

# INTER OFFICE MEMORANDUM

Department of Workforce & Employment Standards (DWES)

**TO:** Jay Zhang,  
Civil Engineer

**FROM:** Deborah Lusk-Barnes, Director,  
DW& ES *Vivian Inman (for)*

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

**DATE:** December 21, 2021

**SUBJECT:** Compliance Analysis – Request for Proposal (RFP) for 73<sup>rd</sup> Avenue Active Connections to Transit

The Senior Contract Compliance Officer conducted a compliance analysis of two (2) proposals submitted to the City in response to the above referenced RFP. Below are the results of the compliance evaluations for the most recent L/SLBE Program for, (a) the minimum 50% Local and Small Local Business Enterprise (L/SLBE) participation requirement; and (b) a preliminary review for compliance with the Equal Benefits Ordinance (EBO).

**Table 1** – Indicates the firm that met the 50% L/SLBE participation requirement and earned preference points.

<i>Responsive to Social Justice Policies</i>	PROPOSED L/SLBE PARTICIPATION PERCENTAGES					EARNED PREFERENCE POINTS				EBO Compliant? Y/N
Company Name	Total L/SLBE	LBE	SLBE	*VSLBE/ Double count value	Total Credited	L/SLBE Participation	Years in Oakland	Oakland Workforce	Total Preference Points	
Kimley Horn	88.85%	68.86%	14.22%	5.77% *11.54%	94.62%	5 pts.	2 pts.	0 pts.	7 pts.	Y

**Comments:** The firm listed above met the minimum 50% L/SLBE participation requirement. The firm is EBO compliant.

**Table 1A** – Indicates the firm that submitted Schedule E with minimum L/SLBE participation. Therefore, zero (0) preference points were awarded. (See table below).

<i>Responsive to Social Justice Policies</i>	PROPOSED L/SLBE PARTICIPATION PERCENTAGES					EARNED PREFERENCE POINTS				EBO Compliant? Y/N
Company Name	Total L/SLBE	LBE	SLBE	*VSLBE/ Double count value	Total Credited	L/SLBE Participation	Years in Oakland	Oakland Workforce	Total Preference Points	
BKF Engineers	90.60%	79.80%	10.80%	0%	90.60%	0 pts.	0 pts.	0 pts.	0 pts.	Y

**Comments:** The firms listed above submitted the required Schedule E with some L/SLBE participation. If the proposal with minimum participation is selected, the proposer shall be able to adjust up in order to meet the 50% L/SLBE requirement. The firm is EBO compliant.

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

## LBE/SLBE Participation BKF Engineers

Project Name: RFP for 73rd Avenue Active Connections to Transit

Project No.:		NA		Engineer's Estimate				Under/Over Engineers Estim				
Discipline	Prime & Subs	Location	Cert. Status	LBE	SLBE	VSLBE *double counted value	Total LBE/SLBE %	Total Percentages	For Tracking Only			
									Ethn.	MBE	WBE	
PRIME	BKF Engineers	Oakland	CB	61.20%			61.20%	61.20%	C			
Transportation Planning	Kittelson & Associates	Oakland	UB					5.70%	C			
Landscape Architecture	Merrill Morris Partners	Oakland	CB	12.00%			12.00%	12.00%	C			
Lighting Design	YEI Engineers	Oakland	CB		10.80%		10.80%	10.80%	AP	10.80%		
Geotechnical Engineering	Parikh Consultants, Inc.	Oakland	CB	3.70%			3.70%	3.70%	AI	3.70%		
Environmental Clearance	David J. Powers & Associates	Oakland	CB	2.90%			2.90%	2.90%	C			
WIFI Network Design	DTN Engineers	Oakland	UB					3.70%	AP	3.70%		
Project Totals					79.80%	10.80%	0.00%	90.60%	100.00%		18.20%	0.00%
Requirements: The 50% requirement can be satisfied by a combination of 25% LBE and 25% SLBE or an SLBE firm can be awarded 50% to meet the participation requirement. A VSLBE's participation is double counted toward meeting the SLBE requirement.					LBE 25%	SLBE 25% or 50%	VSLBE	TOTAL LBE/SLBE 50%	TOTAL	Ethnicity AA = African American A = Asian C = Caucasian H = Hispanic NA = Native American O = Other NL = Not Listed		
Legend		LBE = Local Business Enterprise SLBE = Small Local Business Enterprise 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					

**DEPARTMENT OF WORK, PLACEMENT AND EMPLOYMENT STANDARDS**  
**(DWES)**



**PROJECT COMPLIANCE EVALUATION FOR :**

**RE:**

**RFP for 73rd Avenue Active Connections to Transit**

**CONSULTANT/CONTRACTOR:**      **BKF Engineers**

**Engineer's Estimate:**  
NA

**Contractors' Bid Amount**  
NA

**Over/Under Engineer's Estimate**  
NA

**Bid discounted amount:**  
N/A

**Preference Points:**  
0

1. Did the 50% local/small local requirement apply:

**YES**

2. Did the contractor meet the 50% requirement

**NO**

a) % of LBE participation

**79.80%**

b) % of SLBE participation

**10.80%**

c) % of VSLBE participation

**0.00%**

3. Did the contractor receive bid discount/preference points?

**NO**

(If yes, list the points received) \_

**0 points**

4. Additional Comments.

The firm failed to the minimum 50% L/SLBE participation requirement, however the amended L/SLBE Program requires that at the time of submittal of Schedule E (for professional services), some L/SLBE-participation must be proposed in order to satisfy the requirement at time of submission.

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

12/21/2021

Date

**Reviewing Officer:**

*Sophany Hang*

**Date:** 12/21/2021

**Approved By:**

*Vivian Inman*

**Date:** 12/21/2021

# LBE/SLBE Participation Kimley Horn

Project Name: RFP for 73rd Avenue Active Connections to Transit

Project No.:		NA		Engineer's Estimate		Under/Over Engineers Estimate:							
Discipline	Prime & Subs	Location	Cert. Status	LBE	SLBE	VSLBE *double counted value	Total LBE/SLBE %	Total Percentages	For Tracking Only				
									Ethn.	MBE	WBE		
<b>PRIME</b> <b>Transportation Planning</b>  Potholing Streetscape & Urban Design Multimodal/Complete Streets & Grant Support Traffic Counts Public Engagement Survey Geotechnical	Kimley Horn	Oakland	CB	68.86%			68.86%	68.86%	C				
	Alta Planning + Design	Oakland	UB					7.07%	C				
	Bess Testlab, Inc.	Hayward	UB					1.96%	C				
	Bottomley Design Planning	Oakland	CB			5.77%	5.77%	5.77%	C				
	Diablo Engineering Group	Oakland	CB		9.92%		9.92%	9.92%	C		9.92%		
	IDAX	Mountain View	UB					0.21%	C				
	Lowe Consulting***	Oakland	CB					***1.91%	AA		1.91%		
	PLS Surveys	Oakland	CB		2.67%		2.67%	2.67%	AP		2.67%		
	Rockridge Geotechnical	Oakland	CB		1.63%		1.63%	1.63%	C				
<b>Project Totals</b>				68.86%	11.55%	5.77%	88.85%	100.00%		0.00%	#####		
Requirements: The 50% requirement can be satisfied by a combination of 25% LBE and 25% SLBE or an SLBE firm can be awarded 50% to meet the participation requirement. A VSLBE's participation is double counted toward meeting the SLBE requirement.				LBE 25%	SLBE 25% or 50%	VSLBE	TOTAL LBE/SLBE 50%	TOTAL	<b>Ethnicity</b>  AA = African American  A = Asian  C = Caucasian				
									H = Hispanic NA = Native American O = Other NL = Not Listed				
Legend				LBE = Local Business Enterprise SLBE = Small Local Business Enterprise 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				

**\*\* Proposed VSLBE/LPG participation is valued at 5.77%, however per the L/SLBE Program a VSLBE's participation is double counted towards meeting the requirement. Double counted percentage is reflected on the evaluation form and cover memo.**

**\*\*\* Please Note: This firm did not receive credit for SLBE participation. Per Page 21 of the most recently L/SLBE Program - an SLBE's certification must be valid for 12 months prior to the close of the competitive process.**

**DEPARTMENT OF WORKPLACE AND EMPLOYMENT STANDARDS**



(DWES)

**PROJECT COMPLIANCE EVALUATION FOR :**

RE: RFP for 73rd Avenue Connections to Transit

**CONSULTANT/CONTRACTOR:**

**Kimley Horn**

**Engineer's Estimate:**

NA

**Contractors' Bid Amount**

NA

**Over/Under Engineer's Estimate**

NA

**Bid discounted amount:**

N/A

**Preference Points:**

5 points

1. Did the 50% local/small local requirement apply: **YES**
2. Did the contractor meet the 50% requirement **YES**
- a) % of LBE participation **68.86%**
- b) % of SLBE participation **14.22%**
- c) % of VSLBE participation **5.77%** **(Double Counted Value 11.54%)**
3. Did the contractor receive bid discount/preference points? **YES**
- (If yes, list the points received) **5 points**

4. Additional Comments.

**. \*\* Proposed VSLBE participation is valued at 5.77%, however per the L/SLBE Program a VSLBE/LPG's participation is double counted towards meeting the requirement. Therefore, the double counted percentage is 11.54%.**

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

12/21/2021

Date

**Reviewing Officer:**

*Sophany Hang*

**Date:** 12/21/2021

**Approved By:**

*Vivian Inman*

**Date:** 12/21/2021