



INTER OFFICE MEMORANDUM

Department of Workforce & Employment Standards (DWES)

TO: Christine Reed,
Capital Improvement Project Coordinator

FROM: Vivian Inman, *Vivian Inman*
Sr. Contract Compliance Officer

PREPARED BY: Paula Peav, *Paula Peav*
Contract Compliance Officer

SUBJECT: Compliance Analysis
Mosswood Community Center
Project No. 1003625

DATE: April 13, 2023

The Department of Workplace and Employment Standards (DWES) reviewed two (2) 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. In addition, firms are reviewed for compliance with the Equal Benefits Ordinance (EBO).

The above referenced project contains specialty items. These specialty items have 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).

Responsive to L/SLBE and/or EBO Policies		Proposed Participation						Earned Credits and Discounts			EBO Compliant? Y/N
Company Name	Original Bid Amount	Specialty Dollar Amount	Non Specialty Dollar Amount	Total LBE/SLBE	LBE	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>	
JUV, Inc.	\$20,297,621	\$2,538,800.00	\$17,758,821	77.93%%	1.75%%	76.18%%	100%	77.93%	4%	\$19,587,268.16	Y

Comments: As noted above, JUV, Inc. exceeded the minimum 50% Local/Small Local Business Enterprise participation requirement. The firm is EBO compliant.

Non-Responsive to L/SLBE and/or EBO Policies				Proposed Participation				Earned Credits and Discounts			EBO Compliant? Y/N
Company Name	Original Bid Amount	Specialty Dollar Amount	Non Specialty Dollar Amount	Total LBE/SLBE	LBE	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>	
Thompson Builders/FOCON JV	\$22,550,000	\$3,145,000.00	\$19,405,000.00	4%	1.2%	2.8%	0.0%	0.0%	0.0%	0.0%	N

Comments: As noted above, firm failed to meet the minimum 50% L/SLBE participation requirement, as well as the trucking requirement. Therefore, they are non-responsive to L/SLBE program. They are not EBO compliant. They will have to come into compliance prior to full contract execution.

Should you have any questions, you may contact Paula Peav, Contract Compliance Officer at (510) 238-3190.

L/SLBE PARTICIPATION BIDDER 1

Project Name: Mosswood Community Center

Project No. 1003625		Engineers Est: \$17,331,766.00					Under/Over Engineers Estimate: -\$2,965,855.00						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.				
							LBE/SLBE	Trucking	Trucking	Trucking	Dollars	AA	MBE	WBE			
PRIME	JUV Inc.	Oakland	CB		8,960,021		8,960,021				8,212,221	8,960,021	C				
Trucking	Curbside Trucking	Oakland	CB		50,000		50,000	50,000		50,000	50,000	50,000	AA	50,000			
Demo	AMG	Oakland	CB		196,000		196,000			196,000	196,000	196,000	C				
Rebar	Camblin Steel	Roseville	UB							109,000	109,000	109,000	NL				
Metals	IBS USA Inc.	SanFrancisco	UB									498,000	NL				
Glass	AAC Glass Inc.	Hayward	UB							1,074,600	1,074,600	1,074,600	NL				
HVAC	Cal Pacific Systems	Brisbane	UB							1,248,000	1,248,000	1,748,000	C				
Plumbing	Ram West Inc.	Oakland	CB		1,500,000		1,500,000			1,500,000	1,500,000	1,500,000	AP	1,500,000			
Electrical	BECI Electric Inc.	Oakland	CB		2,823,000		2,823,000			2,373,000	2,373,000	2,823,000	C	2,823,000			
Landscaping/ Irrigation	Briteview Landscape Dev.	Pleasanton	UB							943,000	943,000	943,000	NL				
Painting	George E. Masker Presidential Fire Protection	Oakland	CB	310,000			310,000			310,000	310,000	310,000	C				
Fire Sprinkler		Sacramento	UB							170,000	170,000	170,000	NL				
Food Service	Perfection Stainless Fabrication	Alameda	UB									193,000	NL				
Roofing	Andy's Roofing Co.	San Leandro	UB							273,000	273,000	273,000	NL				
Site Utilities/Grading	JDB	San Francisco	UB							1,300,000	1,300,000	1,300,000	NL				
Elevator	Otis Elevators	Sacramento	UB									150,000	H	150,000			
Project Totals					\$310,000	\$13,529,021	\$0.00	\$13,839,021	\$50,000	\$0	\$50,000	\$17,758,821	\$20,297,621		\$4,523,000	\$0	
					1.75%	76.18%	0.00%	77.93%	100.00%	0.00%	100%	100%	100%		25.47%	0.00%	
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.: 1003625

PROJECT NAME: Mosswood Community Center

CONTRACTOR: JUV Inc.

<u>Engineer's Estimate:</u>	<u>Contractors' Original Bid</u>	<u>Specialty Dollar Amount</u>	<u>Over/Under Engineer's Estimate</u>
\$17,331,766.00	<u>Amount</u>	\$2,538,800.00	-\$2,965,855.00
	\$20,297,621.00		
<u>Discounted Bid Amount:</u>	<u>Amount of Bid Discount</u>	<u>Non-Specialty Bid Amt.</u>	<u>Discount Points:</u>
\$19,587,268.16	\$710,352.84	\$17,758,821.00	4%

1. Did the 50% requirements apply? **YES**

2. Did the contractor meet the 50% requirement? **YES**

- b) % of LBE/LPG participation **1.75%**
- c) % of SLBE participation **76.18%**
- d) % of VSLBE Participation **0.00%**

3. Did the contractor meet the L/SLBE Trucking requirement? **YES**

- a) Total L/SLBE trucking participation **100.00%**

4. Did the contractor receive bid discounts? **YES**

(If yes, list the percentage received) **4%**

5. Additional Comments.

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

4/13/2023

Date

Reviewing Officer:

Paula Pear

Date:

4/13/2023

Approved By:

Vivian Inman

Date:

4/13/2023

LBE/SLBE PARTICIPATION BIDDER 2

Project Name: Mosswood Community Center

Project No.: 1003625		Engineers Est: \$17,331,766					Under/Over Engineers Estimate: -\$5,218,234						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					
PRIME	Thompson Builders/FOCON JV	Oakland	UB								9,197,108	10,643,108	C		
Fire Sprinkler	RCM Fire Protection	Tracy	UB								210,000	210,000	NL		
Elevator	Kone, Inc.	San Leandro	UB								192,000	192,000	NL		
Plumbing	Dinelli Plumbing, Inc.	Foster City	UB								756,000	756,000	NL		
Electrical	McGrath Electric Inc.	Fairfield	UB								2,620,000	2,920,000	NL		
Trucking	A1 Trucking Services	Oakland	UB								480,000	480,000	AP	480,000	
Demolition	Asbestos Mangement Group of CA (AMG)	Oakland	CB		196,000		196,000				196,000	196,000			
Food Service Equiptm	Perfection Stainless Fabrication Inc.	Bakersfield	UB								1,365	193,365	C		
Asphalt Paving	Rapid Grading Services	Hayward	UB								125,927	125,927	NL		
Structural Streeel	MAR Metals Inc.	Holister	UB									535,000	NL		
HVAC	Kevin M. Sullivan & Associates	Pacheco	UB								1,390,000	1,870,000	C		
Site Concrete	Landavazo Bros, Inc.	Hayward	UB								396,000	396,000	H	396,000	
Landscape	Bright View Landscape	Pleasanton	UB								943,000	943,000	NL		
Rebar	Martinez Steel, LLC	Ontario	UB								168,000	168,000	NL		
Casework	BK Mill & Fixtures, Inc.	Newark	UB								335,000	335,000	C		335000
Metal Roof/PVC Roof	Westech Roofing	Richmond	UB								258,000	258,000	NL		
Flashing	Mauck Sheet Metal	Oakland	CB		347,000		347,000				347,000	347,000	C		
Windows	AAC Glass Inc.	Hayward	UB								1,074,600	1,074,600	NL		
Acoustical	Creative Ceilings Inc.	Concord	UB								375,000	375,000	NL		
Flooring	Anderson Commercial Flooring	Oakland	CB	233,000			233,000				233,000	233,000	C		
Painting	KBI Painting, Inc.	Petaluma	UB								299,000	299,000	NL		
Project Totals				\$233,000	\$543,000	\$0	\$776,000	\$0	\$0	\$0	\$19,405,000	\$22,550,000		\$876,000	\$335,000
				1.20%	2.80%	0.00%	4.00%	0%	0%	0%	100%	100%		3.88%	1.49%
Requirements:				LBE 25%	SLBE 25%	VSLBE/LPG	TOTAL LBE/SLBE/VSLBE/LBE-LPG	50% LBE/SLBE TRUCKING			Ethnicity				
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.											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.: 1003625

PROJECT NAME: Mosswood Community Center

CONTRACTOR: Thompson Builders/FOCON JV

<u>Engineer's Estimate:</u>	<u>Contractors' Original Bid Amount</u>	<u>Specialty Dollar Amount</u>	<u>Over/Under Engineer's Estimate</u>
\$17,331,766.00	\$22,550,000.00	\$3,145,000.00	-\$5,218,234.00

<u>Discounted Bid Amount:</u>	<u>Amount of Bid Discount</u>	<u>Non-Specialty Bid Amt.</u>	<u>Discount Points:</u>
NA	\$0.00	\$19,405,000.00	0%

1. Did the 50% requirements apply? **YES**
2. Did the contractor meet the 50% requirement? **NO**
- b) % of LBE/LPG participation **1.20%**
- c) % of SLBE participation **2.80%**
- d) % of VSLBE Participation **0.00%**
3. Did the contractor meet the L/SLBE Trucking requirement? **NO**
- a) Total L/SLBE trucking participation **0%**
4. Did the contractor receive bid discounts? **NO**
- (If yes, list the percentage received) **0.00%**

5. Additional Comments.
Firm failed to meet the minimum 50% L/SLBE participation requirement. Therefore, they are non-responsive to L/SLBE program.

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

4/13/2023

Date

Reviewing Officer:

Paula Peav

4/13/2023

Approved By:

Vivian Inman

Date:

4/13/2023