



AGENDA REPORT

TO: DEANNA J. SANTANA
CITY ADMINISTRATOR

FROM: Vitaly B. Troyan, P.E.

SUBJECT: Rehab of Sanitary Sewer and Storm Drain DATE: May 20, 2013
York and Erie

City Administrator
Approval

Date

6/24/13

COUNCIL DISTRICT: 5

RECOMMENDATION

Staff recommends that the City Council adopt a resolution awarding a construction contract to J. Howard Engineering, Inc., the lowest responsive and responsible bidder, for the rehabilitation of sanitary sewers and storm drain in the easement between York Street and Erie Street, the sanitary sewers in the easement by Wellington Street, and in the easement by Brighton Avenue (Project No. C329131), in accord with plans and specifications for the project and contractor's bid in the amount of three hundred thirty-eight thousand one hundred seventy-five dollars (\$338,175.00).

OUTCOME

Approval of this resolution will authorize the City Administrator to execute a construction contract with J. Howard Engineering, Inc., in the amount of \$338,175.00. The work to be completed under this project is part of the City's annual sanitary sewer rehabilitation program. The work is located in Council District 5 as shown in *Attachment A*.

This project will rehabilitate existing sewer pipes and storm drain pipes, reduce rain-related sewer overflows, and improve sewer pipe conditions in the area.

BACKGROUND/LEGISLATIVE HISTORY

On May 9, 2013, the City Clerk received four bids for this project in the amount of \$338,175.00, \$347,800.00, \$372,748.00, and \$407,035.00 as shown in *Attachment B*. J. Howard Engineering, Inc. is deemed the lowest responsive and responsible bidder, and therefore is recommended for the award. The Engineer's estimate for the work is \$348,290.00.

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List of Bidders

Company	Bid Amount
J. Howard Engineering, Inc.	\$338,175.00
Mosto Construction	\$347,800.00
Engineer's Estimate	\$348,290.00
Pacific Trenchless, Inc.	\$372,748.00
Andes Construction, Inc.	\$407,035.00

ANALYSIS

The Environmental Protection Agency (EPA) mandates the reduction of sanitary sewer flows during storm events. This project is part of the City-wide program to improve pipe conditions and reduce wet weather peak flows in sanitary sewer system. Construction is scheduled to begin in August 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 90 working days. The project schedule is shown in *Attachment B*. Staff has reviewed the submitted bid for this work and has determined that the bid is reasonable for the current construction climate.

Under the proposed contract with J. Howard Engineering, Inc., Local Business Enterprise/Small Local Business Enterprise (LBE/SLBE) participation will be 90.83%, 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 C*.

PUBLIC OUTREACH/INTEREST

The project area improvement and merchants associations have been notified in writing about this project. They will be notified again individually prior to construction.

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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:
 - Office of the City Attorney
 - City Budget Office

COST SUMMARY/IMPLICATIONS

Approval of this resolution will authorize the City Administrator to execute a construction contract with J. Howard Engineering, Inc. in the amount of \$338,175.00.

1. AMOUNT OF RECOMMENDATION/COST OF PROJECT:
The Engineer’s estimate for the work is \$348,290.00.
The contractor bid price is \$338,175.00.
2. COST ELEMENTS OF AGREEMENT/CONTRACT: \$338,175.00
3. SOURCE OF FUNDING:

FUNDING SOURCE	AMOUNT
Sewer Service Fund (3100); Capital Project – Sanitary Sewer Design Organization (92244); Sewers Account (57417); Project C329131	\$338,175.00

4. FISCAL IMPACT:

Approval of this resolution will authorize the City Administrator to execute a construction contract with J. Howard Engineering, Inc. in the amount of \$338,175.00. This project will rehabilitate existing sewer pipes and storm drain 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 J. Howard Engineering, Inc. is not available. This is first time the contractor has been awarded a City contract.

SUSTAINABLE OPPORTUNITIES

Economic: The contractor is 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 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, 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.

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

Attachments:

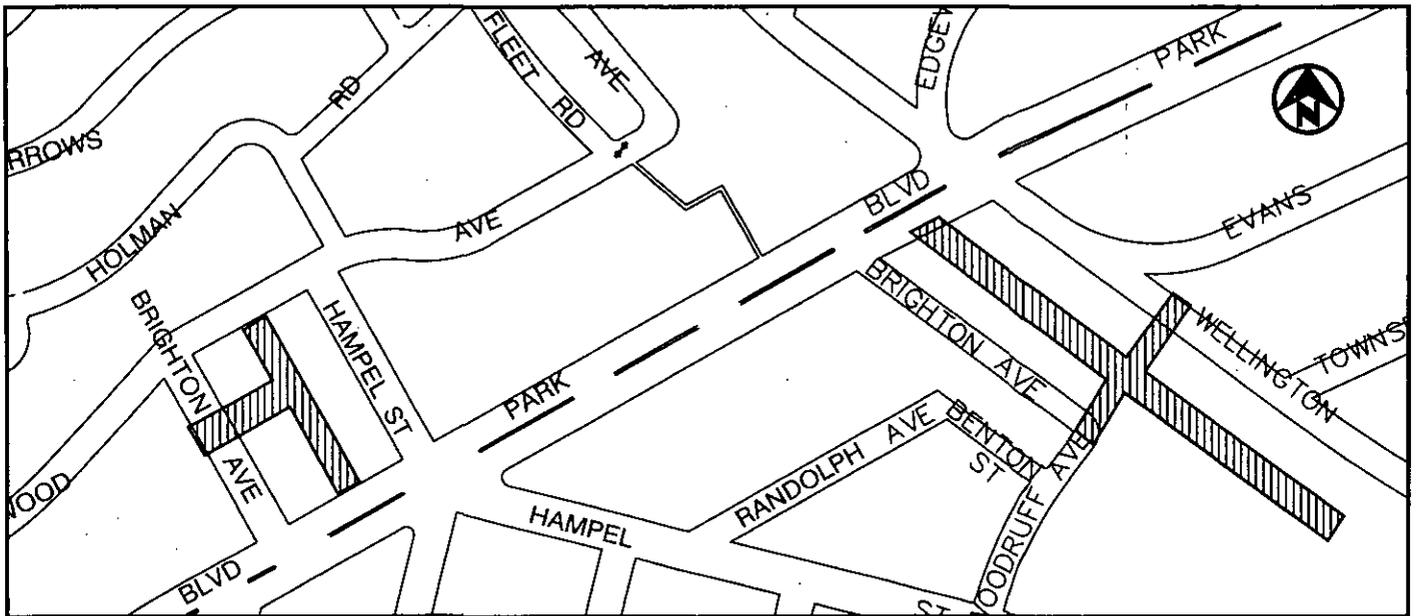
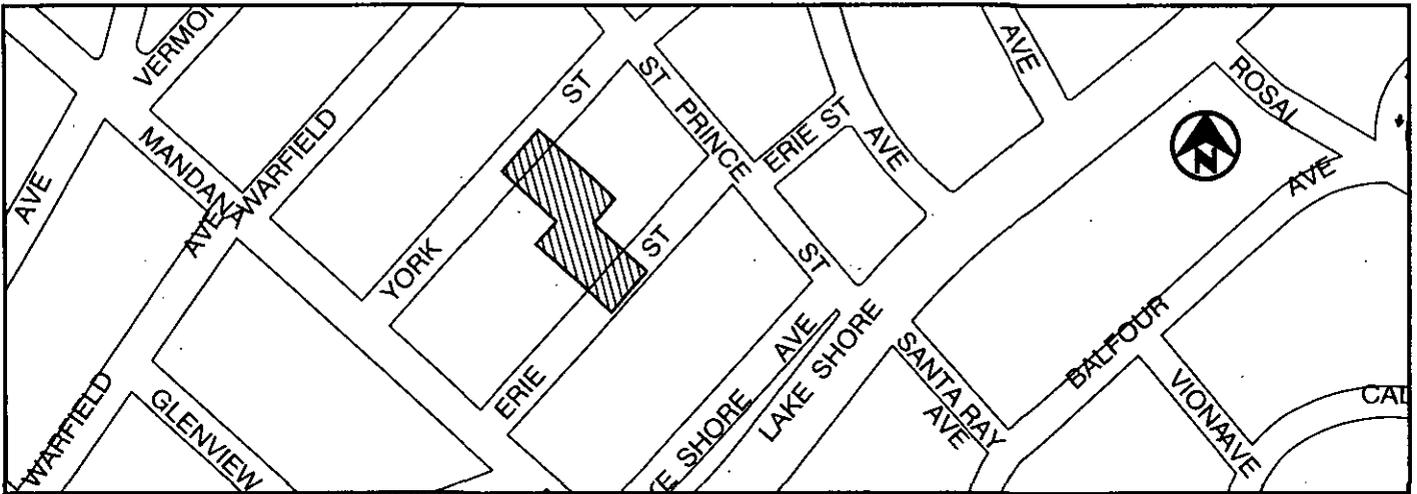
- Attachment A – Project Location Map
- Attachment B – List of Bidders and Project Construction Schedule
- Attachment C – Contracts & Compliance Unit Compliance Evaluation

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ATTACHMENT A

PLANS FOR THE REHABILITATION OF SANITARY SEWERS AND STORM DRAIN IN THE EASEMENT BETWEEN YORK STREET AND ERIE STREET AND SANITARY SEWERS IN THE EASEMENT BY WELLINGTON STREET AND IN THE EASEMENT BY BRIGHTON AVENUE

CITY PROJECT NO. C329131



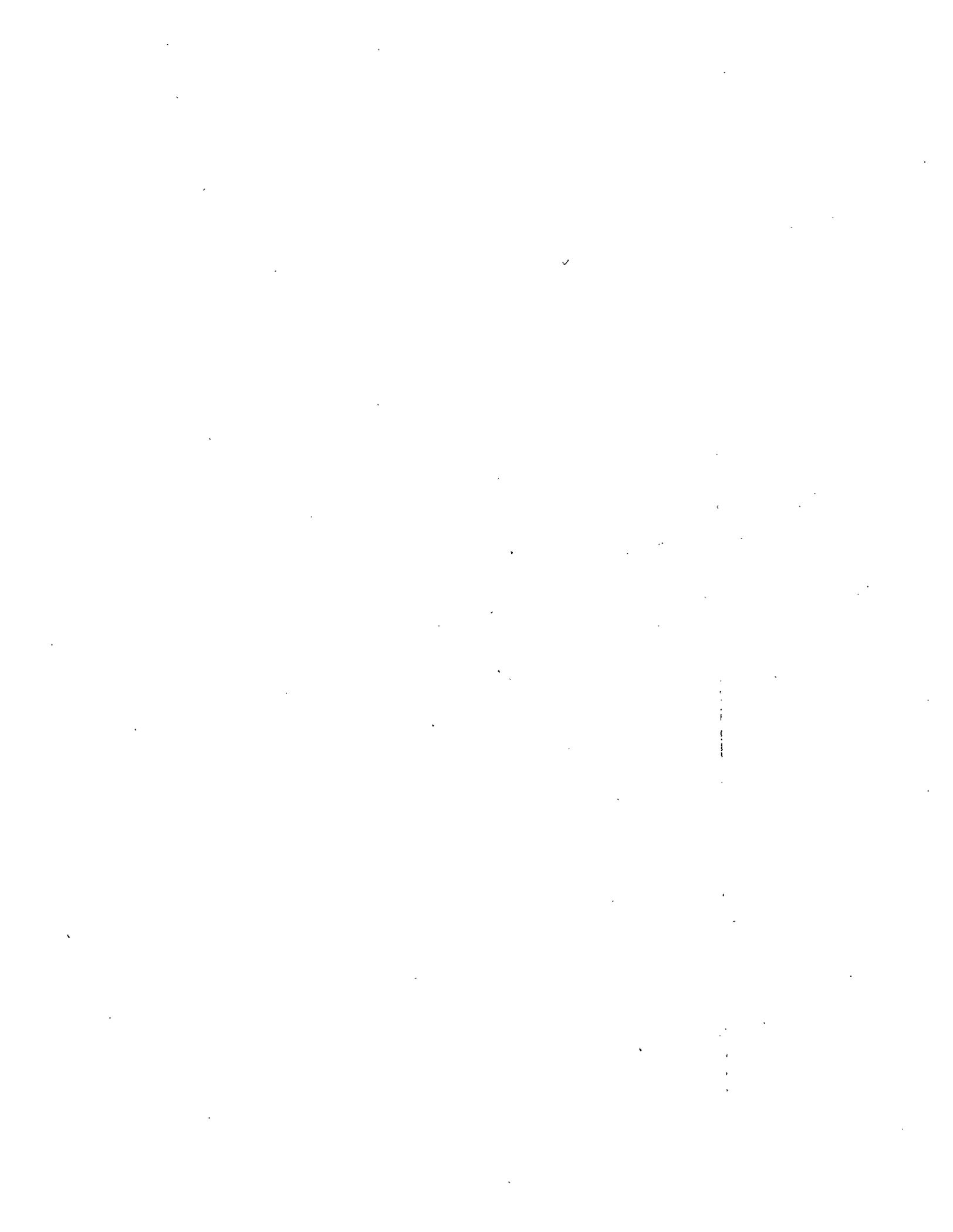
LOCATION MAP

NOT TO SCALE

LIMIT OF WORK 

4
PUBLIC WORKS CMTE.

JUL - 9 2013



Attachment C



INTER OFFICE MEMORANDUM

TO: Allen Law
Supervising Civil Engineer

FROM: Deborah Barnes, *Deborah Barnes*
Manager, Contracts & Compliance

SUBJECT: Compliance Analysis
Rehabilitation of Sanitary Sewer and Storm Drain in the
Easement Between York Street and Erie Street and Sanitary
Sewers in the Easement by Wellington Street and in the Easement
By Brighton Avenue
Project No. C329131

DATE: May 13, 2013

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/SLBE and/or EBO Policies		Proposed Participation					Earned Credits and Discounts			EBO Compliant? Y/N
Company Name	Original Bid Amount	Total LBE/SLBE	LBE	SLBE	*VSLBE/LPG	L/SLBE Trucking	Total Credited participation	Earned Bid Discounts	Adjusted Bid Amount	
I. Howard Engineering, Inc.	\$338,175	90.83%	3.10%	87.73%	0.00%	100.00%	90.83%	5%	\$321,266.25	N
Mosto Construction	\$347,800	100.00%	0.00%	100.00%	0.00%	100.00%	100.00%	5%	\$330,410.00	Y
Pacific Trenchless	\$372,748	96.24%	0.00%	96.24%	0.00%	100.00%	96.24%	5%	\$354,110.60	Y
Andes Construction	\$407,035	96.81%	.49%	96.31%	0.00%	100.00%	96.81%	5%	\$386,683.25	Y

Comments: All firms exceeded the minimum 50% L/SLBE participation requirement. J. Howard Engineering, Inc. is not EBO compliant. They will have to come into compliance prior to contract execution.

Non-Responsive to L/SLBE and/or EBO Policies		Proposed Participation					Earned Credits and Discounts			EBO Compliant? Y/N
Company Name	Original Bid Amount	Total LBE/SLBE	LBE	SLBE	*VSLBE/LPG	L/SLBE Trucking	Total Credited participation	Earned Bid Discounts	Adjusted Bid Amount	
NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA

Comments: There were no non-responsive firms.



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: J. Howard Engineering
 Project Name: NA
 Project No: NA
 Date: NA

50% Local Employment Program (LEP)

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

15% Oakland Apprenticeship Program

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

Total Project Hours	50% Local Employment Program (LEP)							15% Apprenticeship Program				
	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
		Goal	Hours	Goal	Hours					Goal	Hours	
A	B	C	D	E	F	G	H	I	J			
804	0	50%	402	100%	402	0	0	100%	121	15%	121	0

Comments: J. Howard Engineering has not had a project with the City of Oakland. Therefore, there is no LEP or 15% Apprenticeship information for this firm.

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

LBE/SLBE PARTICIPATION BIDDER 1

Project Name: Rehabilitation of Sanitary Sewers and Storm Drain in the Easement Between York Street and Erie Street and Sanitary Sewers in the Easement by Wellington Street and in the Easement by Brighton Avenue													
Project No.: C329131		Engineers Est: 348,290					Under/Over Engineers Estimate: 10,115						
Discipline	Prime & Subs	Location	CerL Status	LBE	SLBE	*VSLBE/LPG double counted value	Total	L/SLBE	Total	TOTAL	For Tracking Only		
							LBE/SLBE	Trucking	Trucking	Dollars	Ethn.	MBE	WBE
PFOME	J. Howard Engineering, Inc	Oakland	CB		280,075		288,675			288,675	C		
Trucking	Williams Trucking	Oakland	CB		10,000		10,000	10,000	10,000	10,000	AA	10,000	
Saw Cutting	Bay Line	Berkeley	UB							3,500	H	3,500	
Materials	Oldcastle Precast	Pleasanton	UB							4,500	C		
Pipe & Fittings	P5F Distributors	Brisbane	UB							18,000	C		
Couplings & Fittings	Mission Clay Products	Oakland	CB	7,000			7,000			7,000	C		
Concrete	Right Away Ready Mix	Oakland	CB	3,500			3,500			3,500	C		
Recycle Materials	Inner City Demolition	Oakland	UB							2,000	C		
MH Coating	Contech SF CA	Stockton	UB							3,000			
Project Totals				\$10,500.00	\$296,675	\$0.00	\$307,175	\$10,000	\$10,000	\$338,175		13,500	\$0
				3.10%	87.73%	0%	90.83%	100%	100%	100%		3.99%	0%
Requirements: The 50% requirements is a combination of 25% LBE and 25% SLBE participation. An SLBE firm can be counted 100% towards achieving 50% requirements. A LPGVSLBE's participation is double counted toward meeting the requirements.											Ethnicity AA = African American AI = Asian Indian AP = Asian Pacific C = Caucasian H = Hispanic NA = Native American O = Other NL = Not Listed UO = Multiple Ownership		
LBE = Local Business SLBE = Small Local Total LBE/SLBE = All NPLBE = NonProfit Local NPSLBE = NonProfit Small				US = Uncertified Business CO = Certified Business MBE = Minority Business Enterprise WBE = Women Business Enterprise									

City Administrator's Office



Contracts and Compliance Unit

PROJECT EVALUATION FORM

PROJECT NO.: C329131

PROJECT NAME: Rehabilitation of Sanitary Sewers and Storm Drain in the Easement Between York Street and Erie Street and Sanitary Sewers in the Easement by Wellington Street and in the Easement by Brighton Avenue

CONTRACTOR: J. Howard Engineering, Inc.

Engineer's Estimate:
\$348,290

Contractors' Bid Amount
\$338,175.00

Over/Under Engineer's Estimate
\$10,116.00

Discounted Bid Amount:
\$321,266.25

Amount of Bid Discount
\$16,908.76

Discount Points:
5%

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

- 2. Did the contractor meet the 50% requirement? YES
 - a) % of LBE participation 3.10%
 - b) % of SLBE participation 87.73%
 - 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) 6%

- 5. Additional Comments.

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

5/13/2013
Date

Reviewing Officer:

Vincent J. [Signature]

Date: 5/13/2013

Approved By:

Shelley Darenburg

Date: 5/13/2013

City Administrator's Office



Contracts and Compliance Unit

PROJECT EVALUATION FORM

PROJECT NO.: C329131

PROJECT NAME: Rehabilitation of Sanitary Sewers and Storm Drain in the Easement Between York Street and Erie Street and Sanitary Sewers in the Easement by Wellington Street and in the Easement by Brighton Avenue

CONTRACTOR: Mosto Construction

Engineer's Estimate:
\$348,290

Contractors' Bid Amount
\$347,800.00

Over/Under Engineer's Estimate
\$490.00

Discounted Bid Amount:
\$330,410.00

Amount of Bid Discount
\$17,390.00

Discount Points:
5%

- 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 100.00%
 - c) % of VSLBE participation 0.00%
- 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.

5/13/2013

Date

Reviewing Officer:

Vincent J. [Signature]

Date: 5/13/2013

Approved By

Shelley Orensberg [Signature]

Date: 5/13/2013

LBE/SLBE PARTICIPATION

BIDDER 2

Project Name: Rehabilitation of Sanitary Sewers and Storm Drain in the Easement Between York Street and Erie Street and Sanitary Sewers in the Easement by Wellington Street and in the Easement by Brighton Avenue													
Project No.: C329131			Engineers Est: 348,290				Under/Over Engineers Estimate: 490						
Discipline	Prime & Subs	Location	Cert. Status	LBE	SLBE	VSLBE/LPG <small>*double counted value</small>	Total	L/SLBE	Total	TOTAL	For Tracking Only		
							LBE/SLBE	Trucking	Trucking	Dollars	Ethn.	MBE	WBE
PRIME	Mosto Construction	Oakland	CB		343,600		343,600			343,600	H	343,600	
Trucking	Monroe Trucking	Oakland	CB		4,200		4,200	4,200	4,200	4,200	AA	4,200	
Project Totals				\$0.00	\$347,800	\$0	\$347,800	\$4,200	\$4,200	\$347,800		\$347,800	\$0.00
				0.00%	100.00%	0.00%	100.00%	100%	100%	100%		100.00%	0.00%
Requirements: The 50% requirements be a combination of 25% LBE and 25% SLBE participation. An SLBE firm can be counted 100% towards achieving 50% requirements. A LPG/VSLBE's participation is double counted toward meeting the requirements.											Ethnicity AA = African American AI = Asian Indian AP = Asian Pacific C = Caucasian H = Hispanic NA = Native American O = Other NL = Not Listed MO = Multiple Ownership		
LBE = Local Business Enterprise SLBE = Small Local Business Enterprise Total LBE/SLBE = All Certified Local and Small Local Businesses NPLBE = NonProfit Local Business Enterprise NPSLBE = NonProfit Small Local Business Enterprise				UB = Uncertified Business CB = Certified Business MBE = Minority Business Enterprise WBE = Women Business Enterprise									

City Administrator's Office



Contracts and Compliance Unit

PROJECT EVALUATION FORM

PROJECT NO.: C329131

PROJECT NAME: Rehabilitation of Sanitary Sewers and Storm Drain in the Easement Between York Street and Erie Street and Sanitary Sewers in the Easement by Wellington Street and in the Easement by Brighton Avenue

CONTRACTOR: Pacific Trenchless

<u>Engineer's Estimate:</u> \$348,290	<u>Contractors' Bid Amount</u> \$372,748.00	<u>Ovr/Under Engineer's Estimate</u> -\$24,458.00
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<u>Discounted Bid Amount:</u> \$354,110.60	<u>Amount of Bid Discount</u> \$18,637.40	<u>Discount Points:</u> 5%
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- 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 96.24%
 - c) % of VSLBE participation 0.00%
- 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.

5/13/2013

Date

Reviewing Officer:

Victor Jarama

Date: 5/13/2013

Approved By

Shee Deeey Oarensburg

Date: 5/13/2013

LBE/SLBE PARTICIPATION

BIDDER 3

Project Name: Rehabilitation of Sanitary Sewers and Storm Drain in the Easement Between York Street and Erie Street and Sanitary Sewers in the Easement by Wellington Street and in the Easement by Brighton Avenue													
Project No.: C329131			Engineers Est: 348,290				Under/Over Engineers Estimate: -24,458						
Discipline	Prime & Subs	Location	CerL Status	LBE	SLBE	VSLBE/LPG <small>*double counted value</small>	Total	L/SLBE	Total	TOTAL	For Tracking Only		
							LBE/SLBE	Trucking	Trucking	Dollars	Ethn.	MBE	WBE
PRIME	Pacific Trenchless	Oakland	CB		357,948		357,948			357,948	C		
Trucking	Williams Trucking	Oakland	CB		800		800	800	800	800	AA	800	
HDPE Pipe	P&F Distributors	Brisbane	UB							12,000	C		
Manhoie Mats	Oldcastle Precast	Livermore	UB							2,000	C		
Project Totals				\$0.00	\$358,748	\$0	\$358,748	\$800	\$800	\$372,748		\$800	\$0.00
				0.00%	96.24%	0.00%	96.24%	100%	100%	100%		0.21%	0.00%
Requirements: The 50% requirements is a combination of 25% LBE and 25% SLBE participation. An SLBE firm can be counted 100% towards achieving 50% requirements. A PG/VSLBE's participation is double counted toward meeting the requirements.											Ethnicity AA = African American AI = Asian Indian AP = Asian Pacific C = Caucasian H = Hispanic NA = Native American O = Other NL = Not Listed MO = Multiple Ownership		
LBE = Local Business Enterprise SLBE = Small Local Business Enterprise Total LBE/SLBE = All Certified Local and Small Local Businesses NPLBE = NonProfit Local Business Enterprise NPSLBE = NonProfit Small Local Business Enterprise				UB = Uncertified Business CB = Certified Business MBE = Minority Business Enterprise WBE = Women Business Enterprise									

City Administrator's Office



Contracts and Compliance Unit

PROJECT EVALUATION FORM

PROJECT NO.: C329131

PROJECT NAME: Rehabilitation of Sanitary Sewers and Storm Drain in the Easement Between York Street and Erie Street and Sanitary Sewers in the Easement by Wellington Street and in the Easement by Brighton Avenue

CONTRACTOR: Andes Construction

<u>Engineer's Estimate:</u> \$348,290	<u>Contractors' Bid Amount</u> \$407,035.00	<u>Over/Under Engineer's Estimate</u> -\$58,745.00
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<u>Discounted Bid Amount:</u> \$386,683.25	<u>Amount of Bid Discount</u> \$20,351.75	<u>Discount Points:</u> 5%
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1. Did the 50% local/small local requirements apply? YES
2. Did the contractor meet the 50% requirement? YES
 - a) % of LBE participation 0.49%
 - b) % of SLBE participation 96.31%
 - c) % of VSLBE participation 0.00%
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.

5/13/2013

Date

Reviewing
Officer:

Vivian Jumar

Date: 5/13/2013

Approved By

Shelley Sorenson

Date: 5/13/2013

LBE/SLBE PARTICIPATION

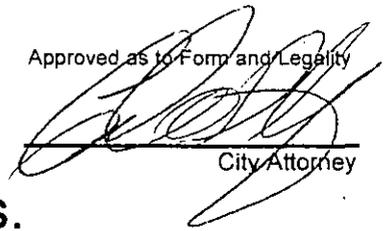
BIDDER 4

Project Name:		Rehabilitation of Sanitary Sewers and Storm Drain in the Easement Between York Street and Erie Street and Sanitary Sewers in the Easement by Wellington Street and in the Easement by Brighton Avenue											
Project No.: C329131		Engineers Est: 348,290				Under/Over Engineers Estimate: -58,745							
Discipline	Prime & Subs	Location	Cert. Status	LBE	SLBE	VSLBE/LPG <small>*double counted value</small>	Total	L/SLBE	Total	TOTAL	For Tracking Only		
							LBE/SLBE	Trucking	Trucking	Dollars	Ethn.	MBE	WBE
PRIME	Andes Construction	Oakland	CB		387,035		387,035			387,035	H	387,035	
Trucking	Foston Trucking	Oakland	CB		5,000		5,000	5,000	5,000	5,000	AA	5,000	
Saw Cutting	Bay Line	Oakland	UB							2,000	C	2,000	
AB	Aman	Los Angeles	UB							2,000	C		
MH Precast	Old Castle Precast	Livermore	UB							5,000	C		
Drain Rock	Durta	San Rafael	UB							2,000	C		
Pipe	P&F Distributors	Brisbane	UB							2,000	C		
Concrete	Right Away	Oakland	CB	2,000			2,000			2,000	C		
Project Totals				\$2,000.00	\$392,035	\$0	\$394,035	\$5,000	\$5,000	\$407,035		\$394,035	\$0.00
				0.49%	96.31%	0.00%	96.81%	100%	100%	100%		96.81%	0.00%

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

<p>LBE = Local Business Enterprise SLBE = Small Local Business Enterprise Total LBE/SLBE = All Certified Local and Small Local Businesses NPLBE = NonProfit Local Business Enterprise NPSLBE = NonProfit Small Local Business Enterprise</p>	<p>UB = Uncertified Business CB = Certified Business MBE = Minority Business Enterprise WBE = Women Business Enterprise</p>
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Ethnicity
AA = African American
AI = Asian Indian
AP = Asian Pacific
C = Caucasian
H = Hispanic
NA = Native American
O = Other
NL = Not Listed
MO = Multiple Ownership



City Attorney

FILED OAKLAND OFFICE OF THE CITY CLERK
AKLAND CITY COUNCIL

RESOLUTION No. _____ C.M.S.

2013 JUN 27 PM 3:02

Introduced by Councilmember _____

RESOLUTION AWARDING A CONSTRUCTION CONTRACT TO J. HOWARD ENGINEERING, INC., THE LOWEST RESPONSIVE AND RESPONSIBLE BIDDER, FOR THE REHABILITATION OF SANITARY SEWERS AND STORM DRAIN IN THE EASEMENT BETWEEN YORK STREET AND ERIE STREET AND SANITARY SEWERS IN THE EASEMENT BY WELLINGTON STREET AND IN THE EASEMENT BY BRIGHTON AVENUE (PROJECT NO. C329131), IN ACCORD WITH PLANS AND SPECIFICATIONS FOR THE PROJECT AND CONTRACTOR'S BID IN THE AMOUNT OF THREE HUNDRED THIRTY-EIGHT THOUSAND ONE HUNDRED SEVENTY-FIVE DOLLARS (\$338,175.00)

WHEREAS, on May 9, 2013, four bids were received by the Office of the City Clerk of the City of Oakland for The Rehabilitation of Sanitary Sewers and Storm Drain in the Easement Between York Street and Erie Street and Sanitary Sewers in the Easement by Wellington Street and in the Easement by Brighton Avenue (Project No. C329131); and

WHEREAS, J. Howard Engineering, 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. C329131; \$338,175.00; 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

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PUBLIC WORKS CMTE.

WHEREAS, J. Howard Engineering, Inc. complies with all LBE/SLBE and trucking requirements; and

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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 and Storm Drain in the Easement Between York Street and Erie Street and Sanitary Sewers in the Easement by Wellington Street and in the Easement by Brighton Avenue (Project No. C329131) is hereby awarded to J. Howard Engineering, Inc. in accordance with the project plans and specifications and the contractor's bid therefore, dated May 9, 2013, for the amount of Three Hundred Thirty-Eight Thousand One Hundred Seventy-Five Dollars; and be it

FURTHER RESOLVED: That the faithful performance bond and a bond to guarantee payment of all claims for labor and materials furnished and for the amount of 100% of the contract price and due under the Unemployment Insurance Act submitted 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 J. Howard Engineering, Inc. on behalf of the City of Oakland and to execute any amendments or modifications to said agreement within the limitations of the project specifications; and be it

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

FURTHER RESOLVED: That the contract shall be reviewed and approved by the City Attorney 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, GALLO, GIBSON MCELHANEY, KALB, KAPLAN, REID, SCHAAF, and
PRESIDENT KERNIGHAN

NOES -

ABSENT -

ABSTENTION -

ATTEST: _____

LaTonda Simmons
City Clerk and Clerk of the Council
of the City of Oakland, California

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