

FILED OFFICE OF THE CIT : CLERE OAKLAND

2013 MAR 27 AM 10: 37

AGENDA REPORT

O:	DEANNA J. SANTANA
	CITY ADMINISTRATOR

FROM: Vitaly B. Troyan, P.E.

SUBJECT: Rehab of Sanitary Sewers

DATE: January 25, 2013

City Administrator	<u> </u>	20 1	Date	_//	
Approval	(Sport !	2 tanger	n	3/26/13	,
	7		COINCH DI	COTDICT 1 4 5	
	'	/	COUNCIL DI	STRICT: 1, 4, 5	

RECOMMENDATION

Staff recommends that the City Council adopt the following four contract award resolutions:

- Resolution Awarding A Construction Contract to Andes Construction, Inc. for the rehabilitation of sanitary sewers in the Area Bounded by Shattuck Avenue, 59th Street, Telegraph Avenue and Woolsey Street (Project No. C312310 Sub-Basin 50-10) in accord with plans and specifications for the project and contractor's bid in the amount of Two Million Seven Hundred Ninety-Five Thousand Five Hundred Twenty-Five Dollars (\$2,795,525.00)
- 2) Resolution Awarding a Construction Contract to Andes Construction, Inc. for the rehabilitation of sanitary sewers in Rosedale Avenue bounded by Foothill Boulevard and Santa Rita Street (Project No. C329128) in accord with plans and specifications for the project and contractor's bid in the amount of Three Hundred Ninety-Five Thousand Seventy-One Dollars (\$395,071.00)
- 3) Resolution Awarding a Construction Contract to Andes Construction, Inc. for the rehabilitation of sanitary sewers in Bridge Avenue bounded by Foothill Boulevard and E.16th Street, and in the easement bounded by Carrington Street, 42nd Avenue, Santa Rita Street, and High Street (Project No. C329129) in accord with plans and specifications for the project and contractor's bid in the amount of Three Hundred Seven Thousand Nine Hundred Twenty-Four Dollars (\$307,924.00)
- 4) Resolution Awarding a Construction Contract To Mosto Construction for the rehabilitation of sanitary sewers in the easement by Elinora Avenue and Reinhardt Drive (Project No. C329130) in accord with plans and specifications for the project and contractor's bid in the amount of Two Hundred Seventy-One Thousand Six Hundred Seventy-Two Dollars (\$271,672.00)

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OUTCOME

Approval of the four resolutions will authorize the City Administrator to execute three construction contracts with Andes Construction, Inc. in the amounts of \$2,795,525.00, \$395,071.00, and \$307,924.00 and a construction contract with Mosto Construction in the amount of \$271,672.00. The work to be completed under these projects are part of the City's annual Sanitary Sewer Rehabilitation program. The work is located in Council Districts 1, 4, and 5 as shown in *Attachment A1, A2, A3 and A4*.

BACKGROUND/LEGISLATIVE HISTORY

1. Rehabilitation of Sanitary Sewers in the Area Bounded by Shattuck Avenue, 59th Street, Telegraph Avenue and Woolsey Street (Project No. C312310 Sub-Basin 50-10): the proposed work consists, in general, of the rehabilitation of 15,950 linear feet of existing sanitary sewer pipes by pipe-expanding method; rehabilitating sewer structures; reconnecting house connecting sewers; and other work specifically shown on the project plans or included in the Special Provisions

On February 7, 3013, the City Clerk received two bids for this project in the amount of \$2, 795,525.00 and \$3,391,564.00. Andes Construction, Inc. is deemed the lowest responsive and responsible bidder and therefore is recommended for the award. The Engineer's estimate for the work is \$3,343,990.00.

Company	Bid Amount
Andes Construction, Inc.	\$2,795,525.00
Engineer's Estimate	\$3,343,990.00
Pacific Trenchless, Inc.	\$3,391,564.00

2. Rehabilitation of Sanitary Sewers in Rosedale Avenue bounded by Foothill Boulevard and Santa Rita Street (Project No. C329128): The proposed work consists, in general, of the rehabilitation of 3,219 linear feet of existing sanitary sewers pipes by pipe-expanding method; rehabilitating sewer structures; reconnecting house connecting sewers; and other work specifically shown on the project plans or included in the Special Provisions.

On January 17, 2013, the City Clerk received four bids for this project in the amount of \$395,071.00, \$479,338.00, \$540,491.00, and \$628,369.00. Andes Construction, Inc. is deemed the lowest responsive and responsible bidder, and therefore is recommended for the award. The Engineer's estimate for the work is \$510,680.00.

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Company	Bid Amount
Andes Construction, Inc.	\$395,071.00
J Howard Engineering, Inc.	\$479,338.00
Engineer's Estimate	\$510,680.00
Pacific Trenchless, Inc.	\$540,491.00
Valentine Corporation	\$628,369.00

3. Rehabilitation of Sanitary Sewers in Bridge Avenue bounded by Foothill Boulevard and E.16th Street, and in the easement bounded by Carrington Street, 42nd Avenue, Santa Rita Street, and High Street (Project No. C329129): the proposed work consists, in general, of the rehabilitation of 2,882 linear feet of existing sanitary sewers pipes by pipe-expanding method; rehabilitating sewer structures; reconnecting house connecting sewers; and other work specifically shown on the project plans or included in the Special Provisions.

On January 31, 2013, the City Clerk received four bids for this project in the amount of \$307,924.00, \$363,238.00, \$381,960.00, and \$413,462.00. Andes Construction, Inc. is deemed the lowest responsive and responsible bidder, and therefore is recommended for the award. The Engineer's estimate for the work is \$407,940.00.

Company	Bid Amount
Andes Construction, Inc.	\$307,924.00
Mosto Construction	\$363,238.00
J Howard Engineering, Inc.	\$381,960.00
Engineer's Estimate	\$407,940.00
Pacific Trenchless, Inc.	\$413,462.00

4. Rehabilitation of Sanitary Sewers in the Easement by Elinora Avenue and Reinhardt Drive (Project No. C329130): the proposed work consists, in general, of rehabilitating 2,109 linear feet of existing sanitary sewer pipes by pipe expanding method; rehabilitating sewer structure; reconnecting house connection sewers; and other work specifically shown on the project plans or included in the Special Provisions.

I	tem:
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On January 17, 2013, the City Clerk received four bids for this project in the amount of \$271,672.00, \$294,546.00, \$302,287.00, and \$381,130.00. Mosto Construction is deemed the lowest responsive and responsible bidder, and therefore is recommended for the award. The Engineer's estimate for the work is \$315,570.00.

Company	Bid Amount
Mosto Construction	\$271,672.00
Pacific Trenchless, Inc	\$294,546.00
Andes Construction, Inc.	\$302,287.00
Engineer's Estimate	\$315,570.00
J Howard Engineering, Inc.	\$381,130.00

ANALYSIS

Adoption of these resolutions will allow the City Administrator or her designee to execute three construction contracts with Andes Construction, Inc. and one construction contract with Mosto Construction for sewer rehabilitation at various locations as follows:

1. Rehabilitation of Sanitary Sewers in the Area Bounded by Shattuck Avenue, 59th Street, Telegraph Avenue and Woolsey Street (Project No. C312310 Sub-Basin 50-10): Under the proposed contract with Andes Construction Inc., the Local Business Enterprise/Small Local Business Enterprise (LBE/SLBE) participation of LBE/SLBE (96.14%) exceeds the City's 50% LBE/SLBE requirement. The contractor shows L/SLBE (100%) for trucking, exceeding the 50% Local Trucking requirement. 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 Social Equity Division of the Department of Contracting and Purchasing, and is shown in Attachment CI.

Construction is scheduled to begin in June 2013 and should be completed by January 2014. The contract specifies \$1,000.00 in liquidated damages per calendar day if the contract is not completed within 180 working days. The project schedule is shown in *Attachment* B.

· 2. Rehabilitation of Sanitary Sewers in Rosedale Avenue bounded by Foothill Boulevard and Santa Rita Street (Project No. C329128): Under the proposed contract with Andes Construction, Inc., the Local Business Enterprise and Small Local Business Enterprise (LBE/SLBE) participation will be 94.94%, which exceeds the City's 50%

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LBE/SLBE requirement. The contractor also shows a participation of 100% for trucking, which exceed the 50% Local Trucking requirement. The LBE/SLBE information has been verified by the Social Equity Division of the Department of Contracting and Purchasing, and is shown in *Attachment C2*.

Construction is scheduled to begin in June 2013 and should be completed by August 2013. The contract specifies \$1,000.00 in liquidated damages per calendar day if the contract is not completed within 50 working days. The project schedule is shown in *Attachment* B.

3. Rehabilitation of Sanitary Sewers in Bridge Avenue bounded by Foothill Boulevard and E.16th Street, and in the easement bounded by Carrington Street, 42nd Avenue, Santa Rita Street, and High Street (Project No. C329129): Under the proposed contract with Andes Construction, Inc., the Local Business Enterprise/Small Local Business Enterprise (LBE/SLBE) participation will be 95.13%, which exceeds the City's 50% LBE/SLBE requirement. The contractor shows 100% participation for trucking. 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 Social Equity Division of the Department of Contracting and Purchasing, and is shown in Attachment C3.

Construction is scheduled to begin in June 2013 and should be completed by August 2013. The contract specifies \$1,000.00 in liquidated damages per calendar day if the contract is not completed within 50 working days. The project schedule is shown in *Attachment* B.

4. Rehabilitation of Sanitary Sewers in the Easement by Elinora Avenue and Reinhardt Drive (Project No. C329130): Under the proposed contract with Mosto Construction, Local Business Enterprise/Small Local Business Enterprise (LBE/SLBE) participation will be 87.12%, which exceeds the City's 50% LBE/SLBE requirement. The contractor shows 100% participation for trucking. 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 Social Equity Division of the Department of Contracting and Purchasing, and is shown in Attachment C4.

Construction is scheduled to begin in June 2013 and should be completed by August 2013. The contract specifies \$1,000.00 in liquidated damages per calendar day if the contract is not completed within 60 working days. The project schedule is shown in *Attachment* B.

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The Environmental Protection Agency (EPA) mandates the reduction of sanitary sewer flows during storm events. These projects are part of the City-wide program to improve pipe conditions and reduce wet weather peak flows in sanitary sewer system. Staff has reviewed the submitted bids for the work and has determined that the bids are reasonable for the current construction climate.

PUBLIC OUTREACH/INTEREST

The Home Owner Associations, Merchants Associations and residents in easements area have been notified in writing about this project. They will be notified again individually prior to construction.

COORDINATION

The work to be done under these contracts was coordinated with:

- Public Works Agency Department of Infrastructure and Operations
- In addition, the following reviewed this report and resolutions:
 - o Office of the City Attorney
 - o City Budget Office

COST SUMMARY/IMPLICATIONS

Approval of the four resolutions will authorize the City Administrator to execute construction contracts in the amount of \$2,795,525.00, \$395,071.00, \$307,924.00 and \$271,672.00.

1. AMOUNT OF RECOMMENDATION/COST OF PROJECT:

FUNDING SOURCE	AMOUNT
Rehabilitation of sanitary sewers in the area bounded by Shattuck Avenue, 59 th Street, Telegraph Avenue and Woolsey Street (Sub-Basin 50-10) (Project No. C312310)	\$2,795,525.00
Rehabilitation of sanitary sewers in Rosedale Avenue bounded by Foothill Boulevard and Santa Rita Street (Project No. C329128)	\$395,071.00
Rehabilitation of sanitary sewers in Bridge Avenue bounded by Foothill Boulevard and E.16th Street, and in the easement bounded by Carrington Street, 42nd Avenue, Santa Rita Street, and High Street (Project No. C329129)	\$307,924.00
Rehabilitation of sanitary sewers in the easement by Elinora Avenue and Reinhardt Drive (Project No. C329130)	\$271,672.00

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2. COST ELEMENTS OF AGREEMENTS/CONTRACTS: \$3,770,192.00

3. SOURCE OF FUNDING:

FUNDING SOURCES	AMOUNT
Sewer Service Fund (3100); Capital Project – Sanitary Sewer Design Organization (92244); Sewers Account (57417); Project C312310	\$2,795,525.00
Sewer Service Fund (3100); Capital Project – Sanitary Sewer Design Organization (92244); Sewers Account (57417); Project C329128	\$395,071.00
Sewer Service Fund (3100); Capital Project – Sanitary Sewer Design Organization (92244); Sewers Account (57417); Project C329129	\$307,924.00
Sewer Service Fund (3100); Capital Project – Sanitary Sewer Design Organization (92244); Sewers Account (57417); Project C329130	\$271,672.00

4. FISCAL IMPACT:

Approval of the four resolutions will authorize the City Administrator to execute construction contracts in the amount of \$2,795,525.00, \$395,071.00, \$307,924.00 and \$271,672.00. These projects will rehabilitate existing sewer pipes, reduce rain-related sewer overflows, and improve sewer pipe conditions in the area, and reduce ongoing maintenance costs.

PAST PERFORMANCE, EVALUATION AND FOLLOW-UP

The Contractor Performance Evaluation for Andes Construction, Inc. from a previously completed project is satisfactory and is included as *Attachment D1*.

The Contractor Performance Evaluation for Mosto Construction from a previously completed project is satisfactory and is included as *Attachment D2*.

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SUSTAINABLE OPPORTUNITIES

Economic: The contractors are all verified for Local Business Enterprise and Small Local Business Enterprise (LBE/SLBE) participation by the Social Equity Division of the Department of Contracting and Purchasing. The contractors are required to have 50% of the work hours performed by Oakland residents, and 50% of all new hires are to be Oakland residents, which will result in dollars being spent locally.

Environmental: Replacing sanitary sewers will minimize sewer leakage and overflows, thus preventing potential harm to property, 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. Best Management Practices for the protection of storm water runoff during construction will be required.

Social Equity: This project is part of the citywide program to eliminate wastewater overflows, thereby benefiting all Oakland residents.

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CEQA

A Negative Declaration for sewer rehabilitation projects was adopted by Ordinance No. 10876 C.M.S. and with approval by City Council on June 23, 1987.

For questions regarding this report, please contact Gus Amirzehni, Engineering Design and Right-of-Way Manager, 510-238-6601.

Respectfully submitted,

VITALY B. TROYAN, P.E. Director, Public Works Agency

Reviewed by:

Michael Neary, P.E., Assistant Director, PWA, Department of Engineering and Construction

Reviewed by:

Gus Amirzehni, P.E., Engineering and R.O.W. Manager

Prepared by:

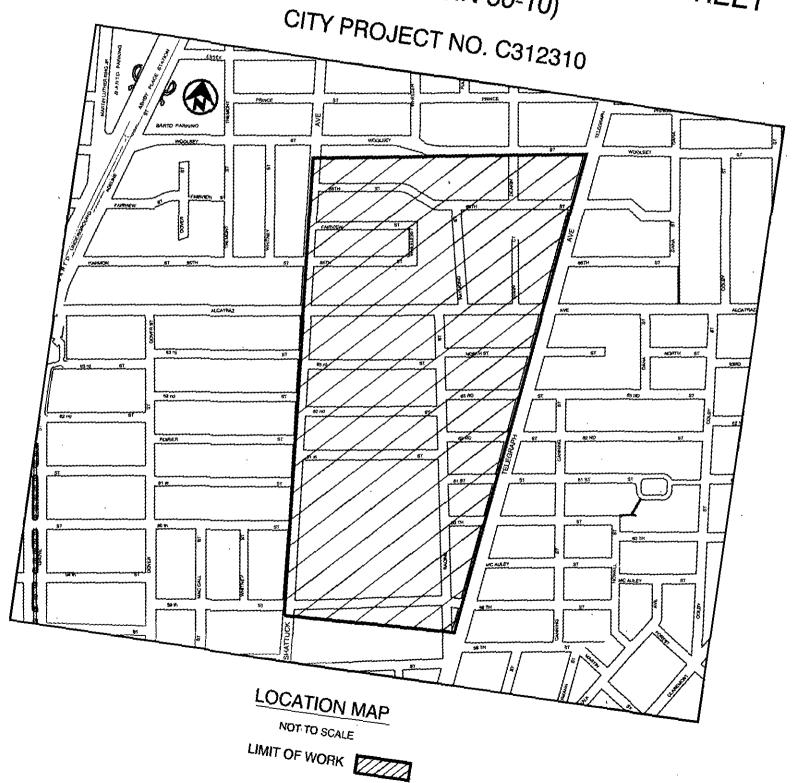
Allen Law, P.E., Supervising Civil Engineer Engineering Design & R.O.W. Management Division

Attachments:

Attachment A1, A2, A3 and A4 – Project Location Map
Attachment B – Project Construction Schedule
Attachment C1, C2, C3, and C4 – Contracts & Compliance Unit Comphance Evaluation
Attachment D1 and D2 – Contractor Performance Evaluation

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REHABILITATION OF SANITARY SEWERS IN THE AREA BOUNDED BY SHATTUCK AVENUE, 59TH STREE TELEGRAPH AVENUE AND WOOLSEY STREET (SUBBASIN 50-10)

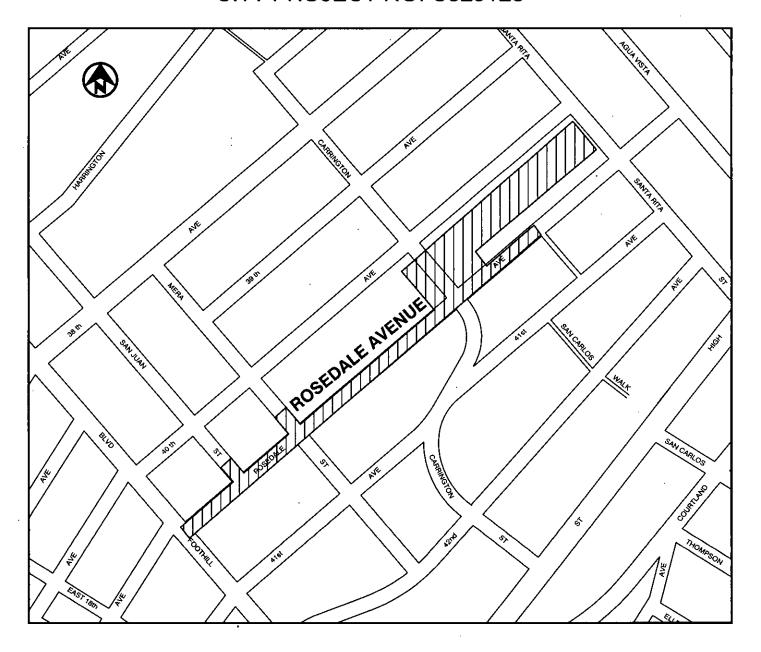




Attachment A2

REHABILITATION OF SANITARY SEWERS IN ROSEDALE AVENUE BOUNDED BY FOOTHILL BOULEVARD AND SANTA RITA STREET

CITY PROJECT NO. C329128



LOCATION MAP

NOT TO SCALE

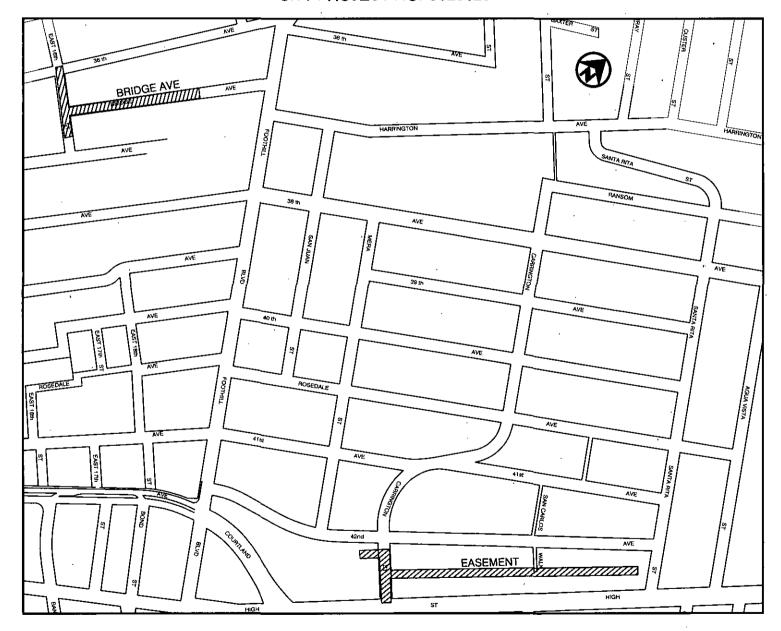
LIMIT OF WORK



Attachment A3

REHABILITATION OF SANITARY SEWERS IN BRIDGE AVENUE BOUNDED BY FOOTHILL BOULEVARD AND EAST 16TH STREET, AND IN THE EASEMENT BOUNDED BY CARRINGTON STREET, 42ND AVENUE, SANTA RITA STREET, AND HIGH STREET

CITY PROJECT NO. C329129



LOCATION MAP

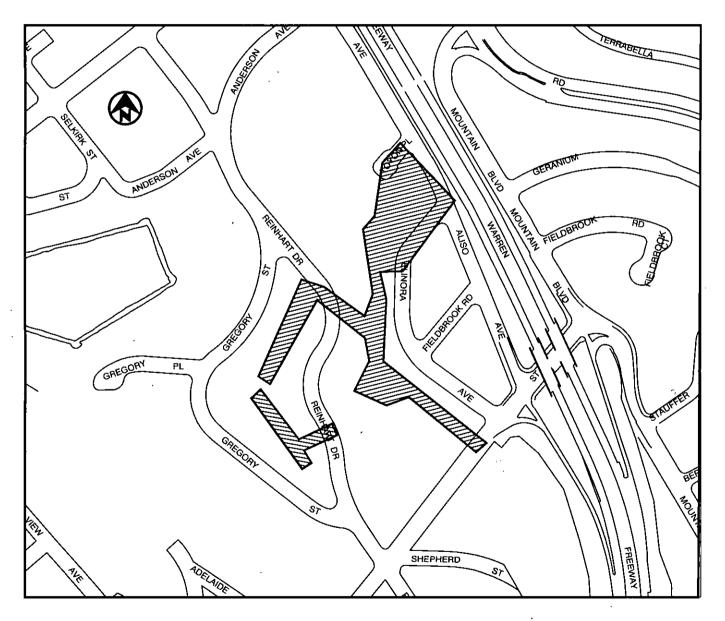
NOT TO SCALE



ATTACHMENT A4

REHABILITATION OF SANITARY SEWERS IN THE EASEMENT BY ELINORA AVENUE AND REINHARDT DRIVE

CITY PROJECT NO. C329130



LOCATION MAP

NOT TO SCALE

LIMIT OF WORK



Attachment B

Project Construction Schedules

ID	Task Name	Start	Finish					20	13						<u> </u>
				Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	Jan
1	Project No. C312310	Mon 5/13/13	Fri 1/17/14		1		V					نت جيزب	فيحتصيرات		
2	Construction	Mon 5/13/13	Fri 1/17/14	1			(===								
3				1	Acceptance of the control of the con		<u>-</u>								[
4	Project No. C329128	Mon 6/3/13	Fri 8/16/13	1			Ç	1							
5	Construction	Mon 6/3/13	Fri 8/16/13	- Contraction of the later with											
6				1											
7	Project No. C329129	Mon 6/3/13	Fri 8/16/13	1	-		,	-							
8	Construction	Mon 6/3/13	Fri 8/16/13	1											
9				1	9			•		_					
10	Project No. C329130	Mon 6/3/13	Fri 8/23/13	-			Ţ		عنب زاولا		ı				
11	Construction	Mon 6/3/13	Fri 8/23/13	1	1										
				1											



INTER OFFICE MEMORANDUM

TO: Dolores Campos,

Assistant Engineer

FROM: Deborah Barnes, Manager

Contracts and Compliance Suner

SUBJECT: Compliance Analysis

DATE: February 19, 2013

Rehabilitation of Sanitary Sewers in the Area Bounded by Shattuck Avenue, 59th Street,

Telegraph Avenue and Woolsey Street (Sub-basin 50-10)

Project No. C312310

City Administrator's Office, Contracts and Compliance Unit 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, a preliminary review for compliance with the Equal Benefits Ordinance (EBO), and a brief overview of the lowest responsible bidder's compliance with the 50% Local Employment Program (LEP) and the 15% Oakland Apprenticeship Program on the bidder's most recently completed City of Oakland project. Also included is a preliminary review for compliance with the Equal Benefits Ordinance (EBO).

Below are the results of our findings:

Responsive to I EBO P				Proposed Participation				Earned Credits and Discounts			
Company Name	Original Bid Amount	Total LBE/SLBE	LBE	SLBE	*VSLBE/LPG	L/SLBE Trucking	Total Credited participation	Earned Bid Discounts	Adjusted Bid Amount	EBO Compliant? Y/N	
Andes Construction	\$2,795,525	96.14%	0.18%	94.53%	1.43%	100%	96.14%	5%	\$2,655,748.75	Y	
Pacific Trenchless	\$3,391,564	93.51%	1.18%	92.33%	0.00%	100%	93.51%	5%	\$3 ,221,985.80	Y	

Comments: As noted above, both firms met and/or exceeded the minimum 50% L/SLBE participation requirement. Both firms are EBO compliant.

*Proposed VSLBE/LPG participation is valued at .715%, however per the L/SLBE Program a VSLBE/LPG's participation is double counted towards meeting the requirement. Therefore, the VSLBE/LPG value for Andes Construction is 1.43%.

For Informational Purposes

Listed below is the lowest responsible bidder's compliance with the 50% Local Employment Program (LEP) and the 15% Oakland Apprenticeship Program for the lowest bidder's most recently completed City of Oakland project.

Contractor Name:

Andes Construction

Project Name:

On Call Sewer Emergency Project FY 08/09

Project No.

C329113

50% Local Employment Program (LEP)

Was the 50% LEP Goal achieved?	YES	If no, shortfall hours?	NA
Were all shortfalls satisf ed?	YES	If no, penalty amount	NA

15% Oakland Apprenticeship Program

		,	
Was the 15% Apprenticeship Goal achieved?	YES	If no, shortfall hours?	NA
		,	,
Were shortfalls satisfied?	YES	If no, penalty amount?	NA

The spreadsheet below provides details of the 50% LEP and 15% Apprenticeship Programs. Information provided includes the following data: A) total project hours, B) core workforce hours deducted, C) LEP project employment and work hour goal; D) LEP employment and work hours achieved; E)# resident new hires; F) shortfall hours; G) percent LEP compliance; H) total apprentice hours; I) apprenticeship goal and hours achieved; and J) Apprentice shortfall hours.

			50% Loc	l Employme	15% Apprenticeship Program							
	Total Project Hours	Core Workforce Hours Deducted	LEP Project Employment and Work Hours Goal	LEP Employment	and Work Hours Achieved	# Resident New Hires	Shortfall Hours	% LEP Compliance	Total Oakland Apprenticeship Hours Achieved	Apprenticeship Goal and Hours	Apprentice Shortfall Hours	
1		В	С		D	E	F	G	Н	I	J	
ŀ			Goal Hou		Hours	 _				Goal Hours	<u></u>	\vdash
ļ	617.5	0	50% 308	75 100%	308.75	0	0	100%	92.63	15% 92.63	0	

Comments: Andes Construction exceeded the Local Employment Program's 50% resident hiring goal with 100% resident employment and met the 15% Oakland Apprenticeship Program goals with 47 on-site hours and 47 off-site hours.

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



Contracts and Compliance Unit

PROJECT EVALUATION FORM

PROJECT NO.; C312310

PROJECT NAME: Rehabilitiation of Sanitary Sewers in the Area Bounded by Shattuck Avenue, 59th Street, Telegraph Avenue and Woolsey Street (Sub-Basin 50-10)

CONTRACTOR: Andes Construction

<u>Enainear's Estimata:</u> \$3,343,990	Contractors Bid Amount \$2,795,525.00	Ovar/Under Engineer's Estimate \$548,455.00
\$ 3,3 * 3,880	\$2,755,020.00	4040,400.00
Discounted Bid Amoupt:	Amount of Bid Discount	Discount Points:
\$2,856,748.75	\$139,776.2 5	6%
	//smail local requirements apply?	YES
2. Did the contracto	r meet the 50% requirement?	<u>YES</u>
	% of LBE participation % of SLBE participation	<u>0.18%</u> <u>94.88%</u>
с)	% of VSLBE participation	<u>1.43%</u>
3. Did the contractor r	neet the Trucking requirement?	YES
_ a)	Total SLBE/LBE trucking participation	100%
4. Did the contracto	r receive bid discounts?	YES
(If	yes, list the percentage received)	<u>5%</u>
5. Additional Comm	ents.	

*Proposed VSLBE/LPG participation is valued at .715%, however per the L/SLBE Program a VSLBE/LPG's participation is double counted towards meeting the requirement. Therfore the VSLBE/LPG value is 1.43%.

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

	· ·		2/19/2013 ————————————————————————————————————	
Reviewing Officer:	Vina sum.	Date:	2/19/2013	_
Approved By:	Shelony Oarendring	Data:	2/19/2013	_

LBE/SLBE PARTICIPATION BIDDER 1

PRIME	Andes Construction	Oakland	СВ		2,632,525	Series	2,632,525			2,632,525.00	Ethn.	:	
Trucking	Foston Trucking	Oakland	СВ		20,000		20,000	20,000	20,000	20,000		20,000	
Saw Cutting	Bay Line	EmeryvillB	us	j			j	J	J	5,000	Н	5,000	
Pipe	Isco	Kentucky	UB			•	İ			100,000	С		
4 В	Aman	Los Angeles	UB	1	İ			ľ	1	5,000	C		
MH Precast	Old Castle Precast	Livermore	ÙВ			ĺ	,			5,000	С	,	
AC Supply	Gallager & Burk	Oakland	СВ			20,000	20,000			10,000	C .		
Orain Rock	Dutra	San Rafael	UB				ŀ		ļ	5,000	С		
Concrete	Right Away	Oakland	СВ	5,000			5,000			5,000	С		
MH Rehab	Contech	Stockton .	UB	ŀ						2,000	С		
Striping	Uneation Markings	Oakland	UB					•	1	6,000			
•							•		1				
	1	•			.л.		· 1		+	•	 		
					-								
				*									
	Projec	t Totals		\$5,000	\$2,652,525	\$20,000	\$2,677,525	\$20,000	\$20,000	\$2,795,525.00		25,000	\$
				0.18%	94.88%	1.43%	96.49%	100%	100%	100%		0.89%	09
	The SO% requirements is a comb	ndtien ef 25% LBE	end 25% SLI	BE partidpation.	An SUBE firm car	n be counted 100% i	oerarda achieving 50	 0% requirementa. A L	PGVSLBE's partid;	Addit to come	Ethnicit	7	
gniteem inswot belnuc	the requirements.			•							AA = Afilca	n American	
	L DC - 1 I Brustone February				B = UncertSied Bool			•		,	Al = Adan I AP = Asian		
	LBE = Local Business Enterprise UB = UncertSted Business SLBE = Seed Local Business Enterprise CB = Certified Business										C = Caucas		
	Tow LBEISLBE = All Certified Los	tified Local and Smdl Locd Bealnesses MBE = Minority Bassiness Enterprise					H = Hispani	0					
•	Tow LBE/SLBE = All Certified Loc NPLBE = NonProfit Local Bar Ines		ainesses			usioess Enterprise Isiness Enterprise					NA = Native		
	NPSLBE -NonProfit Small Local B	sinesa Enterprisa	•								0 = Other		
								•			M. = Nat U	sisci	
										1			



Contracts and Compliance Unit

PROJECT EVALUATION FORM

PROJECT NO.: C312310

PROJECT NAME Rehabilitiation of Sanitary Sewers in the Area Bounded by Shattuck Avenue, 59th Street, Telegraph Avenue and Woolsey Street (Sub-

Basin 50-10)

CONTRACTOR: Pacific Trenchless

\$3,343,990	\$3,391,564.00	-\$47,574.00	^
Discounted Bid Amount: \$3,221,985.80	Amount of Bid Discount \$169,578.20	Discount Points: 5%	
1. Did the 50% local/sm	nall local requirements apply?	YES	
2. Did the contractor me	YES		
b) %	of LBE participation of SLBE participation of VSLBE participation	1.18% 92.33% 0%	
3. Did the contractor mee	t the Trucking requirement?	<u>YES</u>	
a) To	tal SLBE/LBE trucking participation	100%	
4. Did the contractor re	ceive bid discounts?	<u>YES</u>	
(If ye	s, list the percentage received)	<u>5%</u>	
5. Additional Comment	s.	·	

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

		•	2/19/2013
	/ ()		Date
Reviewing Officer:	Vua An.	Date:	2/19/2013
Approved By:	Shelley arenaburg	Date:	2/19/2013

LBE/SLBE PARTICIPATION

BIDDER 2

Project No.	: C312310	Engin	eers Est	3,34	43,990 .		Un	der/Over Engin	eers Estimate:	-47,574		:	
Discipline	Prime & Subs	Location	Cent. Status	LBE	SLBE	VSLBE/LPG double counted value	Total LBE/SLBE	L/SLBE Trucking	Total Trucking	TOTAL Dollars	Ethn.	For Tracking C	Only WBE
PRIME	Pacific Trenchless	Oaldand	СВ	·	3,001,564		3,001,564			3,001,564	С		
Trucking	Williams Trucking	Oakland	СВ	.	50,000		50,000	50,000	\$0,000	50,000	_AA	50,000	
Grind & Pave AC	AJW Construction	Oakland	СВ	ł	80,000		60,000	ļ		80,000	н	20,000	
HOPE Pipe	P&F Distributors	Brisbane	UB				i			170,000	С		
Manhole Materials	Old Castle Concrete	Livermore	UB	ĺ						25,000	С		
Manhole Lining	Con-tech of California	Stockton	UB						İ	10,000	С		
Pipe Couplings	Mission Clay Products	Oakland	СВ	40,000			40,000			40,000	С		
Cast-Iron Claanouts	Groeninger Co.	Hayward	UB	-						15,000	_c		
	·				,								
	-												
	Proie	ct Totals		\$40,000	\$3,131,564	. \$0	\$3,171,564	\$50,000	\$50,000	\$3,391,564		\$130,000	
•				1.18%	92.33%	. 0%	93.51%	100%	100%	100%	l	3.83%	0.00
	The 50% requirements is a co d meeting the requirement		Eand 25% St	BE participation	n. An SLBE firm can	be counted 100%	towards achievin	g SO% requireme	nts. A LPG/VSIBE's		Al = Asian AP = Asian	an American Indian n Padfic	
	LBE = Lacal Bustness Entopolise SLBE = Sinsa Local Bustim as Ent Total LBEISLBE = All Certified Lo NPLBE = NonProfit Local Busines	cal md Small Local Bac	nesses	1	UB = Unctritified Busines: C2 = Cortified Bosines: MBE = Minority Bu: WBE = Women Bus	s siness Enterprise					O = OUter NL = Noi L	nic ve American	



Inter Office Memorandum

TO: David Ng.

SUBJECT: Compliance Analysis

CIP Coordinator

FROM: Deborah Batnes 6

DATE: February 15, 2013

Rehabilitation of Sanitary Sewer in Rosedale Avenue Bounded

By Foothill Blvd. and Santa Rita Street -

Project No. C329128

City Administrator's Office, Contracts and Compliance Unit 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, a preliminary review for compliance with the Equal Benefits Ordinance (EBO), and a brief overview of the lowest responsible bidder's compliance with the 50% Local Employment Program (LEP) and the 15% Oakland Apprenticeship Program on the bidder's most recently completed City of Oakland project.

Responsive to I EBO P				Proposed 1	Participation	on	Earned	Credits	and Discounts	ıt;
Company Name	Original Bid Amount	Total LBE/SLBE	LBE	SLBE	*VSLBE/LPG	L/SLBE Trucking	Total Credited participation	Earned Bid Discounts	Adjusted Bid Amount	EBO Compliant? Y/N
Andes										
Construction, Inc.	.\$395,071	94.94%	.51%	92.41%	2.02%	100%	94.94%	5%	\$375,317.45	$\mid_{\mathbf{Y}}\mid$
J. Howard										
Engineering, Inc.	\$479,338	92.07%	3.55%	88.53%	0.00%	100%	92.07%	5%	\$455,371.10	N
Pacific	ψ+7,550	72.0770	3.3376	00.5570	0.0070	1.00/0	72.0770	1 3/0	ψ (33,371.10	 ^`
Trenchless	\$540,491	95.56%	0.00%	95.56%	0.00%	100%	95.56%	5%	\$513,466.45	Y

Comments: As noted above, all three (3) firms met and/or exceeded the minimum 50% L/SLBE participation requirement. *Andes Construction's proposed VSLBE/LPG participation value was 1.01%, however, per the L/SLBE Program a VSLBE/LPG's participation is double counted towards meeting the requirement. Therefore, the VSLBE/LPG value for Andes is 2.02%. J. Howard Engineering is not EBO compliant. They will have to come into compliance prior to contract execution.

	nsive to L/SLBE EBO Policies		Proposed Participation						redits ounts		iant?
Company Name	Original Bid Amount	Total LBE/SLBE	LBE	SLBE	*VSLBE/ LPG	L/SLBE Trucking	Total Credited	Soled	Adjusted Bid Amount	Adjusted Bid Amount	EBO Complian Y/N
Valentine Corporation	\$628,369	48.37%	0.57%	41.38%	7.42%	100%	0%	0%	0%	0%	Y

Comments: As noted above, Valentine Corporation, failed to meet the minimum 50% L/SLBE participation requirement. *Valentine Construction's proposed VSLBE/LPG participation value was 3.71%, however, per the L/SLBE Program a VSLBE/LPG's participation is double counted towards meeting the requirement. Therefore, the VSLBE/LPG value is 7.42%. Based on the above the firm is deemed non-responsive. The firm is EBO certified.

For Informational Purposes

Listed below is the lowest responsible bidder's compliance with the 50% Local Employment Program (LEP) and the 15% Oakland Apprenticeship Program for the lowest bidder's most recently completed City of Oakland project.

Contractor Name:

Andes Construction

Project Name:

On Call Sewer Emergency Project FY 08/09

Project No.

C329113

50% Local Employment Program (LEP)

Was the 50% LEP Goal achieved?	YES	If no, shortfall hours?	NA
Were all shortfalls satisfied?	YES	If no, penalty amount	NA .

15% Oakland Apprenticeship Prosrnm

Was the 15% Apprenticeship Goal achieved?	YES	If no, shortfall hours?	NA
Were shortfalls satisfied?	YES	If no, penalty amount?	NA

The spreadsheet below provides details of the 50% LEP and 15% Apprenticeship Programs. Information provided includes the following data: A) total project hours, B) core workforce hours deducted, C) LEP project employment and work hour goal; D) LEP employment and work hours achieved; E)# resident new hires; F) shortfall hours; G) percent LEP compliance; H) total apprentice hours; I) apprenticeship goal and hours achieved; and J) Apprentice shortfall hours.

		50% Local	Employment Progm	m (LEP	')		15	% Apprenticeship) Program	
Total Project Hours	Core Workforce Hours Deducted	LEP Project Employment and Work Hours Goal	LEP Employment and Work Hours Achieved	# Resident New Hires	Shortfall Hours	% LEP Compliance	Total Oakland Apprenticeship Hours Achieved	Apprenticeship Goal and Hours	Apprentice Shortfall Hours	
А	В	C Goal Hours	Goal Hours	E	F	G	Н	Goal Hours	J	
617.5	0	50% 308.75	0	0	100%	92.63	15% 92.63	0		

Comments: Andes Construction exceeded the Local Employment Program's 50% resident hiring goal with 100% resident employment and met the 15% Oakland Apprenticeship Program goals with 47 on-site hours and 47 off-site hours.

Should you have any questions, you may contact Sophany Hang at (510) 238-3723.



Contracts and Compliance Unit

PROJECT EVALUATION FORM

PROJECT NO.: C329128

PROJECT NAME: Rehabilitation of Sanitary Sewers in Rosedale Avenue Bounded by Foothill Blvd and Santa Rita Street

CONTRACTOR: Andes Construction, Inc.

	<u>Engineer's Estimate:</u>	Contractors' Bid Amount	Over/Under Engineer's Estimate
	\$510,580	\$395,071.00	\$115,509.00
	Discounted Bid Amount:	Amount of Bld Discount	Discount Points:
90547294	\$375,317.45	\$19,753.55	
esseri (see	1. Did the 50% local/sma	l local requirements apply?	<u>YES</u>
	2. Did the contractor mee	t the 50% requirement?	YES
		LBE participation	0.51%
	b) % of	SLBE participation	<u>92.</u> 4 <u>1%</u>
	c) % of '	VSLBE participation	<u>4.04%</u>
	3. Did the contractor meet the	ne Truddng requirement?	YES
	a) Total	SLBE/LBE trucking participation	100%
	4. Did the contractor rece	ive bid discounts?	Yes
	(If yes, I	st the percentage received)	<u>0%</u>
	5. Additional Comments.	•	

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

•			2/15/2013
			Date
Reviewing Officer:	and tank	Date:	2/15/2013
Approved By:	Shelley Orenelavez	Date:	2/15/2013

LBE/SLBE PARTICIPATION BIDDER 1

Project N	lo.: C329128	Eņgine	ers Est:	510	,sao		1	Jnder/Over Engir	eers Estimate:	115,609			
Discipline	Prime & Subs	Location	Cert	LBE	SLBE	*VSLBE/LPG	Total	L/SLSE	Total	TOTAL	-	or Tracking C	ากไข
•			Status	[. [LBE/SLBE	Trucking	Trucking	Dollars	Ethn.	MBE	WBE
RIME	Andes Construction, Inc.	Oakland	СВ		360,071					360,071.00	н	360,071	
awcutting	Bay Line	Emeryville	UB				i	l		2,000	Н	2,000	
nucidng	Foston Trucking	Oakland	СВ	. 1	5,000	į	5,000	5,000	5,000	5,000	AA	5,000	
Pipe -	P&F	Brisbane	UB	1		Į.	ļ		ļ .	15,000	U	-	
B	Апап	Los Angeles	UB	1			İ	1		1,000	C	:	
AH Precast	Old Castle Precast	Livermore	UB	1				ŀ		5,000	С		
ıc .	Gallagher & Burk	Oakland	СВ			2,000	. 2,000	i		2,000	C		
Drain Rock	Dutra	San Rafeael	UB			•				1,000	C		
Concrete	Right Away	Oakland	СВ	2,000			2,000			2,000	С		
/IH Reban	Contech	Stockton	UB	·			· [2,000	С		
	•					.		ļ	1	,			
								-				***	
 -	Projec	t Totals	-	\$2,000	\$385,071	\$2,000	\$9,000	\$5,000	\$5,000	\$395,071.00		367,071	
				0.51%	92.41%	1.01%	93.93%	100%	100%	· 100%		92.91%	. 0
Requirements:	The SON requirements is a com the requirements.	binatian of 25% LBE	and 25% SI	BE panidpetin	n. An SLBE from ca	n ba countes 100%	towards achieving !	50% requirements. A	LPGVSLSE's partido	atian is double	Ethnic AA - AH	ity can American	
	LBE = Local Bushman Enterprise SLBE = Small Local Bushness Er				UB = Uncestified Bus CB = Certified Busine		· · ·		<u> </u>		Al = Asia AP = Asi C = Cass	an Pacific	
	Total 1:BE/SIBE = All Certified L		intrasses			usbwss Enterprise					H = Hisp	,	
	NPLEE = NonProfit Local Busine	es Enterprisa	**		•	isiness Enterprise		-		•		ive American	
	NPSÉBE = NonPrefit Stra li Loca	Susinese Enterprise									0 = 0ths		
	·										NL = Noi	Listed	



Contracts and Compliance Unit

PROJECT EVALUATION FORM

PROJECT NO.: C329128

PROJECT NAME: Rehabilitation of Sanitary Sewers in Rosedale Avenue Bounded by

Foothill Blvd and Santa Rita Street

CONTRACTOR: J. Howard Engineering, Inc.

Enalger's Estimata: \$510,680 Contractors' Bid Amount \$479,338.00 Over/Under Engineer's Estimate

的一种,不是一种的一种,不是一种的一种的一种。

\$31,342.00

Discountad Bid Amount:

Amount of Bid Discount \$23,966.90 **Discount Points:**

5%

\$455,371.10 \$23,90

1. Did the 50% local/small local requirements apply? YES

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

a) % of LBE participation
b) % of SLBE participation
c) % of VSLBE participation
0%

3. Did the contractor meet the Trucking requirement? YES

a) Total SLBE/LBE trucking participation 100%

4. Did the contractor receive bid discounts? YES

(If yes, list the percentage received) 5%

5. Additional Comments.

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

Reviewing Officer:

Approved By: Shelley Darendry Date: 2/15/2013

Date: 2/15/2013

LBE/SLBE PARTICIPATION

BIDDER 2

Project No	: C329128	Engin	eers Est	510	0,880	•	U nd	der/Over Engin	eers Estimate:	31,342			
Discipline	Prime & Subs	Location	Cert. Status	LBE	SLBE	VSLBE/LPG	Total LBE/SLBE	L/SLBE Trucking	Total Trucking	TOTAL Dollars	Ethn.	For Tracking (Only WBE
	J. Howard Engineering, Inc	. Oakland	СВ		384,338		384,338		···	384,338	С		
ruckign	CJC Tracking	Oakland	СВ		18,000		18,000	18,000	18,000	18,000		18,000	
Paving	AJW Construction	Oakland	СВ		17,000		17,000			17,000	н	17.000	
Concrets Pipe/Fittings	Right Away Ready Mo	Oakland -	CB CB	7,000	:	-	7,000 10,000	-	:	7,000 10,000		: .	_
Recylcing .	Inner City	Oakland	СВ	10,000	5,000		5,000		/	. 5,000			
HOPE Pipe	P&F Distributors	Brisbané	UB						.	25,000	С		i
Saw cutting Manhole Lining	Bay Une Contech of CA	San Francisco Stocktori	UB UB							4,500 500	·	4,500	<u></u>
Mahole Materials	US Concrete	Livermore	UB				•			8,000			
								·					
·				.		,							
	Proje	ct Totals		\$17,000	\$424,338	\$0	\$441,330	\$18,000	\$18,000	\$479,338		\$39,500	
·				3.55%	88.53%	0%	92.07%	100%	100%	100%		8.24%	0.00
Requirements: double counted towa	The so% requirements is a cor rd meeting the requirement	nbination of 25% LE i.	E and 25% S	LBE participation	n. An SLBE firm can	be counted 1009	4 towards achievir	ng SON requireme	ents. A LPG/VSLBE's	participation is	Ethnic AA = Afric AI = Asian AP = Asia	sad American n Indian	
	LBE = Local Sudocss Entarprisa SLBE = Small Local Business Ent		***		UB = Uncertified Busin CB = Ccrlifiod Busines	5	· .				1	anic ive Anverican	
	Total LBEISLBE = All Centred Lo NPLBE = Nordhofit Local Susiner	dnesses		MBE = Minority Bu: WBE = Women Bu:	•	· ·				() = Other NL = Not Listed MO = Multiple Ovenership			



Contracts and Compliance Unit

PROJECT EVALUATION FORM

PROJECT NO.: C329128

PROJECT NAME: Rehabilitaiton of Sanitary Sewers in Rosedale Avenue Bounded by

Foothill Blyd and Santa Rita Street

CONTRACTOR: Pacific Trenchless

Engineer's Estimate: \$510,680.00 Contractors' Bid Amount \$540,491.00 Over/Under Engineer's Estimate

-\$29,811.00

Discounted Bid Amount: \$313,466.45 Amount of Bid Discount

Discount Points:

\$27,024.55 5.00%

1. Did the 50% local/small local requirements apply?

YES

2. Did the contractor meet the 50% requirement?

YES

a) % of LBE participation

0.00%

b) % of SLBE participation

95.56%

c) % of VSLBE participation

0.00%

3. Did the contractor meet the Trucking requirement?

YES.

a) Total SLBE/LBE trucking participation

100.00%

4. Did the contractor receive bid discounts?

YES

(If yes, list the percentage received)

5.00%

6. Additional Comments.

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

2/15/2013

Date

Reviewing

Officer:

Date:

2/15/2013

Approved By:

helley Garenstring

Date:

2/15/2013

LBE/SLBE PARTICIPATION BIDDER 3

Project No.	C329128		Engin	eers Est:	1,998,8	26.00		U	Inder/Over Engjn	eers Estimate:	1,458,335.00			
Discipline	Prime & Subs	Loc	ation	Cert	LBE	SLBE	*VSLBE/LPG	Total	L/SLBE	Total	TOTAL	Fo	r Tracking Or	ily
				Status	14%	14%	double counted value	LBE/SLBE	Trucking	Trucking	Dollars	Ethn.	MBE	WBE
PRIME	Pacific Trenchless	Oakla	nd	СВ	j	511,491		511,491.00			511,491.00	С	ŧ	
Trucking HOPE Pipe	Williams Truckling P&F Distributors	Oakla Brisb:	i -	CB UB		5,000	٠	5,000	5,000	5,000	5,000 2 0,000		5,000.00	
Manhole Materials	US Concrete, Inc.	UVen	nore	UB					ودرده		4,000	С		
	Project	To	tals		\$0	\$516,491	\$0	\$ 516,491	\$5,000	\$5,000	\$540,491.00		5,000	\$
				•	0.00%	95.56%	0.00%	95.56%	100%	100%	100%	1	0.93%	0%
Requireme	nts: The SO% require	ements	s a com	bination of 25	% LBE and 25% SI	BE participation.	An SLBE firm can be	e counted 100% towa	rds achieving 50%	squirements, A LPG	ASTREZ	Al = Asian In		
paracipation is d	dise coursed toward in	semiā a	e reduite	inens.					,,			AP = Asian f C = Caucasi		
	LBE = Local Business En	terorise			1	B = Uncertified Busi	noss					H = Hispanio		
	SLBE = Small Local Bosts	•	rprisa	•		CB = Cerfifitd Busine						NA = Native		
	Total LBBSLBE = ABCa	tifiad Loc	al and Sm	uli Local Busin	esses	MBE = Minority B	usiness Enterprise		•	•		0 =Other		
	NPLBE=NoaProfit Local					WBE = Women Bu	ısiness Enterprise					NL = Not Us	ted :	
	NPSLSE = NonProfit Sma	d Local 6	usiness E	interprise	-							MO = Mutipi	e Ownership	



Contracts and Compliance Unit

PROJECT EVALUATION FORM

PROJECT NO.: C329128

PROJECT NAME: Rehabilitation of Sanitary Sewers in Rosedale Avenue Bounded by Foothill Blvd and Santa Rita Street

CONTRACTOR: Valentine Corporation

Engineer's Estimate: \$510,680

MEST SETTIFICATION

Contractors' Bld Amount \$628,369.00 Over/Under Engineer's Estimate

-\$117,689.00

Discounted Bid Amount: \$0.00

Amount of Bid Discount \$0.00 **Discount Points:**

0%

1. Did the 50% local/small local requirements apply?

<u>YES</u>

2. Did the contractor meet the 50% requirement?

NO

a) % of LBE participation

0.57%

b) % of SLBE participationc) % of VSLBE participation

41.38% 7.42%

3. Did the contractor meet the Trucking requirement?

YES

a) Total SLBE/LBE trucking participation

100%

4. Did the contractor receive bid discounts?

<u>NO</u>

(If yes, list the percentage received)

0%

5. Additional Comments.

*Proposed VSLBE/LPG participation is valued at 3.71%, however per the L/SLBE Program a VSLBE/LPG's participation is double counted towards meeting the requirement. Firm failed to meet the 50% L/SLBE. Therefore, firm is deemed non-responsive.

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

Reviewing Officer:

Approved By: Shallow Danamakura Date: 2/15/2013

Date: 2/15/2013

LBE/SLBE PARTICIPATION BIDDER 4

Project No.:	C32912S	Engin	eers Est:	510,	680 .		Unde	r/Over Engine	ers Estimate:	-117,689			
Discipline	Prime & Subs	Location	Cert. Status	LBE	SLBE	*VSLBETLPG	Total	LISLBE	Total	TOTAL Dollars		or Tracking O	niy WBE
		<u> </u>	Siatus			valter estimate	TDEJSEDE	Trucking	Trucking	Doilais	Ethn.	MBE	AABÉ
PRIME	Valentine Corporation	San Rafael	UB			,				299,201.00	С		
Trudong	Montroe Tracking	Oakland	СВ			17,000	17,000	17,000	17,000	17,000	AA	17,000	
Pipe Bursting	Mosto Const	Oaldand	СВ		260,000		260,000	i		260,000	AA	260,000	
Assembles	Pace Supply	Oakland	UB	. 1	•				·	27,000	С		
CCTV	Roy's Sewer Service	Novate	UB							13,568	NL		•
CCTV	The Plumbing Ministry	Oaldand	UB			·				8,000	AA	8,000	
Concrete Supply	Right Away Ready Mix	Oakland	СВ	3,600			3,600			3,600	c ,		
	Project	Totals	-	\$3,600	\$260,000	\$17,000	\$260,600	\$17,000	\$17,000	\$528,369,00	·	\$285,000	\$
	1 10,000		'. '	0.57%	41.38%	3,71%	44.66%	100%	100%	100%		45,36%	09
Requirements panid pation is doubte	5: The SO% requirement is counted toward nivetina the	e combination of requirements.	25% LBE ar	d 25% SLBE par	rtidpation. An SL	BE firm can be cou	inted 100% towards	achieving 50% r	equirements. A 1	PB//SLBE's	Al = Asian AP = Asian C = Cauca	Pacific	.;
	LEE = Local Business Enterpris S1BE = Small Local Business E	laterprise		č	JB = Uncertified Bur S = Certified State			,		<u>-</u>	H = Hispan NA = Nativ	ic	. ,
	Total LBE/SLBE - All Contilled	f	ocal Eusinessa	-	-	usiness Enterpris					0 = Other		
	NPLBE = NonProfit Local Bush NPSI RE's NonProfit Small of	1 - 4	_	,	NBE = Whomen B	uainess Enterprite	a	•			M. = No. L	ided ide Osmarkia	



INTER OFFICE MEMORANDUM

TO: David Ng CIP Coordinator

FROM: Deborah Barnes Lescot Barsen

SUBJECT: Compliance Analysis

DATE: February 15, 2013

Rehabilitation of Sanitary Sewers in Bridge Avenue Bounded by Foothill Boulevard

and E. 16th Street and in the Easement Bounded by Carrington Street, 42nd

Avenue, Santa Rita Street and High Street -

Project No. C329129

City Administrator's Office, Contracts and Compliance Unit 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, a preliminary review for compliance with the Equal Benefits Ordinance (EBO), and a brief overview of the lowest responsible bidder's compliance with the 50% Local Employment Program (LEP) and the 15% Oakland Apprenticeship Program on the bidder's most recently completed City of Oakland project.

Responsive to I EBO P				Proposed 1	Particlpatlo	n	Earned	nt?		
Сотрану Nате	Original Bid Amount	Total LBE/SLBE	LBE	SLBE	*VSLBE/LPO	L/SLBE Trucking	Total Credited participation	Earned Bid Discounts	Adjusted Bid Amount	EBG Compliant?
Andes						Ţ			-	
Construction, Inc.	\$307,924	95.13%	.65%	91.88%	2.60%	i00%	95.13%	5%	\$292,527.80	Y
Mosto Construction	\$363,238	89.97%	.33%	89.64%	0.00%	100%	89.97%	5%	\$348,116.10	Y
J. Howard Engineering	\$381,960	92.01%	3.53%	88.48%	0.00%	100%	92.01%	5%	\$362,862.00	N
Pacific Trenchless, Inc.	\$413,462	94.20%	0.00%	94.20%	0.00%	100%	94.20%	5%_	\$392,788.90	Y

Comments: As noted above, all firms met and/or exceeded the minimum 50% L/SLBE participation requirement. *Andes Construction proposed VSLBE/LPG participation value was 1.30%, however, per the L/SLBE Program a VSLBE/LPG's participation is double counted towards meeting the requirement. Therefore, the VSLBE/LPG value for Andes is 2.60%. All firms are EBO compliant except J. Howard Engineering. They will have to come into compliance_prior_to_contract_executlon._

For Informational Purposes

Listed below is the lowest responsible bidder's compliance with the 50% Local Employment Program (LEP) and the 15% Oakland Apprenticeship Program for the lowest bidder's most recently completed City of Oakland project.

Contractor Name:

Andes Construction

Project Name:

On Call Sewer Emergency Project FY 08/09

Project No.

C329113

50% Local Employment Program (LEP)

Was the 50% LEP Goal achieved?	YES	If no, shortfall hours?	NA
Were all shortfalls satisfied?	YES	If no, penalty amount	NA

15% Oakland Apprenticeship Program

Was the 15% Apprenticeship Goal achieved?	YES	If no, shortfall hours?	'NA
Were shortfalls satisfied?	YES	If no, penalty amount?	NA

The spreadsheet below provides details of the 50% LEP and 15% Apprenticeship Programs. Information provided includes the following data: A) total project hours, B) core workforce hours deducted, C) LEP project employment and work hour goal; D) LEP employment and work hours achieved; E)# resident new hires; F) shortfall hours; G) percent LEP compliance; H) total apprentice hours; I) apprenticeship goal and hours achieved; and J) Apprentice shortfall hours.

		50% Local Er	15% Apprenticeship Program							
Total Project Hours	Core Workforce Hours Deducted	LEP Project Employment and Work Hours Goal	LEP Employment and Work Hours Achieved	# Resident New Hires	Shortfall Hours	% LEP Compliance	Total Oakland Apprenticeship Hours Achieved	Apprenticeship Goal and Hours	Apprentice Shortfall Hours	
А	В	C Goal Hours	D Goal Hours	E	F	G	Н	/ Goal Hours	J	
617.5	0	50% 308.75	100% 308.75	0	0	100%	92.63	15% 92.63	0	

Comments: Andes Construction exceeded the Local Employment Program's 50% resident hiring goal with 100% resident employment and met the 15% Oakland Apprenticeship Program goals with 47 on-site hours and 47 off-site hours.

Should you have any questions, you may contact Sophany Hang at (510) 238-3723.



Contracts and Compliance Unit

PROJECT EVALUATION FORM

PROJECT NO.: C329129

PROJECT NAME: Rehabilitation of Sanitary Sewers in Bridge Avenue Bounded by Foothill

Boulevard and E. 16th Street and in the Easement Bounded by Carrington Street,

42nd Avenue, Santa Rita Street and High Street

CONTRACTOR: Andes Construction, Inc. Over/Under Engineer'a Estimate Contractors' Bid Amount Engineer's Estimate: \$407,940 \$307,924.00 \$100,016.00 **Discounted Bid Amount:** Amount of Bid Discount **Discount Points:** \$292,627.80 \$16,396.20 6% MICE EN MENSION DE LES MA 1. Did the 50% local/small local requirements apply? **YES** 2. Did the contractor meet the 50% requirement? **YES** a) % of LBE participation 0.66% b) % of SLBE participation 91,88% c) % of VSLBE participation 2.60% <u>YES</u> 3. Did the contractor meet the Trucking requirement? a) Total SLBE/LBE trucking participation 100% 4. Did the contractor receive bid discounts? YES (if yes, list the percentage received) 5% 5. Additional Comments.

Proposed VSLBE/LPG participation is valued at 1.30%, however per the L/SLBE Program a VSLBE/LPG's participation is double counted towards meeting the requirement.

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

			2/16/2013
1		•	Date
Reviewing Officer:	Soly Hang	Date:	2/16/2013
Approved By:	Shelley Darendrung	Date:	2/16/2013

LBE/SLBE PARTICIPATION BIDDER 1

Project N	o.: C329129	Engine	eors Est	407,9	940		Underlover Engineers Estimate: 100,015								
Discipline	Prima & Subs	Location	Cert	LBE	SLBE	*VSLBE/LPG	Total L/SLBE Total TOTAL			TOTAL	For Tracking Only				
			Status				LBE/SLBE	Trucking	Trucking	Dollars	Ethn.	MBE	WBE		
PRIME	Andes Caastruction, Inc	Oakland	CB		277,924		227,924			277,024.00	н	277,924			
Sawcutting	Bay Line	Emeryville .	UB		į	1	1	Į.	1	2,000	Н	2,000			
Frucking	Foston Trucking	Oakland	СВ	1	5,000	- {	5,000	5,000	5,000	5,000	AA	5,000			
Pipe	P&F Distributors	Brisbane	UB	1			-	ì	1	10,000	С				
AB .	Aman	LOS Angeles	UB			ŀ				. 1,000	C				
MH Precast	Old Castle Precast	Livermore	UB '			·]		1		5,000	С				
AC	Gallagher & Svrk	Oakland	СВ	1		2,000	2,000	ļ	1	2,000	C		·		
Dram Rock	Dutra	San Rafael	UB						,	1,000	С				
Concrete	Right Away	Oakland	СВ	2,000		1	2,000	j	1	2,000	c		Γ.		
MH Reban	Contech	Stockton	UB]			i	2,000	С				
			1	- 1	,	1			1	·					
		i						1		•		:			
			.					i	ļ						
	Proie	ct Totals		\$2,000	3282,924	\$2,000	\$236,924	55,000	\$5,000	\$307,924.00	1	284,924	\$		
•			ì	0.65%	S1.85%	1.30%	93.83%	100%	100%	100%	, 1	92.53%	0		
Requirements:	Ths 50% reqUramenta is a car	nbination of 25% LBS	and 25% S	LBE participation	An SLBE firm ca	an be counted 100%	towards achieving \$	0% requirements. A	LPGVSLBE's partie	sipation is double	Ethnici	ity.			
counted toward maeting								•	·		AA = Atric	an Azurican			
· ····											Al = Asian	ı indian			
	LBE = Local Business Enterpti SLBE = Sessit Local Business I			_	IB = Uncodined Bus B = Certified Busine						AP = Asa				
	Total LBE/SLBE = All Cartified		luzinessos	_		usinesa Enlerp <i>r</i> isa						C = Caucasión H = Hispanio			
		PLBE = NonProfit Lavel Business Enterprise WBE = Women Business Enterpr										iva American			
	NPSLEE = NonProtit Small Lor	al Business Enterorise								<u> </u>	o=otw				
											NL = Not	** 1 1			



Contracts and Compliance Unit

PROJECT EVALUATION FORM

PROJECT NO.: 0329129

PROJECT NAME: Rehabilitaiton of Sanitary Sewers in Bridge Avenue Bounded by Foothill Boulevard and E. 16th Street and in the Easement Bounded by Carrington Street, 42nd Avenue, Santa Rita Street and High

Street

CONTRACTOR: Mosto Construction

Engineer's Estimate:
\$407,940

Contractors' Bid Amount \$366,438.00

Ovar/Undar Engineer's Estimate

\$41,502.00

Amount of Bid Discount

Discount Points:

5%

Discounted Bid Amount: \$348,116,10

\$18,321.90

YES Did the 50% local/small local requirements apply?

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

> 0.33% a) % of LBE participation 89,64% b) % of SLBE participation <u>0%</u> c) % of VSLBE participation

YES 3. Did the contractor meet the Trucking requirement?

> a) Total SLBE/LBE trucking participation 100%

YES 4. Did the contractor receive bid discounts?

> (If yes, list the percentage received) <u>5%</u>

5. Additional Comments.

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

Date:

Date 2/15/2013 Date:

2/15/2013

2/15/2013

Reviewing

Approved By:

Officer:

LBE/SLBE PARTICIPATION

BIDDER 2

Project No.	C329129		Engin	ers Est	407	,940		Und	fer/Over Engine	eers Estimata:	41,502		:	
Dîscipline	Prime & Subs		Location	Cert	LBE	SLBE	VSLBE/LPG	Total	L/SLBE	Total	TOTAL	 	.For Tracking (Only
				Status				LBE/SLBE	Trucking	Trucking	Dollars	Ethn.	MBE.	WBE
PRIME	Mosta Construction	(Oakland	СВ		316,471		. 316,471			316,471	Н	316,471	
Fruciding	Monroe's Trucking	l c	Oakland	СВ		12,000		12,000	12,000	12,000	12,000	AA	12,000	
HOPE Pipe	PAF Distributors)e	Brisbane	.UB		•		}	j		20,167	С		
Manhole Structure	Old Castle Precast	Ŀ	Livermore	UB				1			8,000	<u> </u>		
Pipe Fitting Clay Pipe	Mission Clay	C	Dakland	СВ	1,200		•	. 1,200			1,200	С		
Hydropox Sealant .	Con Tech of CA	5	Stockton	UB							6,000		<u></u>	
Concrets	Central Concrete		San Jose	UB							1,800	C		
AB, Cement, Misc	Lanns Balldley	k	Oakland	UB				,			1,800	C		
	Pro	jec	t Totals		\$1,200	\$328,471	\$0	\$329,671	\$12,000	\$12,000	\$366,438		\$328,471	
•	Į'	•		ļ	0.33%	89.64%	0%	89.97%	100%	100%	100%	,	69.64%	0.00
Requirements: Souble counted towar	The SOX requirements is a discount of the source of the requirement of the requirement of the source	combir ents.	nation of 25% LB	Eand 25% S	LBE participation	n. An SLBE firm can	be counted 100%	i towards achievin	g 50% requiremen	nts. A LPSA/SLBE's	participation is	Al = Asia: AP = Asia	an American I Indian M Padfic	
-	i, BE = Local Occioese Entarp SLBE = Small Local Business	_	ise	•		UB = Uncotified Butin CB = Certified Busines		,				C = Caste: N = Hispa NA = Nati	_	
•	Total LaEBLBE = ABCertiSe NPLBE = NoaProB Local But			inezsea		MBE = Minority Bu WBE = Women Bu	•			•		O = Other		
\	NPSLBE = NonProSt Smuli La												tiple Ownership	

City Administrator's Office



Contracts and Compliance Unit

PROJECT EVALUATION FORM

PROJECT NO .: C329129

PROJECT NAME: Rehabilitation of Sanitary Sewers In Bridge Avenue Bounded by Foothill Boulevard and E. 16th Street and in the Easement Bounded by Carrington Street, 42nd Avenue, Santa Rita Street and High Street

CONTRACTOR: J. Howard Engineering, Inc.

•	Engineer's Estimate: \$407,940.00	Contractors' Bid Amount \$381,960.00	Over/Under Enginear's Estimate \$25,980.00	
E.W. 1511	Discounted Bid Amount: \$362,862.00	Amount of Bid Discount \$19,098.00	Discount Points: S.00%	PO 3855
	1. Did the 50% local/smail	local requirements apply?	YES .	
	2. Did the contractor meet	the 50% requirement?	<u>YES</u>	
	b) % of	LBE participation SLBE participation VSLBE participation	3.53% 88.48% 0.00%	•
	3. Did the contractor meet the	Trucking requirement?	<u>YES</u>	
	a) Total	SLBE/LBE trucking participation	100.00%	
	4. Did the contractor receiv	ve bid discounts?	<u>YES</u>	
	(If yes,	list the percentage received)	<u>5.00%</u>	
	5. Additional Comments.			

6. Date evaluation completed and returned to Contract Admin // Initiating Dept. 2/15/2013

Pate: Date: Date: Date: 2/15/2013

Approved By: Shallay Dannahrung Dute: 2/15/2013

LBE/SLBE PARTICIPATION **BIDDER 3**

Project Name: Rehabilitation of Sanitary Sewers in Bridge Avenue Bounded by Foothill Boulevard and E. 16th Street and in the Easement Bounded by Carrington Street, 42nd Avenue, Santa Rita Street and High Street

	<u> </u>								·				
Project No.:	C329129	Engine	eers Est:	407,94	10.00	·		Jnder/Over Engi	neers Estimata:	25,980.00		•	
Discipline	Prime & Subs	Location	Cert.	LBE	SLBE	*VSLBE/LPG	Total	L/SLBE	Total	TOTAL	F	or Tracking Or	nly
			Status			double counted value	LBE/SLBE	Trucking	Trucking	Dollars	Ethn.	MBE	WB
PRIME	J. Howard Engineering, Inc.	Oaldand	СВ		310,960		310,960,00			310,960.00	С		
Trucidng	CJC Trucking	Oaldand	СВ		13,000		13,000	13,000	13,000	13,000		13,000	
Paving	AJW Construction Right Away Ready	Oatdand	СВ		10,000		10,000		ŀ	10,000	Н	10,000	
	Mix Mission Clay	Oaldand Oatdand	CB CB	5,500 8,000			5,500 8,000			5,500 8,000	-	<u>.</u>	├
Recycle	Inner City P&F Distributors	Oakland Brisbane	CB	,,,,,	4,000		4,000			4,000	C		
	Bay Line	Emeranile .	UB					1	,	20,000 3,500	_	3,500.00	
-	Contech of CA	Stockton	UB							500	С		<u> </u>
Manhole Materials	US Concrete	Livermore	UB					1		6,500	С	1	<u> </u>
	Project	Totals	1	\$13,500	\$337,960	\$0	\$351,460	\$13,000	\$13,000	\$361,960.00		26,500	\$
		i		3.53%	88.48%	0.00%	92.01%	100%	100%	100%		6.94%	09

Requirements: The S0% requirements is a combination of 25% LBE and 25% SLBE participation. An SLBE finn can be counted 100% towards achieving 50% requirements. A LPGVSLSE's participation is double counted toward meeting the requirements.

LBE = Local Business Enterprise

SLBE = Seuil Local Bwdsess Enterprise

Total LREISLRE = All Cotified Lipeal and Small Local Biolinesses

NPLBE = NonProfit Local Business Enterproa

NPSLBE = NonProfit Small Local Business Enterprise

US = Uncertified Business

GB = Certified Business

MBE = Minority Business Enterprise

WBE = Women Business Enterprisa

Al = Asian Indian

AP = Asian Pacific

= Caucadan

H = Nispardo NA = Native American

0 = Other

NL = Not Listed

MO = Multiple Ownsrship

City Administrator's Office



Contracts and Compliance Unit

PROJECT EVALUATION FORM

PROJECT NO.: C329129

PROJECT NAME: Rehabilitaiton of Sanitary Sewers in Bridge Avenue Bounded by Foothill Boulevard and E. 16th Street and in the Easement Bounded by Carrington Street, 42nd Avenue, Santa Rita Street and High Street

CONTRACTOR: Pacific Trenchless, Inc.

Engineer's EsIlmate: \$407,940 Contractors' Bid Amount

Over/Under Engineer's Estimate

\$413,462.00

-\$5,522.00

Discounted Bid Amount:

Amount of Bid Discount

Discount Points:

\$392,788.90

\$20,673.10

5%

1. Did the 50% local/small local requirements apply? YES

2. Did the contractor meet the 50% requirement?

<u>YES</u>

a) % of LBE participation

<u>0,00%</u>

b) % of SLBE participation c) % of VSLBE participation

94.20% 0.00%

3. Did the contractor meet the Trucking requirement?

YES

a) Total SLBE/LBE trucking participation

<u>100%</u>

4. Did the contractor receive bid discounts?

YES

(If yes, list the percentage received)

<u>5%</u>

5. Additional Comments.

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

2/15/2013

Date

Reviewing

Officer:

Date:

2/15/2013

Approved By:

angliste.

Date:

2/15/2013

LBE/SLBE PARTICIPATION BIDDER 4

Project Name	Rehabilitaiton of S			-		-		i E. 16th Str	eet and in t	ne Easement			:
	Bounded by Carrin	<u> </u>	 			et and High							
Project No.	C329129	Engine	eors Est:	407,	940	[· Unde	er/Over Engine	ers Estimate:	-5,522			
Discipline	Prime & Subs	Location	Cert.	LBE	SLBE	*VSLBEALPG	Total	L/SL BE	Total	TOTAL	ı£	r Tracking O	nly
			Status			double counted valus	LBE/SLBE	Trucking	Trucking	Dollars	Ethn.	WBE	WBE
PRIME	Pacific Trenchlass, Inc.	Oakland	СВ		384,462		334,462			384,462.00	C_		d
Trucking	Williams Tructong	Oaldand	CB	1	5,000	[[5,000	5,000	5,000	5,000	AA	5,000	
HOPE Pipe	P&F Distributors	Brisbane	ua	- 1		(i		ſ	ĺ	20,000	С		:
Manhole Materials	US Concrete, Inc.	Uvermore	UB		•			-		4,D00	С		-
				}		}		}					
				.)			ļ						
	Project	Totals		\$0	\$389,462	\$0	\$389,462	\$5,000	\$5,000	\$413,462.00		\$5,000	s
			·	0.00%	94.20%	0%	94.20%	100%	100%	100%	<u> </u>	1.21%	0%
	S: The SO% motionments is committed toward meating the		25% LAE a	nd 25% SLBE pa	rticipation. An SL	BE firm can be ca	untild 100% towards	s achieving 58% (requilements. A l	PB//SLBE's	Al = Acien II AP = Acien C = Ceureci	Pacific	:
,	LBE = Local Business Enterori SLBE = Small Lwool Bhalmess &				MB = Uncertified Bu CB = Certified Busin						H = Hispani NA = Naine		
I	Total LBEISLBE = All Custified	1	ocad Businessi		-	Business Enterpri					O = Ottwa		!
	NPLBE = NonPrefit Local Broil	7		'	WBE = Women E	lusiņess Enterpris	:0				NL = Not Lis		
	NPSLBE = NooProfit Small Loc	ail Busitues Entre	prise								MO = Midit	ola Oseemhip	



Inter Office Memorandum

TO: Gunawan Santoso

Civil Engineer

FROM: Deborah Barnes, Contracts and

Compliance Manager Autor

SUBJECT: Compliance Analysis

DATE: January 31, 2013

The Rehabilitation of Sanitary Sewers in

the Easement by Elinora Avenue and Reinhardt Drive

Project No. C329130

City Administrator's Office, Contracts and Compliance Unit 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, a preliminary review for compliance with the Equal Benefits Ordinance (EBO), and a brief overview of the lowest responsible bidder's compliance with the 50% Local Employment Program (LEP) and the 15% Oakland Apprenticeship Program on the bidder's most recently completed City of Oakland project.

Responsive to L EBO Po			Proposed Participation				Earned C	nd Discounts	11.5	
Company Name	Original Bid Amount	Total LBE/SLBE	LBE	SLBE	*VSLBE/LPG	Trucking	Total Credited participation	Earned Bid Discounts	Adjusted Bid Amount	EBO Compliant? Y/N
Mosto Construction	\$271,672.00	87.12%	1.55%	84 47%	1.10% *2.20	100%	87.12% *88.22%	5%	\$258,088.40	Y
Pacific Trenchless, Inc.	\$294,546.00	92.23%	0.00%	92.23%	0.00%	100%	92.23%	5%	\$279,818.70	Y
Andes Construction	\$302,287.00	91.40%	0.66%	90.08%	.66% *1.32	100%	91.40% *92.06	5%	\$287,172.65	Y
J. Howard Engineering, Inc.	\$381,130.00	92.21%	3.07%	89.14%	0.00%	100%	92. 21%	5%	\$362 , 073.50	N

Comments: As noted above, all firms met and/or exceeded the minimum 50% L/SLBE participation requirement. All firms are EBO compliant except J. Howard Engineering, Inc. Firms that are not EBO compliant will have to come into comphance prior to award.

^{*}Pursuant to the L/SLBE program, a Very Small Local Businesses Enterprise's (VLSBE) participation has been double counted toward meeting the L/SLBE requirement.

For Informational Purposes

Listed below is the lowest responsible bidder's compliance with the 50% Local Employment Program (LEP) and the 15% Oakland Apprenticeship Program for the lowest bidder's most recently completed City of Oakland project.

For Informational Purposes

Listed below is the lowest responsible bidder's compliance with the 50% Local Employment Program (LEP) and the 15% Oakland Apprenticeship Program for the lowest bidder's most recently completed City of Oakland project.

Contractor Name: Mosto Construction

Project Name: Rehabilitation of Sanitary Sewers in the Easement between Sayre Dr. and Paso Robles

And Easement Between Chambers Drive and Saroni Drive

Project No. C329123

50% Local Employment Program (LEP)

			_
Was the 50% LEP Goal achieved?	Yes	If no, shortfall hours?	
Were all shortfalls satisfied?	Yes	If no, penalty amount	

15% Oakland Apprenticeship Program

Was the 15% Apprenticeship Goal achieved?	Yes ,	If no, penalty amount	
Were shortfalls satisfied?	Yes	If no, penalty amount?	

The spreadsheet below provides details of the 50% LEP and 15% Apprenticeship Programs. Information provided includes the following data: A) total project hours, B) core workforce hours deducted, C) LEP project employment and work hour goal; D) LEP employment and work hours achieved; E)# resident new hires; F) shortfall hours; G) percent LEP compliance; H) total apprentice hours; I) apprenticeship goal and hours achieved; and J) Apprentice shortfall hours.

			50%	% Local En	nploymen	15% Apprenticeship Program								
	Total Project Hours	Core Workforce Hours Deducted	LEP Project	Employment and Work Hours Goal	LEP Employment and	Work Hours Achieved	# Resident New Hires	Shortfall Hours	% LEP Compliance	Total Oakland Apprenticeship Hours Achieved	. A morenticechin	Goal and Hours	Apprentice Shortfall Hours	
	A	В	_Goal_	C Hours	_Goal_	Hours_	E	F	G [']	Н	_Goal_	I _Hours_	J	
•	1071	0	50%	535.5	100%	535.5	0	0	100%	161	15%	161	0	

Comments: Mosto Construction exceeded the Local Employment Program's 50% resident hiring goal with 100% resident employment and the 15% Oakland Apprenticeship Program goals.

Should you have any questions, you may contact Sophany Hang at (510) 238-3723.

CONTRACTS AND COMPLIANCE UNIT



Contract Compliance Division

PROJECT EVALUATION FORM

PROJECT NO.: C329130

PROJECT NAME: The Rehabilitation of Sanitary Sewers in the Easement by Elinora Avenue and Reinhardt Drive

CONTRACTOR: Mosto Construction Contractors' Bid Amount Over/Under Engineer's Estimate Engineer's Estimate: \$315,570 \$271,672 \$43,898 **Discounted Bid Amount:** Amount of Bid Discount **Discount Points:** \$258,088.40 \$13,583.50 5% 1. Did the 50% requirements apply? YES 2. Did the contractor meet the 50% requirement? . . . YES. a) % of LBE participation b) % of SLBE participation c) % of VSLBE participation *2.20% 3. Did the contractor meet the L/SLBE Trucking requirement? : **YES** 100% a) Total SLBE/LBE trucking participation 4. Did the contractor receive bid discounts? **YES** (If yes, list the percentage received) 5% 5. Additional Comments. *VSLBE/LPG participation is valued at 1.10%, however per the L/SLBE Program a

VSLBE/LPG's participation is double counted towards meeting the requirement.

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

		·		1/31/2013
	\bigcirc \bigcirc	11		Date
Reviewing Officer:	descer	Total	Date:	1/31/2013
Approved By:	Shallay (Dorenstrung	Date:	- 1/31/2013

LBE/SLBE PARTICIPATION

BIDDER 1

Project Name: The Rehabilitation of Sanitary Sewers in the Easement by Elinora Avenue and Reinhardt Drive

		<u> </u>	·				:						1 .	
Project No.:	C329130	1	Engine	eers Est:	•-	5,570		Under/Q	ver Enginee	rs Estimate:	\$43,898		i	
Discipline	Prime & Su	s	Location	CerL	LBE	SLBE	*VSLBE/LPG	Total	LISLBE	Total	TOTAL	Fe	or Tracking (Only
				Status	25%	25%	double counted ; value	LBE/SLBE	Trucking	Trucking	Dollars	Ethn.	MBE	WBE
PRIME	Mosto Construction) }	Oakland	СВ		229,472		229,472			229,472	Н	229,472	
Trucking	Monroe Trucking		Oakland	СВ			3,000	3,000	3,000	- 3,000	3,000	AA	3,000	
HOPE Supplies	P & F Distributor] }	Brisbane	UB			i	-			15,000	С	ļ	
MH Structures	Old Castle Preca	st st	Pleasanton	UB							15,000	NL	!	
Pipe Couplings MH Bases-Misc	Mission Clay		Oakland	СВ	4,200		i	4,200			4,200	NL		
	Larms Building S	upply	Oakland	UB							2,500	NL		
Post Video	APIT		Sacramento	UB							2,500	· NL		
	Pro	jec	t Totals		\$4,200	\$229,472	\$3,000	\$236,672	\$3,000	\$3,000	\$271,672		\$232,472	\$0
		_			1.55%	84.47%	1.10%	87.12%	100%	100%	100%		85.57%	0.00%
		Doub	le counted doll	ar value			\$6, 000	\$242,672			\$274,672	Ethnic	ity	٠.
	Percenta	ge bas	sed on double o	counting			2.20%	88.22%		Ŷ.	101.10%	AA = Afric	can American .	
•	he 50% requireme LPG/VSLBE's partic		-				1	rm can be cou	nted 100% to	wards achievi		Al = Asia C = Cauc H = Hispa	n Indian asian	٠.
• · · · · · · · · · · · · · · · · · · ·	S MAN - SMAN Local Bus	iness Ent	erprise	•		CB = Certified Bus	siness					NA = Nat	ive American	
	Total LBE/SLBE = All Ce			Businesses	ı	MBE = Minority	/ Business Enter	prise				O = Othe	г	
	NPLBE = NonProfit Lòca	1	•		. 1	WBE = Women	Business Enterp	Orise				NL = Not		
	NPSLBE= NonProfit Sn	all Local I	Business Enterprise				<u>:</u>					MO = Mu	ltiple Ownership	

CONTRACTS AND COMPLIANCE UNIT



Contract Compliance Division PROJECT EVALUATION FORM

PROJECT NO.: C329130

PROJECT NAME: The Rehabilitation of Sanitary Sewers in the Easement by Elinora Avenue and

CONTRACTOR: Pacific Trenchless, Inc.

<u>En</u>	gineer's Estimate: \$315,570	Contractors' Bid Amount \$294,546	Over/Under Engine \$21,024	er's Estimate
<u>Discou</u>	Inted Bid Amount: \$279,818.70	Amount of Bid Discount \$14,727.30	Discount Points: 5%	
1.	Did the 50% requirement	ts apply?	YES	
2.	Did the contractor meet t	the 50% requirement?	YES	:
	a) % of t b) % of t c) % of t	0% 92,23% 0%		
3.	Did the contractor meet the	Trucking requirement?	YES	
	a) Total	SLBE/LBE trucking participatio	n. <u>100%</u>	
4.	Did the contractor receive	e bid discounts?	<u>YES</u>	
	(If yes, li	ist the percentage received)	<u>5%</u>	·
5.	Additional Comments.		•	

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

			1/31/20 1 3
		-	Date
Reviewing Officer:	Soydung Hamp	Date:	1/31/2013
Approved By:	Shelley Oarensburg	Date:	1/31/2013

LBE/SLBE PARTICIPATION

BIDDER 2

Project Name: The Rehabilitation of Sanitary Sewers in the Easement by Elinora Avenue and Reinhardt Drive

Project No.:	C329130		Engine	ers Est:	\$31	5,570		Under/Ove	er Engineers	s Estimate:	\$21,024		. :			
Discipline	Prime & Subs		Location	Cert. Status	LBE 25%	SLBE 25%	*VSLBE/ LPG	Total LBE/SLBE	L/SLBE Trucking	Total Trucking	TOTAL Dollars		or Tracking (Only WBE		
				Status	23%	2376	value	LDE/SLDE	Irecking	irecking	Dollars	Ethn.	IAIRE	WRE		
PRIME	Pacific Trenchless, Inc		. Oakland	СВ		270,971	:	270,971			270,971	С				
Trucking	Williams Trucidng		Oakland	СВ		700	:	700	700	700	700	AA	700			
HOPE Pipe	P & F Distributors		Brisbane	UB							14,375	С				
Manhole Lining	Contech of Calfornia		Stockton	UB							4,000	С				
Manole Materials	US Concrete, Inc.		Livermore	υв							4,500	С		-		
. 1		•		-			:						· · · ·			
	,					!										
	Desid	-4	Tatala	<u> </u>	\$0	\$ 271,671	: \$0	\$271,671	\$700	\$700	\$294,546		\$700	\$		
	Proje	CI	Totals		0%	92.23%	0%	92.23%	100%	'	100%		0.24%	09		
	The 50% requirement of VSLSE's participation							firm can be	counted 10	0% towards a	icine villy 30%	Ethnicii AA = Africa AI = Asiani AP = Asian C = Caucas	n American Indian Pacific			
Legena	LBE = Local Business Enterp					UB = Uncertified I			·			H = Hispan	ic			
	Total LBE/SLBE = All Certified			Ausinesses			rity Business Ente	rprisa				O = Other	VA = Nativy American) = Other			
	NPLBE = NonProfit Local Bus	iness E	interprise			WBE = Wom	en Business Ente	rprise			•	NL=NotLi	isted			

CONTRACTS AND COMPLIANCE UNIT



Contract Compliance Division PROJECT EVALUATION FORM

<u> PROJECT NO.:</u> 0329130

PROJECT NAME: The Rehabilitation of Sanitary Sewers in the Easement by Elinora Avenue and

CONTRACTOR: Andes Construction, inc. Contractors' Bid Amount Over/Under Engineer's Estimate Engineer's Estimate: \$315,570 \$302,287 \$13,283 **Discounted Bid Amount:** Amount of Bid Discount **Discount Points:** \$287,172.66 \$15,114.35 5% 1. Did the 50% requirements apply? **YES** 2. Did the contractor meet the 50% requirement? **YES** a) % of LBE participation 0.66% b) % of SLBE participation 90.08% c) % of VSLBE participation *1.32 3. Did the contractor meet the Trucking requirement? **YES** a) Total SLBE/LBE trucking participation 100% 4. Did the contractor receive bid discounts? YES (if yes, list the percentage received) <u>5%</u> 5. Additional Comments. *VSLBE/LPG participation is valued at .66%, however per the L/SLBE Program a

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

VSLBE/LPG's participation is double counted towards meeting the requirement

	•	1/31/2013
<u> </u>		Date
Reviewing Officer:	Date:	1/31/2013
Approved By: Shelley O oren	olrume, Date:	1/31/2013

LBE/SLBE PARTICIPATION

BIDDER 3

Project The Rehabilitation of Sanitary Sewers in the Easement by Elinora Avenue and Reinhardt Drive

l literature	1											:	
Project No.:	C329130	Engine	ers Est.	\$3 15	5,570		Under/O	ver Enginee	rs Estimate:	13,283			
Discipline	Prime & Subs	Location	Cert. Status	LBE 25%	. SLBE 25%	*VSLBE/ LPG double counted value	Total LBE/SLBE	L/SLBE Trucking	Total Trucking	TOTAL Dollars	Fo Ethn.	r Tracking O MBE	nly WBI
PRIME	Andes Construction, Inc.	Oakland	СВ		262,287	.!	262,287		· · · · · · ·	262,287	н	262,287	
Trucking	Foston Trucking	Oakland	СВ	1	5,000) 1 :	5,000	5,000	5,000	5,000	AA	5,000	
Saw Cutting	Bay Line	Oakland	UB		5,000	:	5,000	`		5,000	Н	5,000	
Pipe	ISCO .	Louisville,KY	UB	·	,	:		·		2,000	С	I	
АВ	Aman	Los Angeles	UB			:				2,000	С	; ;	
MH Precast	Old Castle Precast	Livermore	UB			:			` 	10,000	С	'	
Asphalt Concrete	Gallagher & Burk	Oakland	СВ			2,000	2,000		·	2,000	c	:	
Drain Rock	Dutra	San Rafael	UB	,		:				2,000	С	:	
Pipe Equip.	P&F	Brisbane	UB			:				10,000	С	:	
Concrete	Right Away	Oakland	СВ	2,000		· :	2,000			2,000	С		
	Proie	ct Totals		\$2,000	\$272,287	\$2,000	\$276,287	\$5,000	\$5,000	\$3 02,287		\$272,287	\$(
				0.66%	90.08%	0.66%	91.40%	100%	100%	100%		90.08%	\$(
	D/ot	ble counted dolla	r value		··	\$4,000	\$278,287			\$3 04,287			
						1.32%	92.06%			100.66%			
				e 50% requirement can be satisifed by a combination of 25% LBE and 25% SLBE. An SLBE firm can be counted 100% towards achieving 50% PG/VSLBE's participation is double counted toward meeting the requirement.			g 50%						
Legend	LBE = Local Business Enterpris SLBE = Small Local Business E	inter pris e			UB = Uncertified CB = Cerlified Bu						H = Hispar NA = Nativ	re American	•

Total LBE/SLBE = All Certifled Local and Small Local Businesses

NPLBE = NonProfit Local Business Enterprise NPSLBE = NonProfit Small Local Business Enterprise MBE = Minority Business Enterprise

WBE = Women Business Enterprise

O = Other NL = No! Listed

MO = Multiple Ownership

CONTRACTS AND COMPLIANCE UNIT



Contract Compliance Division PROJECT EVALUATION FORM

PROJECT NO.: C329130

PROJECT NAME: The Rehabilitation of Sanitary Sewers in the Easement by Elinora Avenue and

CONTRACTOR: J. Howard Engineering, Inc.

Engineer's Estimate: \$315,570	Contractors' Bid Amount \$381,130	Over/Under Engineer's Estimate -\$65,560
Discounted Bid Amount: \$362,073.50	Amount of Bid Discount \$19,056.50	Discount Points: 5%
1. Did the 50% requir	emėnts apply?	YES
2. Did the contractor	meet the 50% requirement?	YES
b) % (of LBE participation of SLBE participation of VLSBE participation	3.07% 89.14% 0%
3. Did the contractor me	eet the Trucking requirement?	YES
a) To	tal SLBE/LBE trucking participation	<u>100%</u>
4. Did the contractor	receive bid discounts?	<u>YES</u>
(if yes	s, list the percentage received)	<u>5%</u>
5. Additional Comme	nts.	

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

	$\overline{}$		· ,		
Reviewing Officer:	Sportur	50 m	9	Date:	1/31/2013
Approved By:	Sheller	- Daren	shung	Date:	1/31/2013

LBE/SLBE PARTICIPATION BIDDER 4

Designet Morros	The Debability	of Coniton (is the Fee		JUEK 4	us and Bair	abards Dais				;	
	The Rehabilitation		eers Est.		5,570	Elinora Aver		Ver Engineer		-\$65,560		· · · · · · · · · · · · · · · · · · ·	
Project No.:				LBE	SLBE	*VSLBE/LPG		L/SLBE					:-
Discipline	Prime & Sulis	Location	Cert. Status	25%	25%	double counted value	Total LBE/SLBE	Trucking	Total Trucking	TOTAL Dollars	Ethn.	Tracking (MBE	WBE
PRIME	j. Howard Engineering, I	nc. Oakland	СВ		321,230	÷	321,230			321,230	С	1	
Trucking	Williams Trucking	Oakland	СВ		16,000	;	15,000	15,000	15,000	15,000	AA	15,000	
Saw Cutting	Bay Line	Oakland	UB		•					5,000	Н	5,000	
HDPE/Fitting	P & F Distributors	Brisbane	UB						,	15,000	С		
Manhole Materials	U.S Concrete, Inc.	Uvermore	UB							7,000	С	: 	
Pipe/Couplings/fit Concrete	Mission Clay Right Away Redy Mix	Oakland Oakland	CB CB	6,700 5,000	•		6,700 5,000			6,700 5,000		;	
Recycle Materials Manhole Lining	Inner City Contech of California	Oakland Stockton	CB UB		3,500		3,500			3,500 2,700			
	Proiec	t Totals		\$11,700	\$339,730	\$0	\$351,430	\$15,000	\$15,000	\$381,13 0		20,000	\$(
				3.07%	89.14%	0%	92.21%	100%	100%	100%		5.25%	0%
	ne SO% requirement can PG/VSLBE's participation			meeting the			can be counte	d 100% towar	ds achieving	50%	Ethnicity M = African AP = Asian P	American :	
Legend LBE = Local Business Enterprise SLBE = Small Local Business Enterprise Total LBBSLBE = All Certified Local and Small Local Businesses NPLBE = NonProEt Local Business Enterprise			CB • Certified Business MBE = Minority Business Enterprise WBE = Women Business Enterprise					C = Caucasian H = Hispanic NA = Native American G = Otter					
	NPSLBE = MonProfit Smart Loc	•		•		;					NL = Not List		
						·					MO = Mulipk	e Ownership	_

Attachment D

Schedule L-2 City of Oakland Public Works Agency CONTRACTOR PERFORMANCE EVALUATION

Project Number/Title:	RSS in the Easement of KNowland Park
Work Order Number (if applicable):	C329116
Contractor:	Andes Construction
Date of Notice to Proceed:	6-6-11
Date of Notice of Completion:	7-23-12
Date of Notice of Final Completion:	7-23-12
Contract Amount:	\$437,592.00
Evaluator Name and Title:	Jun Osalbo, Resident Engineer

The City's Resident Engineer most familiar with the Contractor's performance must complete this evaluation and submit it to Manager, PWA Project Delivery Division, within 30 calendar days of the issuance of the Final Payment.

Whenever the Resident Engineer finds the Contractor is performing below Satisfactory for any category of the Evaluation, the Resident Engineer shall discuss the perceived performance shortfall at the periodic site meetings with the Contractor. An Interim Evaluation will be performed if at any time the Resident Engineer finds that the overail performance of a Contractor is Marginat or Unsatisfactory. An Interim Evaluation is required prior to issuance of a Final Evaluation Rating of Unsatisfactory. The Final Evaluation upon Final Completion of the project will supersede interim ratings.

The following list provides a basic set of evaluation criteria that wiii be applicable to all construction projects awarded by the City of Oakland that are greater than \$50,000. Narrative responses are required to support any evaluation criteria that are rated as Marginal or Unsatisfactory, and must be attached to this evaluation. If a narrative response is required, indicate before each narrative the number of the question for which the response is being provided. Any available supporting documentation to justify any Marginal or Unsatisfactory ratings must also be attached.

If a criterion is rated Marginal or Unsatisfactory and the rating is caused by the performance of a subcontractor, the narrative will note this. The narrative will also note the General Contractor's effort to improve the subcontractor's performance.

ASSESSMENT GUIDELINES:

Outstanding (3 points)	Performance among the best level of achievement the City has experienced.
Satisfactory (2 points)	Perfomance met contractual requirements.
Marginal (1 point)	Performance barely met the lower range of the contractual requirements or performance only met contractual requirements after extensive corrective action was taken.
Unsatisfactory (0 points)	Performance did not meet contractual requirements. The contractual performance being assessed reflected serious problems for which corrective actions were ineffective.

Unsatisfactory Not Applicable Outstanding Satisfactory Marginal

	WORK PERFORMANCE					
1	Did the Contractor perform all of the work with acceptable Quality and Workmanship?			✓		
1a	If problems arose, did the Contractor provide solutions/coordinate with the designers and work proactively with the City to minimize impacts? If "Marginal or Unsatisfactory", explain on the attachment. Provide documentation.			✓		
2	Was the work performed by the Contractor accurate and complete? If "Marginal or Unsatisfactory", explain on the attachment and provide documentation. Complete (2a) and (2b) below.			V		
2a	Were corrections requested? If "Yes", specify the date(s) and reason(s) for the correction(s). Provide documentation.			Yes	No ✓	N/A
2b	If corrections were requested, did the Contractor make the corrections requested? If "Marginal or Unsatisfactory", explain on the attachment. Provide documentation.					✓
3	Was the Contractor responsive to City staff's comments and concerns regarding the work performed or the work product delivered? If "Marginal or Unsatisfactory", explain on the attachment. Provide documentation.			✓		
4	Were there other significant issues related to "Work Performance"? If Yes, explain on the attachment. Provide documentation.				Yes	No ✓
5	Did the Contractor cooperate with on-site or adjacent tenants, business owners and residents and work in such a manner as to minimize disruptions to the public. If "Marginal or Unsatisfactory", explain on the attachment.			V		
6	Did the personnel assigned by the Contractor have the expertise and skills required to satisfactorily perform under the contract? If "Marginal or Unsatisfactory", explain on the attachment.			✓		
7	Overall, how did the Contractor rate on work performance? The score for this category must be consistent with the responses to the questions given above regarding work performance and the assessment guidelines. Check 0, 1, 2, or 3.	0	1	2 •	3	

Jnsatisfactory **Outstanding** Satisfactory **TIMELINESS** Dkl the Contractor complete the work within the time required by the contract (including time extensions or amendments)? If "Marginal or Unsatisfactory", explain 8 on the attachment why the work was not completed according to schedule. Provide documentation. Was the Contractor required to provide a service in accordance with an established N/A Yes No schedule (such as for security, maintenance, custodial, etc.)? If "No", or "N/A", go to 9 Question #10. If "Yes", complete (9a) below. Were the services provided within the days and times scheduled? If "Marginal or Unsatisfactory, explain on the attachment and specify the dates the Contractor failed to comply with this requirement (such as tardiness, failure to report, etc.). 9a Provide documentation. Did the Contractor provide timely baseline schedules and revisions to its construction schedule when changes occurred? If "Marginal or Unsatisfactory", 10 explain on the attachment. Provide documentation. Did the Contractor furnish submittals in a timely manner to allow review by the City so as to not delay the work? If "Marginal or Unsatisfactory", explain on the 11 attachment Provide documentation. Were there other significant issues related to timeliness? If yes, explain on the Yes No attachment. Provkle documentation. 12

3

2

0

Overall, how did the Contractor rate on timeliness?

The score for this category must be consistent with the responses to the questions given above regarding timeliness and the assessment guidelines.

13

Check 0, 1, 2, or 3.

Outstanding Not Applicable Unsatisfactory Marginal Satisfactory

	1 117 4107 1					
14	Were the Contractor's billings accurate and reflective of the contract payment terms? If "Marginal or Unsatisfactory", explain on the attachment Provide documentation of occurrences and amounts (such as corrected invoices).			✓		
15	Were there any claims to Increase the contract amount? If "Yes", list the claim amount. Were the Contractor's claims resolved in a manner reasonable to the City? Number of Claims: Claim amounts: Settlement amount:\$				Yes	No.
16	Were the Contractor's price quotes for changed or additional work reasonable? If "Marginal or Unsatisfactory", explain on the attachment. Provide documentation of occurrences and amounts (such as corrected price quotes).			V		
17	Were there any other significant issues related to financial issues? If Yes, explain on the attachment and provide documentation.				Yes	No.
18	Overall, how did the Contractor rate on financial Issues? The score for this category must be consistent with the responses to the questions given above regarding financial issues and the assessment guidelines. Check 0, 1, 2, or 3.	0	1	2 •	3	

Outstanding Not Applicable Unsatisfactory Marginal Satisfactory

COMMUNICATION

	* * * * * * * * * * * * * * * * * * * *						
19	Was the Contractor responsive to the City's questions, requests for proposal, etc.? If "Marginal or Unsatisfactory", explain on the attachment.]		\checkmark		
20	Did the Contractor communicate with City staff clearly and in a timely manner regarding:	7					
20a	Notification of any significant issues that arose? If "Marginal or Unsatisfactory", explain on the attachment.				V		
20b	Staffing issues (changes, replacements, additions, etc.)? If "Marginal or Unsatisfactory", explain on the attachment.				V		
20c	Periodic progress reports as required by the contract (both verbal and written)? If "Marginal or Unsatisfactory", explain on the attachment.				V		
20d	Were there any billing disputes? If "Yes", explain on the attachment.					Yes	No ✓
21	Were there any other significant issues related to communication issues? Explain on the attachment. Provide documentation.					Yes	No.
22	Overall, how did the Contractor rate on communication Issues? The score for this category must be consistent with the responses to the questions given above regarding communication issues and the assessment guidelines. Check 0, 1, 2, or 3.	0		1	2	3	

Unsatisfactory Outstanding Marginal

SAFETY

23	Did the Contractor's staff consistently wear personal protective equipment as appropriate? If "No", explain on the attachment.		Yes 🗸	No
24	Did the Contractor follow City and OSHA safety standards? If "Marginal or Unsatisfactory", explain on the attachment.			
26	Was the Contractor warned or cited by OSHA for violations? If Yes, explain on the attachment.		Yes	No
26	Was there an inordinate number or severity of injuries? Explain on the attachment. If Yes, explain on the attachment.		Yes	No ✓
27	Was the Contractor officially warned or cited for breach of U.S. Transportation Security Administration's standards or regulations? If "Yes", explain on the attachment.		Yes	No ✓
28	Overall, how did the Contractor rate on safety issues? The score for this category must be consistent with the responses to the questions given above regarding safety issues and the assessment guidelines. Check 0. 1. 2. or 3.	0 1 2	,3	

Based on the weighting factors below, calculate the Contractor's overail score using the scores from the four categories above.

1. Enter Overall score from Question 7

$$2 \times 0.25 = .5$$

2. Enter Overall score from Question 13

$$2 \times X_{0.25} = .5$$

3. Enter Overall score from Question 18

$$2 \times 0.20 = .4$$

4. Enter Overall score from Question 22

$$2 \times 0.15 = .3$$

5. Enter Overall score from Question 28

TOTAL SCORE (Sum of 1 through 5):

2.0

OVERALL RATING: 2.0

Outstanding: Greater than 2.5

Satisfactory Greater than 1.5 & less than or equal to 2.5

Marginal: Between 1.0 & 1.5 Unsatisfactory: Less than 1.0

PROCEDURE:

The Resident Engineer wiii prepare the Contractor Performance Evaluation and submit it to the Supervising Civil Engineer. The Supervising Civil Engineer will review the Contractor Performance Evaluation to ensure adequate documentation is included, the Resident Engineer has followed the process correctly, the Contractor Performance Evaluation has been prepared in a fair and unbiased manner, and the ratings assigned by the Resident Engineer are consistent with all other Resident Engineers using consistent performance expectations and similar rating scales.

The Resident Engineer will transmit a copy of the Contractor Performance Evaluation to the Contractor. Overall Ratings of Outstanding or Satisfactory are final and cannot be protested or appealed. If the Overall Rating is Marginal or Unsatisfactory, the Contractor will have 10 calendar days in which they may file a protest of the rating. The Public Works Agency Assistant Director, Design & Construction Sen/ices Department, will consider a Contractor's protest and render his/her determination of the validity of the Contractor's protest. If the Overall Rating is Marginal, the Assistant Director's determination will be final and not subject to further appeal. If the Overall Rating is Unsatisfactory and the protest is denied (in whole or in part) by the Assistant Director, the Contractor may appeal the Evaluation to the City Administrator, or ' his/her designee. The appeal must be filed within 14 calendar days of the Assistant Director's ruling on the protest. The City Administrator, or his/her designee, will hold a hearing with the Contractor within 21 calendar days of the filing of the appeal. The decision of the City Administrator regarding the appeal will be final.

Contractors who receive an Unsatisfactory Overall Rating (i.e., Total Score less than 1.0) will be allowed the option of voluntarily refraining from bidding on any City of Oakland projects within one year from the date of the Unsatisfactory Overall Rating, or of being categorized as non-responsible for any projects the Contractor bids on for a period of one year from the date of the Unsatisfactory Overall Rating. Two Unsatisfactory Overall Ratings within any five year period will result in the Contractor being categorized by the City Administrator as nonresponsible for any bids they submit for future City of Oakland projects within three years of the date of the last Unsatisfactory overall rating.

Any Contractor that receives an Unsatisfactory Overall Rating is required to attend a meeting with the City Administrator, or his/her designee, prior to returning to bidding on City projects. The Contractor is required to demonstrate improvements made in areas deemed Unsatisfactory in prior City of Oakland contracts.

The Public Works Agency Contract Administration Section will retain the final evaluation and any response from the Coritractor for a period of five years. The City shall treat the evaluation as confidential, to the extent permitted by law.

COMMUNICATING THE EVALUATION: The Contractor's Performance Evaluation has been communicated to the Contractor. Signature does not signify consent or agreement.

(Janyada 2.

Contractor / Date

Supervising Civil Engineer / Date

Paul him 1/17/13

Resident Engineer / Date

Schedule L-2 City of Oakland Public Works Agency CONTRACTOR PERFORMANCE EVALUATION

Project Number/Titie:	<u>C329123</u>
Work Order Number (if applicable):	•
Contractor:	Mosto Construction
Date of Notice to Proceed:	05/23/12
Date of Notice of Completion:	07/26/12
Date of Notice of Final Completion:	07/26/12
Contract Amount:	\$ 165,198.00
Evaluator Name and Title:	Mastewal Cherinet, Resident Engineer

The City's Resident Engineer most familiar with the Contractor's performance must complete this evaluation and submit it to Manager, PWA Project Delivery Division, within 30 calendar days of the issuance of the Final Payment.

Whenever the Resident Engineer finds the Contractor is performing below Satisfactory for any category of the Evaluation, the Resident Engineer shall discuss the perceived performance shortfall at the periodic site meetings with the Contractor. An Interim Evaluation will be performed if at any time the Resident Engineer finds that the overall performance of a Contractor is Marginal or Unsatisfactory. An Interim Evaluation is required prior to issuance of a Final Evaluation Rating of Unsatisfactory. The Final Evaluation upon Final Completion of the project will supersede interim ratings.

The following list provides a basic set of evaluation criteria that will be applicable to all construction projects awarded by the City of Oakland that are greater than \$50,000. Narrative responses are required to support any evaluation criteria that are rated as Marginal or Unsatisfactory, and must be attached to this evaluation. If a narrative response is required, indicate before each narrative the number of the question for which the response is being provided. Any available supporting documentation to justify any Marginal or Unsatisfactory ratings must also be attached.

If a criterion is rated Marginal or Unsatisfactory and the rating is caused by the performance of a subcontractor, the narrative will note this. The narrative will also note the General Contractor's effort to improve the subcontractor's performance.

ASSESSMENT GUIDELINES:

Outstanding (3 points)	Performance among the best level of achievement the City has experienced.
Satisfactory (2 points)	Performance met contractual requirements.
Marginal (1 point)	Performance barely met the lower range of the contractual requirements or performance only met contractual requirements after extensive corrective action was taken.
Unsatisfactory (0 points)	Performance did not meet contractual requirements. The contractual performance being assessed reflected serious problems for which corrective actions were ineffective.

Jnsatisfactory Vot Applicable Outstanding Satisfactory Marginal **WORK PERFORMANCE** Dkl the Contractor perform all of the work with acceptable Quality and 1 Workmanship? If problems arose, did the Contractor provide solutions/coordinate with the designers and work proactively with the City to minimize impacts? If "Marginal or la Unsatisfactory", explain on the attachment. Provide documentation. Was the work performed by the Contractor accurate and complete? If "Marginal or Unsatisfactory", explain on the attachment and provide documentation. Complete 2 (2a) and (2b) below. No N/A Yes Were corrections requested? If "Yes", specify the date(s) and reason(s) for the 2a correction(s). Provide documentation. If corrections ware requested, did the Contractor make the corrections requested? 2b If "Marginal or Unsatisfactory", explain on the attachment. Provide documentation. Was the Contractor responsive to City slaff's comments and concerns regarding the work performed or the work product delivered? If "Marginal or Unsatisfactory", 3 explain on the attachment. Provide documentation. Were there other significant issues related to "Work Performance"? If Yes, explain Yes No 4 on the attachment. Provkie documentation. Did the Contractor cooperate with on-site or adjacent tenants, business owners and residents and work in such a manner as to minimize disruptions to the public. If 5 "Marginal or Unsatisfactory", explain on the attachment Did the personnel assigned by the Contractor have the expertise and skills required to satisfactorily perform under the contract? If "Marginal or Unsatisfactory", explain 6 on the attachment. Overall, how did the Contractor rate on work performance? The score for this category must be consistent with the responses to the 0 1 questions given above regarding work performance and the assessment quidelines.

Check 0, 1, 2, or 3.

	TIMELINESS	Unsatisfactory	Marginal	Satisfactory	Outstanding	Not Applicable
8	Did the Contractor complete the work within the time required by the contract (including time extensions or amendments)? If "Marginal or Unsatisfactory", explain on the attachment why the work was not completed according to schedule. Provide documentation.					
9	Was the Contractor required to provide a service in accordance with an established schedule (such as for security, maintenance, cuslodlal, etc.)? If "No", or "N/A", go to Question #10. If "Yes", complete (9a) below.			Yes.	No	N/A
9a	Were the services provided within the days and times scheduled? If "Marginal or Unsatisfactory", explain on the attachment and specify the dates the Contractor failed to comply with this requirement (such as tardiness, failure to report, etc.). Provide documentation.			V		
10	Did the Contractor provide timely baseline schedules and revisions to its construction schedule when changes occurred? If "Marginal or Unsatisfactory", explain on the attachment Provide documentation.			Ø		
11	Did the Contractor fumish submittals in a timely manner to allow review by the City so as to not delay the work? If "Marginal or Unsatisfactory", explain on the attachment Provide documentation.			Ø		
12	Were there other significant issues related to timeliness? If yes, explain on the attachment Provide documentation.				Yes	No V
13	Overall, how did the Contractor rate on timeliness? The score for this category must be consistent with the responses to the questions given above regarding timeliness and the assessment guidelines. Check 0, 1, 2, or 3.	°	1	2 V	3	

Jnsatisfactor **Dutstanding** satisfactory **FINANCIAL** Were the Contractor's billings accurate and reflective of the contract payment terms? If "Marginal or Unsatisfactory", explain on the attachment Provide documentation of occurrences and amounts (such as corrected invokes). Were there any claims to increase the contract amount? If "Yes", list the claim amount Were the Contractor's claims resolved in a manner reasonable to the City? Yes No Number of Claims: _ 15 Claim amounts: Settlement amount:\$ Were the Contractor's price quotes for changed or additional work reasonable? If "Marginal or Unsatisfactory", explain on the attachment. Provide documentation of 16 occurrences and amounts (such as corrected price quotes). Were there any other significant issues related to financial issues? If Yes, explain on Yes No 17 the attachment and provide documentation. Overall, how did the Contractor rate on financial issues? 18 0 The score for this category must be consistent with the responses to the questions given above regarding financial Issues and the assessment guidelines. Check 0, 1, 2, or 3.

Unsatisfactory
Marginal
Satisfactory
Outstanding
Not Applicable

COMMUNICATION

	CONTROL					
19	Was the Contractor responsive to the City's questions, requests for proposal, etc.? If "Marginal or Unsatisfactory", explain on the attachment.			D		
20	Did the Contractor communicate with City staff clearly and in a timely manner regarding:					
20a	Notification of any significant issues that arose? If "Marginal or Unsatisfactory", explain on the attachment			Ø		
20b	Staffing issues (changes, replacements, additions, etc.)? If "Marginal or Unsatisfactory", explain on the attachment			V		
20c	Periodic progress reports as required by the contract (both verbal and written)? If "Marginal or Unsatisfactory", explain on the attachment.			D		
20d	Were there any billing disputes? If "Yes", explain on the attachment				Yes	No.
21	Were there any other significant issues related to communication issues? Explain on the attachment. Provide documentation.				Yes	×0
22	Overall, how did the Contractor rate on communication issues? The score for this category must be consistent with the responses to the questions given above regarding communication issues and the assessment guidelines. Check 0, 1, 2, or 3.	0	1	2	3	

Unsatisfactory
Marginal
Satisfactory
Outstanding

SAFETY

23	Did the Contractor's staff consistently wear personal protective equipment as appropriate? If "No", explain on the attachment				Yes	No
24	Did the Contractor follow City and OSHA safety standards? If "Marginal or Unsatisfactory", explain on the attachment.			V		
25	Was the Contractor warned or cited by OSHA for violations? If Yes, explain on the attachment.				Yes	No M
26	Was there an inordinate number or severity of injuries? Explain on the attachment. If Yes, explain on the attachment.				Yes	№
27	Was the Contractor officially warned or cited for breach of U.S. Transportation Security Administration's standards or regulations? If "Yes", explain on the attachment.				Yes	≥0
28	Overall, how did the Contractor rate on safety Issues? The score for this category must be consistent with the responses to the questions given above regarding safety issues and the assessment guidelines. Check 0, 1, 2, or 3.	0	1	2	3	

Based on the weighting factors below, calculate the Contractor's overall score using the scores from the four categories above.

1. Enter Overall score from Question 7 $\frac{2.3}{2.3}$ x 0.25 = $\frac{0.63}{2}$

2. Enter Overall score from Question 13 $2 \times 0.25 = 0.50$

3. Enter Overall score from Question 18 $\frac{2}{3}$ \times 0.20 = $\frac{2}{3}$ \times 0.20 = $\frac{2}{3}$

4. Enter Overall score from Question 22 \times X 0.15 = \times 0.30

5. Enter Overall score from Question 28 25 x 0.15 = 0.40

TOTAL SCORE (Sum of 1 through 5):

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overall rating. <u>Satisfactory</u>

Outstanding: Greater than 2.5

Satisfactory Greater than 1.5 & less than or equal to 2.5

Marginal: Behween 1.0 & 1.5 Unsatisfactory: Less than 1.0

PROCEDURE:

The Resident Engineer will prepare the Contractor Performance Evaluation and submit it to the Supervising Civil Engineer. The Supervising Civil Engineer will review the Contractor Performance Evaluation to ensure adequate documentation is included, the Resident Engineer has followed the process correctly, the Contractor Performance Evaluation has been prepared in a fair and unbiased manner, and the ratings assigned by the Resident Engineer are consistent with all other Resident Engineers using consistent performance expectations and similar rating scales.

The Resident Engineer will transmit a copy of the Contractor Performance Evaluation to the Contractor. Overall Ratings of Outstanding or Satisfactory are final and cannot be protested or appealed. If the Overall Rating is Marginal or Unsatisfactory, the Contractor will have 10 calendar days in which they may file a protest of the rating. The Public Works Agency Assistant Director, Design & Construction Services Department, will consider a Contractor's protest and render his/her determination of the validity of the Contractor's protest. If the Overall Rating is Marginal, the Assistant Director's detennination will be final and not subject to further appeal. If the Overall Rating is Unsatisfactory and the protest is denied (in whole or in part) by the Assistant Director, the Contractor may appeal the Evaluation to the City Administrator, or his/her designee. The appeal must be filed within 14 calendar days of the Assistant Director's ruling on the protest. The City Administrator, or his/her designee, will hold a hearing with the Contractor within 21 calendar days of the filing of the appeal. The decision of the City Administrator regarding the appeal will be final.

Contractors who receive an Unsatisfactory Overall Rating (i.e., Total Score less than 1.0) will be allowed the option of voluntarily refraining from bidding on any City of Oakland projects within one year from the date of the Unsatisfactory Overall Rating, or of being categorized as non-responsible for any projects the Contractor bids on for a period of one year from the date of the Unsatisfactory Overall Rating. Two Unsatisfactory Overall Ratings within any five year period will result in the Contractor being categorized by the City Administrator as non-

responsible for any bids they submit for future City of Oakland projects within three years of the date of the last Unsatisfactory overall rating.

Any Contractor that receives an Unsatisfactory Overall Rating is required to attend a meeting with the City Administrator, or his/her designee, prior to returning to bidding on City projects. The Contractor is required to demonstrate improvements made in areas deemed Unsatisfactory in prior City of Oakland contracts.

The Public Works Agency Contract Administration Section will retain the final evaluation and any response from the Contractor for a period of five years. The City shall treat the evaluation as confidential, to the extent permitted by law.

COMMUNICATING THE EVALUATION: The Contractor's Performance Evaluation has been communicated to the Contractor. Signature does not signify consent or agreement.

Varty Jel 9-17-12

Contractor / Date

Mastewal Cherinet 09/14/12
Resident Engineer / Date

Supervising Civil Engineer / Date

OFFICE OF THE CITY GIERN

2013 MAR 27 AM 10: 40 OAKLAND CITY COUNCIL

Approved as	6 Formane Legality
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Meller	V. Willi
	City Attorney

RESOLUTION	No.	C.M.S

RESOLUTION:

AUTHORIZING THE CITY ADMINISTRATOR TO AWARD A CONSTRUCTION CONTRACT TO ANDES CONSTRUCTION, INC., THE LOWEST RESPONSIVE AND RESPONSIBLE BIDDER FOR THE REHABILITATION OF SANITARY SEWERS IN THE AREA BOUNDED BY SHATTUCK AVENUE, 59TH STREET, TELEGRAPH AVENUE AND WOOLSEY STREET (SUB-BASIN 50-10 PROJECT NO. C312310) IN ACCORD WITH PLANS AND SPECIFICATIONS FOR THE PROJECT AND CONTRACTOR'S BID IN THE AMOUNT OF TWO MILLION SEVEN HUNDRED NINETY-FIVE THOUSAND FIVE HUNDRED TWENTY-FIVE DOLLARS (\$2,795,525.00)

WHEREAS, on February 7, 2013, two bids were received by the Office of the City Clerk of the City of Oakland for the Rehabilitation of Sanitary Sewers In The Area Bounded By Shattuck Avenue, 59th Street, Telegraph Avenue, and Woolsey Street (Sub-Basin 50-10 - Project No. C312310); and

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

WHEREAS, there are sufficient funds in the project budget for the work. Funding for this project is available in the following project account:

Sewer Service Fund (3100); Capital Projects - Sanitary Sewer Design Organization (92244); Sewers Account (57417); Project No. C312310; \$2,795,525.00; and these funds were specifically allocated for this project; this project will help reduce the amount of sanitary sewer maintenance requirement; and

WHEREAS, the City Council finds and determines based on the representations set forth in the City Administrator's report accompanying this Resolution that the construction contract approved hereunder is temporary in nature; and

WHEREAS, the City lacks the equipment and qualified personnel to perform the necessary work, that the performance of this contract is in the public interest because of economy or better performance and that this contract is of a professional, scientific or technical nature; and

WHEREAS, Andes Construction, Inc. complies with all LBE/SLBE and trucking requirements; 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 service now, therefore, be it

FURTHER RESOLVED: That the City Administrator is authorized to award a construction contract for the Rehabilitation of Sanitary Sewers in the Area Bounded By Shattuck Avenue, 59th Street, Telegraph Avenue, and Woolsey Street (Sub-Basin 50-10 - Project No. C312310) to Andes Construction, Inc., the lowest responsive and responsible bidder, in an amount of Two Million Seven Hundred Ninety-Five Thousand Five Hundred Twenty-Five Dollars (\$2,795,525.00) in accord with plans and specifications for the Project and contractor's bid dated February 7, 2013; and be it

FURTHER RESOLVED: That the City Council hereby approves the plans and specifications prepared at the direction of the Assistant Director of the Public Works for this project, as authorized by City Ordinance no. 13039, are hereby approved; and be it

FURTHER RESOLVED: That the amount of the bond for faithful performance bond, \$2,795,525.00, and the bond to guarantee payment of all claims for labor and materials furnished and for the amount under the Unemployment Insurance Act, \$2,795,525.00, with respect to such work are hereby approved; and be it

FURTHER RESOLVED: That the City Administrator, or her designee, 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 of the contract within the limitations of the project specifications; and be it

FURTHER RESOLVED: That the City Administrator, or her designee, is hereby authorized to reject all other bids; and be it

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of the City of Oakland, California

FURTHER RESOLVED: That the contract shall be reviewed and approved by the City Attorney for form and legality prior to execution and placed on file in the Office of the City Clerk.

IN COUNCIL, OAKLAND, CALIFORNIA.

	
PASSED BY THE FOLLOWING VOTE:	
AYES – BROOKS, GALLO, KALB, KAPLAN, GIBSON MCELHA PRESIDENT KERNIGHAN	ANEY, REID, SCHAAF, and
NOES -	
ABSENŢ -	
ABSTENTION -	ATTEST:
	LaTonda Simmons City Clerk and Clerk of the Council

Approve	d as to form and Legality
01	Wall States
The state of the s	City Attorney
.S.	

1013 MAR 27	M 10 RESOLUTION NO	C.M.S
.010 111111 - 1	MESOCOTION NO.	O.IVI.O

Introduced by Councilmember

RESOLUTION AWARDING A CONSTRUCTION CONTRACT TO ANDES CONSTRUCTION, INC., THE LOWEST RESPONSIVE AND RESPONSIBLE BIDDER, FOR THE REHABILITATION OF SANITARY SEWERS IN ROSEDALE AVENUE BOUNDED BY FOOTHILL BOULEVARD AND SANTA RITA STREET (PROJECT NO. C329128), IN ACCORD WITH PLANS AND SPECIFICATIONS FOR THE PROJECT AND CONTRACTOR'S BID IN THE AMOUNT OF THREE HUNDRED NINETY-FIVE THOUSAND SEVENTY-ONE DOLLARS (\$395,071.00)

WHEREAS, on January 31, 2013, four bids were received by the Office of the City Clerk of the City of Oakland for The Rehabilitation of Sanitary Sewers in Rosedale Avenue Bounded by Foothill Boulevard and Santa Rita Street (Project No. C329128); and

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

WHEREAS, there are sufficient funds in the project budget for the work in the following project account:

Sewer Service Fund (3100); Capital Projects - Sanitary Sewer Design
 Organization (92244); Sewers Account (57417); Project No. C329128; \$395,071.00; and
 these funds were specifically allocated for this project; this project will help reduce the
 amount of sanitary sewer maintenance requirement; and

WHEREAS, the City Council finds that the City lacks the equipment and qualified personnel to perform the necessary work, and that the performance of this contract is in the public interest because of economy or better performance and that this contract is of a professional, scientific or technical nature; and

WHEREAS, City Council finds and determines based on the representations set forth in the City Administrator's report accompanying this Resolution that the construction contract approved hereunder is temporary in nature; and

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

WHEREAS, the City Administrator has determined 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 construction contract for The Rehabilitation of Sanitary Sewers in Rosedale Avenue Bounded by Foothill Boulevard and Santa Rita Street (Project No. C329128) is hereby awarded to Andes Construction, Inc. in accordance with the project plans and specifications and the contractor's bid therefore, dated January 31, 2013, for the amount of Three Hundred Ninety-Five Thousand Seventy- One **D**ollars; and be it

FURTHER RESOLVED: That the City Council hereby approves the plans and specifications prepared at the direction of the Assistant Director of the Public Works for this project, as authorized by City Ordinance no. 13039, are hereby approved; and be it

FURTHER RESOLVED: That the amount of the bond for faithful performance, \$395,071.00, 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, \$395,071.00, with respect to such work are hereby approved; and be it

FURTHER RESOLVED: That the City Administrator, or her designee, 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 contract within the limitations of the project specifications; and be it

FURTHER RESOLVED: That all other hids are hereby rejected; and be it

IN COUNCIL, OAKLAND, CALIFORNIA, _____

FURTHER RESOLVED: That the contract shall be reviewed and approved by the City Attorney for form and legality and placed on file in the Office of the City Clerk.

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PASSED BY	THE FOLLOWING VOTE:			
	OOKS, KALB, GIBSON MCELHANEY, KAPLAN, RI SIDENT KERNIGHAN	EID, GALLO	, SCHAAF, and	
NOES -				
ABSENT -			1	
ABSTENTION	V -	ATTEST:		
		c	LaTonda Simmons ity Clerk and Clerk of the Council of the City of Oakland, California	

FILE FFICE OF THE OAKL	CITY CLERP OAKLAND CITY	COUNCIL MA	City Attorney
2013 MAR 27	AM 10: RESOLUTION NO	C.M.Ś.	
	Introduced by Councilmember _		

RESOLUTION AWARDING A CONSTRUCTION CONTRACT TO ANDES CONSTRUCTION. INC., THE LOWEST RESPONSIVE RESPONSIBLE BIDDER, FOR THE REHABILITATION OF SANITARY SEWERS IN BRIDGE AVENUE BOUNDED BY FOOTHILL BOULEVARD AND E.16TH STREET, AND IN THE EASEMENT BOUNDED BY CARRINGTON STREET, 42ND AVENUE, SANTA RITA STREET, AND HIGH STREET (PROJECT NO. C329129), IN ACCORD WITH PLANS AND SPECIFICATIONS FOR THE PROJECT AND CONTRACTOR'S BID IN THE AMOUNT OF THREE HUNDRED SEVEN THOUSAND NINE **HUNDRED TWENTY-FOUR DOLLARS (\$307,924.00)**

WHEREAS, on January 17, 2013, four bids were received by the Office of the City Clerk of the City of Oakland for The Rehabilitation of Sanitary Sewers in Bridge Avenue Bounded by Foothill Boulevard and E.16th Street, and In The Easement Bounded by Carrington Street, 42nd Avenue, Santa Rita Street, and High Street (Project No. C329129); and

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

WHEREAS, there are sufficient funds in the project budget for the work in the following project account:

Sewer Service Fund (3100); Capital Projects - Sanitary Sewer Design Organization (92244); Sewers Account (57417); Project No. C329129; \$307,924.00; and these funds were specifically allocated for this project; this project will help reduce the amount of sanitary sewer maintenance requirement; and

WHEREAS, City Council finds and determines based on the representations set forth in the City Administrator's report accompanying this Resolution that the construction contract approved hereunder is temporary in nature; and

WHEREAS, the City Council finds that the City lacks the equipment and qualified personnel to perform the necessary work, and that the performance of this contract is in the public interest because of economy or better performance and that this contract is of a professional, scientific or technical nature; and

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

WHEREAS, the City Administrator has determined 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 construction contract for The Rehabilitation of Sanitary Sewers in Bridge Avenue Bounded by Foothill Boulevard and E.16th Street, and In The Easement Bounded by Carrington Street, 42nd Avenue, Santa Rita Street, and High Street (Project No. C329129) is hereby awarded to Andes Construction, Inc. in accordance with the project plans and specifications and the contractor's bid therefore, dated January 17, 2013, for the amount of Three Hundred Seven Thousand Nine Hundred Twenty-Four Dollars; and be it

FURTHER RESOLVED: That the City Council hereby approves the plans and specifications prepared at the direction of the Assistant Director of the Public Works for this project, as authorized by City Ordinance no. 13039, are hereby approved; and be it

FURTHER RESOLVED: That the amount of the bond for faithful performance, \$307,924.00, 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, \$307,924.00, with respect to such work are hereby approved; and be it

FURTHER RESOLVED: That the City Administrator, or her designee, 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

IN COUNCIL, OAKLAND, CALIFORNIA, ______, 20____,

FURTHER RESOLVED: That the contract shall be reviewed and approved by the City Attorney for form and legality and placed on file in the Office of the City Clerk.

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PASSED BY THE FOLLOWING VOTE:	
AYES – BROOKS, KALB, GIBSON MCELHANEY, KAPLAN, REID, GALI PRESIDENT KERNIGHAN	LO, SCHAAF, and
NOES -	
ABSENT -	
ABSTENTION - ATTEST	1
	LaTonda Simmons City Clerk and Clerk of the Council
	of the City of Oakland, California

FILED
OFFICE OF THE CIT T CLESS
OAKLAND

OAKLAND CITY COUNCIL

Approved	as to Form and Vegality
	City Attorney
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013 MAR 27	AM 10: 4 RESOLUTION NO.	C.M.S
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Introduced by Councilmember _____

RESOLUTION AWARDING A CONSTRUCTION CONTRACT TO MOSTO CONSTRUCTION, THE LOWEST RESPONSIVE AND RESPONSIBLE BIDDER, FOR THE REHABILITATION OF SANITARY SEWERS IN THE EASEMENT BY ELINORA AVENUE AND REINHARDT DRIVE (PROJECT NO. C329130), IN ACCORD WITH PLANS AND SPECIFICATIONS FOR THE PROJECT AND CONTRACTOR'S BID IN THE AMOUNT OF TWO HUNDRED SEVENTY-ONE THOUSAND SIX HUNDRED SEVENTY-TWO DOLLARS (\$271,672.00)

WHEREAS, on January 17, 2013, four bids were received by the Office of the City Clerk of the City of Oakland for The Rehabilitation of Sanitary Sewers in the Easement by Elinora Avenue and Reinhardt Drive (Project No. C329130); and

WHEREAS, Mosto Construction, a certified SLBE bidding as a prime, is deemed the lowest responsive and responsible bidder for the project; and

WHEREAS, there are sufficient funds in the project budget for the work in the following project account:

Sewer Service Fund (3100); Capital Projects - Sanitary Sewer Design
Organization (92244); Sewers Account (57417); Project No. C329130; \$271,672.00; and
these funds were specifically allocated for this project; this project will help reduce the
amount of sanitary sewer maintenance requirement; and

WHEREAS, City Council finds and determines based on the representations set forth in the City Administrator's report accompanying this Resolution that the construction contract approved hereunder is temporary in nature; and

WHEREAS, the City Council finds that the City lacks the equipment and qualified personnel to perform the necessary work, and that the performance of this contract is in the public interest because of economy or better performance and that this contract is of a professional, scientific or technical nature; and

WHEREAS, Mosto Construction complies with all LBE/SLBE and trucking requirements; and

WHEREAS, the City Administrator has determined 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 construction contract for The Rehabilitation of Sanitary Sewers in the Easement by Elinora Avenue and Reinhardt Drive (Project No. C329130) is hereby awarded to Mosto Construction in accordance with the project plans and specifications and the contractor's bid therefore, dated January 17, 2013, for the amount of Two Hundred Seventy-One Thousand Six Hundred Seventy-Two Dollars; and be it

FURTHER RESOLVED: That the City Council hereby approves the plans and specifications prepared at the direction of the Assistant Director of the Public Works for this project, as authorized by City Ordinance no. 13039, are hereby approved; and be it

FURTHER RESOLVED: That the amount of the bond for faithful performance bond, \$271,672.00, and the bond to guarantee payment of all claims for labor and materials furnished and for the amount under the Unemployment Insurance Act, \$271,672.00, with respect to such work are hereby approved; and be it

FURTHER RESOLVED: That the City Administrator, or her designee, is hereby authorized to enter into a contract with Mosto Construction 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 for form and legality and placed on file in the Office of the City Clerk.

IN COUNCIL, OAKLAND, CALIFORNIA,	, 20
PASSED BY THE FOLLOWING VOTE:	
AYES – BROOKS, KALB, GIBSON MCELHANEY, KAPLAN, REID PRESIDENT KERNIGHAN	D, GALLO, SCHAAF, and
NOES -	
ABSENT -	
ABSTENTION -	•
A	TTEST:
•	LaTonda Simmons City Clerk and Clerk of the Council of the City of Oakland, California