Local Business Enterprise (L/SLBE) participation requirement based on the negotiated bids and a preliminary review for compliance with the Equal Benefits Ordinance (EBO). This project is subject to the most recent amended L/SLBE Program.

The above referenced project contains Asphalt Concrete Base Repair (Material only) specialty supply. The Standard Specifications for Public Works Construction, "Greenbook", page 10 section 2-3.2 (Attachment A) describes how specialties may be addressed. Based upon the Greenbook and per the specifications, the Asphalt Concrete Base Repair specialty item has 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 per the Bid Summary and the Schedule R. Column C - Non-Specialty Bid Amount (difference between column A and B); Column D - Total Credited Participation. Column E and Column F -are not applicable because this is a negotiated bid.

Responsive		Proposed Participation							Earned Credits and Discounts			EBO Compliant?
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	
	<i>A</i>	<i>B</i>	<i>C</i>						<i>D</i>	<i>E</i>	<i>F</i>	
Gallagher & Burk	\$15,023,250	\$3,608,000	\$11,415,250	81.30%	48.01%	33.29%	0%	100%	81.30%	NA	NA	Y
McGuire & Hester	\$15,183,256	\$4,828,150	\$10,355,106	79.34%	51.60%	27.74%	0%	100%	79.34%	NA	NA	Y
OC Jones	\$16,564,652.50	\$3,782,350	\$12,782,302.50	75.32%	48.51%	26.10%	.70% *2.40%	100%	75.32% *76.02%	NA	NA	Y

***Double Counted Value**

Comments: As noted, all bidders exceeded the minimum 50% Local/Small Local Business Enterprise participation requirement. They are all EBO compliant.

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: Citywide Pavement Rehabilitation 2021 (Negotiated June 21, 2022)

Project No. 1006103		Engineers Est: \$13,486,600.00					Under/Over Engineers Estimate: -\$1,536,650.00					For Tracking Only			
Discipline	Prime & Subs	Location	Cert. Status	LBE/LPG	SLBE	**VSLBE	Total	L/SLBE	VSLBE	Total	*Non-Specialty Bid Amount	TOTAL Original Bid Amount	Ethn.	MBE	WBE
							LBE/SLBE	Trucking	Trucking	Trucking	Dollars				
PRIME Minor Concrete Sealing/Slurry Seal AC Supply Striping Trucking Adjustment of Utilities Bid Summary Specialty Amt	Gallagher & Burk	Oakland	CB	5,480,250			5,480,250				5,480,250	5,480,250	C		
	Rosas Brothers	Oakland	CB		2,200,000		2,200,000				2,200,000	2,200,000	H	2,200,000	
	Bond Blacktop	Hayward	UB								300,000	300,000	C		300,000
	Gallagher & Burk	Oakland	CB									2,950,000	C		
	Chrisp Company	Fremont	UB								1,835,000	1,835,000	C		
	Monroe Trucking	Oakland	CB		1,100,000		1,100,000	1,100,000		1,100,000	1,100,000	1,100,000	AA	1,100,000	
	Focon, Inc.	Oakland	CB		500,000		500,000				500,000	500,000	AA	500,000	
	Gallagher & Burk	Oakland										658,000			
Project Totals				\$5,480,250	\$3,800,000	\$0.00	\$9,280,250	\$1,100,000	\$0	\$1,100,000	\$11,415,250	\$15,023,250		\$3,800,000	\$300,000
				48.01%	33.29%	0.00%	81.30%	100.00%	0.00%	100%	100%	100%		33.29%	2.00%
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/LPG 25%	SLBE 25%	VSLBE	TOTAL LBE/SLBE/VSLBE/LBE-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 the minimum 50% L/SLBE participation requirement.

(DWES)

PROJECT EVALUATION FORM

PROJECT NO.: 1006103

PROJECT NAME: Citywide Pavement Rehabilitation 2021 (Negotiated June 21, 2022)

CONTRACTOR: Gallagher & Burk

<u>Engineer's Estimate:</u>	<u>Contractors' Original Bid</u> <u>Amount</u>	<u>Specialty Dollar Amount</u>	<u>Over/Under Engineer's Estimate</u>
\$13,486,600.00	\$15,023,250.00	\$3,608,000.00	-\$1,536,650.00
<u>Discounted Bid Amount:</u>	<u>Amount of Bid Discount</u>	<u>Non-Specialty Bid Amt.</u>	<u>Discount Points:</u>
NA	N/A	\$11,415,250.00	N/A
1. Did the 50% requirements apply?			<u>YES</u>
2. Did the contractor meet the 50% requirement?			<u>YES</u>
b) % of LBE/LPG participation			<u>48.01%</u>
c) % of SLBE participation			<u>33.29%</u>
d) % of VSLBE Participation			<u>0.00%</u>
3. Did the contractor meet the L/SLBE Trucking requirement?			<u>YES</u>
a) Total L/SLBE trucking participation			<u>100.00%</u>
4. Did the contractor receive bid discounts?			<u>NO</u>
(If yes, list the percentage received)			<u>0%</u>
5. Additional Comments.			
<u>This is a negotiated bid. Therefore, bid discounts are not applicable.</u>			

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

8/19/2022

Date

Reviewing Officer:

Vivian Inman

Date:

8/19/2022

Approved By:

Shelley Darensburg

Date:

8/19/2022

LBE/SLBE PARTICIPATION BIDDER 2

Project Name: Citywide Pavement Rehabilitation 2021 (Negotiated June 21, 2022)

Project No.: 1006103		Engineers Est: \$13,486,600.00				Under/Over Engineers Estimate: -\$1,696,656.00					For Tracking Only				
Discipline	Prime & Subs	Location	Cert. Status	LBE/LPG	SLBE	**VSLBE	Total LBE/SLBE	L/SLBE Trucking	VSLBE Trucking	Total Trucking	*Non-Specialty Bid Amount	TOTAL Original Bid Amount	Ethn.	MBE	WBE
PRIME	McGuire & Hester	Oakland	CB	4,823,356			4,823,356				4,823,356	4,823,356	C		
Trucking	S&S Trucking	Oakland	CB		650,000		650,000	650,000		650,000	650,000	650,000	H	650,000	
Trucking	Monroe Trucking	Oakland	CB		400,000		400,000	400,000		400,000	400,000	400,000	AA	400,000	
Concrete	Rosas Brothers	Oakland	CB		1,822,500		1,822,500				1,822,500	1,822,500	H	1,822,500	
Raise Utilities	Giron Construction	Oakland	CB	520,000			520,000				520,000	520,000	AA	520,000	
Seal/Microsurfacing	Bond Blacktop	Union City	UB								303,500	303,500	C		303,500
Striping	Chrisp Co.	Fremont	UB								1,835,750	1,835,750	C		
Asphalt Material	Gallagher & Burk	Oakland	CB									3,654,000	C		
Bid Summary															
Specialty Amt	McGuire & Hester	Oakland	CB									1,174,150			
Project Totals				\$5,343,356	\$2,872,500	\$0	\$8,215,856	\$1,050,000	\$0	\$1,050,000	\$10,355,106	\$15,183,256		\$3,392,500	\$303,500.00
				51.60%	27.74%	0.00%	79.34%	100%	0%	100%	100%	100%		22.34%	2.00%
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/LBE-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		UB = Uncertified Business									
				SLBE = Small Local Business Enterprise		CB = Certified Business									
				VSLBE = Very Small Local Business Enterprise		MBE = Minority Business Enterprise									
				LPG = Locally Produced Goods		WBE = Women Business Enterprise									
				Total LBE/SLBE = All Certified Local and Small Local Businesses											
				NPLBE = NonProfit Local Business Enterprise											
				NPSLBE = NonProfit Small Local Business Enterprise											

* The above project contains specialty work. The Non-Specialty Work Bid Dollars were used for the purposes of determining compliance with the minimum 50% L/SLBE participation requirement.

DEPARTMENT OF WORKPLACE AND EMPLOYMENT STANDARDS



(DWES)

PROJECT EVALUATION FORM

PROJECT NO.: 1006103

PROJECT NAME: Citywide Pavement Rehabilitation 2021 (Negotiated June 21, 2022)

CONTRACTOR: McGuire & Hester

<u>Engineer's Estimate:</u>	<u>Contractors' Original Bid Amount</u>	<u>Specialty Dollar Amount</u>	<u>Over/Under Engineer's Estimate</u>
\$13,486,600.00	\$15,183,256.00	\$4,828,150.00	-\$1,696,656.00

<u>Discounted Bid Amount:</u>	<u>Amount of Bid Discount</u>	<u>Non-Specialty Bid Amt.</u>	<u>Discount Points:</u>
#VALUE!	N/A	\$10,355,106.00	N/A

1. Did the 50% requirements apply? **YES**
2. Did the contractor meet the 50% requirement? **NO**
- b) % of LBE/LPG participation **51.60%**
 - c) % of SLBE participation **27.74%**
 - 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? **NO**
- (If yes, list the percentage received) **N/A**
5. Additional Comments.
The bidder failed to meet the 25% SLBE requirement. This is a negotiated bid. Therefore, bid discounts are not applicable.

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

8/19/2022

Date

Reviewing Officer:

Vivian Inman

Date:

8/19/2022

Approved By:

Shelley Darensburg

Date:

8/19/2022

LBE/SLBE PARTICIPATION BIDDER 3

Project Name: Citywide Pavement Rehabilitation 2021 (Negotiated June 21, 2022)															
Project No.: 1006103		Engineers Est: 13,486,600.00					Under/Over Engineers Estimate: -\$3,078,052.50								
Discipline	Prime & Subs	Location	Cert. Status	LBE/LPG	SLBE	**VSLBE	Total LBE/SLBE	L/SLBE Trucking	VSLBE Trucking	Total Trucking	*Non-Specialty Bid Amount	TOTAL Original Bid Amount	For Tracking Only		
													Ethn.	MBE	WBE
PRIME Slurry Seal	OC Jones	Oakland	CB	6,200,552.50			6,200,552.50				6,200,552.50	6,200,552.50	C		
	Bond Blacktop	Union City	UB								206,600.00	206,600.00	C		206,600
Asphalt Supply Striping/Marking	Gallagher & Burk	Oakland	CB									2,901,000.00	C		
	Chrsip Co.	Fremont	UB								1,780,750.00	1,780,750.00	C		
Operated Cold Mill	ABSL														
	Construction	Hayward	UB								709,400.00	709,400.00	H	709,400	
Concrete Tack Oil & Fog Seal	Rosas Brothers	Oakland	CB		2,136,500.00		2,136,500.00				2,136,500.00	2,136,500.00	H	2,136,500	
	Pacific														
Survey Trucking	Northwest Oil	Stockton	UB								188,500.00	188,500.00	C		
	Towill	Concord	UB								270,000.00	270,000.00	C		
Trucking	S&S Trucking	Oakland	CB		1,150,000.00		1,150,000.00	1,150,000.00		1,150,000.00	1,150,000.00	1,150,000.00	H	1,150,000	
	Monroe Trucking	Oakland	CB		50,000.00		50,000.00	50,000.00		50,000.00	50,000.00	50,000.00	AA	50,000	
Flagging Bid Summary Specialty Amt	Cooper	Oakland	CB			90,000.00	90,000.00				90,000.00	90,000.00	AA	90,000	
	Construction	Oakland	CB												
	OC Jones	Oakland	CB									881,350.00			
Project Totals				\$6,200,552.50	\$3,336,500.00	\$90,000.00	\$9,627,052.50	\$1,200,000.00	\$0.00	\$1,200,000.00	\$12,782,302.50	\$16,564,652.50		\$4,135,900	\$206,600
				48.51%	26.10%	0.70%	75.32%	100.00%	0.00%	100.00%	100%	100%		24.97%	1.25%
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/LBE-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		UB = Uncertified Business									
				SLBE = Small Local Business Enterprise		CB = Certified Business									
				VSLBE = Very Small Local Business Enterprise		MBE = Minority Business Enterprise									
				LPG = Locally Produced Goods		WBE = Women Business Enterprise									
				Total LBE/SLBE = All Certified Local and Small Local Businesses											
				NPLBE = NonProfit Local Business Enterprise											
				NPSLBE = NonProfit Small Local Business Enterprise											

* The above project contains specialty work. The Non-Specialty Work Bid Dollars were used for the purposes of determining compliance with the minimum 50% L/SLBE participation requirement.

** Proposed VSLBE/LPG participation is valued at .70%, however per the L/SLBE Program a VSLBE/LPG's participation is double counted towards meeting the requirement. Double counted percentage is reflected on the evaluation form and cover memo.

DEPARTMENT OF WORKPLACE AND EMPLOYMENT STANDARDS



(DWES)

PROJECT EVALUATION FORM

PROJECT NO.: 1006103

PROJECT NAME: Citywide Pavement Rehabilitation 2021 (Negotiated June 21, 2022)

CONTRACTOR: OC Jones

<u>Engineer's Estimate:</u>	<u>Contractors' Original Bid</u>	<u>Specialty Dollar</u>	<u>Over/Under Engineer's</u>
	<u>Amount</u>	<u>Amount</u>	<u>Estimate</u>
\$13,486,600.00	\$16,564,652.50	\$3,782,350.00	-\$3,078,052.50
<u>Discounted Bid Amount:</u>	<u>Amount of Bid Discount</u>	<u>Non-Specialty Bid Amt.</u>	<u>Discount Points:</u>
#VALUE!	N/A	\$12,782,302.50	N/A
1. Did the 50% requirements apply?			<u>YES</u>
2. Did the contractor meet the 50% requirement?			<u>YES</u>
b) % of LBE/LPG participation			<u>48.51%</u>
c) % of SLBE participation			<u>26.10%</u>
d) % of VSLBE Participation			<u>0.70%</u>
			(Double Counted Value 1.40%)
3. Did the contractor meet the L/SLBE Trucking requirement?			<u>YES</u>
a) Total L/SLBE trucking participation			<u>100%</u>
4. Did the contractor receive bid discounts?			<u>NO</u>
(If yes, list the percentage received)			<u>N/A</u>
5. Additional Comments.			
<u>Proposed VSLBE participation is valued at 0.70%, however, per the L/SLBE Program a VSLBE's participation is double counted towards meeting the requirement. Therefore, the VSLBE's is 1.40%. This a negotiated project. Therefore, bid discounts are not applicable.</u>			

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

8/19/2022

Date

Reviewing Officer:

Vivian Inman

Date:

8/19/2022

Approved By:

Shelley Darenburg

Date:

8/19/2022

INTER OFFICE MEMORANDUM

Department of Workforce & Employment Standards (DWES)

TO: Mastewal Cherinet,
Civil Engineer

FROM: Shelley Darensburg, Contract
Compliance Supervisor--DWES *Shelley Darensburg*

PREPARED BY: Vivian Inman, *Vivian Inman*
Sr. Contract Compliance Officer

SUBJECT: Compliance Analysis
Citywide Pavement Rehabilitation 2021
(Negotiated Bid June 21, 2022)
Project No. 1006104

DATE: August 19, 2022

The City of Oakland received three (3) bids in response to the solicitation of bids for Project No. 1006104. DWES initially reviewed the three bids in November 2021 and completed its initial evaluation of compliance of those bids in November 2021.

At the City Council Meeting of January 18, 2022, the initiating agency was directed to go back and negotiate with the original 3 bidders. DWES received one negotiated bid for this project,

Below are the results of the compliance evaluation for the minimum 50% Local and Small Local Business Enterprise (L/SLBE) participation requirement based on the negotiated bids and a preliminary review for compliance with the Equal Benefits Ordinance (EBO). This project is subject to the most recent amended L/SLBE Program.

The above referenced project contains Asphalt Concrete Base Repair (Material only) specialty supply. The Standard Specifications for Public Works Construction, "Greenbook", page 10 section 2-3.2 (Attachment A) describes how specialties may be addressed. Based upon the Greenbook and per the specifications, the Asphalt Concrete Base Repair specialty item has 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 per the Bid Summary and Schedule R. Column C - Non-Specialty Bid Amount (difference between column A and B); Column D - Total Credited Participation; Column E and Column F -are not applicable because this is a negotiated bid.

-Responsive		Proposed Participation							Earned Credits and Discounts			EBO Compliant?
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	
	<i>A</i>	<i>B</i>	<i>C</i>						<i>D</i>	<i>E</i>	<i>F</i>	
Gallagher & Burk	\$15,023,250	\$3,311,000	\$11,712,250	81.77%	49.33%	32.44%	0%	100%	81.77%	NA	NA	Y

Comments: Gallagher & Burk exceeded the minimum 50% Local/Small Local Business Enterprise participation requirement. The bidder is EBO compliant.

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: Citywide Pavement Rehabilitation 2021 (Negotiated June 21, 2022)

Project No. 1006104		Engineers Est: \$13,486,600.00					Under/Over Engineers Estimate: -\$1,536,650.00					For Tracking Only			
Discipline	Prime & Subs	Location	Cert. Status	LBE/LPG	SLBE	**VSLBE	Total	L/SLBE	VSLBE	Total	*Non-Specialty Bid Amount	TOTAL Original Bid Amount	Ethn.	MBE	WBE
							LBE/SLBE	Trucking	Trucking	Trucking	Dollars				
PRIME Minor Concrete Sealing/Slurry Seal AC Supply Striping Trucking Adjustment of Utilities Bid Summary Specialty Amt	Gallagher & Burk	Oakland	CB	5,777,250			5,777,250				5,777,250	5,777,250	C		
	Rosas Brothers	Oakland	CB		2,200,000		2,200,000				2,200,000	2,200,000	H	2,200,000	
	Bond Blacktop	Hayward	UB								300,000	300,000	C		300,000
	Gallagher & Burk	Oakland	CB									2,950,000	C		
	Chrisp Company	Fremont	UB								1,835,000	1,835,000	C		
	Monroe Trucking	Oakland	CB		1,100,000		1,100,000	1,100,000		1,100,000	1,100,000	1,100,000	AA	1,100,000	
	Focon, Inc.	Oakland	CB		500,000		500,000				500,000	500,000	AA	500,000	
Gallagher & Burk	Oakland	CB									361,000				
Project Totals				\$5,777,250	\$3,800,000	\$0.00	\$9,577,250	\$1,100,000	\$0	\$1,100,000	\$11,712,250	\$15,023,250		\$3,800,000	\$300,000
				49.33%	32.44%	0.00%	81.77%	100.00%	0.00%	100%	100%	100%		32.44%	2.00%
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/LPG 25%	SLBE 25%	VSLBE	TOTAL LBE/SLBE/VSLBE/LBE-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 the minimum 50% L/SLBE participation requirement.

DEPARTMENT OF WORKPLACE AND EMPLOYMENT STANDARDS



(DWES)

PROJECT EVALUATION FORM

PROJECT NO.: 1006104

PROJECT NAME: Citywide Pavement Rehabilitation 2021 (Negotiated June 21, 2022)

CONTRACTOR: Gallagher & Burk

<u>Engineer's Estimate:</u>	<u>Contractors' Original Bid</u>	<u>Specialty Dollar Amount</u>	<u>Over/Under Engineer's</u>
\$13,486,600.00	<u>Amount</u>	\$3,311,000.00	<u>Estimate</u>
	\$15,023,250.00		-\$1,536,650.00
<u>Discounted Bid Amount:</u>	<u>Amount of Bid Discount</u>	<u>Non-Specialty Bid Amt.</u>	<u>Discount Points:</u>
NA	\$0.00	\$11,712,250.00	NA
1. Did the 50% requirements apply?			<u>YES</u>
2. Did the contractor meet the 50% requirement?			<u>YES</u>
b) % of LBE/LPG participation			<u>49.33%</u>
c) % of SLBE participation			<u>32.44%</u>
d) % of VSLBE Participation			<u>0.00%</u>
3. Did the contractor meet the L/SLBE Trucking requirement?			<u>YES</u>
a) Total L/SLBE trucking participation			<u>100.00%</u>
4. Did the contractor receive bid discounts?			<u>NA</u>
(If yes, list the percentage received)			
5. Additional Comments.			
<u>This is a negotiated bid. Therefore, bid discounts are not applicable.</u>			

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

8/19/2022

Date

Reviewing
Officer:

Vivian Inman

Date:

8/19/2022

Approved By:

Shelley Darenburg

Date:

8/19/2022

INTER OFFICE MEMORANDUM

Department of Workforce & Employment Standards (DWES)

TO: Mastewal Cherinet,
Civil Engineer

FROM: Shelley Darensburg, Contract
Compliance Supervisor --DWES

PREPARED BY: Vivian Inman, *Vivian Inman*
Sr. Contract Compliance Officer

DATE: August 19, 2022

SUBJECT: Compliance Analysis
Citywide Pavement Rehabilitation 2021
(Negotiated Bid June 21, 2022)
Project No. 1006105

The City of Oakland received four (4) bids in response to the solicitation of bids for Project No. 1006104 DWES initially reviewed the three bids in November 2021 and completed its initial evaluation of compliance for those bids.

At the City Council Meeting of January 18, 2022, the initiating agency was directed to go back and negotiate with the original four (4) bidders. DWES received one Schedule R from one (1) of the four (4) original bidders.

Below is the result of the compliance evaluation for the minimum 50% Local and Small Local Business Enterprise (L/SLBE) participation requirement based on the negotiated bids and a preliminary review for compliance with the Equal Benefits Ordinance (EBO). This project is subject to the most recent amended L/SLBE Program.

The above referenced project contains Asphalt Concrete Base Repair (Material only) specialty supply. The Standard Specifications for Public Works Construction, "Greenbook", page 10 section 2-3.2 (Attachment A) describes how specialties may be addressed. Based upon the Greenbook and per the specifications, the Asphalt Concrete Base Repair specialty item has 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 per the Schedule R submitted by the contractor; Column C - Non-Specialty Bid Amount (difference between column A and B); Column D - Total Credited Participation. Columns E and Column F -are not applicable because this is a negotiated bid.

-Responsive		Proposed Participation							Earned Credits and Discounts			EBO Compliant?
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	
	<i>A</i>	<i>B</i>	<i>C</i>						<i>D</i>	<i>E</i>	<i>F</i>	
Gallagher & Burk	\$5,757,977.50	\$1,250,000	\$4,507,977.50	83.27%	55.10%	28.17%	0%	100%	83.27%	NA	NA	Y

Comments: Gallagher & Burk exceeded the minimum 50% Local/Small Local Business Enterprise participation requirement and is EBO compliant.

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: Citywide Pavement Rehabilitation 2021 (Negotiated June 21, 2022)

Project No. 1006105		Engineers Est: \$5,072,530.00					Under/Over Engineers Estimate: -\$685,447.50					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 Minor Concrete Sealing/Slurry Seal AC Supply Striping Trucking Adjustment of Utilities	Gallagher & Burk	Oakland	CB	2,483,977.50			2,483,977.50			2,483,977.50	2,483,977.50	C		
	Rosas Brothers	Oakland	CB		640,000		640,000			640,000	640,000	H	640,000	
	Bond Blacktop	Hayward	UB							124,000	124,000	C		124,000
	Gallagher & Burk	Oakland	CB								1,250,000	C		
	Chrisp Company	Fremont	UB							630,000	630,000	C		
	Monroe Trucking	Oakland	CB		525,000		525,000	525,000	525,000	525,000	525,000	AA	525,000	
	Focon, Inc.	Oakland	CB		105,000		105,000			105,000	105,000	AA	105,000	
Project Totals				2,483,977.50	1,270,000.00	0.00	3,753,977.50	525,000.00	525,000.00	4,507,977.50	5,757,977.50		\$1,270,000	\$124,000
				55.10%	28.17%	0.00%	83.27%	100.00%	100%	100%	100%		28.17%	2.15%
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/LPG 25%	SLBE 25%	VSLBE	TOTAL LBE/SLBE/VSLBE/LBE-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		UB = Uncertified Business								
				SLBE = Small Local Business Enterprise		CB = Certified Business								
				VSLBE = Very Small Local Business Enterprise		MBE = Minority Business Enterprise								
				LPG = Locally Produced Goods		WBE = Women Business Enterprise								
				Total LBE/SLBE = All Certified Local and Small Local Businesses										
				NPLBE = NonProfit Local Business Enterprise										
				NPSLBE = NonProfit Small Local Business Enterprise										

* The above project contains specialty work. The Non-Specialty Work Bid Dollars were used for the purposes of determining compliance with the minimum 50% L/SLBE participation requirement.

(DWES)

PROJECT EVALUATION FORM

PROJECT NO.: 1006105

PROJECT NAME: Citywide Pavement Rehabilitation 2021 (Negotiated June 21, 2022)

CONTRACTOR: Gallagher & Burk

<u>Engineer's Estimate:</u>	<u>Contractors' Original Bid</u>	<u>Specialty Dollar Amount</u>	<u>Over/Under Engineer's Estimate</u>
\$5,072,530.00	<u>Amount</u>	\$1,250,000.00	-\$685,447.50
	\$5,757,977.50		
<u>Discounted Bid Amount:</u>	<u>Amount of Bid Discount</u>	<u>Non-Specialty Bid Amt.</u>	<u>Discount Points:</u>
NA	\$0.00	\$4,507,977.50	NA
1. Did the 50% requirements apply? <u>YES</u>			
2. Did the contractor meet the 50% requirement? <u>YES</u>			
	b) % of LBE/LPG participation		<u>55.10%</u>
	c) % of SLBE participation		<u>28.17%</u>
	d) % of VSLBE Participation		<u>0.00%</u>
3. Did the contractor meet the L/SLBE Trucking requirement? <u>YES</u>			
	a) Total L/SLBE trucking participation		<u>100.00%</u>
4. Did the contractor receive bid discounts? <u>NA</u>			
(If yes, list the percentage received)			
5. Additional Comments.			
-			
6. Date evaluation completed and returned to Contract Admin./Initiating Dept.			
			<u>8/19/2022</u>

Date

Reviewing Officer:

Vivian Inman

Date:

8/19/2022

Approved By:

Shelley Darenburg

Date:

8/19/2022