

INTER OFFICE MEMORANDUM

Department of Workforce & Employment Standards (DWES)

TO: Mastewal Cherinet, Civil Engineer FROM: Deborah Barnes, Director, DWES Deborah Barnes

November 8, 2021

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

SUBJECT: Compliance Analysis Citywide Pavement Rehabilitation 2021 <u>Project No. 1006103</u>

The Sr. Contract Compliance Officer reviewed three (3) bids in response to the above referenced project. Below is the outcome of the compliance evaluation for the minimum 50% Local and Small Local Business Enterprise (L/SLBE) participation requirement, and a preliminary review for compliance with the Equal Benefits Ordinance (EBO). This project is subject to the most recent amended L/SLBE Program.

DATE:

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 submitted by the contractor; Column C - Non-Specialty Bid Amount (difference between column A and B); Column D - Total Credited Participation; Column E - Earned Bid Discounts as a result of the total credited participation and Column F - Adjusted Bid Amount calculated by applying the earned bid discount to the non-specialty work (column C) and then subtracting that difference from the original bid amount (column A).

Non-R	esponsive	1]	Proposed Par	ticipation		Earned	Earned Credits and Discounts		
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	EBO Compliant? Y/N
	Α	В	С			Ī			D	Ε	F	
Gallagher & Burk	\$13,657,500	\$270,000	\$13,387,500	83.05%	60.74%	22.31%	0%	81%	0%	0%	NA	Y
McGuire & Hester	\$13,802,960	\$290,000	\$13,508,960	76.91%	63.41%	13.49%	0%	52%	0%	0%	NA	Y
OC Jones	\$15,058,775	306,000	\$14,752,775	70.75%	56.26%	14.48%	0%	100%	0%	0%	NA	N

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Comments: As noted, all firms failed to meet the minimum 50% Local/Small Local Business Enterprise requirement. Therefore, the firms are deemed non-responsive.

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

L/SLBE PARTICIPATION **BIDDER 1**

Project Name: Citywide Pavement Rehabilitation 2021

Project No.:	1006103	Engin	eers Est:	\$13,486	,600.00		Under	Over Engine	ers Estimate:		-\$170,900.00			
Discipline	Prime & Subs	Location	Cert.	LBE/LPG	SLBE	**VSLBE	Total	L/SLBE	Total	*Non-Specialty Bid Amount	TOTAL Original Bid Amount		For Tracking	Only
			Status				LBE/SLBE	Trucking	Trucking		Dollars	Ethn.	MBE	WBE
PRIME	Gallagher & Burk	Oakland	СВ	5,589,150			5,589,150			5,589,150	5,589,150	С		
Minor Concrete Sealing/Slurry	Rosas Brothers	Oakland	СВ		2,136,500		2,136,500			2,136,500	2,136,500	Н	2,136,500	
Seal AC Supply Striping	Bond Blacktop Gallagher & Burk Chrisp Company	Hayward Oakland Fremont	UB CB UB	2,542,000			2,542,000			289,100 2,542,000 1,780,750	289,100 2,812,000 1,780,750	с с		289,100
Trucking Trucking Trucking	Monroe Trucking S&S Trucking Double D Trucking	Oakland Oakland Dublin	CB CB UB		350,000 500,000		350,000 500,000	350,000 500,000	,	500,000	350,000 500,000 200,000	Н	350,000 500,000	
	Project	Totals		\$8,131,150	\$2,986,500	\$0.00 0.00%	\$11,117,650	. ,	\$1,050,000	\$13,387,500	\$13,657,500		\$2,986,500	\$289,100
The 50% requirme participation. An 5 the 50% requirem	Requirements: The 50% requirment 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.			60.74% LBE/LPG 25%	22.31% SLBE 25%	VSLBE	83.05% TOTAL LBE/SLBE/ VSLBE/LBELPG	81% 50% LBE/SLE	100%	100%		Ethnic AA = Afric AI = Asiar AP = Asia	can American n Indian	2.12%
LEE = 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 Busi NPLBE = NonProfit Local Business Enterprise NPSLBE = NonProfit Small Local Business Enterprise					UB = Uncertified B CB = Certified Bus MBE = Minority WBE = Women	iness Business Ei						O = Other NL = Not	nic ve American r	

DEPARTMENTN OF WORKPLACE AND EMPLOYMENT STANDARDS

(DWES)

PROJECT EVALUATION FORM

PROJECT NO .: 1006103

PROJECT NAME: Citywide Pavement Rehabilitation 2021

CONTRACTOR: Gallagher & Burk

Engineer's Estimate: \$13,486,600.00	Contractors' Original Bid Amount \$13,657,500.00	Specialty Dollar Amount \$270,000.00	<u>Over/Under Engineer's</u> <u>Estimate</u> -\$170,900.00				
Discounted Bid Amount:	Amount of Bid Discount	Non-Specialty Bid Amt.	Discount Points:				
NA	NA	\$13,387,500.00	NA				
1. Did the 50% requiremen	1. Did the 50% requirements apply?						
2. Did the contractor meet	2. Did the contractor meet the 50% requirement?						
,	BE/LPG participation		<u>60.74%</u>				
,	LBE participation		<u>22.31%</u>				
d) % of V	SLBE Participation		<u>0.00%</u>				
3. Did the contractor meet the	3. Did the contractor meet the L/SLBE Trucking requirement?						
a) Total I	a) Total L/SLBE trucking participation						
4. Did the contractor receiv	ve bid discounts?		<u>NO</u>				

			11/8/2021
			Date
<u>Reviewing</u> Officer:	Vivian Anman	Date:	11/8/2021
Approved By:	Deborah Barnes (Va	Date:	11/8/2021

BIDDER 2

Project Name:	Citywide Paverr	ient Rehabi	ilitation	2021										
Project No.:	1006103	Engine	ers Est:	\$13,486	5,600.00		Un	der/Over Engin	eers Estimate:		-\$316,360.00			
Discipline	Prime & Subs	Location	Cert.	LBE/LPG	SLBE	**VSLBE	Total	L/SLBE	Total	*Non-Specialty	TOTAL Original		For Trackin	g Only
			Status				LBE/SLBE	Trucking	Trucking	Bid Amount	Bid Amount	Ethn.	MBE	WBE
PRIME	McGuire & Hester	Oakland	СВ	5,206,610			5,206,610			5,206,610	5,206,610	С		
Concrete	Rosas Brothers	Oakland	СВ		1,822,500		1,822,500			1,822,500	1,822,500	н	1,822,500	
Trucking	A1 Trucking Svc.	Oakland	СВ					550,000	550,000	550,000	550,000	AI	550,000	
Aspnait Material	Gallagher & Burk	Oakland	СВ	3,360,000			3,360,000			3,360,000	3,654,000	С		
Striping	Chrisp Co.	Fremont	UB							1,780,750	1,780,750	С		
Seal/Microsurfa	Bond Blacktop	Union City	UB							289,100	289,100	с		289,10
Trucking	D's Trucking	Oakland	UB						500,000	500,000	500,000	Н	500,000	
						•			.	• • • • • • • • • •	• • • • • • • • • •			.
	Project	Totals		\$8,566,610	\$1,822,500	\$0	\$10,389,110	\$550,000	\$1,050,000	\$13,508,960	\$13,802,960		\$2,872,500	\$289,100.0
P Requirements: The 50% requirment 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.			chieving	63.41% LBE/LPG 25%	13.49% SLBE 25%	0.00%	76.91% TOTAL LBE/SLBE/ VSLBE/LBELPG	52% 50% LBE/SLE	100% SE TRUCKING	100%	100%	AI = Asia	can American	2.09
Legend	LBE = Local Business Entr SLBE = Small Local Busin VSLBE = Very Small Local LPG = Locally Produced G Total LBE/SLBE = All Certi NPLBE = NonProfit Local NPSLBE = NonProfit Local		UB = Uncertified Busin CB = Certified Busines MBE = Minority Busine WBE = Women Busine	s ss Enterprise						O = Othe NL = Not	anic tive American ar			



DWES

PROJECT EVALUATION FORM

PROJECT NO .: 1006103

PROJECT NAME: Citywide Pavement Rehabilitation 2021

CONTRACTOR: N	AcGuire &	Hester
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Engineer's Estimate: \$13,486,600.00	Contractors' Original Bid <u>Amount</u> \$13,802,960.00	Specialty Dollar <u>Amount</u> \$294,000.00	Over/Under Engineer's Estimate -\$316,360.00
Discounted Bid Amount:			Discount Points:
NA	Amount of Bid Discount NA	<u>Non-Specialty Bid Amt.</u> \$13,508,960.00	NA
1. Did the 50% requirements apply?			YES
2. Did the contractor meet the 50% re	equirement?		NO
b) % of LBE/LPG pa c) % of SLBE partici d) % of VSLBE Parti	pation		<u>63.41%</u> <u>13.49%</u> <u>0.00%</u>
3. Did the contractor meet the L/SLBE Tru	cking requirement?		YES
a) Total L/SLBE truc	king participation		<u>52%</u>
4. Did the contractor receive bid disco	ounts?		YES

			11/8/2021
	. / /		Date
<u>Reviewing</u> Officer:	Vivian Anman	Date:	11/8/2021
Approved By	Deborah Barnes (VA)	Date:	11/8/2021

BIDDER 3

Project No.:	1006103		Engineers Est:	\$13,486,6	00.00			Under/Over En	gineers Estimate:		-\$1,572,175.00			
Discipline	Prime & Subs	Location	Cert.	LBE/LPG	SLBE	**VSLBE	Total	L/SLBE	Total	*Non-Specialty	TOTAL Original		r Tracking C	Inly
			Status				LBE/SLBE	Trucking	Trucking	Bid Amount	Bid Amount	Ethn.	MBE	WBE
PRIME	OC Jones	Oakland	СВ	5,705,625			5,705,625			5,705,625	5,705,625	с		
Slurry Seal	Bond Blacktop	Union City	UB							206,600	206,600	С		206,600
Trucking	A1 Trucking Svc.	Oakland	СВ					1,160,400	1,160,400	1,160,400	1,160,400	AI	1,160,400	
AC Supply	Gallagher & Burk	Oakland	СВ	2,595,000			2,595,000			2,595,000	2,901,000	С		
Striping/Marking	Chrsip Co.	Fremont	UB							1,780,750	1,780,750	С		
Operated Cold Mill	ABSL Construction	Hayward	UB							709,400	709,400	Н	709,400	
Concrete	Rosas Brothers	Oakland	СВ		2,136,500		2,136,500			2,136,500	2,136,500	Н	2,136,500	
Tack Oil & Fog Seal	Pacific Northwest Oil	Stockton	UB							188,500	188,500	с		
Survey	Towill	Concord	UB							270,000	270,000	с		
	Project	Totals		\$8,300,625	\$2,136,500	\$0	\$10,437,125	\$1,160,400	\$1,160,400	\$14,752,775	\$15,058,775		\$4,006,300	\$206,600
	, ,			56.26%	14.48%	0.00%	70.75%	100%	100%	100%	100%		26.60%	1.37%
Requirements: The 50% requirment 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.			chieving the 50%	LBE/LPG 25%	SLBE 25%	VSLBE	TOTAL LBE/SLBE/ VSLBE/LBELPG	50% LBE/SLE	BE TRUCKING			Ethnicity AA = African Ame AI = Asian Indian AP = Asian Pacifi		
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 Business NPLBE = NonProfit Local Business Enterprise NPSLBE = NonProfit Small Local Business Enterprise					UB = Uncertified Bu CB = Certified Busin MBE = Minority Bus WBE = Women Bus	ness iness Enterprise						C = Caucasian H = Hispanic NA = Native Ame O = Other NL = Not Listed MO = Multiple		



DWES

PROJECT EVALUATION FORM

PROJECT NO .: 1006103

PROJECT NAME: Citywide Pavement Rehabilitation 2021

CONTRACTOR: OC Jones

Engineer's Estimate: \$13,486,600.00	Contractors' Original Bid Amount \$15,058,775.00	Specialty Dollar <u>Amount</u> \$306,000.00	<u>Over/Under Engineer's</u> <u>Estimate</u> -\$1,572,175.00
Discounted Bid Amount:			Discount Points:
NA	Amount of Bid Discount NA	<u>Non-Specialty Bid Amt.</u> \$14,752,775.00	NA
1. Did the 50% requirements apply?			YES
2. Did the contractor meet the 50% re	equirement?		NO
b) % of LBE/LPG pa c) % of SLBE partici d) % of VSLBE Parti	pation		<u>63.41%</u> <u>14.48%</u> <u>0.00%</u>
3. Did the contractor meet the L/SLBE Tru	ucking requirement?		YES
a) Total L/SLBE truc	king participation		<u>100%</u>
4. Did the contractor receive bid disco	ounts?		YES

			11/8/2021
			Date
<u>Reviewing</u> Officer:	Vivian Anman	Date:	11/8/2021
Approved By:	Deborah Barnes (VA) Date:	11/8/2021
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INTER OFFICE MEMORANDUM

Department of Workforce & Employment Standards (DWES)

TO: Mastewal Cherinet, Civil Engineer FROM: Deborah Barnes, Director, DWES Deborah Barnes

November 8, 2021

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

SUBJECT: Compliance Analysis Citywide Pavement Rehabilitation 2021 <u>Project No. 1006104</u>

The Sr. Contract Compliance Officer reviewed three (3) bids in response to the above referenced project. Below is the outcome of the compliance evaluation for the minimum 50% Local and Small Local Business Enterprise (L/SLBE) participation requirement, and a preliminary review for compliance with the Equal Benefits Ordinance (EBO). This project is subject to the most recent amended L/SLBE Program.

DATE:

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 submitted by the contractor; Column C - Non-Specialty Bid Amount (difference between column A and B); Column D - Total Credited Participation; Column E - Earned Bid Discounts as a result of the total credited participation and Column F - Adjusted Bid Amount calculated by applying the earned bid discount to the non-specialty work (column C) and then subtracting that difference from the original bid amount (column A).

Non-R	esponsive	1]	Proposed Par	ticipation	ion Earned Credits and Discounts				~:
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	EBO Compliant? Y/N
	Α	В	С						D	Ε	F	
Gallagher & Burk	\$13,657,500	\$270,000	\$13,387,500	83.05%	60.74%	22.31%	0%	81%	0%	0%	NA	Y
McGuire & Hester	\$13,802,960	\$290,000	\$13,508,960	76.91%	63.41%	13.49%	0%	52%	0%	0%	NA	Y
OC Jones	\$15,058,775	306,000	\$14,752,775	70.75%	56.26%	14.48%	0%	100%	0%	0%	NA	N

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Comments: As noted, all firms failed to meet the minimum 50% Local/Small Local Business Enterprise requirement. Therefore, the firms are deemed non-responsive.

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

L/SLBE PARTICIPATION **BIDDER 1**

Project Name: Citywide Pavement Rehabilitation 2021

Project No.:	1006104	Engin	eers Est:	\$13,486	600.00		Under	Over Engine	ers Estimate:		-\$170,900.00				
Discipline	Prime & Subs	Location	Cert.	LBE/LPG	SLBE	**VSLBE	Total	L/SLBE	Total	*Non-Specialty Bid Amount	TOTAL Original Bid Amount		For Tracking	Only	
			Status				LBE/SLBE	Trucking	Trucking		Dollars	Ethn.	MBE	WBE	
PRIME	Gallagher & Burk	Oakland	СВ	5,589,150			5,589,150			5,589,150	5,589,150	С			
Minor Concrete Sealing/Slurry	Rosas Brothers	Oakland	СВ		2,136,500		2,136,500			2,136,500	2,136,500	Н	2,136,500		
Seal AC Supply Striping	Bond Blacktop Gallagher & Burk Chrisp Company	Hayward Oakland Fremont	UB CB UB	2,542,000	050.000		2,542,000	050.000	050.000	289,100 2,542,000 1,780,750	289,100 2,812,000 1,780,750	C C	050.000	289,100	
Trucking Trucking Trucking	Monroe Trucking S&S Trucking Double D Trucking	Oakland Oakland Dublin	CB CB UB		350,000 500,000		350,000 500,000	350,000 500,000	,	500,000	350,000 500,000 200,000	Н	350,000 500,000		
	Project	Totals		\$8,131,150	\$2,986,500	\$0.00	\$11,117,650		\$1,050,000	\$13,387,500	\$13,657,500		\$2,986,500	\$289,100	
Requirements: The 50% requirment 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.			achieving	60.74% LBE/LPG 25%	22.31% SLBE 25%	0.00% VSLBE	83.05% TOTAL LBE/SLBE/ VSLBE/LBELPG	AL SLBE/ 50% LBE/SLBE TRUCKING					22.31% 2.12% Ethnici AA = African American AI = Asian Indian AP = Asian Pacific		
Legend	LBE = Local Business Enterp SLBE = Small Local Busines VSLBE = Very Small Local Bu LPG = Locally Produced Goc Total LBE/SLBE = All Certifie NPLBE = NonProfit Local Bu NPSLBE = NonProfit Small L	II Local Busi		UB = Uncertified B CB = Certified Bus MBE = Minority WBE = Women	iness Business Ei	•					O = Other NL = Not	nic ve American			

DEPARTMENTN OF WORKPLACE AND EMPLOYMENT STANDARDS

(DWES)

PROJECT EVALUATION FORM

PROJECT NO .: 1006104

PROJECT NAME: Citywide Pavement Rehabilitation 2021

CONTRACTOR: Gallagher & Burk

Engineer's Estimate: \$13,486,600.00	<u>Contractors' Original Bid</u> <u>Amount</u> \$13,657,500.00	<u>Specialty Dollar Amount</u> \$270,000.00	Over/Under Engineer's Estimate -\$170,900.00
Discounted Bid Amount:	Amount of Bid Discount	Non-Specialty Bid Amt.	Discount Points:
NA	NA	\$13,387,500.00	NA
1. Did the 50% requirement	s apply?		YES
2. Did the contractor meet the	he 50% requirement?		NO
	BE/LPG participation		<u>60.74%</u>
	BE participation		<u>22.31%</u> 0.00%
3. Did the contractor meet the I	·	ent?	YES
a) Total L/	SLBE trucking participat	ion	<u>81%</u>
4. Did the contractor receive	e bid discounts?		NO

			11/8/2021 Date
<u>Reviewing</u> Officer:	Vivian Anman	Date:	11/8/2021
Approved By:	Deborah Barnes (VA)	<u>Date:</u>	11/8/2021

BIDDER 2

Project No .:	1006104	Engine	ers Est:	\$13,486	6,600.00		Un	der/Over Engin	eers Estimate:		-\$316,360.00			
Discipline	Prime & Subs	Location	Cert.	LBE/LPG	SLBE	**VSLBE	Total	L/SLBE	Total	*Non-Specialty	TOTAL Original		For Trackin	g Only
			Status				LBE/SLBE	Trucking	Trucking	Bid Amount	Bid Amount	Ethn.	MBE	WBE
PRIME	McGuire & Hester	Oakland	СВ	5,206,610			5,206,610			5,206,610	5,206,610	С		
Concrete	Rosas Brothers	Oakland	СВ		1,822,500		1,822,500			1,822,500	1,822,500	н	1,822,500	
Trucking Aspnait	A1 Trucking Svc.	Oakland	СВ					550,000	550,000	550,000	550,000	AI	550,000	
Material	Gallagher & Burk	Oakland	СВ	3,360,000			3,360,000			3,360,000	3,654,000	С		
Striping	Chrisp Co.	Fremont	UB							1,780,750	1,780,750	С		
Seal/Microsurfa	Bond Blacktop	Union City	UB							289,100	289,100	С		289,10
Trucking	D's Trucking	Oakland	UB						500,000	500,000	500,000	н	500,000	
	Project	Totals		\$8,566,610	\$1,822,500	\$0	\$10,389,110	\$550,000	\$1,050,000	\$13,508,960	\$13,802,960		\$2,872,500	\$289,100.0
	110,000	lotalo		63.41%	13.49%	0.00%	76.91%	52%	100%	100%	100%		20.81%	2.09
Requirements: The 50% requirment is a combination of 25% LBE and 25% SLBE participation. An SLBE firm can be counted 100% towards achievin the 50% requirement. A VSLBEE's participation is double counted toward meeting the requirement.				LBE/LPG 25%	SLBE 25%	VSLBE	TOTAL LBE/SLBE/ VSLBE/LBELPG	LBE/SLBE/ 50% LBE/SLBE TRUCKING				Ethnicity AA = African American AI = Asian Indian AP = Asian Pacific		
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 WBE = Women Business Enterprise NPLBE = NonProfit Local Business Enterprise NPSLBE = NonProfit Small Local Business Enterprise												O = Othe NL = Not	anic tive American er	



DWES

PROJECT EVALUATION FORM

PROJECT NO .: 1006104

PROJECT NAME: Citywide Pavement Rehabilitation 2021

CONTRACTOR:	McGuire	&	Hester
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Engineer's Estimate: \$13,486,600.00	Contractors' Original Bid <u>Amount</u> \$13,802,960.00	Specialty Dollar <u>Amount</u> \$294,000.00	Over/Under Engineer's Estimate -\$316,360.00
Discounted Bid Amount:			Discount Points:
NA	Amount of Bid Discount NA	<u>Non-Specialty Bid Amt.</u> \$13,508,960.00	NA
1. Did the 50% requirements apply?			YES
2. Did the contractor meet the 50% re	equirement?		NO
b) % of LBE/LPG pa c) % of SLBE partici d) % of VSLBE Parti	pation		<u>63.41%</u> <u>13.49%</u> <u>0.00%</u>
3. Did the contractor meet the L/SLBE Tru	cking requirement?		YES
a) Total L/SLBE truc	king participation		<u>52%</u>
4. Did the contractor receive bid disco	ounts?		YES

			11/8/2021
	,		Date
<u>Reviewing</u> Officer:	Vivian Anman	Date:	11/8/2021
Approved By:	Deborah Barnes (VA)	Date:	11/8/2021

BIDDER 3

Project No.:	1006104		Engineers Est:	\$13,486,6	00.00			Under/Over En	gineers Estimate:		-\$1,572,175.00			
Discipline	Prime & Subs	Location	Cert.	LBE/LPG	SLBE	**VSLBE	Total	L/SLBE	Total	*Non-Specialty	TOTAL Original		r Tracking C	nlv
			Status				LBE/SLBE	Trucking	Trucking	Bid Amount	Bid Amount	Ethn.	MBE	WBE
PRIME	OC Jones	Oakland	СВ	5,705,625			5,705,625			5,705,625	5,705,625	с		
	OC Jones	Oakialiu	_	5,705,025			5,705,025							
Slurry Seal	Bond Blacktop	Union City	UB							206,600	206,600	С		206,600
Trucking	A1 Trucking Svc.	Oakland	СВ					1,160,400	1,160,400	1,160,400	1,160,400	AI	1,160,400	
AC Supply	Gallagher & Burk	Oakland	СВ	2,595,000			2,595,000			2,595,000	2,901,000	С		
Striping/Marking	Chrsip Co.	Fremont	UB							1,780,750	1,780,750	С		
Operated Cold Mill	ABSL Construction	Hayward	UB							709,400	709,400	Н	709,400	
Concrete	Rosas Brothers	Oakland	СВ		2,136,500		2,136,500			2,136,500	2,136,500	Н	2,136,500	
Tack Oil & Fog Seal	Pacific Northwest Oil	Stockton	UB							188,500	188,500	с		
Survey	Towill	Concord	UB							270,000	270,000	С		
	Project	Totals		\$8,300,625	\$2,136,500	\$0	\$10,437,125	\$1,160,400	\$1,160,400	\$14,752,775	\$15,058,775		\$4,006,300	\$206,600
	,			56.26%	14.48%	0.00%	70.75%	100%	100%	100%	100%		26.60%	1.37%
participation. An SLB	S: is a combination of 2 IE firm can be counted BEE's participation is c	d 100% towards a	chieving the 50%	LBE/LPG 25%	SLBE 25%	VSLBE	TOTAL LBE/SLBE/ VSLBE/LBELPG	50% LBE/SLE	BE TRUCKING			Ethnicity AA = African Ame AI = Asian Indian AP = Asian Pacifi		
												C = Caucasian H = Hispanic NA = Native Ame O = Other NL = Not Listed MO = Multiple		



DWES

PROJECT EVALUATION FORM

PROJECT NO .: 1006104

PROJECT NAME: Citywide Pavement Rehabilitation 2021

CONTRACTOR: OC Jones

Engineer's Estimate: \$13,486,600.00	Contractors' Original Bid <u>Amount</u> \$15,058,775.00	Specialty Dollar <u>Amount</u> \$306,000.00	<u>Over/Under Engineer's</u> <u>Estimate</u> -\$1,572,175.00
Discounted Bid Amount:			Discount Points:
NA	Amount of Bid Discount NA	<u>Non-Specialty Bid Amt.</u> \$14,752,775.00	NA
1. Did the 50% requirements apply?			YES
2. Did the contractor meet the 50% re	equirement?		NO
b) % of LBE/LPG pa c) % of SLBE partici d) % of VSLBE Parti	pation		<u>63.41%</u> <u>14.48%</u> <u>0.00%</u>
3. Did the contractor meet the L/SLBE Tru	ucking requirement?		YES
a) Total L/SLBE truc	king participation		<u>100%</u>
4. Did the contractor receive bid disco	ounts?		YES

	,		11/8/2021 Date
<u>Reviewing</u> Officer:	Vivian Anman	Date:	11/8/2021
Approved By:	Deborah Barnes (VA)	Date:	11/8/2021



INTER OFFICE MEMORANDUM

Department of Workforce & Employment Standards (DWES)

TO: Mastewal Cherinet, Civil Engineer FROM: Deborah Barnes, Director, DWES *Deborah Barnes*

November 7, 2021

PREPARED BY: Vivian Inman, Vivian Inman

SUBJECT: Compliance Analysis Citywide Pavement Rehabilitation 2021 <u>Project No. 1006105</u>

The Sr. Contract Compliance Officer reviewed four (4) bids in response to the above referenced project. Below is the outcome of the compliance evaluation for the minimum 50% Local and Small Local Business Enterprise (L/SLBE) participation requirement, and a preliminary review for compliance with the Equal Benefits Ordinance (EBO). This project is subject to the most recent amended L/SLBE Program.

DATE:

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 submitted by the contractor; Column C - Non-Specialty Bid Amount (difference between column A and B); Column D - Total Credited Participation; Column E - Earned Bid Discounts as a result of the total credited participation and Column F - Adjusted Bid Amount calculated by applying the earned bid discount to the non-specialty work (column C) and then subtracting that difference from the original bid amount (column A).

Non-Res	sponsive				Pro	oposed Pa	articipa	tion		d Credits a discounts	nd	ant?
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	EBO Compliant? Y/N
	Α	В	С						D	Ε	F	
Gallagher & Burk	\$5,234,525	\$81,000	\$5,153,525	84.80%	64.21%	20.59%	0%	89%	0%	0%	NA	Y
McGuire & Hester	\$5,269,205	\$88,200	\$5,181,005	78.90%	68.13%	12.77%	0%	53%	0%	0%	NA	Y
Teichert Construction	\$5,303,700	\$86,625	\$5,217,075	23.86%	22.06%	1.80%	0%	100%	0%	0%	NA	Ν
OC Jones	\$5,695,775	\$90,000	\$5,515,775	72.39%	60.86%	11.54%	0%	100%	0%	0%	NA	Ν

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Comments: As noted, all firms failed to meet the minimum 50% Local/Small Local Business Enterprise requirement. Therefore, the firms are deemed non-responsive.

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

L/SLBE PARTICIPATION BIDDER 1

Project Name:	Citywide Paveme	ent Rehabi	litation	2021										
Project No.	1006105	Engin	eers Est:	\$5,072	,530.00		Under	Over Engine	ers Estimate:		-\$161,995.00			
Discipline	Prime & Subs	Location	Cert.	LBE/LPG	SLBE	**VSLBE	Total	L/SLBE	Total	*Non-Specialty Bid Amount	TOTAL Original Bid Amount		For Tracking	Only
			Status				LBE/SLBE	Trucking	Trucking		Dollars	Ethn.	MBE	WBE
PRIME	Gallagher & Burk	Oakland	СВ	578,115			578,115			578,115	578,115	С		
Minor Concrete Sealing/Slurry	Rosas Brothers	Oakland	СВ		636,250		636,250			636,250	636,250	Н	636,250	
Seal AC Supply Striping	Bond Blacktop Gallagher & Burk Chrisp Company	Hayward Oakland Fremont	UB CB UB	2,731,000			2,731,000			124,410 2,731,000 608,750	2,812,000 608,750	C C		124,410
Trucking Trucking Trucking	Monroe Trucking S&S Trucking Double D Trucking	Oakland Oakland Dublin	CB CB UB		200,000 225,000		200,000 225,000	200,000 225,000	,	225,000	225,000	Н	200,000 225,000	
	Project ⁻	 Totals		\$3,309,115	\$1,061,250	\$0.00	\$4,370,365	\$425,000	\$475,000	\$5,153,525	\$5,234,525		\$1,061,250	\$124,410
participation. An S	nt is a combination of 259 ILBE firm can be counted 1 ent. A VSLBE's participatio	64.21% LBE/LPG 25%	20.59% SLBE 25%	0.00%	84.80% TOTAL LBE/SLBE/ VSLBE/LPG	E/ 50% LBE/SLBE TRUCKING					20.59% 2.38% Ethnici AA = African American AI = Asian Indian AP = Asian Pacific			
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 NPSLBE = NonProfit Small Local Business Enterprise							•					O = Other NL = Not	nic ve American	



11/7/2021

(DWES)

PROJECT EVALUATION FORM

PROJECT NO .: 1006105

PROJECT NAME: Citywide Pavement Rehabilitation 2021

CONTRACTOR: Gallagher & Burk

Engineer's Estimate: \$5,072,530.00	<u>Contractors' Original</u> <u>Bid Amount</u> \$5,234,525.00	Specialty Dollar Amount \$81,000.00	<u>Over/Under Engineer's</u> <u>Estimate</u> -\$161,995.00		
Discounted Bid Amount:		Non Cussialty Did Amt	Discount Points:		
NA	Amount of Bid Discount NA	<u>Non-Specialty Bid Amt.</u> \$5,153,525.00	NA		
1. Did the 50% requirement	s apply?		YES		
2. Did the contractor meet t	he 50% requirement?		NO		
c) % of SL	BE/LPG participation BE participation SLBE Participation		<u>64.21%</u> <u>20.59%</u> <u>0.00%</u>		
3. Did the contractor meet the	L/SLBE Trucking requireme	ent?	YES		
a) Total L/	SLBE trucking participat	ion	<u>89%</u>		
4. Did the contractor receive	<u>NO</u>				
(If yes, list	t the percentage received	(৮	<u>0%</u>		
5. Additional Comments. Firm failed to meet the mi	nimum 50% L/SLBE pa	rticipation. The firm h	as an SLBE		

shortfall of 4.41%. Therefore, the firm is deemed non-responsive.

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

<u>Reviewing</u> <u>Officer:</u>	Vivian Anman	Date:	11/7/2021
Approved By:	Deborah Barnes (VA)	Date:	11/7/2021

BIDDER 2

						D						-										
Project Name:	Citywide Paverr	nent Rehab	ilitation	2021																		
Project No.:	1006105	Engine	ers Est:	\$5,072	,530.00		Und	der/Over Engin	eers Estimate:		-\$196,675.00											
Discipline	Prime & Subs	Location	Cert.	LBE/LPG	SLBE	**VSLBE	Total	L/SLBE	Total	L/SLBE Total	Total	Total	Total	Total	Total	Total	Total	*Non-Specialty	TOTAL Original		For Tracking	g Only
			Status				LBE/SLBE	Trucking	Trucking	Bid Amount	Bid Amount	Ethn.	MBE	WBE								
PRIME	McGuire & Hester	Oakland	СВ	2,004,420			2,004,420			2,004,420	2,004,420	С										
Concrete	Rosas Brothers	Oakland	СВ		661,750		661,750			591,750	591,750	Н	661,750									
Trucking	A1 Trucking Svc.	Oakland	СВ					230,000	230,000	230,000	230,000	AI	230,000									
Aspnan Material	Gallagher & Burk	Oakland	СВ	1,421,675			1,421,675			1,421,675	1,509,875	С										
Striping	Chrisp Co.	Fremont	UB							608,750	608,750	С										
Seal/Microsurfa	Bond Blacktop	Union City	UB							124,410	124,410	С		124,410								
Trucking	D's Trucking	Oakland	UB						200,000	200,000	200,000	н	200,000									
	Project	Totals	· · · · ·	\$3,426,095	\$661,750	\$0	\$4,087,845	\$230,000	\$430,000	\$5,181,005	\$5,269,205		\$1,091,750	\$124,410.00								
				66.13%	12.77%	0.00%	78.90%	53%	100%	100%	100%		20.72%	2.36%								
participation. An S	nt is a combination of 25 LBE firm can be counted ent. A VSLBEE's participa	100% towards a	chieving	LBE /LPG 25%	SLBE 25%	VSLBE	TOTAL LBE/SLBE/ VSLBE/LPG	50% LBE/SLB	E TRUCKING			AI = Asia	Sity ican American an Indian ian Pacific									
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 NPSLBE = NonProfit Small Local Business Enterprise					s ess Enterprise						O = Othe NL = No	ianic tive American er										

DEPARTMENT OF WORKPLACE AND EMPLOYMENT STANDARDS



(DWES)

PROJECT EVALUATION FORM

PROJECT NO .: 1006105

PROJECT NAME: Citywide Pavement Rehabilitation 2021

CONTRACTOR: McGuire & Hester								
Engineer's Estimate: \$5,072,530.00	<u>Contractors' Original Bid</u> <u>Amount</u> \$5,269,205.00	<u>Specialty Dollar</u> <u>Amount</u> \$88,200.00	<u>Over/Under Engineer's</u> <u>Estimate</u> -\$196,675.00					
Discounted Bid Amount:	Amount of Pid Discount	Non Specialty Did Amt	Discount Points:					
NA	Amount of Bid Discount NA	\$5,181,005.00	NA					
1. Did the 50% requirements apply?			YES					
2. Did the contractor meet the 50% re	equirement?		NO					
c) % of SLBE partici	b) % of LBE/LPG participationc) % of SLBE participationd) % of VSLBE Participation							
3. Did the contractor meet the L/SLBE Tr	ucking requirement?		YES					
a) Total L/SLBE truc	king participation		<u>53%</u>					
4. Did the contractor receive bid disco	ounts?		NO					
(If yes, list the percentage received) <u>0.00%</u>								
5. Additional Comments. Firm failed to meet the minimum 50 shortfall of 12.23%. Therefore, the			<u>SLBE</u>					
6. Date evaluation completed and returned	ed to Contract Admin./Initia	ting Dept.						

 Reviewing Officer:
 Vivian Inman
 Date:
 11/7/2021

 Approved By:
 Deborah Barnes (VA)
 Date:
 11/7/2021

BIDDER 3

Desta et Norre		(D					DER 3					1											
Project Name:	Citywide Pave	ment Keha	Dilitation 202	1																			
Project No.:	1006105		Engineers Est:	\$5,072,	530.00		Unc	der/Over Engir	eers Estimate:		-\$231,170.00												
Discipline	Prime & Subs	Location	Cert.	LBE/LPG	SLBE	**VSLBE	Total	L/SLBE	Total	Total	Total	Total	Total	Total	Total	Total	Total	Total	*Non-Specialty		For Tracking Only		Only
			Status				LBE/SLBE	Trucking	Trucking	Bid Amount	Original Bid Amount	Ethn.	MBE	WBE									
PRIME	Teichert Construction	Pleasanton	UB							1,540,676	1,540,676	с											
Aggregate & Asphalt	Gallagher & Burk	Oakland	СВ	1,150,850			1,150,850			1,150,850	1,237,475	С											
Striping/Marking	Chrisp Co.	Femont	UB							608,750	608,750	AI											
Slurry Seal,Crack Seal	•	Unon City	UB							124,410	124,410	с		124,410.00									
Surveying	Mike O'Dell Surveys	SanFrancisc	UB							431,500	431,500	С											
Tack Oil & Fog Seal Concrete	Kent's Oil Service J J R	Stockton	UB							72,400	72,400	н	264,250.00										
Flatwork	Cnstruction, Inc.	San Mateo	UB							490,513	490,513	Н	636,250.00										
Clear & Grub	DeKay Demolition and Clearing	Oakland	СВ		21,750		21,750			21,750	21,750	с											
Grinding	Recycling System	Jurupa Valle	UB							177,700	177,700	с											
Trucking Supplier (2nd	A1 Trucking Central	Oakland	СВ					526,526	526,526	526,526	526,526	AI	526,526.00										
Tier)	Concrete	Oakland	СВ		72,000		72,000			72,000	72,000	С											
	Project	Totals		\$1,150,850	\$93,750	\$0	\$1,244,600	\$526,526	\$526,526	\$5,217,075	\$5,303,700		\$1,427,026	\$124,410									
	•			22.06%	1.80%	0.00%	23.86%	100%	100%	100%	100%		26.91%	2.35%									
participation. An SLB	S: is a combination of 29 E firm can be counted BEE's participation is d	100% towards a	chieving the 50%	LBE /LPG 25%	SLBE 25%	VSLBE	TOTAL LBE/SLBE/ VSLBE/LPG	50% LBE/SLI	BE TRUCKING			Ethnicit AA = Africar AI = Asian II AP = Asian	n American ndian										
Legend	LBE = Local Business Er SLBE = Small Local Bus VSLBE = Very Small Loc LPG = Locally Produced Total LBE/SLBE = All Ce NPLBE = NonProfit Loca NPSLBE = NonProfit SM	iness Enterprise al Business Enterp Goods rtified Local and Sn Il Business Enterpr	nall Local Businesses ise		UB = Uncertified Bu CB = Certified Busir MBE = Minority Bus WBE = Women Busi	ness iness Enterprise						C = Caucas H = Hispani NA = Native O = Other NL = Not Lis	ian c American										

DEPARTMENT OF WORKPLACE AND EMPLOYMENT STANDARDS



(DWES)

PROJECT EVALUATION FORM

PROJECT NO .: 1006105

PROJECT NAME: Citywide Pavement Rehabilitation 2021

<u>CONTRACTOR:</u> Teichert Cons	truction		
Engineer's Estimate: \$5,072,530.00	<u>Contractors' Original Bid</u> <u>Amount</u> \$5,303,700.00	<u>Specialty Dollar</u> <u>Amount</u> \$86,625.00	<u>Over/Under Enginee</u> <u>Estimate</u> -\$231,170.00
Discounted Bid Amount:	Amount of Bid Discount N NA	on-Specialty Bid Amt. \$5,217,075.00	<u>Discount Points:</u> NA
1. Did the 50% requirements ap	ply?		YES
2. Did the contractor meet the 5	0% requirement?		NO
b) % of LBE/LF c) % of SLBE p d) % of VSLBE	•		<u>22.06%</u> <u>1.80%</u> <u>0.00%</u>
3. Did the contractor meet the L/SL	BE Trucking requirement?		YES
a) Total L/SLBI	<u>100%</u>		
4. Did the contractor receive bid	discounts?		NO
	percentage received)		0.00%

Firm failed to meet the minimum 50% L/SLBE participation. The firm has an SLBE shortfall of 23.03%. Therefore, the firm is deemed non-responsive.

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

			11/7/2021
D · ·			Date
<u>Reviewing</u> Officer:	Deborah Barnes (VA)	Date:	11/7/2021
Approved By:	Deborah Barnes (VA)	Date:	11/7/2021

BIDDER 4

Project Name:	Citywide Pave	ment Rehal	bilitation 202	1										
Project No.:	1006105		Engineers Est:	\$5,072,53	30.00			Under/Over En	igineers Estimate:		-\$623,245.00			
Discipline	Prime & Subs	Location	Cert.	LBE/LPG	SLBE	**VSLBE	Total	L/SLBE	Total	*Non-Specialty	TOTAL Original	Fo	or Tracking O	nly
			Status				LBE/SLBE	Trucking	Trucking	Bid Amount	Bid Amount	Ethn.	MBE	WBE
PRIME	OC Jones	Oakland	СВ	3,320,165			3,320,165			3,320,165	3,320,165	С		
Slurry Seal	Bond Blacktop	Union City	UB							79,410	79,410	С		79,410
Trucking	A1 Trucking Svc.	Oakland	СВ					454,900	454,900	454,900	454,900	AI	454,900	
AC Supply	Gallagher & Burk	Oakland	СВ	36,600			36,600			35,600	125,600	С		
Striping/Marking Operated Cold	Chrsip Co. ABSL	Fremont	UB							518,750	608,750	С		
Mill		Hayward	UB							264,250	264,250	н	264,250	
Concrete	Rosas Brothers	Oakland	СВ		636,250		636,250			636,250	636,250	Н	636,250	
Tack Oil & Fog Seal	Pacific Northwest Oil	Stockton	UB							82,950	82,950	с		
Survey	Towill	Concord	UB							123,500	123,500	с		
											-			
	Project	Totals		\$3,356,765	\$636,250	\$0	\$3,993,015	\$454,900	\$454,900	\$5,515,775	\$5,695,775		\$1,355,400	\$79,410
	-			60.86%	11.54%	0.00%	72.39%	100%	100%	100%	100%		23.80%	1.39%
, participation. An SLE	S: is a combination of 25 BE firm can be counted BEE's participation is d	100% towards a	chieving the 50%	LBE/LPG 25%	SLBE 25%	VSLBE	TOTAL LBE/SLBE/ VSLBE/LPG	50% LBE/SL	BE TRUCKING			Ethnicity AA = African Am AI = Asian Indiar AP = Asian Paci	n	
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 Business NPLBE = NonProfit Local Business Enterprise NPSLBE = NonProfit Small Local Business Enterprise				UB = Uncertified Bu CB = Certified Busi MBE = Minority Bus WBE = Women Bus	ness siness Enterprise						C = Caucasian H = Hispanic NA = Native Am O = Other NL = Not Listed MO = Multiple			

DEPARTMENT OF WORKPLACE AND EMPLOYMENT STANDARDS



11/7/2021 Date

11/7/2021

11/7/2021

(DWES)

PROJECT EVALUATION FORM

PROJECT NO .: 1006105

PROJECT NAME: Citywide Pavement Rehabilitation 2021

CONTRACTOR:	OC Jones
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Engineer's Estimate: \$5,072,530.00	<u>Contractors' Original Bid</u> <u>Amount</u> \$5,695,775.00	<u>Specialty Dollar</u> <u>Amount</u> \$306,000.00	Over/Under Engineer's Estimate -\$623,245.00			
Discounted Bid Amount:	Amount of Bid Discount	Non Specialty Did Amt	Discount Points:			
NA	Amount of Bid Discount NA	\$5,515,775.00	NA			
1. Did the 50% requirements app	bly?		YES			
2. Did the contractor meet the 50)% requirement?		NO			
b) % of LBE/LP c) % of SLBE p d) % of VSLBE	articipation		<u>60.86%</u> <u>11.54%</u> <u>0.00%</u>			
3. Did the contractor meet the L/SLB	E Trucking requirement?		YES			
a) Total L/SLBE	trucking participation		<u>53%</u>			
4. Did the contractor receive bid	<u>NO</u>					
(If yes, list the p	percentage received)		<u>0.00%</u>			
5. Additional Comments.						

Firm failed to meet the minimum 50% L/SLBE participation. The firm has an SLBE shortfall of 13.46%. Therefore, the firm is deemed non-responsive.

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

Vivian Anman	Date:
Deborah Barnes (VA)	Date:

Approved By:

Reviewing

Officer: