

**CITY OF OAKLAND
COUNCIL AGENDA REPORT**

FILED
OFFICE OF THE CITY CLERK
OAKLAND

2003 SEP 11 PM 2:05

TO: Office of the City Manager
ATTN: Deborah Edgerly, Interim City Manager
FROM: Public Works Agency
DATE: September 23, 2003

RE: **RESOLUTION AUTHORIZING AWARD OF A CONTRACT TO ANDES CONSTRUCTION INC. FOR THE REHABILITATION OF SANITARY SEWERS AT VARIOUS LOCATIONS-OAK STREET, LOCARNO PATH, THE EASEMENT BETWEEN ACACIA AVENUE AND MARGARIDO DRIVE, POPLAR STREET, FLORIDA STREET, ALONG THE PATH BETWEEN LONGRIDGE AND SUNNYHILLS ROADS, AND THE EASEMENT BETWEEN MANZANITA DRIVE AND SKYLINE BOULEVARD (PROJECT NO. C171110) FOR THE AMOUNT OF ONE HUNDRED SEVENTY-FIVE THOUSAND SEVENTY-THREE DOLLARS (\$175,073)**

SUMMARY

A resolution has been prepared authorizing the City Manager to award a construction contract in the amount of \$175,073 to Andes Construction Inc. for the Rehabilitation of Sanitary Sewers at Various Locations-Oak Street, Locarno Path, the easement between Acacia Avenue and Margarido Drive, Poplar Street, Florida Street, along the Path between Longridge and Sunnyhills Roads, and the easement between Manzanita Drive and Skyline Boulevard (Project No. C171110). The work to be completed under this project is part of the City annual sanitary sewer rehabilitation program. The work is located in Council Districts: District 1 (Locarno Path), District 2 (Oak Street, along the Path between Longridge and Sunny Hills Roads), District 3 (Poplar Street), District 4 (Florida Street), District 6 (in an Easement at Skyline Boulevard).

FISCAL IMPACTS

Funding for this project is available in the Sewer Service Fund 3100; Organization 92244; Account 54711; Project C171110. The engineer's estimate for work is \$226,100.

BACKGROUND

On June 9, 2003, the City Clerk received the bids for this project in the amounts of \$175,073 and \$260,182 as shown in *Attachment A*. The lowest responsible bidder, Andes Construction Inc. with bid price of \$175,073, is recommended for award.

Company	Status	Location	Bid Amount
Andes Construction Inc.	SLBE	Oakland	\$175,073
Mosto Construction Inc.	SLBE	Oakland	\$260,182

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In general, the proposed work consists of installing liner, cured-in-place liner and in-place pipe expanding of 1,927 linear feet of 8" to 12" sewer main; rehabilitating approximately 20 sewer structures; rehabilitating 382 linear feet of house connection sewer, and installing approximately 22 house connection 2-way cleanouts as shown on the plans. This project meets the Mayor/City Council Goal and Citywide Objective to maintain and enhance Oakland's physical assets.

Under the proposed contract with Andes Construction Inc. the SLBE participation of \$175,073 (100%) exceeds the City's 50% LBE/SLBE goal. The contractor shows \$2,000 (100%) for trucking that exceeds the requirement for (50%) Local Trucking participation. The contractor received 5% credit for Joint Venture Preference or \$8,754 that made the total adjusted bid amount become \$166,319. 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 Contract Compliance Division of the City Manager's Office and is shown in *Attachment B*.

KEY ISSUES AND IMPACTS

Construction is scheduled to begin in October 2003 and should be completed by February 2004. The contract specifies \$500.00 in liquidated damages per calendar day if the contract completion time of 40 working days is exceeded. The project schedule is shown in *Attachment A*.

Staff has reviewed the submitted bid for this work and determined that the low bid is reasonable.

SUSTAINABLE OPPORTUNITIES

The replacement of the sanitary sewers will eliminate the possibility of sewer leakage and overflows and prevent potential harm to groundwater resources and the bay. The contractor will be required to make every effort to reuse clean fill materials and use recyclable concrete and asphalt products.

DISABILITY AND SENIOR CITIZEN ACCESS

There is no direct impact or benefit to seniors or people with disabilities.

RECOMMENDATION AND RATIONALE

It is recommended that the construction contract be awarded to Andes Construction Inc., the lowest responsible bidder, in the amount of \$175,073 for the Rehabilitation of Sanitary Sewers at Various Locations-Oak Street, Locarno Path, the easement between Acacia Avenue and

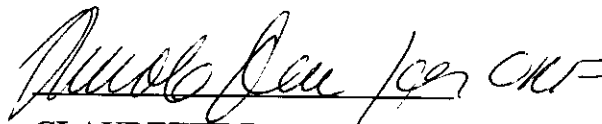
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Various Locations-Oak Street, Locarno Path, the easement between Acacia Avenue and Margarido Drive, Poplar Street, Florida Street, along the Path between Longridge and Sunnyhills Roads, and the easement between Manzanita Drive and Skyline Boulevard (Project No. C171110). Andes Construction 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,



CLAUDETTE R. FORD
Director, Public Works Agency

Reviewed by:
Raul Godinez II, P.E.
Assistant Director, Public Works Agency
Design & Construction Services

Prepared by:
Fuad Sweiss, Supervising Civil Engineer
Engineering Design Division

APPROVED AND FORWARDED TO
THE PUBLIC WORKS COMMITTEE:


OFFICE OF THE CITY MANAGER

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Attachment A

Rehabilitation of Sanitary Sewers at Various Locations-Oak Street, Locarno Path, the easement between Acacia Avenue and Margarido Drive, Poplar Street, Florida Street, along the Path between Longridge and Sunnyhills Roads and the easement between Manzanita Drive and Skyline Boulevard (Project No. C171110)

List of Bidders

Company	Status	Location	Bid Amount
Andes Construction Inc.	SLBE	Oakland	\$175,073
Mosto Construction Inc.	SLBE	Oakland	\$260,182

Project Schedule

ID	Task Name	Start	Finish	2002				2003				2004		
				Qtr 4	Qtr 1	Qtr 2	Qtr 3	Qtr 4	Qtr 1	Qtr 2	Qtr 3	Qtr 4	Qtr 1	
1	Project No. C171110	Mon 9/2/02	Fri 12/19/03											
2	Pre-Design	Mon 9/2/02	Wed 1/1/03											
3	Design	Thu 1/2/03	Tue 3/25/03											
4	Bid/Award	Wed 3/26/03	Thu 9/25/03											
5	Contract Execution	Fri 9/26/03	Fri 10/24/03											
6	Construction	Mon 10/27/03	Fri 12/19/03											

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Attachment B

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Contract Compliance and Employment Services
 Division Office of the City Manager

Memo

To: Stephanie Montgomery

From: Deborah Barnes, Manager *DB for DB*
 Contract Compliance and Employment Services

Date: June 16, 2003

Re: Compliance Reevaluation – Sanitary Sewer – Oak Street, Locarno Path,
 Easement Between Acacia Avenue & Margarido Drive (C171110)

Contract Compliance & Employment Services (CC&ES) reviewed the two bids received for the above referenced project.

The L/SLBE participation is listed below:

<u>Company Name</u>	<u>LBE</u>	<u>SLBE</u>	<u>Total</u>	<u>Trucking</u>
Andes Construction	0%	100%	100%	100%
Mosto Construction	0%	75%	75%	100%

Both firms exceeded the 50% goal.

Should you have any questions please contact Vivian Inman at extension 6261.

cc: Vivian Inman

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CONTRACT COMPLIANCE AND EMPLOYMENT SERVICES DIVISION
OFFICE OF THE CITY MANAGER



Contract Compliance Evaluation Form

Project No.: C171110

Project Name: Sanitary Sewer - Oak Street, Locarno Path, Easement Between Acacia Avenue & Margarido Drive, Poplar Street, Florida Street, Along the Path Between Longridge & Sunnyside Roads and

Bid Opening Date: 6/9/2003

Engineer Estimate: \$226,100

Contractor: Andes Construction

Contractor's bid amount: \$175,073

5% credit for LBE/SLBE Preference: <input type="checkbox"/>	5% of the TOTAL BID Amount: =
5% credit for Joint Venture Preference: <input type="checkbox"/>	Calculation Amount.: \$175,073 X 5% =
5% credit for Mentor Protégé Preference: <input type="checkbox"/>	If yes, 5% is added to the overall Total LBE percentage goal.
ADJUSTED LBE % TOTAL:	ADJUSTED BID TOTAL: \$175,073

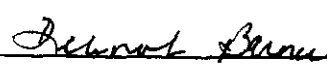
- Did the Contractor meet the LBE/SLBE goals? Yes
 - % of LBE participation 0.00%
 - % of SLBE participation 100.00%
- Did the Contractor meet the Trucking goal? Yes
 - % of local trucking participation 100%
- If the goals were not met, did the contractor meet the Good Faith Effort (GFE) requirements?
(If no, explain reasons for failure to meet GFE.)

4. Date evaluation completed and forwarded to Contract Admin./Initiating Dept. 6/16/2003

5. Is the contractor in compliance with all LBE/SLBE requirements? Yes (If no, explain below)

Reviewing Officer: 

Date: 6/16/2003

Approved By: 

Date: 6/17/2003

CONTRACT COMPLIANCE AND EMPLOYMENT SERVICES DIVISION
OFFICE OF THE CITY MANAGER



Contract Compliance Evaluation Form

Project No.: C171110

Project Name: Sanitary Sewer - Oak Street, Locarno Path, Easement Between Acacia Avenue & Margarido Drive, Poplar Street, Florida Street, Along the Path Between Longridge & Sunnyside Roads and

Bid Opening Date: 6/9/2003

Engineer Estimate: \$226,100

Contractor: Mosto Construction

Contractor's bid amount: \$260,182

5% credit for LBE/SLBE Preference: <input type="checkbox"/>	5% of the TOTAL BID Amount: =
5% credit for Joint Venture Preference: <input type="checkbox"/>	Calculation Amount: X 5% =
5% credit for Mentor Protégé Preference: <input type="checkbox"/>	If yes, 5% is added to the overall Total LBE percentage goal.
ADJUSTED LBE % TOTAL:	ADJUSTED BID TOTAL: \$260,182


1. Did the Contractor meet the LBE/SLBE goals? Yes
 - a) % of LBE participation 0.00%
 - b) % of SLBE participation 75.40%
2. Did the Contractor meet the Trucking goal? Yes
 - a) % of local trucking participation 100%
3. If the goals were not met, did the contractor meet the Good Faith Effort (GFE) requirements?
(If no, explain reasons for failure to meet GFE.)

4. Date evaluation completed and forwarded to Contract Admin./Initiating Dept. 6/16/2003

5. Is the contractor in compliance with all LBE/SLBE requirements? Yes (If no, explain below)

Reviewing Officer: 

Date: 6/16/2003

Approved By: 

Date: 6/17/2003

LBE/SLBE PARTICIPATION

2nd Bidder

Project Name: Sanitary Sewer - Oak Street, Locarno Path, Easement Between Acacia Avenue & Margarido Drive, Poplar Street, Florida Street, Along the Path Between Longridge & Sunnyhills Roads and Easement between Manzanita Drive & Skyline Blvd.

Project No.: C171110

Engineer Estimate: \$226,100
 Bid Amount: \$260,182
 Difference: \$34,082

TRADE	Line #	Prime and Subs	LOCATION	Cert. Status	LBE	SLBE	TOTAL LBE/SLBE	Local Trucking	Trucking	TOTAL BID \$ Amount	ETH	MBE	WBE						
Prime	1	Mosto Construction	Oakland	CB		\$192,182	\$192,182			\$192,182									
CIPP	2	Insituform	Mill Valley	UB						\$60,000									
Pipe	3	Mission Clay Products	Oakland	UB						\$4,000									
Trucking	4	S/S Trucking	Oakland	UB		\$4,000	\$4,000	\$4,000	\$4,000	\$4,000									
Project Subtotals																			
:											\$196,182	\$4,000	\$4,000	\$260,182	0.00%	75.40%	100%	100%	0%

5% credit for LBE/SLBE Preference: = 5% of the TOTAL BID Amount: =

5% credit for Joint Venture Preference: X 5% =

5% credit for Mentor Protégé Preference: Calculation Amount: =

If yes, 5% is added to the overall Total LBE percentage goal.

ADJUSTED LBE % TOTAL: **ADJUSTED BID TOTAL:** \$260,182

LEGEND:
 ALL LBE: All certified Local and Small Local Businesses
 LBE: Local Business Enterprise
 SLBE: Small Local Business Enterprise
 LTRU: Local Trucking Businesses
 CB: Certified Business
 UB: Uncertified Business
 AA: African American
 H: Hispanic American
 A: Asian American
 NA: Native American
 C: Caucasian
 MBE: Minority Business Enterprise
 WBE: Woman Business Enterprise

GOALS:
 The 50% ALL LBE goal is a combination of 15% LBE and 35% SLBE participation. An SLBE firm can be counted 100% towards achieving 50% goal. LBE firms can only be counted up to 15% of the total contract amount. The Local Trucking goal is 50% of the ALL trucking contract amount.

OAKLAND CITY COUNCIL
RESOLUTION No. _____ C.M.S.

FILED
OFFICE OF THE CITY CLERK
OAKLAND

2003 SEP 11 PM 2:05

INTRODUCED BY COUNCILMEMBER _____

Requires two-thirds vote of the Council

RESOLUTION AUTHORIZING AWARD OF A CONTRACT TO ANDES CONSTRUCTION INC. FOR THE REHABILITATION OF SANITARY SEWERS AT VARIOUS LOCATIONS-OAK STREET, LOCARNO PATH, THE EASEMENT BETWEEN ACACIA AVENUE AND MARGARIDO DRIVE, POPLAR STREET, FLORIDA STREET, ALONG THE PATH BETWEEN LONGRIDGE AND SUNNYHILLS ROADS, AND THE EASEMENT BETWEEN MANZANITA DRIVE AND SKYLINE BOULEVARD (PROJECT NO. C171110) FOR THE AMOUNT OF ONE HUNDRED SEVENTY-FIVE THOUSAND SEVENTY-THREE DOLLARS (\$175,073)

WHEREAS, the Rehabilitation of Sanitary Sewers at Various Locations-Oak Street, Locarno Path, the easement between Acacia Avenue and Margarido Drive, Poplar Street, Florida Street, along the Path between Longridge and Sunnyhills Roads, and the easement between Manzanita Drive and Skyline Boulevard (Project No. C171110), is consistent with the Mayor/City Council Goal and Citywide Objective to maintain and enhance Oakland Physical Assets; and

WHEREAS, on June 9, 2003, two bids were received by the Office of the City Clerk of the City of Oakland for the Rehabilitation of Sanitary Sewers at Various Locations-Oak Street, Locarno Path, the easement between Acacia Avenue and Margarido Drive, Poplar Street, Florida Street, along the Path between Longridge and Sunnyhills Roads, and the easement between Manzanita Drive and Skyline Boulevard (Project No. C171110); and

WHEREAS, Andes Construction Inc. a certified SLBE bidding as a prime is the lowest responsible bidder for the project; and

WHEREAS, Andes Construction Inc. complies with all LBE/SLBE requirements; and

WHEREAS, there are sufficient funds in Fund 3100, Project C171110, for the contract work; and

WHEREAS, the City lacks the equipment and qualified personnel to perform the necessary work; and

WHEREAS, the City Council finds and determines that the performance of this contract is in the public interest because of economy or better performance; and

WHEREAS, the City Council finds and determines 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 contract for the Rehabilitation of Sanitary Sewers at Various Locations-Oak Street, Locarno Path, the easement between Acacia Avenue and Margarido Drive, Poplar Street, Florida Street, along the Path between Longridge and Sunnyhills Roads, and the

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easement between Manzanita Drive and Skyline Boulevard is hereby awarded to Andes Construction Inc. in accordance with the terms of its bid therefore, dated June 9, 2003, for the amount of One Hundred Seventy-Five Thousand Seventy-Three Dollars (\$175,073); and be it

FURTHER RESOLVED: That the amount of the bond for faithful performance, \$87,536.50 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, \$175,073 with respect to such work are hereby approved; and be it

FURTHER RESOLVED: That the City Manager is hereby authorized to enter into a contract with Andes Construction 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 contract shall be reviewed and approved by the City Attorney and placed on file in the Office of the City Clerk; and be it

FURTHER RESOLVED: That the approval of this Resolution requires a two-thirds vote of the Council members.

IN COUNCIL, OAKLAND, CALIFORNIA, _____, 20____

PASSED BY THE FOLLOWING VOTE:

AYES- BROOKS, BRUNNER, CHANG, NADEL, QUAN, REID, WAN AND
PRESIDENT DE LA FUENTE

NOES-

ABSENT-

ABSTENTION-

ATTEST: _____

CEDA FLOYD
City Clerk and Clerk of the Council
of the City of Oakland, California

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