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OFFICE OF THE CITY CLERK  
OAKLAND

2014 DEC 30 AM 10:14

## AGENDA REPORT

**TO:** HENRY L. GARDNER  
INTERIM CITY ADMINISTRATOR

**FROM:** Brooke A. Levin

**SUBJECT:** Replacement of Embarcadero Bridge

**DATE:** December 22, 2014

City Administrator  
Approval

Date:

12/26/14

**COUNCIL DISTRICT:** 2 and 3

### RECOMMENDATION

Staff recommends that City Council adopt the following resolutions:

- 1) Resolution Authorizing The City Administrator, Or Designee, To Accept And Appropriate Up To Nineteen Million Eight Hundred Eighty-Three Thousand Four Hundred Sixty-Seven Dollars (\$19,883,467.00) In Federal Highway Administration And State Proposition 1B Funds For The Replacement Of Embarcadero Bridge Over Lake Merritt Channel (Project No. G121810)
- 2) Resolution Awarding A Construction Contract To Flatiron West, Inc., The Lowest Responsive, Responsible Bidder, In Accordance With Plans And Specifications For The Replacement Of Embarcadero Bridge Over Lake Merritt Channel (Project No. G121810) And With Contractor's Bid In The Amount Of Sixteen Million Three Hundred Ninety-Nine Thousand Five Hundred Twenty-Seven Dollars And Ten Cents (\$16,399,527.10)
- 3) Resolution Authorizing The City Administrator, Or Designee, To Waive The RFP/RFQ Competitive Selection Process Requirements And Authorizing An Amendment To The Professional Services Contract With T.Y. Lin International/AECOM Joint Venture For The Replacement Of Embarcadero Bridge Over Lake Merritt Channel (Project No. G121810) Increasing The Scope Of Work And The Contract Amount By Five Hundred Thousand Dollars (\$500,000.00) For A Total Contract Amount Not To Exceed Two Million Four Hundred Eighty Thousand Two Hundred Forty-Four Dollars (\$2,480,244.00)
- 4) Resolution Awarding A Professional Services Contract To Biggs Cardosa Associates, Inc. To Provide Special Inspection And Material Testing Services For The Replacement Of Embarcadero Bridge Over Lake Merritt Channel (Project No. G121810) In An Amount Not To Exceed Five Hundred Thousand Dollars (\$500,000.00)

Item: \_\_\_\_\_  
Public Works Committee  
January 13, 2015

## EXECUTIVE SUMMARY

The Embarcadero Bridge over Lake Merritt Channel, located between Oak Street and 5<sup>th</sup> Avenue, was selected by the California Department of Transportation (Caltrans) as part of the seismic safety retrofit program. The City negotiated with Caltrans and was successful in obtaining grant funding to replace the bridge in lieu of retrofit. The grant funds will pay 97% of the cost and the City will pay the remaining 3% as a local match. Also, additional \$500,000.00 in local funds is needed to cover non-reimbursable costs such as overhead. The project will replace the Embarcadero Bridge with a wider and high clearance bridge. The work is located in Council Districts 2 and 3 as shown in *Attachment A*.

The estimated cost to complete the project is \$20,499,409 funded by federal, state Prop 1B, and local matching funds. The grant will pay \$19,883,467.00 (97%) of the cost and the City will pay the remaining \$615,942.00 (3%) as a required local match. Funding for the local match will be available in Fiscal Year (FY) 2015-2016 using Measure B funds.

The proposed four (4) resolutions will facilitate the replacement of Embarcadero Bridge by accepting and appropriating grant funds, executing a construction contract, amending the designer's contract to provide construction support, and executing a special inspection and material testing contract for the project.

## OUTCOME

Adoption of these four (4) resolutions will allow staff to 1) accept the grant funds and appropriate the funds into the project accounts, 2) authorize the City Administrator to execute a construction contract with the lowest responsive, responsible bidder, and proceed with construction, 3) amend the designer's professional services contract to allow the Engineer of Record on this project to provide design and construction support during construction, and 4) execute a special inspection and material testing services contract for services during construction of the project. The proposed resolutions will facilitate the implementation of the bridge replacement project which aims to provide a safer structure to resist future earthquakes.

The new bridge will be widened to accommodate two travel lanes, two bike lanes/shoulders, one sidewalk on the north side, and a multi-use path on the south side to connect to the Oakland Waterfront Trail. In addition, the new bridge will be raised approximately six feet to improve small boat navigation from the Estuary to Lake Merritt through the channel. The new bridge will also improve water flow and water quality at Lake Merritt by reducing obstructions in the channel, thereby complementing other bridge replacement projects along the channel.

Local matching funds in the amount of \$615,942.00 are required to receive the grant funds. Also, additional \$500,000.00 in local funds is needed to cover non-reimbursable costs such as overhead. Funding for the local match and overhead costs will be available in FY 15-16 using Measure B funds.

## **BACKGROUND/LEGISLATIVE HISTORY**

The Embarcadero Bridge over Lake Merritt Channel, located between Oak Street and 5<sup>th</sup> Avenue, was selected by the California Department of Transportation (Caltrans) as part of the seismic safety retrofit program. The City negotiated with Caltrans and was successful in obtaining grant funding to replace the bridge in lieu of retrofit. The grant funds will pay 97% of the cost and the City will pay the remaining 3% as a local match.

In June 2013 staff completed the construction documents for the project and requested authorization to proceed with construction from the Caltrans. On April 2, 2014, Caltrans approved the construction phase of the project.

This project was previously bid on May 22, 2014; however, all bids were substantially higher than the engineer's estimate. In consultation with the City Attorney's Office, staff determined that it was in the City's best interest to reject all bids and rebid the project. On November 6, 2014, the City Clerk received five (5) bids for the Replacement of Embarcadero Bridge over Lake Merritt Channel project (G121810) in the amounts of \$16,399,527.10, \$16,482,853.56, \$17,027,547.00, \$17,744,268.30, and \$18,039,568.80 as shown in ***Attachment B***.

## **ANALYSIS**

This project is adjacent to the Brooklyn Basin Development and timely award of the construction contract will help facilitate full coordination of these two projects. Also, approval of the Amendment for construction support services and the award of special inspection and material testing contract will allow the consultants to provide necessary services during construction to complete the project. Construction is scheduled to begin in April 2015 and be completed by December 2016. The project schedule is shown in ***Attachment B***.

### *Acceptance and Appropriation of Grant Funding:*

The City successfully sought and obtained federal and state funds in the amount of \$19,393,519.00 for the construction phase of this project. Staff is working with the funding agency to obtain additional grant funding in the amount of \$489,948.00 for a total grant amount of \$19,883,467.00 and expecting timely approval of the request. These grant funds will be deposited and appropriated in the Department of Transportation Fund 2116. The grant funds must be expended within five (5) years of obligation.

### *Award of Construction Contract:*

Flatiron West, Inc. has been deemed the lowest responsive and responsible bidder and therefore is recommended for the award of the construction contract. Staff has reviewed the submitted bid for this work and has determined that the bid is reasonable and reflects the current construction climate. Flatiron West, Inc. has met the project's 50% self-performance requirement.

Because this project is funded by federal funds, the federal Race Conscious Disadvantaged Business Enterprise (RC DBE) Program must be used in lieu of the City's Local/Small Local Business Enterprise (LBE/SLBE) Program in determining qualified bidders. Under the proposed contract with Flatiron West, Inc., the DBE participation will be \$1,485,897.00 (9.06%), which exceeds the 7.70% RC DBE participation goal. The DBE information has been verified by the Social Equity Division of the Department of Contracting and Purchasing, and is shown in *Attachment C*.

The construction work is scheduled to be completed by December 2016. The construction contract specifies \$7,000.00 in liquidated damages per calendar day if the contract is not completed within 425 working days.

*Amendment for Construction Support Services:*

Construction support services by T.Y. Lin/AECOM are needed to complete the project. The proposed increase in the amount of the contract with T.Y. Lin/AECOM Joint Venture will allow the design consultant to provide support services during construction.

It is in the City's best interest, from a liability and practical perspective, to waive the Request For Proposal/Request For Qualifications (RFP/RFQ) competitive selection requirements of Section 2.04.051.A of the Oakland Municipal Code. Pursuant to OMC Section 2.04.051.B, staff proposes to waive the RFP/RFQ requirements and have T.Y. Lin International/AECOM Joint Venture resume and complete the services under this contract. T.Y. Lin International/AECOM Joint Venture (previously known as CCS Planning and Engineering/J. Muller International Joint Venture) was selected through a federally compliant Request for Proposal (RFP) process to provide full design services for the project. In addition, T.Y. Lin/AECOM is the Engineer of Record and has extensive project knowledge. If the City were to undertake a new competitive RFP process it would significantly delay the project and risk loss of federal and state grant funding. Also, it is not advisable to have multiple design consultant indemnification and liability obligations on a single project.

The initial contract was for a total not-to-exceed amount of \$1,100,000.00 by City Council Resolution No. 76282 C.M.S. The project was delayed due to the lengthy approval process needed to secure the following permits and studies:

- National Environmental Policy Act (NEPA)
- San Francisco Bay Conservation and Development Commission (BCDC) permit
- Port of Oakland right of entry agreement
- Regional Water Quality Control Board Certification
- Army Corps of Engineer (ACOE) permit

Additional design services were required by each of the above agencies in order to secure the required permits and agreements. Due to this delay and to additional design services, the contract was amended to extend the duration and increase the cost up to \$1,980,244.00 to cover additional environmental services, scope changes, project management, and cost escalation in labor rates. Caltrans, which is administering the grant funding for this project, concurred with the contract

changes and approved additional grant funds to cover the additional cost. City Council approved the increase by Resolution No. 81888 C.M.S. on March 31, 2009.

The proposed Amendment is needed to provide support during the construction of this project. It will extend the duration of the contract and increase the contract amount by \$500,000.00 for a total contract amount not to exceed \$2,480,244.00. T.Y. Lin is an Oakland certified Local Business Enterprise (LBE) firm. However, since this project receives federal funding, the federal Disadvantaged Business Enterprise (DBE) program has been required in lieu of the City L/SLBE program. T.Y. Lin International/AECOM, Joint Venture will achieve 12.5% DBE, 71.2% LBE, and 12.5% SLBE participation. The Project Consulting Team for this Amendment has been reviewed and approved by the City and is shown as **Attachment D**. The DBE information has also been verified by the Social Equity Division of the Department of Contracting and Purchasing, and is also shown in **Attachment D**.

*Award of Special Inspection and Material Testing Contract:*

Special inspection and material testing services for this project are needed during construction. In July 2014, the City issued a Request for Proposals (RFP) for special inspection and material testing laboratory services to support the Replacement of Embarcadero Bridge project. Seven (7) firms responded to the RFP and submitted proposals. Staff reviewed and ranked the proposals based on quality and qualification. Only five (5) firms met the qualifications and requirements outlined in the RFP and were determined to be eligible to participate in the interview process. A panel comprised of staff from various divisions in the OPW conducted interviews and evaluated the firms based on the criteria outlined in the RFP.

Biggs Cardosa Associates, Inc. was selected through a competitive process as the top rated firm to provide the required services. This firm has the technical expertise to perform the work required, and clearly demonstrated their understanding of the technical complexities and regulatory issues involved in this project.

Federal funding for this project requires that federal Race Conscious Disadvantaged Business Enterprise (RC DBE) Program be used in lieu of the City's Local/Small Local Business Enterprise (LBE/SLBE) Program in determining qualified consultants. Under the proposed contract with Biggs Cardosa Associates, the DBE participation will be \$60,000.00 (12.00%), which meets the 12% RC DBE participation goal. The DBE information has been verified by the Social Equity Division of the Department of Contracting and Purchasing, and is shown in **Attachment E**.

**PUBLIC OUTREACH/INTEREST**

This project has had extensive public review, including public review by the Bay Conservation and Development Commission (BCDC) and the following business and homeowner associations have been notified:

- Eastlake Merchants Association
- Jack London Improvement District

- Jack London District Association
- Allegro Condo Association
- Portobello Homeowner's Association

The bridge replacement will require full closure of Embarcadero between the entrance of Jack London Aquatic Center and 5<sup>th</sup> Avenue. Traffic will be detoured to adjacent streets and local roadways and will be coordinated with adjacent projects. Oakland Police and Fire Departments have reviewed the traffic detour plan and they concur with it. The resident engineer on the project will send notification letters in advance of construction with information about construction activities, schedule, and the key contact person.

### **COORDINATION**

The project has been coordinated with the following agencies:

- Brooklyn Basin Development
- Jack London Aquatic Center
- Oakland Police Department (OPD)
- Oakland Fire Department (OFD)
- Port of Oakland and Zarsion-Oakland Harbor Partners for approval of operating and maintenance easement
- Transportation Services Division of the OPW for approval of traffic detouring
- United States Army Corps of Engineers (ACOE)
- San Francisco Bay Conservation and Development Commission (BCDC)
- California Department of Fish and Game (CDFG)
- California Regional Water Quality Control Board (RWQCB)
- City of Oakland Planning and Zoning Division for approval of Creek Protection Permit

The Office of the City Attorney and the Budget Office reviewed this report and resolutions.

### **COST SUMMARY/IMPLICATIONS**

Approval of these four (4) resolutions will authorize the City Administrator to 1) accept and appropriate up to \$19,883,467.00 of Federal Highway Administration and State Proposition 1B funds; 2) execute a construction contract with Flatiron West, Inc. in the amount of \$16,399,527.10; 3) amend the professional services contract with T.Y. Lin International/AECOM, Joint Venture increasing the contract amount by \$500,000.00 for a total contract amount of \$2,480,244.00; and 4) negotiate and enter into a professional services contract with Biggs Cardosa Associates, Inc. to provide special inspection and material testing services in an amount not to exceed \$500,000.00 for the Replacement of Embarcadero Bridge over Lake Merritt Channel (Project No. G121810). Local matching funds in the amount of \$615,942.00 are required to receive the grant funds. Also, additional \$500,000.00 in local funds is needed to cover non-reimbursable costs such as overhead. Funding for the local match and overhead costs will be available in FY 15-16 using Measure B funds.

1. AMOUNT OF RECOMMENDATION/COST OF PROJECT:

Cost Element	Grant Funds	Local Funds (Measure B)	Total
Construction Contractor's bid price	\$15,905,852.00	\$493,675.10	\$16,399,527.10
Construction Contract Contingencies	\$1,591,046.00	\$48,906.90	\$1,639,952.90
Amendment of Consultant Contract for design support during construction (T.Y. Lin/AECOM)	\$485,089.00	\$14,911.00	\$500,000.00
Consultant contract for special inspection and material testing during construction (Biggs Cardosa)	\$485,089.00	\$14,911.00	\$500,000.00
Construction management, inspection, material testing, and project management	\$1,416,391.00	\$43,538.00	\$1,459,929.00
<b>Total Construction Cost</b>	<b>\$19,883,467.00</b>	<b>\$615,942.00</b>	<b>\$20,499,409.00</b>

2. COST ELEMENTS OF AGREEMENT/CONTRACT:

- a) Construction Contract with Flatiron West, Inc.: \$16,399,527.10
- b) Professional Services Contract with T.Y. Lin/AECOM, Joint Venture:  
 \$500,000.00 Amendment for a total not-to-exceed amount of \$2,480,244.00
- c) Professional Services Contract with Biggs Cardosa: \$500,000.00

3. SOURCE OF FUNDING:

The grant funds totaling \$19,883,467.00 will be deposited and appropriated in the Department of Transportation Fund 2116 and local matching funds totaling \$615,942.00 will be available in FY15-16 in the following accounts:

Funding Source	Grant (Fund 2116)	Local Match (Fund 2211)
Department of Transportation Fund (2116); Engineering Design: Streets & Structures Organization (92242); Street Construction Account (57411); Project G121810	\$15,905,852.00	
Measure B Fund (2211); Engineering Design: Streets & Structures Organization (92242); Street Construction Account (57411); Project G121840		\$493,675.10

Department of Transportation Fund (2116); Engineering Design: Streets & Structures Organization (92242); Contract Contingencies Account (54011); Project G121810	\$1,591,046.00	
Measure B Fund (2211); Engineering Design: Streets & Structures Organization (92242); Contract Contingencies Account (54011); Project G121840		\$48,906.90
Department of Transportation Fund (2116); Engineering Design: Streets & Structures Organization (92242); Architectural and Engineering Services Account (54411); Project G121810	\$970,178.00	
Measure B Fund (2211); Engineering Design: Streets & Structures Organization (92242); Architectural and Engineering Services Account (54411); Project G121840		\$29,822.00
Department of Transportation Fund (2116); Construction & Field Services Organization (30232); Work Order Expenditures Account (56611); Project G121810	\$776,142.00	
Measure B Fund (2211); Construction & Field Services Organization (30232); Work Order Expenditures Account (56611); Project G121840		\$23,858.00
Department of Transportation Fund (2116); Streets & Structures Organization (30242); Work Order Expenditures Account (56611); Project G121810	\$640,249.00	
Measure B Fund (2211); Streets & Structures Organization (30242); Work Order Expenditures Account (56611); Project G121840		\$19,680.00
<b>Total Funds</b>	<b>\$19,883,467.00</b>	<b>\$615,942.00</b>
	<b>\$20,499,409.00</b>	

#### 4. FISCAL IMPACT:

The estimated cost to complete the project is \$20,499,409 funded by federal, state Prop 1B, and local matching funds. The grant will pay \$19,883,467.00 (97%) of the cost and the City will pay the remaining \$615,942.00 (3%) as a required local match. Also, additional \$500,000.00 in local funds is needed to cover non-reimbursable costs such as overhead. Funding for the local match and overhead costs will be available in FY 15-16 using Measure B funds.

The City successfully sought and obtained federal and state funds in the amount of \$19,393,519.00 for the construction phase of this project. Staff is working with the funding agency to obtain additional grant funding for the project in the amount of \$489,948.00 for a total grant amount of \$19,883,467.00 and expecting timely approval of the request. The grant and local matching funds will be appropriated into the project accounts as shown above. The grant funds must be expended within five (5) years of obligation.

The project funds will cover the cost of construction, contingencies, inspection, material testing, construction management, design support during construction, and special inspection and material testing. The City is currently responsible for maintenance of this bridge. The maintenance responsibility will continue, but maintenance costs should be reduced after the replacement of the bridge.

### **PAST PERFORMANCE, EVALUATION AND FOLLOW-UP**

The Performance Evaluations (Schedule L-2) for Flatiron West, Inc., T.Y. Lin International/AECOM, and Biggs Cardosa are not available for past projects. The City currently has active contracts with these firms and they are all performing satisfactory on those projects. Staff has confirmed that Flatiron West, Inc. has a valid contractor's license and there are no complaints filed at the Contractors State License Board.

### **SUSTAINABLE OPPORTUNITIES**

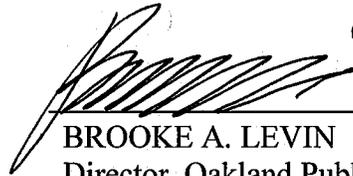
**Economic:** This project will provide a safe structure and allow traffic to continue to use the bridge following an earthquake, which is critical to rapid recovery. The replacement of the bridge will also reduce maintenance costs.

**Environmental:** The contractor will be required to make every effort to reuse clean fill materials and use recyclable concrete product. Best Management Practices for the protection of storm water runoff during construction will be required. The project will comply with specific environmental requirements to protect Lake Merritt Channel, the Estuary and adjacent habitat by restricting the duration of work occurring in the water.

**Social Equity:** The Replacement of Embarcadero Bridge Project will enhance pedestrian and vehicular safety in the neighborhood.

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

Respectfully submitted,



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BROOKE A. LEVIN  
Director, Oakland Public Works

Reviewed by:

Michael Neary, P.E., Assistant Director,  
OPW, Bureau of Engineering and Construction

Reviewed by:

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

Prepared by:

Jaime Heredia, P.E., Supervising Civil Engineer  
Engineering Design and R.O.W. Management Division

**Attachments:**

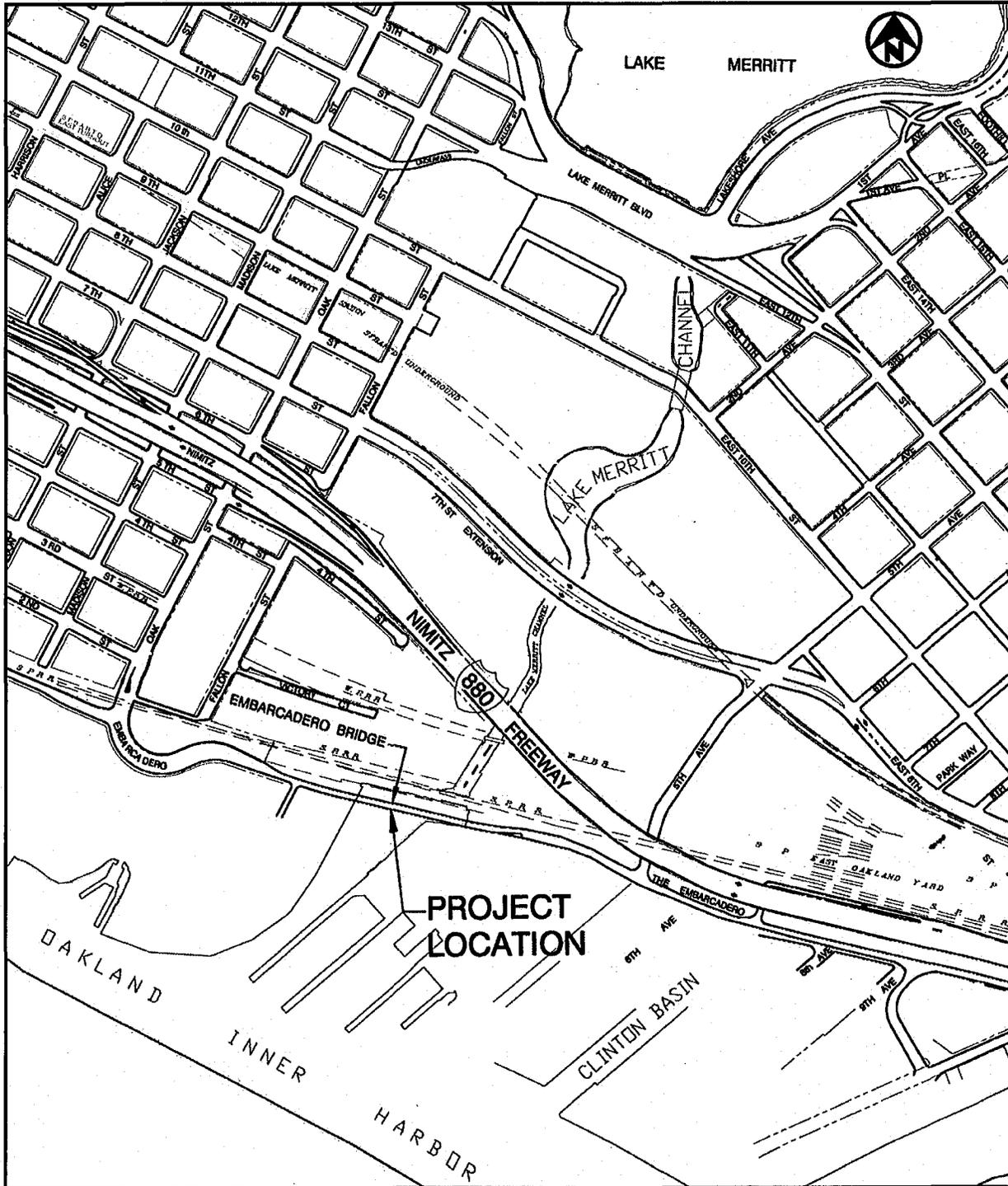
- Attachment A - Project Location Map
- Attachment B - List of Bidders and Project Construction Schedule
- Attachment C - Contracts & Compliance Unit - Compliance Evaluation (Flatiron West)
- Attachment D - Contracts & Compliance Unit - Compliance Evaluation (TYLin/AECOM)
- Attachment E - Contracts & Compliance Unit - Compliance Evaluation (Biggs Cardosa)

# Attachment A

The Replacement of Embarcadero Bridge over Lake Merritt Channel  
(Project No. G121810)

## Location Map

Not to Scale



## Attachment B

### The Replacement of Embarcadero Bridge over Lake Merritt Channel (Project No. G121810)

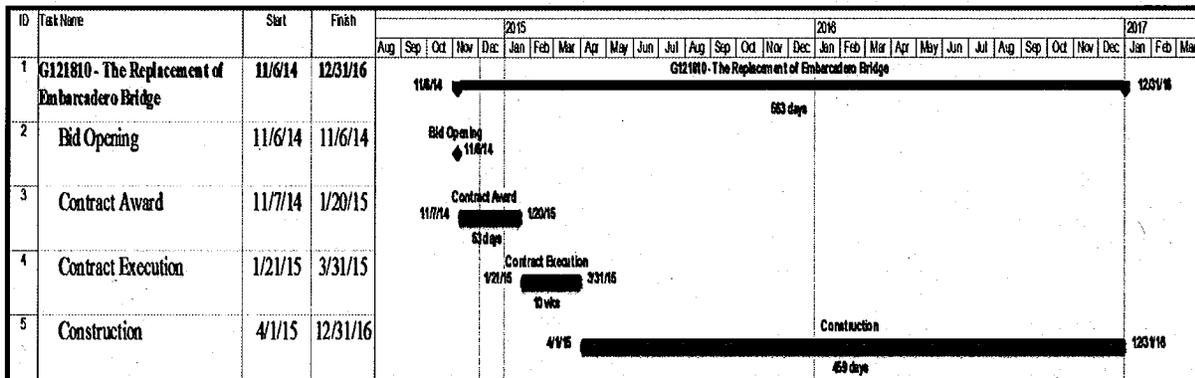
#### List of Bidders

Company	Location	Bid Amount
Flatiron West, Inc.	Benicia, CA	\$16,399,527.10
Brosamer & Wall, Inc.	Oakland, CA	\$16,482,853.56
MCM Construction, Inc.	North Highlands, CA	\$17,027,547.00
C.C. Myers, Inc.	Rancho Cordova, CA	\$17,744,268.30
Ghilotti Bros / R.M. Harris, JV	Martinez, CA	\$18,039,568.80

*Engineer's Estimate*

*\$18,007,638.00*

#### Project Schedule





# Attachment C

## INTER OFFICE MEMORANDUM

**TO:** Nader Rabahat

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

**SUBJECT:** Compliance Analysis

**DATE:** November 25, 2014

Replacement of Embarcadero Bridge Over Lake Merritt Channel

Project No. G121810

The City Administrator's Office, Contracts and Compliance Unit, reviewed five (5) bids in response to the above referenced project. Below is the outcome of the compliance evaluation for the Disadvantaged Business Enterprise (DBE) program and a preliminary review for compliance with the Equal Benefits Ordinance (EBO). There is a DBE goal of 7.7% for this project.

Compliant		Proposed Participation				EBO Compliant? Y/N
Company Name	Original Bid Amount	DBE Total	LBE	SLBE	Trucking	
Flatiron West, Inc.	\$16,399,527.00	9.06%	21.92%	2.28%	NA	Y
Brosamer & Wall Inc.	\$16,482,853.56	10.74%	20.64%	0.00%	NA	N

**Comments:** As noted above, all firms met or exceeded the DBE goal. Brosamer & Wall, Inc. are not EBO compliant. They will have to come into compliance prior to contract award.

Non-Compliant		Proposed Participation				EBO Compliant? Y/N
Company Name	Original Bid Amount	DBE Total	LBE	SLBE	Trucking	
MCM Construction, Inc.	\$17,027,547.00	5.39%	8.94%	0.00%	NA	N
CC Meyers	\$17,744,628.30	7.23%	19.81%	1.58%	NA	N
Ghilotti Bros/RM Harris JV	\$18,039,568.00	3.86%	5.54%	0.00%	NA	Y

**Comments:** As noted above, CC Meyers, Ghilotti Bros/RM Harris JV did not meet the DBE goal of 7.7% and did not submit Good Faith Effort (GFE) documentation. MCM Construction, Inc. also failed to meet the DBE goal. The firm submitted (GFE) however, it was deemed insufficient. MCM is deemed noncompliant. All of the above firms are therefore deemed non-compliant with the DBE goal.



**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: Flatiron West**

**Project Name: N/A**

**Project No: N/A**

**50% Local Employment Program (LEP)**

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

**15% Oakland Apprenticeship Program**

Was the 15% Apprenticeship Goal achieved?	N/A	If no, shortfall hours?	N/A
Were shortfalls satisfied?	N/A	If no, penalty amount?	N/A

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
N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A

**Comments:** This company has not had a previous contract with the City.

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

## Contracts and Compliance DBE Project Evaluation Report

Project No: G121810

Project Name: ReBid Replacment of Embarcadero Bridge over Lake Merritt Channel

Contractor: Flatiron West, Inc.

Engineer's Estimate:

\$18,007,638.00

Contractor's Bid Amount:

\$16,399,527.00

Under/Over Engineer's Estimate:

\$1,608,111.00

1. Did the DBE program apply? Yes

2. Did the contractor meet the DBE program? Yes

a) % of DBE participation 9.06%

b) % of LBE participation 21.92%

c) % of SLBE participation 2.28%

d) % of VSLBE/LPG participation 0.00%

3. Was Good Faith Effort (GFE) documentation submitted? No

4. Additional Comments

5. Date evaluation completed and returned to initiating department. 11/24/2014

Reviewing Officer: Vivian Inman

Reviewing Officer Date: 11/24/2014

Approved By: Shelley Darenburg

Approved By Date: 11/25/14

**DBE PARTICIPATION**

**Project Name: ReBid Replacment of Embarcadero Bridge over Lake Merritt Channel**

**Project No: G121810**

**Engineers Estimate: \$18,007,638.00**

**Under/Over Engineers Estimate: \$1,608,111.00**

No.	Discipline	Contractor	Location	Cert. Status	For Tracking Purposes Only		DBE	UB		Certified DBE/WBE	
					LBE	SLBE		DBE Non-Credit	Ethn	MBE	WBE
1	Prime Contractor	Flatiron West, Inc.	Benicia	UB				7,338,927.10	NL		
2	AC Paving	Roadway Construction	San Francisco	UB			98,926.00				
3	Restroom Building	The Turner Group Construction	Oakland	CB		374,678.00	374,678.00		AA	374,678.00	
4	CIDH	Condon Johnson	Oakland	UB	3,153,940.00			3,153,940.00	C		
5	Bridge Removal	WC Maloney	Stockton	UB				175,233.00	NL		
6	Electrical	Beci Electric	Oakland	CB	322,500.00		322,500.00		C		322,500.00
7	Minor Concrete	Landavazo Bros.	Hayward	CB			86,690.00		H	86,690.00	
8	Landscaping/Irrigation	RMT Landscape	Oakland	CB	118,054.00		118,054.00		H	118,054.00	
9	Metal Railing	Alhorn Structural Steel	Santa Rosa	UB				707,323.00	C		
10	Precast/Prestressed	Kie-Con	Antioch	UB				193,291.00	NL		
11	Prestressing/CIP Concrete	Schwager Davis, Inc.	San Jose	UB				299,280.00	NL		
12	Rebar	Alamillo	Benicia	UB				1,863,642.00	NL		
13	Supply Precast Pile	Kie-Con	Antioch	UB				545,108.00	NL		
14	Dimensional Lumber Supply	DLD Lumber	San Francisco	CB			25,284.00		NL		
15	Trucking	Dillard Environmental	Brentwood	CB			75,551.00		C		75,551.00
16	Trucking	Economy Trucking	Union City	CB			384,214.00		C		384,214.00
17	Trucking	Taylor Henry Hauling	Antelope	UB				114,000.00	NL		
18	Ready Mix Concrete	Central Concrete	San Jose	UB				512,886.00	NL		
<b>Project Totals:</b>											
					\$3,594,494.00	\$374,678.00	\$1,485,897.00	\$14,903,630.10		579,422.00	782,265.00
					21.92%	2.28%	9.06%	90.88%		3.53%	4.77%

**CB = Certified DBE Business**  
**UB = Uncertified Business**  
**DBE = Disadvantaged Business Enterprise**  
**MBE = Minority Business Enterprise**  
**WBE = Women Business Enterprise**  
**SLBE = Small Local Business Enterprise**  
**LBE = Local Business Enterprise**

**Total Bid Amount: \$16,399,527.00**  
**Total DBE Dollars: \$1,485,897.00**  
**Total Participation of DBEs: 9.06%**

**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**

## Contracts and Compliance DBE Project Evaluation Report

Project No: G121810

Project Name: ReBid Replacement of Embarcadero Bridge over Lake Merritt Channel

Contractor: Brosamer & Wall, Inc.

Engineer's Estimate:

\$18,007,638.00

Contractor's Bid Amount:

\$16,482,853.56

Under/Over Engineer's Estimate:

\$1,524,784.44

---

1. Did the DBE program apply?

Yes

2. Did the contractor meet the DBE program?

Yes

a) % of DBE participation 10.74%

b) % of LBE participation 20.64%

c) % of SLBE participation 0.00%

d) % of VSLBE/LPG participation 0.00%

3. Was Good Faith Effort (GFE) documentation submitted?

4. Additional Comments

5. Date evaluation completed and returned to initiating department. 11/24/2014

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Reviewing Officer: Vivian Inman

Reviewing Officer Date: 11/24/2014

Approved By: Shelley Darenobry

Approved By Date: 11/25/14

**DBE PARTICIPATION**

**Project Name: ReBid Replacment of Embarcadero Bridge over Lake Merritt Channel**

**Project No: G121810**

**Engineers Estimate: \$18,007,638.00**

**Under/Over Engineers Estimate: \$1,524,784.44**

No.	Discipline	Contractor	Location	Cert. Status	For Tracking Purposes Only		DBE	UB		Certified DBE/WBE	
					LBE	SLBE		DBE Non-Credit	Ethn	MBE	WBE
1	Prime Contractor	Brosamer & Wall, Inc.	Oakland	UB				7,816,000.56	NL		
2	CIDH	Condon Johnson	Oakland	UB	3,100,000.00			3,100,000.00	C		
3	Bridge Demo	Ferma Corp	Mountain View	UB				294,000.00	NL		
4	Earthwork, Grade Paving & Related	Bay Cities Paving and Grading	Concord	UB				494,000.00	H	494,000.00	
5	Electrical	W. Bradley Electric	Novato	CB			305,000.00		C		305,000.00
6	Fence & Metal	Borg Fence	Livermore	CB			544,918.00		C		544,918.00
7	Flatwork	Landavazo Bros	Hayward	CB			93,190.00		H	93,190.00	
8	Landscape & Irrigation	RMT Landscape	Oakland	CB	109,000.00		109,000.00		H	109,000.00	
9	Concrete Driven Pile	Foundation Constructors	Oakley	UB				1,162,000.00	NL		
10	Precast Panels	Con Fab	Lathrop	UB				237,605.00	NL		
11	Pre-Stressing	Dywidag Systems	Long Beach	UB				297,430.00	NL		
12	Furnish & Pump (Partial)	Landavazo Bros	Hayward	CB			450,000.00		H	450,000.00	
13	Rebar	Alamillo Rebar	Benicia	UB				1,840,006.00	NL		
14	Strip & Marking	Super Seal & Stripe	Filmore	CB			74,600.00		C		74,600.00
15	Underground	Talus Construction	Oakland	CB	193,000.00		193,000.00		C		193,000.00
16	St-10 Bridge Rail	MBI	Stockton	UB				234,500.00			
<b>Project Totals:</b>					\$3,402,000.00		\$1,769,708.00	\$15,475,541.56		1,146,190.00	1,117,518.00
					20.64%		10.74%	93.89%		6.95%	6.78%

**CB = Certified DBE Business**  
**UB = Uncertified Business**  
**DBE = Disadvantaged Business Enterprise**  
**MBE = Minority Business Enterprise**  
**WBE = Women Business Enterprise**  
**SLBE = Small Local Business Enterprise**  
**LBE = Local Business Enterprise**

**Total Bid Amount: \$16,482,853.56**  
**Total DBE Dollars: \$1,769,708.00**  
**Total Participation of DBEs: 10.74%**

**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**

## ***Contracts and Compliance DBE Project Evaluation Report***

**Project No:** G121810

**Project Name:** ReBid Replacment of Embarcadero Bridge over Lake Merritt Channel

**Contractor:** MCM Construction, Inc.

**Engineer's Estimate:**

**\$18,007,638.00**

**Contractor's Bid Amount:**

**\$17,027,547.00**

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

**\$980,091.00**

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**1. Did the DBE program apply?** Yes

**2. Did the contractor meet the DBE program?** No

a) % of DBE participation 5.39%

b) % of LBE participation 8.94%

c) % of SLBE participation 0.00%

d) % of VSLBE/LPG participation 0.00%

**3. Was Good Faith Effort (GFE) documentation submitted?**

**4. Additional Comments** Firm failed to meet the DBE goal of 7.7%. Firm submitted Good Faith Effort, however, it was deemed insufficient. Therefore the firm is deemed non-compliant.

**5. Date evaluation completed and returned to initiating department.** 11/24/2014

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**Reviewing Officer:** Vivian Inman

**Reviewing Officer Date:** 11/24/2014

**Approved By:** Shelley Danenburg

**Approved By Date:** 11/25/14

**DBE PARTICIPATION**

**Project Name: ReBid Replacment of Embarcadero Bridge over Lake Merritt Channel**

**Project No: G121810**

**Engineers Estimate: \$18,007,638.00**

**Under/Over Engineers Estimate: \$980,091.00**

No.	Discipline	Contractor	Location	Cert. Status	For Tracking Purposes Only		DBE	Certified DBE/WBE			
					LBE	SLBE		UB DBE Non-Credit	Ethn	MBE	WBE
1	Prime Contractor	MCM Construction, Inc.	North Highland	UB				12,165,947.00	NL		
2	Electrical	Beci Electric	Oakland	CB	322,500.00		322,500.00		C		322,500.00
3	Metal Pedestrian/Metal Bike Rack	Borg Fence	Livermore	CB			545,520.00		C		545,520.00
4	Grading/Paving	Bay Cities Paving & Grading	Concord	UB				745,000.00	H	745,000.00	
5	Vibration	Municon Consulting	San Francisco	UB			50,000.00		NL		
6	Furnish Concrete	Central Concrete	Oakland	UB	1,200,000.00				C		
7	Furnish Steel Casing	Skyline Steel	Sacramento	UB				450,000.00	NL		
8	Furnish Concrete Pile	Kie-Con, Inc.	Antioch	UB				544,000.00	NL		
9	Pre Stressing	Schwager Davis, Inc.	San Jose	UB				300,000.00	NL		
10	Rebar	Alamillo Rebar	Benicia	UB				1,860,000.00	NL		
11	Pre Cast	Con Fab	Lathrop	UB				237,600.00	C		
12	St-10 Rail	Crane Vigor	El Monte	UB				220,000.00	C		
<b>Project Totals:</b>											
					\$1,522,500.00		\$918,020.00	\$16,522,547.00		745,000.00	868,020.00
					8.94%		5.39%	97.03%		4.38%	5.10%

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**DBE = Disadvantaged Business Enterprise**  
**MBE = Minority Business Enterprise**  
**WBE = Women Business Enterprise**  
**SLBE = Small Local Business Enterprise**  
**LBE = Local Business Enterprise**

**Total Bid Amount: \$17,027,547.00**  
**Total DBE Dollars: \$918,020.00**  
**Total Participation of DBEs: 5.39%**

**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**

## Contracts and Compliance DBE Project Evaluation Report

Project No: G121810

Project Name: ReBid Replacment of Embarcadero Bridge over Lake Merritt Channel

Contractor: CC Meyers, Inc.

Engineer's Estimate:

\$18,007,638.00

Contractor's Bid Amount:

\$17,744,628.30

Under/Over Engineer's Estimate:

\$263,009.70

---

1. Did the DBE program apply? Yes

2. Did the contractor meet the DBE program? No

a) % of DBE participation 7.23%

b) % of LBE participation 19.81%

c) % of SLBE participation 1.58%

d) % of VSLBE/LPG participation 0.00%

3. Was Good Faith Effort (GFE) documentation submitted?

4. Additional Comments Firm failed to meet the DBE goal of 7.7% and failed to submit Good Faith Documentation, therefore the firm is deemed non compliant.

5. Date evaluation completed and returned to initiating department. 11/24/2014

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Reviewing Officer: Vivian Inman

Reviewing Officer Date: 11/24/2014

Approved By: Shelley Garenburg

Approved By Date: 11/25/14

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**Project Totals:**

\$3,515,274.00	\$280,000.00	\$1,283,157.00	\$16,462,111.30	1,175,500.00	801,633.00
19.81%	1.58%	7.23%	92.77%	6.62%	4.52%

*CB = Certified DBE Business*  
*UB = Uncertified Business*  
*DBE = Disadvantaged Business Enterprise*  
*MBE = Minority Business Enterprise*  
*WBE = Women Business Enterprise*  
*SLBE = Small Local Business Enterprise*  
*LBE = Local Business Enterprise*

**Total Bid Amount: \$17,744,628.30**  
**Total DBE Dollars: \$1,283,157.00**  
**Total Participation of DBEs: 7.23%**

**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*

## ***Contracts and Compliance DBE Project Evaluation Report***

**Project No:** G121810

**Project Name:** ReBid Replacment of Embarcadero Bridge over Lake Merritt Channel

**Contractor:** Ghilotti Bros/RM Harris JV

**Engineer's Estimate:**

**\$18,007,638.00**

**Contractor's Bid Amount:**

**\$18,039,568.00**

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

**(\$31,930.00)**

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**1. Did the DBE program apply?** Yes

**2. Did the contractor meet the DBE program?** No

**a) % of DBE participation** 3.86%

**b) % of LBE participation** 5.54%

**c) % of SLBE participation** 0.00%

**d) % of VSLBE/LPG participation** 0.00%

**3. Was Good Faith Effort (GFE) documentation submitted?**

**4. Additional Comments** Firm failed to meet the 7.7% DBE goal. Additionally, Ghilotti Bros/RM Harris JV failed to list dollar amounts or two contractors, therefore compliance could not be determined.

**5. Date evaluation completed and returned to initiating department.** 11/24/2014

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**Reviewing Officer:** Vivian Inman

**Reviewing Officer Date:** 11/24/2014

**Approved By:**

Shelley Sarenburg

**Approved By Date:** 11/24/14

**DBE PARTICIPATION**

**Project Name: ReBid Replacment of Embarcadero Bridge over Lake Merritt Channel**

**Project No: G121810**

**Engineers Estimate: \$18,007,638.00**

**Under/Over Engineers Estimate: (\$31,930.00)**

No.	Discipline	Contractor	Location	Cert. Status	For Tracking Purposes Only		DBE	Certified DBE/WBE				
					LBE	SLBE		UB DBE Non-Credit	Ethn	MBE	WBE	
1	Prime Contractor	Ghilotti Bros/RM Harris JV	Martinez	UB				14,829,513.00				
2	Rebar	Harris Rebar	Livermore	UB				2,073,800.00	NL			
3	Prestressing	Schwager Davis	San Jose	UB				299,280.00	C			
4	Strand Supplier	Suniden Wire	Stockton	UB				125,000.00	NL			
5	CIDH	Malcolm Drilling	Hayward	UB								
6	Furnish Permanent Steel Casing	Skyline Steel	Sacramento	UB				700,000.00	NL			
7	Driven Pile	Foundation Constructors	Oakley	UB					NL			
8	Furnis, Erect PC/PS Concrete Slabs	Con Fab California	Lathrop	UB				237,605.00	C			
9	Metal Railing & Fence	Borg Fence	Livermore	CB			567,450.00		C	567,450.00		
10	Bridge Railing	Ahlborn Structural Steel	Santa Rosa	UB				232,000.00	NL			
11	Bridge Demolition	Ferma Corporation	Mountain View	UB				344,000.00	NL			
12	Furnish Concrete Supply	Central Concrete Supply	Oakland	UB	1,000,000.00			1,000,000.00	C			
13	Biologist	Toure Associates	Sacramento	CB			85,000.00		AA	85,000.00		
14	Water Pollution	Tully Consulting Group	Dixon	CB			44,000.00		H	44,000.00		
<b>Project Totals:</b>						\$1,000,000.00		\$696,450.00	\$19,841,198.00		85,000.00	611,450.00
					5.54%			3.86%	109.99%		0.47%	3.39%

**CB = Certified DBE Business**  
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**DBE = Disadvantaged Business Enterprise**  
**MBE = Minority Business Enterprise**  
**WBE = Women Business Enterprise**  
**SLBE = Small Local Business Enterprise**  
**LBE = Local Business Enterprise**

**Total Bid Amount: \$18,039,568.00**  
**Total DBE Dollars: \$696,450.00**  
**Total Participation of DBEs: 3.86%**

**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**



Attachment D

**INTER OFFICE MEMORANDUM**

**TO:** Nader Rabahat

**FROM:** Deborah Barnes, Manager, *S. Oarensky for*  
Director, Contracts & Compliance

**SUBJECT:** Compliance Analysis

**DATE:** December 1, 2014

Replacement of Embarcadero Bridge Over Lake Merritt Channel  
Project No. G121810 – Amendment No. 6

The City Administrator's Office, Contracts and Compliance Unit, was asked to perform a Disadvantaged Business Enterprise (DBE) on the above referenced project, Amendment No. 6. Below is the outcome of the compliance evaluation for the Disadvantaged Business Enterprise (DBE) program and a preliminary review for compliance with the Equal Benefits Ordinance (EBO). There is a DBE goal of 35% for this project.

Compliant		Proposed Participation				EBO Compliant? Y/N
Company Name	Original Bid Amount	DBE Total	LBE	SLBE	Trucking	
TY Lin International/AECOM (Earth Tech)	NA	12.50%	71.20%	12.50%	NA	Y

**Comments:** As noted above, TY Lin International/AECOM (Earth Tech)'s DBE total is 12.50%. When this project was bid in 2001, the original consultant, CS/JMI Joint Venture was a certified DBE. During the term of the contract, TY Lin International subsequently purchased CCS/JMI and as a result no longer qualified as a DBE. However, Caltrans has advised the City that because they originally fulfilled the 35% DBE requirement at the time of contract award and performed no DBE substitutions they are considered to still be in compliance with the DBE program.

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



## Contracts and Compliance DBE Project Evaluation Report

Project No: G121810

Project Name: Embarcadero Bridge Over Lake Merritt Channel - Amendment No. 6

Contractor: TY Lin International/AECOM (Earth Tech)

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1. Did the DBE program apply? Yes

2. Did the contractor meet the DBE program? Yes

- a) % of DBE participation 12.50%
- b) % of LBE participation 71.20%
- c) % of SLBE participation 12.60%
- d) % of VSLBE/LPG participation 0.00%

3. Was Good Faith Effort (GFE) documentation submitted? No

4. **Additional Comments** When this project was bid in 2001, the original consultant, CS/JMI Joint Venture was a certified DBE. During the term of the contract, TY Lin International subsequently purchased CCS/JMI and as a result no longer qualified as a DBE. However, Caltrans has advised the City that because they originally fulfilled the 35% DBE requirement at the time of contract award and performed no DBE substitutions they are considered to still be in compliance with the DBE program.

5. Date evaluation completed and returned to initiating department. 12/1/2014

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Reviewing Officer: Vivian Inman

Reviewing Officer Date: 12/1/2014

Approved By: Shelley Darenburg

Approved By Date: 12/1/14

Tuesday, December 02, 2014

**TY Lin International/AECOM (Earth Tech)**

**Project Name: Embarcadero Bridge Over Lake Merritt Channel - Amendment No. 6**

**Project No: G121810**

**Engineers Estimate:**

**Under/Over Engineers Estimate:**

No.	Discipline	Contractor	Location	Cert. Status	For Tracking Purpose Only				Certified DBE/WBE			
					DBE	LBE	SLBE	VSLBE/LPG	UB	Ethn	MBE	WBE
1	Prime Contractor	TY Lin International/AECOM (Earth Tech)	Oakland	UB		71.20%			71.20%	O		
2	Geotechnical	Geolabs, Inc.	Oakland	UB					5.00%	AP		
3	Geotechnical	Pitcher Drilling	East Palo Alto	UB					0.00%	NL		
4	Environmental	The Planning Center	Berkeley	UB					5.10%	NL		
5	Architectural	Murakami/Nelson	Oakland	CB	3.60%		3.60%			AP	3.60%	
6	Engineering	Degenkolb Engineers	Oakland	UB					0.20%	NL		
7	Engineering	McCracken & Woodman Engineering	Oakland	UB			0.20%		0.20%	C		
8	Engineering	Zeiger Engineering	Oakland	UB			0.20%		0.20%	C		
9	Landscape Architecture	PGA Design, Inc.	Oakland	CB	7.40%		7.40%			C		7.40%
10	Engineering	Water Resources Engineering	San Francisco	CB	1.50%					H		1.50%
11	Environmental Permitting	Parsons Brinckerhoff	San Francisco	UB					3.30%	NL		
12	Design Theme Architectural	VBN Architects	Oakland	UB					1.10%	NL		
13	Surveying	PLS Surveys	Oakland	UB			1.20%		1.20%	C		1.20%
<b>Project Totals:</b>					12.50%	71.20%	12.60%		87.50%		3.60%	10.10%

**CB = Certified Business**  
**UB = Uncertified Business**  
**DBE = Disadvantaged Business Enterprise**  
**MBE = Minority Business Enterprise**  
**WBE = Women Business Enterprise**  
**SLBE = Small Local Business Enterprise**  
**LBE = Local Business Enterprise**

**Total Participation of DBEs: 12.50%**  
**Total Participation: 100.00%**

**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**

## SCHEDULE E - FEDERAL PROJECT CONSULTANT TEAM LISTING



**PROJECT INFO: G121810 – Embarcadero Bridge over Lake Merritt Channel**

Prime consultants shall list ALL subconsultants regardless of tier and their approximate percentage of work. All percentages must total 100%. Only the subconsultants listed below may be used. The prime agrees that no company changes will be made to this listing without written approval of the City. Companies must be certified by a UCP agency prior to submittal in order to receive Disadvantaged Business Enterprise (DBE) credits.

Type of Work	Company Name	Address and City	Phone No.	% of Work	Disadvantaged Business Enterprise (DBE)	* Ethnicity	** Gender
Name of Joint Venture - Engineering/Structures	T.Y. Lin International / AECOM (Earth Tech)	T.Y. Lin International: 1111 Broadway, Suite 2150, Oakland, CA 94607	510-457-3030	71.3	<input type="checkbox"/>	N/A - Corpo ration	N/A - Corpo ration
		AECOM (Earth Tech) 2101 Webster Street, Suite 1900 Oakland, CA 94612	510-419-6000		<input type="checkbox"/>	N/A - Corpo ration	N/A - Corpo ration
Geotechnical	Geolabs, Inc.	1440 Broadway, Suite 804 Oakland, CA 94612	510-393-8008	5	<input type="checkbox"/>	AP	M
Geotechnical	Sub to Geolabs, Inc. - Pitcher Drilling Co.	218 E. Demeter Street East Palo Alto, CA 94303	650-328-8910	0	<input type="checkbox"/>	N/A - Corpo ration	N/A - Corpo ration
Environmental	PlaceWorks dba The Planning Center / DC&E	1625 Shattuck Avenue, Suite 300 Berkeley, CA 94709	510-848-3815	5.1	<input type="checkbox"/>	N/A - Corpo ration	N/A - Corpo ration
Architectural	Murakami / Nelson	100 Filbert Street Oakland, CA 94607	510-444-7959	3.6	<input checked="" type="checkbox"/>	AP	M
Engineering	Sub to Murakami/Nelson - Degenkolb Engineers	1300 Clay Street, 9 <sup>th</sup> Floor Oakland, CA 94612	510-272-9040	0.2	<input type="checkbox"/>	N/A - Corpo ration	N/A - Corpo ration

Attach additional pages if necessary.

Contractors are required to identify the ethnicity and gender of the majority owners of listed firms. This information will be used for tracking purposes only.

\* (AA=African American) (AI=Asian Indian) (AP=Asian Pacific) (C=Caucasian) (H=Hispanic) (NA=Native American) (O=Other) (NL=Not Listed)

\*\* (M = Male) (F = Female)

Notes: (1) The DBE dollar amounts reported on Schedule E – FEDERAL must match DBE dollars reported on Federal Exhibit 10-01 and 10-02.

## SCHEDULE E - FEDERAL PROJECT CONSULTANT TEAM LISTING



**PROJECT INFO: G121810 – Embarcadero Bridge over Lake Merritt Channel**

Prime consultants shall list ALL subconsultants regardless of tier and their approximate percentage of work. All percentages must total 100%. Only the subconsultants listed below may be used. The prime agrees that no company changes will be made to this listing without written approval of the City. Companies must be certified by a UCP agency prior to submittal in order to receive Disadvantaged Business Enterprise (DBE) credits.

Type of Work	Company Name	Address and City	Phone No.	% of Work	Disadvantaged Business Enterprise (DBE)	* Ethnicity	** Gender
Engineering	Sub to Murakami/Nelson - McCracken & Woodman Engineers	355 Grand Avenue Oakland, CA 94610	510-763-4891	0.2	<input type="checkbox"/>	C	M
Engineering	Sub to Murakami/Nelson - Zeiger Engineering	478 Third Street Oakland, CA 94610	510-763-4891	0.2	<input type="checkbox"/>	C	M
Landscape Architecture	PGA Design	444 17 <sup>th</sup> Street Oakland, CA 94612	510-465-1284	7.4	<input checked="" type="checkbox"/>	C	W
Surveying	PLS Surveys, Inc.	2220 Livingston Street, Suite 202 Oakland, CA 94606	510-261-0900	1.2	<input type="checkbox"/>	C	W
Engineering	WRE - Water Resources Engineering, Inc.	44 Montgomery Street, Suite 730 San Francisco, CA 94104	415-538-7838	1.5	<input checked="" type="checkbox"/>	H	W
Environmental Permitting	Parsons Brinckerhoff	303 Second Street, Suite 700 North San Francisco, CA 94107	415-243-4600	3.3	<input type="checkbox"/>	N/A - Corpo ration	N/A - Corpo ration
Design Theme Architectural	VBN Architects	560 14 <sup>th</sup> Street Oakland, CA 94612	510-763-1313	1.1	<input type="checkbox"/>	N/A - Corpo ration	N/A - Corpo ration

Attach additional pages if necessary.

Contractors are required to identify the ethnicity and gender of the majority owners of listed firms. This information will be used for tracking purposes only.

\* (AA=African American) (AI=Asian Indian) (AP=Asian Pacific) (C=Caucasian) (H=Hispanic) (NA=Native American) (O=Other) (NL=Not Listed)

\*\* (M = Male) (F = Female)

Notes: (1) The DBE dollar amounts reported on Schedule E – FEDERAL must match DBE dollars reported on Federal Exhibit 10-01 and 10-02.

## SCHEDULE E - FEDERAL PROJECT CONSULTANT TEAM LISTING



**PROJECT INFO: G121810 – Embarcadero Bridge over Lake Merritt Channel**

Prime consultants shall list ALL subconsultants regardless of tier and their approximate percentage of work. All percentages must total 100%. Only the subconsultants listed below may be used. The prime agrees that no company changes will be made to this listing without written approval of the City. Companies must be certified by a UCP agency prior to submittal in order to receive Disadvantaged Business Enterprise (DBE) credits.

Type of Work	Company Name	Address and City	Phone No.	% of Work	Disadvantaged Business Enterprise (DBE)	Ethnicity	Gender
Constructability Review	Jeff Hilliard (Scope of work was not required)	Berkeley, CA	Not Available	0	<input type="checkbox"/>	Not Available	Not Available
					<input type="checkbox"/>		
					<input type="checkbox"/>		
					<input type="checkbox"/>		
					<input type="checkbox"/>		
					<input type="checkbox"/>		
					<input type="checkbox"/>		

**Prime Consultant Signature:** *John Hilliard*

**Date:** 1 DEC 2014

Attach additional pages if necessary.  
 Contractors are required to identify the ethnicity and gender of the majority owners of listed firms. This information will be used for tracking purposes only.  
 \* (AA=African American) (AI=Asian Indian) (AP=Asian Pacific) (C=Caucasian) (H=Hispanic) (NA=Native American) (O=Other) (NL=Not Listed)  
 \*\* (M = Male) (F = Female)  
 Notes: (1) The DBE dollar amounts reported on Schedule E – FEDERAL must match DBE dollars reported on Federal Exhibit 10-01 and 10-02.



# INTER OFFICE MEMORANDUM

**TO:** Nader Rabahat, PWA

**FROM:** Deborah Barnes, Manager

**SUBJECT:** Compliance Analysis

**DATE:** May 2, 2014

G121810 - Lake Merritt Channel Bridge Replacement Project – Amendment No. 5

The City Administrator's Office, Contracts and Compliance Unit conducted a Disadvantaged Business Enterprise (DBE) compliance review on the above referenced project. Below is the outcome of our compliance evaluation for the DBE program participation and a preliminary review for Equal Benefits.

Non-Responsive		Proposed Participation				Earned Credits and Discounts			Banked Credits Eligibility	EBO Compliant?
Company Name	Original Bid Amount	DBE Total	LBE	SLBE	Trucking	Total Credited Participation	Earned Bid Discounts	Adjusted Bid Amount		
TY Lin International/Earth Tech	NA	13.1%	38.10%	13.0%	NA	NA	NA	NA	NA	Y

**Comments:** TY Lin International/Earth Tech, achieved 13.1% DBE participation, 38.10% LBE and 13.0% SLBE. When this project was bid in 2001, the original consultant, CCS/JMI Joint Venture was a certified DBE. During the term of the contract, TY Line International subsequently purchased CCS/JMI and as a result no longer qualified as a DBE. However, Caltrans has advised the City that because they originally fulfilled the 35% DBE requirement at the time of contract award, and performed no DBE substitutions they are considered to still be in compliance with the DBE Program.

  
 Deborah Barnes  
 Manager, Contracts and Compliance

For questions please contact Vivian Inman, Contract Compliance Officer at (510) 238-6261.



## **Contracts and Compliance DBE Project Evaluation Report**

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Project No:

Project Name: Embarcadero Bridge Over Lake Merritt Channel - Amendment No. 5

Contractor: TY Lin International/Earth Tech

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1. Did the DBE program apply? Yes

2. Did the contractor meet the DBE program? No

a) % of DBE participation 13.10%

b) % of LBE participation 38.10%

c) % of SLBE participation 13.00%

d) % of VSLBE/LPG participation

3. Was Good Faith Effort (GFE) documentation submitted? No

4. Additional Comments

5. Date evaluation completed and returned to initiating department. 5/1/2014

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Reviewing Officer: Vivian Inman

Reviewing Officer Date: 5/1/2014

Approved By: *[Signature]*

Approved By Date: \_\_\_\_\_

---

**TY Lin International/Earth Tech**

**Project Name: Embarcadero Bridge Over Lake Merritt Channel - Amendment No. 5**

**Project No:**

**Engineers Estimate:**

**Under/Over Engineers Estimate:**

No.	Discipline	Contractor	Location	Cert. Status	For Tracking Purpose Only				Certified DBE/WBE				
					DBE	LBE	SLBE	VSLBE/LPG	UB	Ethn	MBE	WBE	
1	Prime Contractor	TY Lin International/Earth Tech	Oakland	UB		38.10%				38.10%	O		
2	Structures	Aecom	Oakland	UB						30.50%	NL		
3	Geotechnical	Geolabs, Inc.	Oakland	UB						5.00%	AP		
4	Geotechnical	Pitcher Drilling	East Palo Alto	UB						0.00%	NL		
5	Environmental	The Planning Center	Berkeley	UB						5.90%	NL		
6	Architectural	Murakami/Nelson	Oakland	CB	3.20%		3.20%				AP	3.20%	
7	Engineering	Degenkolb Engineers	Oakland	UB						0.20%	NL		
8	Engineering	McCracken & Woodman Engineering	Oakland	UB			0.20%			0.20%	C		
9	Engineering	Zeiger Engineering	Oakland	UB			0.10%			0.10%	C		
10	Landscape Architecture	PGA Design, Inc.	Oakland	CB	8.00%		8.00%				C		8.00%
11	Surveying	PLS Surveys	Oakland	UB			1.50%			1.50%	C		1.50%
12	Engineering	Water Resources Engineering	San Francisco	CB	1.90%						H		1.90%
13	Environmental Permitting	Parsons Brinckerhoff	San Francisco	UB						4.10%	NL		
14	Design Theme Architectural	VBN Architects	Oakland	UB						1.30%	NL		
<b>Project Totals:</b>					13.10%	38.10%	13.00%			86.90%		3.20%	11.40%

**CB = Certified Business**  
**UB = Uncertified Business**  
**DBE = Disadvantaged Business Enterprise**  
**MBE = Minority Business Enterprise**  
**WBE = Women Business Enterprise**  
**SLBE = Small Local Business Enterprise**  
**LBE = Local Business Enterprise**

**Total Participation of DBEs: 13.10%**

**Total Participation: 100.00%**

**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**

## Memo

Department of Contracting and Purchasing  
Social Equity Division



To: Nader Rabahat, Civil Engineer  
 From: Vivian Inman, Contract Compliance Officer  
 Through: Deborah Barnes, Director, DC&P  
 Shelley Darenburg, Sr. Contract Compliance Officer *S. Darenburg*  
 CC: Gwen McCormick, Contract Administration Supervisor  
 Date: March 20, 2009  
 Re: G121810 – Lake Merritt Channel Bridge Replacement Project – Amendment No. 3

At the request of the using Agency, CEDA, the Department of Contracting & Purchasing (DCP), Division of Social Equity was asked to perform a Disadvantaged Business Enterprise (DBE) analysis on the above referenced project. Below is the outcome of our compliance evaluation for the DBE program participation and a preliminary review for Equal Benefits (EBO).

Responsive		Proposed Participation				Earned Credits and Discounts			Banked Credits Eligibility	EBO Compliant? Y/N
Company Name	Bid Amount	Total LBE/DBE	LBE	SLBE	Trucking	Total Credited participation	Earned Bid Discounts	Adjusted Bid Amount		
TY Lin International/Earth Tech JV.	\$1,796,012	4.27%	74.68%	8.91%	NA	NA	NA	NA	NA	Y

**Comments**

TY Lin International/Earth Tech, JV achieved 4.27% DBE participation, 74.68% LBE participation, and 8.91% SLBE participation. When this project was bid in 2001, the original consultant, CCS/JMI Joint Venture was a certified DBE. During the term of the contract, TY Lin International subsequently purchased CCS/JMI and as a result no longer qualified as a DBE. However, Caltrans has advised the City that because they originally fulfilled the 35% DBE requirement at the time of contract award and performed no DBE substitutions they are considered to still be in compliance with the DBE Program.

Should you have any questions, please contact the Department of Contracting and Purchasing at (510) 238-3970.



**DEPARTMENT OF CONTRACTING AND PURCHASING**

**Social Equity Division**

**PROJECT COMPLIANCE EVALUATION FOR :**

Professional Services DBE Project

**PROJECT NO.:** G121810

**PROJECT NAME:** Lake Merritt Channel Bridge Replacement Project - Amendment No. 3

**CONTRACTOR:** TY Lin International/Earth Tech JV

<b>Engineer's Estimate:</b>	<b>Contractors' Bid Amount</b>	<b>Over/Under Engineer's Estimate</b>
N/A	NA	N/A

<b>Discounted Bid Amount:</b>	<b>Amt. of Bid Discount</b>	<b>Discount Points:</b>
N/A	N/A	N/A

- 1. Did the DBE Program apply? **YES**
  - a) Race Neutral? **NO**
- 2. Did the contractor meet the DBE goal? **YES**
  - a) % of DBE participation **4.27%**
  - b) % of LBE participation **74.68%**
  - c) % of SLBE participation **8.91%**
- 3. Was Good Faith Effort (GFE) Documentation submitted? **N/A**
- 4. Did the contractor meet the Trucking requirement? **N/A**
  - a) Total DBE trucking participation **N/A**
- 5. Did the contractor receive bid discounts? **N/A**  
(If yes, list the percentage received) **N/A**
- 6. Additional Comments.

7. Date evaluation completed and returned to Contract Admin./Initiating Dept. **3/20/2009**

**Reviewing Officer:**

*Vivian J. Miller*

**Date:** 3/20/2009

**Approved By:**

*Shelley Dorensburg*

**Date:** 3/20/09

## LBE/SLBE Participation TY Lin International/Earth Tech JV

Project Name: Lake Merritt Channel Bridge Replacement Project Amendment No. 3

Project No.: G121810											
Discipline	Prime & Subs	Location	Cert. Status	LBE*	SLBE*	Total L/SLBE	Total DBE	TOTAL Dollars			
									Ethnic	MBE	WBE
PRIME	TY Lin International/Earth Tech JV	Oakland	UB	1,243,318		1,243,318		1,243,318	C		
Design Theme	Murakami/Nelson	Oakland	CB	47,053		47,053	47,053	47,053	A	47,053	
Design theme	PGA Design	Oakland	UB		114,999	114,999		114,999	C		114,999
Landscaping											
Environmental Planning	Design Community & Environment	Berkeley	UB					84,067	NL		
Geotechnical	Geolabs	Oakland	UB					92,920	AP	92,920	
Land Surveys	PLS Surveys	Oakland	UB		44,949	44,949		44,949	C		
Hydraulic Modeling	Water Resources Engineering	Oakland	CB				29,709	29,709	H	29,709	
Design Theme	VBN Architects	Oakland	UB	50,965		50,965		50,965			
Constructability Review	Jeff Hillard	Berkeley	UB					7,035			
Environmental Permitting	Parsons Bruckhoff	San Francisco	UB					80,997			
<b>Project Totals</b>				\$1,341,336.00 74.68%	\$159,948.00 8.91%	\$1,501,284.00 83.59%	\$76,762.00 4.27%	\$1,796,012 100%		\$169,682 9%	\$114,999 6%
<b>Requirements:</b> The 20% requirements is a combination of 10% LBE and 10% SLBE participation. An SLBE firm can be counted 100% towards achieving 20% requirements.				LBE 10%	SLBE 10%	TOTAL L/SLBE	TOTAL DBE	TOTAL DOLLARS	<b>Ethnicity</b> AA = African American A = Asian C = Caucasian H = Hispanic NA = Native American O = Other NL = Not Listed		
<b>Legend</b>				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 DBE CB = Certified DBE MBE = Minority Business Enterprise WBE = Women Business Enterprise (Firms that received L/SLBE credit represents businesses certified with the City)			

\* Firms that received L/SLBE credit represents business certified with the City.

**Schedule E**

(To Be Completed By Prime Consultant Only)

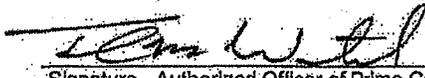
**Lake Merritt Channel Bridge Replacement**  
**#G121810 3<sup>rd</sup> Schedule E Filed**

**PROJECT CONSULTANT TEAM**

Name and Prime Location of All Firms Participating (Including Prime and Sub consultants)	Check if DBE	Check if MBE**	Check if WBE**	Check if LBE	Check if SLBE	Nature of Participation	% of Project *Work	Dollar Value of Participation*
TYLin /EarthTech Oakland, CA				X		Project Management, Administration, Civil/ Bridge Engineering	69.2%	\$1,243,318
PGA Design Oakland, CA					X	Design Theme Landscaping	6.4%	\$114,999
Geolabs Oakland, CA						Geotechnical	5.2%	\$92,920
PLS Surveys, Inc. Oakland, CA					X	Land Surveys	2.5%	\$44,949
Water Resources Engineering Oakland, CA	X	X				Hydraulic Modeling	1.7%	\$29,709
DCE Design Berkeley, CA						Environmental Permitting	4.7%	\$84,067
Murakami Nelson Oakland, CA	X	X		X		Architectural	2.6%	\$47,053
VBN Architects Oakland, CA				X		Design Theme	2.8%	\$50,965
Parsons Brinckerhoff San Francisco, CA						Environmental Permitting	4.5%	\$80,997
Jeff Hilliard Berkeley, CA						Constructability Review	0.4%	\$7,035
<b>TOTALS</b>							<b>100%</b>	<b>\$1,796,012</b>

Name - Authorized Officer of Prime Consultant Firm (Print or Type)

Thomas M. Winich



3/20/09

Signature - Authorized Officer of Prime Consultant Firm

Date

\*This information is subject to change during final negotiations. If reported information changes after negotiations Project Manager to submit an updated Schedule E to Contract Compliance for review.

\*\*Please denote ethnicity. This information will be used for tracking purposes only.

**Office of the City Manager  
Contract Compliance & Employment  
Services**

# Memo

**To:** Nader Rabahat, PWA  
**From:** Shelley Darensburg J.D.  
**Date:** 1/4/01  
**Re:** Lake Merritt Canal Bridge Replacement on Embarcadero Street

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Please be advised that based on the City Attorney's approval of CCS/JMI Joint Venture, Contract Compliance has determined that CCS/JMI has achieved 44% DBE participation on the above project, which exceeds the DBE goal of 35%.

If you have questions, please call me on Ext. 7325.

Cc: File

## DBE Participation CCS/JMI Joint Venture

Total Project Cost for: **Lake Merritt Canal Bridge Replacement**

Project No.

Approx. Award Date:

Federal D Number	Trade	General and Prime Subs Sub-Tier	Location	Ethnicity	DBE	All Local Business	Total
	<b>Prime</b>	<b>CCS/JMI Joint Venture</b>	Oakland	A	39%	39%	71%
	Subconsultant	VBN Architects	Oakland	A		5%	5%
	Subconsultant	Patillo & Garrett	Oakland	C	5%	5%	5%
	Subconsultant	Parsons Brinckerhoff Quade & Douglas	Oakland	C		10%	10%
	Subconsultant	Geolabs	Oakland	C		4%	4%
	Subconsultant	PLS Surveys	Oakland	C		3%	3%
	Subconsultant	Water Resources Engineering	Fremont	C			2%
					DBE 44%	All Local Business 66%	Total 100%

AA- African American    DBE-Disadvantaged Business Enterprise  
 C- Caucasian  
 H- Hispanic  
 A - Asian  
 NA - Native American

## PROJECT CONSULTANT TEAM

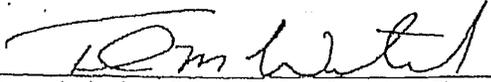
Name and Prime Location of All Firms Participating	Check If DBE	Check If MBE	Check If WBE	Check If LBE	Check If SLBE	Nature of Participation	% of Project Work	Dollar Value Of Participatton*
CCS/JMI Joint Venture Oakland CA	X	X	X		X	Project Management Administration Roadway Geometrics Civil Engineering Utility Coordination Traffic Handling Signing, Striping Lighting Air Quality Analysis Structural Design Independent Check Services During Construction HBRR Funding Strategy and Processing	71	\$750,050.50
VBN Architects Oakland CA		X			X	Design Theme Aesthetic Review	5	\$52,852.50
Pattillo & Garrett Landscape Architects Oakland CA	X		X		X	Design Theme Landscape Architecture	5	\$52,852.50
Parsons Brinckerhoff Quade and Douglas Oakland CA						Environmental Documents Permitting	10	\$105,705.00
Geolabs Oakland CA						Geotechnical Engineering	4	\$42,282.00
PLS Surveys, Inc. Oakland CA	X		X		X	Land Surveys	3	\$31,711.50
Water Resources Engineering Oakland CA	X	X				Hydraulic Modeling	2	\$21,141.00

TOTAL

\$1,057,050.00

Thomas M. Wintch

Name - Authorized Officer of Prime Consultant Firm (Print or Type)



Signature - Authorized Officer of Prime Consultant Firm

11/19/99

Date



**Attachment E**

**INTER OFFICE MEMORANDUM**

**TO:** Nader Rabahat

**FROM:** Deborah Barnes, Director  
Contracts and Compliance

**SUBJECT:** Compliance Analysis

**DATE:** August 18, 2014

**G121810 – Special Inspection and Material Testing Services for Replacement of the Embarcadero Bridge Over Lake Merritt Channel**

The City Administrator's Office, Contracts and Compliance Unit conducted a compliance review of seven (7) proposals in response to the above referenced project. Below is the outcome of the compliance evaluation for the Disadvantaged Business Enterprise (DBE) program and a preliminary review for compliance with the Equal Benefits Ordinance (EBO). There is a race conscious DBE goal of 12.0% for this project.

Compliant		Proposed Participation				Earned Credits and Discounts			Banked Credits Eligibility	EBO Compliant? Y/N
Company Name	Original Bid Amount	RC DBE Total	LBE	SLBE	Trucking	Total Credited participation	Earned Bid Discounts	Adjusted Bid Amount		
Amec Environment & Infrastructure	NA	25.00%	NA	NA	NA	NA	NA	NA	NA	Y
Apex Testing	NA	12.10%	NA	NA	NA	NA	NA	NA	NA	N
Applied Materials & Engineering, Inc.	NA	90.0%	NA	NA	NA	NA	NA	NA	NA	Y
Biggs Cardosa Associates	NA	12.00%	98.0%	NA	NA	NA	NA	NA	NA	Y
Caltrop Corporation	NA	12.00%	NA	NA	NA	NA	NA	NA	NA	N
Construction Testing Services	NA	12.00%	85.0%	NA	NA	NA	NA	NA	NA	Y
Summit Associates	NA	95.00%	NA	NA	NA	NA	NA	NA	NA	Y

**Comments:** As indicated above all firms met or exceeded the 12.0% DBE goal. Apex Testing and Caltrop Corporation are not EBO compliant. They will have to come into compliance prior to contract execution.

Should you have questions or need additional information, please contact Vivian Inman, Contract Compliance Officer at (510) 238-6261.



## Contracts and Compliance DBE Project Evaluation Report

---

Project No: G121810

Project Name: Special Inspection and Material Testing Services for Replacement of the Embarcadero

Contractor: Amec Environment & Infrastructure

---

1. Did the DBE program apply?

Yes

2. Did the contractor meet the DBE program?

Yes

- a) % of DBE participation 25.00%
- b) % of LBE participation 0.00%
- c) % of SLBE participation 0.00%
- d) % of VSLBE/LPG participation 0.00%

3. Was Good Faith Effort (GFE) documentation submitted? No

4. Additional Comments

5. Date evaluation completed and returned to initiating department. 8/18/2014

---

Reviewing Officer: Vivian Inman

Reviewing Officer Date: 8/18/2014

Approved By: Shelley Sarenburg

Approved By Date: \_\_\_\_\_

---

Monday, August 18, 2014

## Amec Environment & Infrastructure

**Project Name:** Spécial Inspection and Material Testing Services for Replacement of the Embarcadero Bridge Over Lake Merritt Channel

**Project No:** G121810

**Engineers Estimate:**

**Under/Over Engineers Estimate:**

No.	Discipline	Contractor	Location	Cert. Status	For Tracking Purpose Only				Certified DBE/WBE			
					DBE	LBE	SLBE	VSLBE/LPG	UB	Ethn	MBE	WBE
1	Prime Consultant	Amec Environment & Infrastructure	Oakland	UB					73.00%	NL		
2	Material Testing	Summit Associates	Oakland	CB	25.00%					AP	25.00%	
3	Gamma/Cross-Sonic	Abe Construction Services, Inc.	Walnut Creek	UB					2.00%	C		
<b>Project Totals:</b>					25.00%				75.00%		25.00%	

**CB = Certified Business**  
**UB = Uncertified Business**  
**DBE = Disadvantaged Business Enterprise**  
**MBE = Minority Business Enterprise**  
**WBE = Women Business Enterprise**  
**SLBE = Small Local Business Enterprise**  
**LBE = Local Business Enterprise**

**Total Participation of DBEs: 25.00%**

**Total Participation: 100.00%**

**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**



## Contracts and Compliance DBE Project Evaluation Report

Project No: G121810

Project Name: Special Inspection and Material Testing Services for Replacement of the Embarcadero

Contractor: Apex Testing

---

1. Did the DBE program apply? Yes

2. Did the contractor meet the DBE program? Yes

a) % of DBE participation	<u>12.10%</u>
b) % of LBE participation	<u>0.00%</u>
c) % of SLBE participation	<u>0.00%</u>
d) % of VSLBE/LPG participation	<u>0.00%</u>

3. Was Good Faith Effort (GFE) documentation submitted? No

4. Additional Comments

5. Date evaluation completed and returned to initiating department. 8/18/2014

---

Reviewing Officer: Vivian Inman

Reviewing Officer Date: 8/18/2014

Approved By: Shelley Sarenburg

Approved By Date: \_\_\_\_\_

Monday, August 18, 2014

## Apex Testing

**Project Name:** Special Inspection and Material Testing Services for Replacement of the Embarcadero Bridge Over Lake Merritt Channel

**Project No:** G121810

**Engineers Estimate:**

**Under/Over Engineers Estimate:**

No.	Discipline	Contractor	Location	Cert. Status	<i>For Tracking Purpose Only</i>				<i>Certified DBE/WBE</i>			
					DBE	LBE	SLBE	VSLBE/LPG	UB	Ethn	MBE	WBE
1	Prime Consultant	Apex Testing	Oakland	UB					87.90%	AA	87.90%	
2	Material Testing	Parikh Consultants, Inc.	San Jose	CB	12.10%					AP	12.10%	
<b>Project Totals:</b>					12.10%				87.90%		100.00%	

**CB = Certified Business**  
**UB = Uncertified Business**  
**DBE = Disadvantaged Business Enterprise**  
**MBE = Minority Business Enterprise**  
**WBE = Women Business Enterprise**  
**SLBE = Small Local Business Enterprise**  
**LBE = Local Business Enterprise**

**Total Participation of DBEs: 12.10%**

**Total Participation: 100.00%**

**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**



## **Contracts and Compliance DBE Project Evaluation Report**

---

**Project No:** G121810

**Project Name:** Special Inspection and Material Testing Services for Replacement of the Embarcadero

**Contractor:** Applied Materials & Engineering, Inc.

---

**1. Did the DBE program apply?**

Yes

**2. Did the contractor meet the DBE program?**

Yes

- a) % of DBE participation 90.00%
- b) % of LBE participation 0.00%
- c) % of SLBE participation 0.00%
- d) % of VSLBE/LPG participation 0.00%

**3. Was Good Faith Effort (GFE) documentation submitted?** No

**4. Additional Comments**

**5. Date evaluation completed and returned to initiating department.** 8/18/2014

---

**Reviewing Officer:** Vivian Inman

**Reviewing Officer Date:** 8/18/2014

**Approved By:** Shelley Sarenburg

**Approved By Date:** \_\_\_\_\_

---

Monday, August 18, 2014

**Applied Materials & Engineering, Inc.**

**Project Name: Special Inspection and Material Testing Services for Replacement of the Embarcadero Bridge Over Lake Merritt Channel**

**Project No: G121810**

**Engineers Estimate:**

**Under/Over Engineers Estimate:**

No.	Discipline	Contractor	Location	Cert. Status	DBE	For Tracking Purpose Only			UB	Certified DBE/WBE		
						LBE	SLBE	VSLBE/LPG		Ethn	MBE	WBE
1	Prime Consultant	Applied Materials & Engineering, Inc.	Oakland	UB	80.00%					AI	80.00%	
2	Gamma-Gamma Testing	Abe Construction Services, Inc.	Walnut Creek	UB				10.00%		NL		
3	Storm water QC	S. Kwok Engineers, Inc.	Alameda	CB	10.00%					AP	10.00%	
<b>Project Totals:</b>					90.00%			10.00%			90.00%	

**CB = Certified Business**  
**UB = Uncertified Business**  
**DBE = Disadvantaged Business Enterprise**  
**MBE = Minority Business Enterprise**  
**WBE = Women Business Enterprise**  
**SLBE = Small Local Business Enterprise**  
**LBE = Local Business Enterprise**

**Total Participation of DBEs: 90.00%**

**Total Participation: 100.00%**

**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**



## ***Contracts and Compliance DBE Project Evaluation Report***

---

**Project No:** G121810

**Project Name:** Special Inspection and Material Testing Services for Replacement of the Embarcadero

**Contractor:** Biggs Cardosa Associates

---

**1. Did the DBE program apply?** Yes

**2. Did the contractor meet the DBE program?** Yes

- a) % of DBE participation 12.00%
- b) % of LBE participation 98.00%
- c) % of SLBE participation 0.00%
- d) % of VSLBE/LPG participation 0.00%

**3. Was Good Faith Effort (GFE) documentation submitted?** No

**4. Additional Comments**

**5. Date evaluation completed and returned to initiating department.** 8/18/2014

---

**Reviewing Officer:** Vivian Inman

**Reviewing Officer Date:** 8/18/2014

**Approved By:** Shelley Darenburg

**Approved By Date:** \_\_\_\_\_

Monday, August 18, 2014

## Biggs Cardosa Associates

**Project Name:** Special Inspection and Material Testing Services for Replacement of the Embarcadero Bridge Over Lake Merritt Channel

**Project No:** G121810

**Engineers Estimate:**

**Under/Over Engineers Estimate:**

No.	Discipline	Contractor	Location	Cert. Status	For Tracking Purpose Only				Certified DBE/WBE			
					DBE	LBE	SLBE	VSLBE/LPG	UB	Ethn	MBE	WBE
1	Prime Consultant	Biggs Cardosa Associates	Oakland	UB		87.00%			87.00%	C		
2	Materials Testing	ISI Inspection Services	Oakland	CB	11.00%	11.00%				AP	11.00%	11.00%
3	Geotechnical	Parikh Consultants	San Jose	CB	1.00%					AP	1.00%	
4	CIDH Pile Testing	Abe Construction Services	Walnut Creek	UB					1.00%	C		
<b>Project Totals:</b>					12.00%	98.00%			88.00%		12.00%	11.00%

**CB = Certified Business**  
**UB = Uncertified Business**  
**DBE = Disadvantaged Business Enterprise**  
**MBE = Minority Business Enterprise**  
**WBE = Women Business Enterprise**  
**SLBE = Small Local Business Enterprise**  
**LBE = Local Business Enterprise**

**Total Participation of DBEs: 12.00%**

**Total Participation: 100.00%**

**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**

**Contracts and Compliance DBE Project Evaluation Report**



Project No: G121810

Project Name: Special Inspection and Material Testing Services for Replacement of the Embarcadero

Contractor: Caltrop Corporation

1. Did the DBE program apply? Yes

2. Did the contractor meet the DBE program? Yes

- a) % of DBE participation 12.00%
- b) % of LBE participation 0.00%
- c) % of SLBE participation 0.00%
- d) % of VSLBE/LPG participation 0.00%

3. Was Good Faith Effort (GFE) documentation submitted? No

4. Additional Comments

5. Date evaluation completed and returned to initiating department. 8/18/2014

Reviewing Officer: Vivian Inman

Reviewing Officer Date: 8/18/2014

Approved By: Shelley Darenburg

Approved By Date: \_\_\_\_\_

Monday, August 18, 2014

## Caltrop Corporation

**Project Name:** Special Inspection and Material Testing Services for Replacement of the Embarcadero Bridge Over Lake Merritt Channel

**Project No:** G121810

**Engineers Estimate:**

**Under/Over Engineers Estimate:**

No.	Discipline	Contractor	Location	Cert. Status	For Tracking Purpose Only				Certified DBE/WBE			
					DBE	LBE	SLBE	VSLBE/LPG	UB	Ethn	MBE	WBE
1	Prime Consultant	Caltrop Corporation	Emeryville	UB					84.25%	C		
2	Pile Dynamic Analysis	Abe Construction Services, Inc.	Walnut Creek	UB					0.25%	C		
3	Structures Inspection	Athalve Consulting Engineering Services, Inc.	Lake Forrest	CB	12.00%					AI	12.00%	
4	Quality Assurance	Creegan+D;Angelo Infrastructure Engineers	San Francisco	UB					0.05%	AA	0.05%	
5	Materials Testing	Ninyo & Moore	Oakland	UB					1.00%	H	1.00%	
<b>Project Totals:</b>					12.00%				85.55%		13.05%	

*CB = Certified Business*  
*UB = Uncertified Business*  
*DBE = Disadvantaged Business Enterprise*  
*MBE = Minority Business Enterprise*  
*WBE = Women Business Enterprise*  
*SLBE = Small Local Business Enterprise*  
*LBE = Local Business Enterprise*

**Total Participation of DBEs: 12.00%**  
**Total Participation: 97.55%**

**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*



## Contracts and Compliance DBE Project Evaluation Report

Project No: G121810

Project Name: Special Inspection and Material Testing Services for Replacement of the Embarcadero

Contractor: Construction Testing Services

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1. Did the DBE program apply? Yes

2. Did the contractor meet the DBE program? Yes

a) % of DBE participation 12.00%  
b) % of LBE participation 85.00%  
c) % of SLBE participation 0.00%  
d) % of VSLBE/LPG participation 0.00%

3. Was Good Faith Effort (GFE) documentation submitted? No

4. Additional Comments

5. Date evaluation completed and returned to initiating department. 8/18/2014

---

Reviewing Officer: Vivian Inman

Reviewing Officer Date: 8/18/2014

Approved By: Shelley Sorenson

Approved By Date: \_\_\_\_\_

Monday, August 18, 2014

## Construction Testing Services

**Project Name:** Special Inspection and Material Testing Services for Replacement of the Embarcadero Bridge Over Lake Merritt Channel

**Project No:** G121810

**Engineers Estimate:**

**Under/Over Engineers Estimate:**

No.	Discipline	Contractor	Location	Cert. Status	For Tracking Purpose Only			UB	Certified DBE/WBE		
					DBE	LBE	SLBE		VSLBE/LPG	Ethn	MBE
1	Prime Consultant	Construction Testing Services	Oakland	UB		85.00%		85.00%	O		
2	Testing & Inspection	Dabri, Inc.	Martinez	CB	2.00%				AI	2.00%	2.00%
3	Testing & Inspection	PSC Associates	San Francisco	CB	2.00%				AP	2.00%	
4	Gamma Gamma Testing	Abe Construction	Walnut Creek	UB				3.00%	C		
5	Storm Water Quality	AmC Consulting Engineers	San Francisco	CB	2.00%				AP	2.00%	
6	Testing & Inspections	Parikh Consultants	San Jose	CB	6.00%				AP	6.00%	
<b>Project Totals:</b>					12.00%	85.00%		88.00%		12.00%	2.00%

*CB = Certified Business*  
*UB = Uncertified Business*  
*DBE = Disadvantaged Business Enterprise*  
*MBE = Minority Business Enterprise*  
*WBE = Women Business Enterprise*  
*SLBE = Small Local Business Enterprise*  
*LBE = Local Business Enterprise*

**Total Participation of DBEs: 12.00%**

**Total Participation: 100.00%**

**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*



## Contracts and Compliance DBE Project Evaluation Report

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Project No: G121810

Project Name: Special Inspection and Material Testing Services for Replacement of the Embarcadero

Contractor: Summit Associates

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1. Did the DBE program apply?

Yes

2. Did the contractor meet the DBE program?

Yes

- a) % of DBE participation 95.00%
- b) % of LBE participation 0.00%
- c) % of SLBE participation 0.00%
- d) % of VSLBE/LPG participation 0.00%

3. Was Good Faith Effort (GFE) documentation submitted? Yes

4. Additional Comments Firm submitted Good Faith Effort however, the firm met the 12% DBE participation goal.

5. Date evaluation completed and returned to initiating department. 8/18/2014

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Reviewing Officer: Vivian Inman

Reviewing Officer Date: 8/18/2014

Approved By: Shelley Darenburg

Approved By Date: \_\_\_\_\_

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Monday, August 18, 2014

**Summit Associates**

**Project Name: Special Inspection and Material Testing Services for Replacement of the Embarcadero Bridge Over Lake Merritt Channel**

**Project No: G121810**

**Engineers Estimate:**

**Under/Over Engineers Estimate:**

No.	Discipline	Contractor	Location	Cert. Status	For Tracking Purpose Only				Certified DBE/WBE			
					DBE	LBE	SLBE	VSLBE/LPG	UB	Ethn	MBE	WBE
1	Prime Consultant	Summit Associates	Oakland	CB	95.00%					AP	95.00%	
2	Gamma-gamma Testing	Abe Construction Services, Inc.	Walnut Creek	UB					5.00%	C		
<b>Project Totals:</b>					95.00%				5.00%		95.00%	

**CB = Certified Business**  
**UB = Uncertified Business**  
**DBE = Disadvantaged Business Enterprise**  
**MBE = Minority Business Enterprise**  
**WBE = Women Business Enterprise**  
**SLBE = Small Local Business Enterprise**  
**LBE = Local Business Enterprise**

**Total Participation of DBEs: 95.00%**

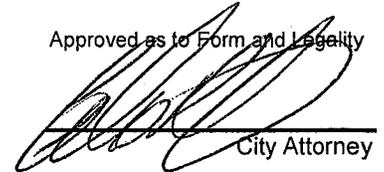
**Total Participation: 100.00%**

**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**

FILED  
OFFICE OF THE CITY CLERK  
OAKLAND

2014 DEC 30 AM 10:14

# OAKLAND CITY COUNCIL

  
City Attorney

RESOLUTION No. \_\_\_\_\_ C.M.S.

Introduced by Councilmember \_\_\_\_\_

**RESOLUTION AUTHORIZING THE CITY ADMINISTRATOR, OR DESIGNEE, TO ACCEPT AND APPROPRIATE UP TO NINETEEN MILLION EIGHT HUNDRED EIGHTY-THREE THOUSAND FOUR HUNDRED SIXTY-SEVEN DOLLARS (\$19,883,467.00) IN FEDERAL HIGHWAY ADMINISTRATION AND STATE PROPOSITION 1B FUNDS FOR THE REPLACEMENT OF EMBARCADERO BRIDGE OVER LAKE MERRITT CHANNEL (PROJECT NO. G121810)**

**WHEREAS**, the City completed the construction documents for the Replacement of Embarcadero Bridge Project (Project No. G121810) and requested authorization to proceed with construction from the California Department of Transportation (Caltrans); and

**WHEREAS**, on April 2, 2014, Caltrans approved the construction phase of the project and obligated a grant of federal and state Proposition 1B funds in the amount of \$19,393,519.00; and

**WHEREAS**, Staff is working with Caltrans to obtain additional grant funding in the amount of \$489,948.00 for the project and expecting timely approval of the request for a total grant amount of \$19,883,467.00; and

**WHEREAS**, the grant requires a local match of \$615,942.00 and will be available in FY 15-16 using Measure B funds; now, therefore, be it

**RESOLVED:** That the City Administrator, or designee, is authorized to accept and appropriate up to Nineteen Million Eight Hundred Eighty-Three Thousand Four Hundred Sixty-Seven Dollars (\$19,883,467.00) of Federal Highway Administration and State Proposition 1B funds for the project (Project No. G121810); and be it

**FURTHER RESOLVED:** That these grant funds totaling \$19,883,467.00 will be deposited and appropriated in the Department of Transportation Fund 2116 in the following accounts:

<b>Funding Source</b>	<b>Grant (Fund 2116)</b>	<b>Local Match (Fund 2211)</b>
Department of Transportation Fund (2116); Engineering Design: Streets & Structures Organization (92242); Street Construction Account (57411); Project G121810	\$15,905,852.00	
Measure B Fund (2211); Engineering Design: Streets & Structures Organization (92242); Street Construction Account (57411); Project G121840		\$493,675.10
Department of Transportation Fund (2116); Engineering Design: Streets & Structures Organization (92242); Contract Contingencies Account (54011); Project G121810	\$1,591,046.00	
Measure B Fund (2211); Engineering Design: Streets & Structures Organization (92242); Contract Contingencies Account (54011); Project G121840		\$48,906.90
Department of Transportation Fund (2116); Engineering Design: Streets & Structures Organization (92242); Architectural and Engineering Services Account (54411); Project G121810	\$970,178.00	
Measure B Fund (2211); Engineering Design: Streets & Structures Organization (92242); Architectural and Engineering Services Account (54411); Project G121840		\$29,822.00
Department of Transportation Fund (2116); Construction & Field Services Organization (30232); Work Order Expenditures Account (56611); Project G121810	\$776,142.00	
Measure B Fund (2211); Construction & Field Services Organization (30232); Work Order Expenditures Account (56611); Project G121840		\$23,858.00
Department of Transportation Fund (2116); Streets & Structures Organization (30242); Work Order Expenditures Account (56611); Project G121810	\$640,249.00	
Measure B Fund (2211); Streets & Structures Organization (30242); Work Order Expenditures Account (56611); Project G121840		\$19,680.00
<b>Total Funds</b>	<b>\$19,883,467.00</b>	<b>\$615,942.00</b>
	<b>\$20,499,409.00</b>	

; and be it

**FURTHER RESOLVED:** That the City of Oakland, by adopting this resolution, does hereby agree that this project will comply with the funding requirements as set forth in the grant funding agreement; and be it

**FURTHER RESOLVED:** That there is no pending or threatened litigation that might in any way adversely affect the ability of the City to deliver such project; and be it

**FURTHER RESOLVED:** That the City Administrator, or designee, is authorized to negotiate grant terms, execute, modify, amend and extend agreements, make expenditures, and take all other actions with respect to the grant funding and this project in accordance with this resolution and its basic purposes; and be it

**FURTHER RESOLVED:** That should additional funds be received for this project, such funds are hereby appropriated to the above named accounts, and the City Administrator is hereby authorized to accept the same for the purposes described above.

IN COUNCIL, OAKLAND, CALIFORNIA, \_\_\_\_\_.

**PASSED BY THE FOLLOWING VOTE:**

AYES - BROOKS, GALLO, GIBSON McELHANEY, KALB, KAPLAN, GUILLEN, CAMPBELL WASHINGTON, AND REID

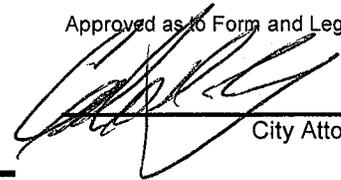
NOES -

ABSENT -

ABSTENTION -

ATTEST: \_\_\_\_\_

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

  
City Attorney

FILED  
OFFICE OF THE CITY CLERK  
OAKLAND

2014 DEC 30 AM 10:14

# OAKLAND CITY COUNCIL

RESOLUTION No. \_\_\_\_\_ C.M.S.

Introduced by Councilmember \_\_\_\_\_

**RESOLUTION AWARDING A CONSTRUCTION CONTRACT TO FLATIRON WEST, INC., THE LOWEST RESPONSIVE, RESPONSIBLE BIDDER, IN ACCORDANCE WITH PLANS AND SPECIFICATIONS FOR THE REPLACEMENT OF EMBARCADERO BRIDGE OVER LAKE MERRITT CHANNEL (PROJECT NO. G121810) AND WITH CONTRACTOR'S BID IN THE AMOUNT OF SIXTEEN MILLION THREE HUNDRED NINETY-NINE THOUSAND FIVE HUNDRED TWENTY-SEVEN DOLLARS AND TEN CENTS (\$16,399,527.10)**

**WHEREAS**, the City of Oakland was awarded federal and State Proposition 1B funds for Replacement of Embarcadero Bridge over Lake Merritt Channel (Project No. G121810); and

**WHEREAS**, on April 2, 2014, the California Department of Transportation (Caltrans) approved the construction phase of the project and obligated a grant of federal and state Proposition 1B funds in the amount of \$19,393,519.00; and

**WHEREAS**, on May 22, 2014, the City conducted bidding for this project and received four bids that were substantially higher than the engineer's estimate; and

**WHEREAS**, it was determined that it was in the City's best interest to reject all bids and rebid the project; and

**WHEREAS**, on November 6, 2014, the City conducted bidding for this project and received five bids; and

**WHEREAS**, Flatiron West, Inc., bidding as a prime, is deemed the lowest responsive and responsible bidder for the project; and

**WHEREAS**, Flatiron West, Inc. complies with the federal Disadvantaged Business Enterprise (DBE) Program requirements; and

**WHEREAS**, Staff is working with Caltrans to obtain additional grant funding in the amount of \$489,948.00 for the project and expecting timely approval of the request for a total grant amount of \$19,883,467.00; and

**WHEREAS**, the grant for the construction contract requires a local match of \$493,675.00 and will be available in FY 15-16 using Measure B funds; and

**WHEREAS**, the Replacement of Embarcadero Bridge project is adjacent to the Brooklyn Basin Development project and timely award of the construction contract will help facilitate full coordination of these two projects; and

**WHEREAS**, funds for the work will be available in the following project accounts:

- Department of Transportation Fund (2116); Engineering Design: Streets & Structures Organization (92242); Street Construction Account (57411); Project G121810; \$15,905,852.00
- Measure B-ACTIA Fund (2211); Engineering Design: Streets & Structures Organization (92242); Street Construction Account (57411); Project G121810; \$493,675.10; and

**WHEREAS**, the City lacks the equipment and qualified personnel to perform the necessary work and the City Council finds and determines that the performance of this contract is in the public interest because of economy; and

**WHEREAS**, the City Council has determined that this contract is of a professional, scientific or technical and temporary in nature and shall not result in the loss of employment or salary by any person having permanent status in the competitive service; now, therefore, be it

**RESOLVED:** That the City Administrator, or designee, is authorized to execute a construction contract with Flatiron West, Inc., the lowest responsive, responsible bidder, in accordance with plans and specifications for the Replacement of Embarcadero Bridge over Lake Merritt Channel (Project No. G121810) and with contractor's bid in the amount of Sixteen Million Three Hundred Ninety-Nine Thousand Five Hundred Twenty-Seven Dollars and Ten Cents (\$16,399,527.10); and be it

**FURTHER RESOLVED:** That the amount of the bond for faithful performance and the amount for a bond to guarantee payment of all claims for labor and materials furnished and for amount due under the Unemployment Insurance Act, shall be 100% of the contract price; and be it

**FURTHER RESOLVED:** That the plans and specifications prepared for this project, including any subsequent changes during construction, will be reviewed and adopted by the Director, or his/her designee; 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, \_\_\_\_\_.

**PASSED BY THE FOLLOWING VOTE:**

AYES - BROOKS, GALLO, GIBSON McELHANEY, KALB, KAPLAN, GUILLEN, CAMPBELL WASHINGTON,  
AND REID  
NOES -

ABSENT -

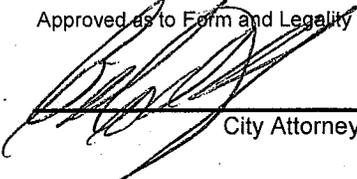
ABSTENTION -

ATTEST: \_\_\_\_\_  
LaTonda Simmons  
City Clerk and Clerk of the Council  
of the City of Oakland, California

FILED  
OFFICE OF THE CITY CLERK  
OAKLAND

2014 DEC 30 AM 10:14

# OAKLAND CITY COUNCIL

  
\_\_\_\_\_  
City Attorney

RESOLUTION No. \_\_\_\_\_ C.M.S.

Introduced by Councilmember \_\_\_\_\_

**RESOLUTION AUTHORIZING THE CITY ADMINISTRATOR, OR DESIGNEE, TO WAIVE THE RFP/RFQ COMPETITIVE SELECTION PROCESS REQUIREMENTS AND AUTHORIZING AN AMENDMENT TO THE PROFESSIONAL SERVICES CONTRACT WITH T.Y. LIN INTERNATIONAL/AECOM, JOINT VENTURE FOR THE REPLACEMENT OF EMBARCADERO BRIDGE OVER LAKE MERRITT CHANNEL (PROJECT NO. G121810) INCREASING THE SCOPE OF WORK AND THE CONTRACT AMOUNT BY FIVE HUNDRED THOUSAND DOLLARS (\$500,000.00) FOR A TOTAL CONTRACT AMOUNT NOT TO EXCEED TWO MILLION FOUR HUNDRED EIGHTY THOUSAND TWO HUNDRED FORTY-FOUR DOLLARS (\$2,480,244.00)**

**WHEREAS**, the Replacement of Embarcadero Bridge over Lake Merritt Channel was identified by the California Department of Transportation (Caltrans) for the need of seismic retrofit; and

**WHEREAS**, federal and state grant funding was approved for this project by Caltrans; and

**WHEREAS**, on October 25, 1999, the City issued a Request for Proposals (RFP) for professional civil engineering services for the Replacement of Embarcadero Bridge over Lake Merritt Channel Project (Project No. G121810), and five firms responded to the RFP; and

**WHEREAS**, on February 13, 2001 the City Council approved the award of the professional services contract to T.Y. Lin International/AECOM, Joint Venture (previously known as CCS Planning and Engineering/J. Muller International, Joint Venture) for a total not-to-exceed amount of \$1,100,000.00 by Resolution #76282 C.M.S.; and

**WHEREAS**, the project was delayed several times due to the National Environmental Policy Act (NEPA) and San Francisco Bay Conservation and Development Commission (BCDC) permit approval process; and

**WHEREAS**, additional grant funding was approved by Caltrans to cover additional costs related to environmental coordination, scope changes, and project management; and

**WHEREAS**, on March 31, 2009 the City Council approved an increase to the contract amount for a total not-to-exceed amount of \$1,980,244.00 by Resolution #81888 C.M.S. to cover additional costs related to environmental coordination, scope changes, and project management; and

**WHEREAS**, the contract was amended to extend the duration and increase the cost to cover additional design services, such as additional environmental coordination, additional scope changes and project management; and

**WHEREAS**, on April 2, 2014, Caltrans approved the construction phase of the project and obligated an additional grant of federal and state Proposition 1B funds in the amount of \$19,393,519.00 to cover the cost of the construction phase; and

**WHEREAS**, Staff is working with Caltrans to obtain additional grant funding in the amount of \$489,948.00 for the project and expecting timely approval of the request for a total grant amount of \$19,883,467.00; and

**WHEREAS**, an Amendment to the contract with T.Y. Lin International/AECOM, Joint Venture is needed to provide support during construction; and

**WHEREAS**, the grant for this Amendment requires a local match of \$14,911.00 and will be available using Measure B funds; and

**WHEREAS**, from a liability and practical perspective and based on the circumstances described in the Agenda Report that accompanies this resolution, it is in the City's best interest to waive the Request For Proposal/Request For Qualifications (RFP/RFQ) competitive selection requirements of Section 2.04.051 A. of the Oakland Municipal Code (the "OMC"), pursuant to OMC Section 2.04.051 B, and have T.Y. Lin International/AECOM, Joint Venture resume and complete the services under this contract; and

**WHEREAS**, funds for the additional services under this Amendment will be available in the following project accounts:

- Department of Transportation Fund (2116); Engineering Design: Streets & Structures Organization (92242); Architectural and Engineering Services Account (54411); Project G121810; \$485,089.00
- Measure B-ACTIA Fund (2211); Engineering Design: Streets & Structures Organization (92242); Architectural and Engineering Services Account (54411); Project G121810; \$14,911.00; and

**WHEREAS**, the City lacks the equipment and qualified personnel to perform the necessary work and the City Council finds and determines that the performance of this contract is in the public interest because of economy; and

**WHEREAS**, the City Council has determined that this contract is of a professional, scientific or technical and temporary in nature and shall not result in the loss of employment or salary by any person having permanent status in the competitive service; now, therefore, be it

**RESOLVED:** That the City Council hereby finds and determines that, from a liability and practical perspective and based on the circumstances set forth in the Agenda Report which accompanies this Resolution, it is in the best interest of the City to waive the competitive RFP/RFQ selection requirements of OMC Section 2.04.051 A, pursuant to OMC Section 2.04.051 B, and have T.Y. Lin International/AECOM, Joint Venture resume and complete the services under this contract; and be it

**FURTHER RESOLVED:** That the City Administrator, or designee, is authorized to execute an Amendment to the contract with T.Y. Lin International/AECOM, Joint Venture extending the contract and increasing the scope of services and contract by an amount not to exceed five hundred thousand dollars (\$500,000.00), for a total contract amount not to exceed Two Million Four Hundred Eighty Thousand Two Hundred Forty-Four Dollars (\$2,480,244.00); and be it

**FURTHER RESOLVED:** That the City Administrator, or designee, is authorized to approve any subsequent amendments to or extensions of said agreement with the exception of those related to an increase in the total dollar amount of the agreement, provided that such amendments or extensions shall be filed with the City Clerk's Office; 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, \_\_\_\_\_.

**PASSED BY THE FOLLOWING VOTE:**

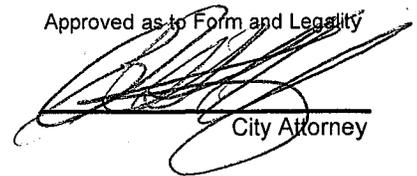
AYES - BROOKS, GALLO, GIBSON McELHANEY, KALB, KAPLAN, GUILLEN, CAMPBELL WASHINGTON, and REID

NOES -

ABSENT -

ABSTENTION -

ATTEST: \_\_\_\_\_  
LaTonda Simmons  
City Clerk and Clerk of the Council  
of the City of Oakland, California



City Attorney

2014 DEC 30 AM 10:14 **OAKLAND CITY COUNCIL**

**RESOLUTION No. \_\_\_\_\_ C.M.S.**

Introduced by Councilmember \_\_\_\_\_

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**RESOLUTION AWARDING A PROFESSIONAL SERVICES CONTRACT TO BIGGS CARDOSA ASSOCIATES, INC. TO PROVIDE SPECIAL INSPECTION AND MATERIAL TESTING SERVICES FOR THE REPLACEMENT OF EMBARCADERO BRIDGE OVER LAKE MERRITT CHANNEL (PROJECT NO. G121810) IN AN AMOUNT NOT TO EXCEED FIVE HUNDRED THOUSAND DOLLARS (\$500,000.00)**

**WHEREAS**, professional civil engineering services are needed to provide special inspection and material testing laboratory services to support the Replacement of Embarcadero Bridge Project (Project No. G121810)

**WHEREAS**, on April 2, 2014, the California Department of Transportation (Caltrans) approved the construction phase of the project and obligated a grant of federal and state Proposition 1B funds in the amount of \$19,393,519.00; and

**WHEREAS**, Staff is working with Caltrans to obtain additional grant funding in the amount of \$489,948.00 for the project and expecting timely approval of the request for a total grant amount of \$19,883,467.00; and

**WHEREAS**, the grant for the contract with Biggs Cardosa Associates requires a local match of \$14,911.00 and will be available in FY 15-16 using Measure B funds; and

**WHEREAS**, funds for the additional services under Amendment 6 will be available in the following project accounts:

- Department of Transportation Fund (2116); Engineering Design: Streets & Structures Organization (92242); Architectural and Engineering Services Account (54411); Project G121810; \$485,089.00
- Measure B-ACTIA Fund (2211); Engineering Design: Streets & Structures Organization (92242); Architectural and Engineering Services Account (54411); Project G121810; \$14,911.00; and

**WHEREAS**, the City conducted a competitive Request for Proposals selection process and extensive outreach effort to request proposals that resulted in seven (7) responses; and

**WHEREAS**, Biggs Cardosa Associates, Inc. was chosen through the City's Request for Proposals process as the top rated firm to provide the services; and

**WHEREAS**, the federal Race Conscious Disadvantaged Business Enterprise (RC DBE) Program must be used in lieu of the City's Local/Small Local Business Enterprise (LBE/SLBE) Program in determining qualified firms because this project is funded by federal funds; and

**WHEREAS**, Biggs Cardosa Associates, Inc. has achieved 12.00% DBE participation, which meets the 12.00% DBE requirement identified in the Request for Proposals; and

**WHEREAS**, the City lacks the equipment and qualified personnel to perform the necessary work and the City Council finds and determines that the performance of this contract is in the public interest because of economy; and

**WHEREAS**, the City Council has determined that this contract is of a professional, scientific or technical and temporary in nature and shall not result in the loss of employment or salary by any person having permanent status in the competitive service; now, therefore, be it

**RESOLVED:** That the City Administrator, or designee, is authorized to negotiate and execute a professional services contract with Biggs Cardosa Associates, Inc. to provide professional engineering services for the Replacement of Embarcadero Bridge over Lake Merritt Channel (Project No. G121810) in an amount not to exceed Five Hundred Thousand Dollars (\$500,000.00); and be it

**FURTHER RESOLVED:** That the City Administrator, or designee, is hereby authorized to approve any subsequent amendments to or extensions of said Contract with the exception of those related to an increase in total compensation or allocation of additional funds, provided that such amendments or extensions shall be filed with the City Clerk's Office; 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, \_\_\_\_\_.

**PASSED BY THE FOLLOWING VOTE:**

AYES - BROOKS, GALLO, GIBSON McELHANEY, KALB, KAPLAN, GUILLEN, CAMPBELL WASHINGTON, and REID

NOES -

ABSENT -

ABSTENTION -

ATTEST: \_\_\_\_\_

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