



AGENDA REPORT

TO: JOHN A. FLORES
INTERIM CITY ADMINISTRATOR

FROM: Brooke A. Levin

SUBJECT: DeFremery Park Recreation Center
Exterior Rehabilitation Project
Construction Award

DATE: February 25, 2015

City Administrator
Approval

Date:

3/30/15

COUNCIL DISTRICT: District 3

RECOMMENDATION

Staff recommends that the City Council adopt a resolution to reject all bids, waive further advertising and competitive bidding, and authorize the City Administrator, or designee, to negotiate and execute a construction contract up to the amount of Six Hundred Forty Thousand Dollars (\$640,000.00) in the open market for the DeFremery Park Recreation Center Exterior Rehabilitation Project (No. C469510) in accordance with the project plans and specifications.

OUTCOME

Approval of this resolution will reject all bids received on December 22, 2014, for the DeFremery Park Recreation Center Exterior Rehabilitation (the Project), waive further advertising and competitive bidding, and authorize the City Administrator or designee to negotiate in the open market with a qualified contractor to execute a construction contract up to the amount of Six Hundred Forty Thousand Dollars (\$640,000.00) in accordance with Oakland Municipal Code (OMC) Section 2.04.050.J.

BACKGROUND/LEGISLATIVE HISTORY

The DeFremery Park Recreation Center, also known as the DeFremery House, is located at 1651 Adeline Street in Oakland. The recreation center is operated by the Oakland Parks and Recreation Department (OPR) and offers a variety of cultural, educational, and recreational programs for youth and teens, and provides rentable space for meetings and weddings.

The DeFremery House was built circa 1864 for the late James de Fremery, one of the founders and the first president of San Francisco Savings Union. The DeFremery estate, including the house, was acquired by the City in 1907 for public park use. DeFremery House was declared a designated landmark by the Landmarks Preservation Advisory Board on September 30, 1981, (Resolution: 1981-7, Case File: LM 81-230) and adopted by the City Council on November 17, 1981 (Resolution No. 10155 C.M.S).

Item: _____
Public Works Committee
April 14, 2015

Recent exterior maintenance work along with termite reports and visual surveys uncovered numerous exterior wood damage in the building due to dry rot, sun exposure, and degradation from age.

In order to better understand the maintenance needs and the nature of the exterior rehabilitation required for DeFremery House, a preservation architect was commissioned in March of 2014 to prepare an assessment report and compile a list of immediate repair items. The architect's recommendations for immediate repairs included drainage and ventilation improvements to the crawl space, porch reconstruction, replacement of termite and fungus damaged wood members, replacement of decayed structural and finish wood members on the fire escape, exterior siding and trim repairs, window restoration, and exterior lead-based paint abatement. The assessment report and the recommendations were presented to the Landmarks Preservation Advisory Board on May 12, 2014, and approved by the Board.

ANALYSIS

Bid Analysis:

On December 22, 2014, the City Clerk received four bids for the Project as shown on **Attachment B: Bid Results** – revised with correct total amounts on January 12, 2015. B-Side, Inc. and Bay Construction failed to meet the qualification requirements specified in the bid documents as restoration specialists who have 10 years of experience in comparable exterior repair work, including at least two recognized historic properties that were restored within the last five years. The other two bidders, Rockridge Builders and Angotti & Reilly, Inc., failed to meet the 50% L/SLBE participation requirements (*see Attachment C: Compliance Analysis*, dated January 15, 2015). As a result, all four bids are determined to be non-responsive. Therefore, staff recommends rejecting all bids for the Project and negotiating a construction contract in the open market with a qualified contractor.

Due to the prominent historical importance of the building, staff will negotiate with contractors who have qualifying building restoration experience with emphasis in exterior repair work. Negotiations will also involve value engineering to modify the approach and/or scope of work in order to meet construction budget. Negotiations shall ensure that all City contract compliance and program requirements are satisfied.

Project Funds:

The DeFremery House construction project is funded by fiscal year (FY) 2014-15 City Facility minor capital improvements fund (4400) in the amount of \$434,061; fiscal years 2013-15 Community Development Block Grant (CDBG) fund (2108) remaining amount of \$104,767 for the DeFremery House; and \$101,172 of East Bay Regional Park District Measure WW Park Extension Local Grant Program fund (2260) for DeFremery House and Park Improvements. In May 2014 City Council approved Resolution No. 85055 C.M.S. to re-allocate up to \$102,000.00 of the remaining Measure WW Bond fund (2260) from the Poplar Field Improvement project to the DeFremery Recreation Center Project.

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3. SOURCE OF FUNDING:

FUNDING SOURCE	AMOUNT
City Facilities fund (4400); Project Management Capital Projects Organization (92270); Capital Improvement (CI) – Buildings Additions & Improvements Account (57212); Facilities Minor Capital Improvement Project (C469510); DeFremery Recreation Center Program (222M);	\$434,061
Housing and Urban Development – Community Development Block Grant fund (2108); DeFremery Recreation Center Organization (502232); CI – Buildings Additions & Improvements Account (57212); DeFremery House Project (G469725);	\$104,767
Measure WW: East Bay Regional Park District Fund (2260); Project Management Capital Projects Organization (92270); CI – Buildings Additions & Improvements Account (57212); DeFremery Recreation Center Projects (TBD);	\$101,172
TOTAL FUNDS	\$640,000

4. FISCAL IMPACT:

Approval of this resolution will result in executing a construction contract up to the amount of Six Hundred Forty Thousand Dollars (\$640,000.00) for the DeFremery Recreation Center Exterior Rehabilitation Project. The rehabilitation of the DeFremery House will extend the useful life of the building and preserve the historical character as well as reduce maintenance requirements.

SUSTAINABLE OPPORTUNITIES

Economic: Through the construction contract, City of Oakland businesses will generate economic and job opportunities for Oakland residents, provide business tax, sales tax, other revenues for the City by those who work on the project. Furthermore, the rehabilitated recreation center will attract more patrons and renters to the facility.

Environmental: The contractor is required to stabilize and abate lead-based paint on the building exterior per Division of Occupational Safety and Health (Cal/OSHA) and the Environmental Protection Agency (EPA) requirements. The contractor is also required to recycle and re-use construction materials to the extent practicable complying with City standards.

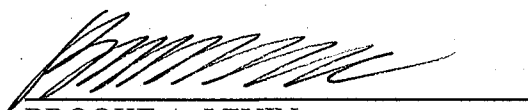
Social Equity: The restoration will enhance the public's experience of and appreciation for the Oakland historic recreation center.

CEQA

The project is exempt from environmental review as the work is limited to improvements to an existing facility.

For questions regarding this report, please contact David Lau, P.E., Project Delivery Division Manager at (510) 238-7131.

Respectfully submitted,



BROOKE A. LEVIN
Director, Oakland Public Works

Reviewed by:
Michael J. Neary, P.E., Assistant Director
OPW, Bureau of Engineering and Construction

Reviewed by:
David Lau, P.E., Division Manager,
Project Delivery Division

Prepared by:
WooJae Kim, Capital Improvement Project Coordinator
Project Delivery Division

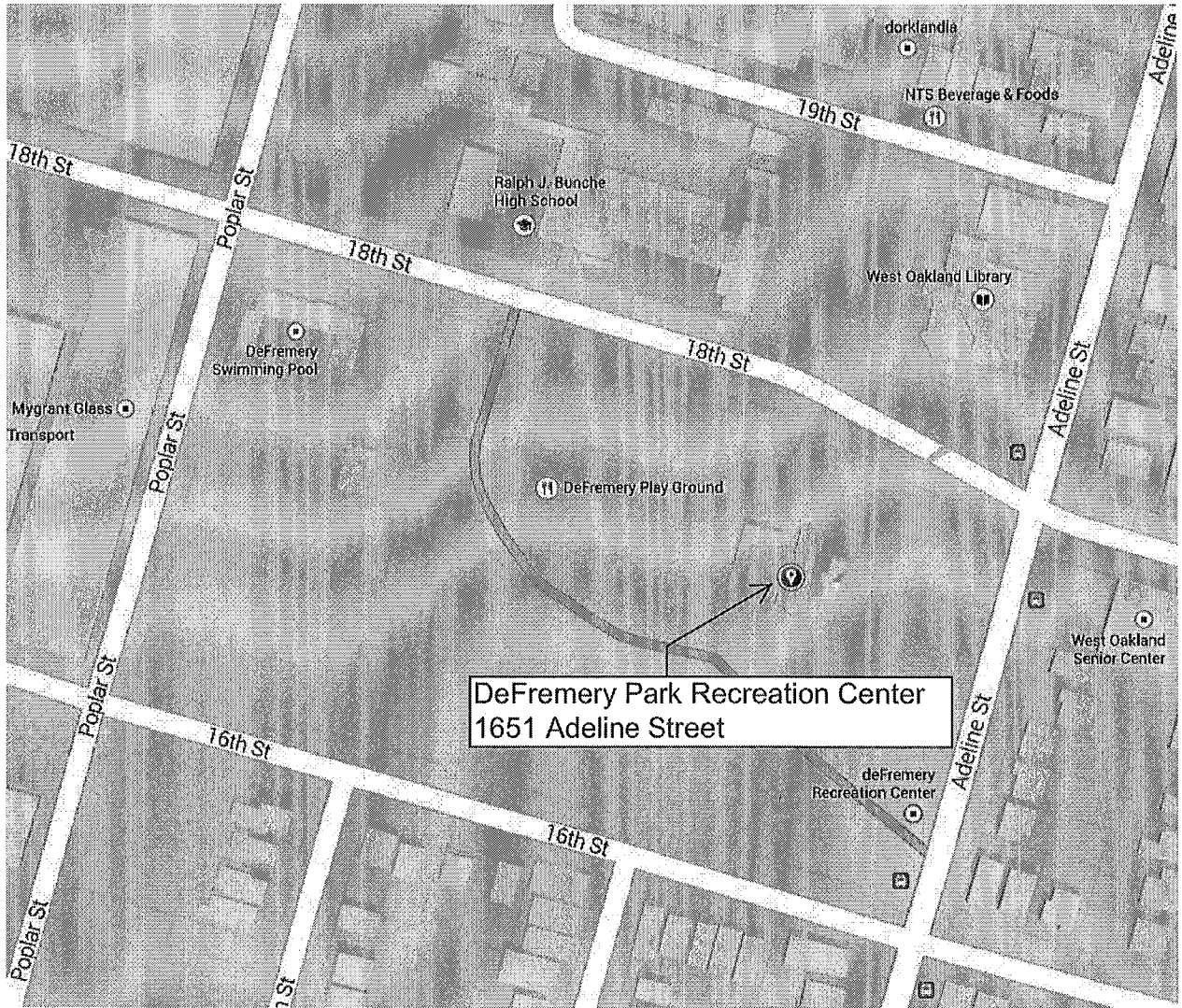
Attachments (3)

Attachment A: Location Map

Attachment B: Bid Results (revision dated January 12, 2015)

Attachment C: Compliance Analysis (dated January 15, 2015)

ATTACHMENT A - LOCATION MAP



CITY OF OAKLAND BID SUMMARY
Public Works Department - Contract Services

ATTACHMENT B - BID RESULTS

PROJECT NAME: DeFremery Park Recreation Center Exterior Rehabilitation
PROJECT NO: C469510
BID DATE: December 22, 2014
ENGINEER'S ESTIMATE: \$550,000 for Base Bid plus Add Alternate #2
BASIS OF AWARD: The lowest base bid price, plus alternates taken in the priority order announced immediately before the bid opening, until the bid price is less than or equal to the available construction budget announced immediately before the bid opening.
PROJECT MANAGER: WooJae Kim
COMPLIANCE OFFICER: Sophany Hlang
APPARENT LOW BIDDER (prior to Bid Discounts per I/S/BE program): B SIDE INC
ISSUED TO COMPLIANCE, PROJECT MANAGER AND ALL PRIME BIDDERS: Revision 1 issued 1/12/2015

- COMMENTS:**
- The designation of the 'apparent low bidder' made in this Bid Summary does not incorporate 'bid discounts', if any. The Office of Contract Compliance will determine any bid discounts in their forthcoming compliance analysis.
 - * Work under Bid Items F, G, H and J shall be performed by persons whose qualifications have been submitted and approved as "Restorations Specialists". Within five (5) business days after bid opening, submit a written qualification and experience. SEE BID FORM for complete instructions.
 - Rockridge Builders' Unit Price did not include their markups; cost extensions shown in Total Amount column used instead to calculate total Base Bid Total of \$629,400.
 - Bid Totals calculated by Angotti & Reilly, B-Side Inc., and Rockridge Builders contained minor mathematical errors. The totals calculated by this spreadsheet shall prevail.

Documents Required With Bid	ANGOTTI & REILLY INC.	B SIDE INC	BAY CONSTRUCTION CO.	ROCKRIDGE BUILDERS
Contractor's Bid Form and Bid Schedule	Y	Y	Y	Y
Correct Prime Contractor License Type and Active per CSLB?	Y	Y	Y	Y
Subcontractor Licenses Listed and Active per CSLB?	Y	Y	Y	Y
Addendum acknowledgement	Y	Y	Y	Y
Bid Bond	Y	Y	Y	Y
Schedule K - Pending Dispute Disclosure	Y	Y	Y	Y
Schedule O - Campaign Contribution Limits	Y	Y	Y	Y
Schedule R - Subcontractor, Supplier, Trucking Listing	Y	Y	Y	Y
If Trucking is required, was one listed?	NA	NA	NA	NA

Engineer's Estimate				ANGOTTI & REILLY INC.		B SIDE INC		BAY CONSTRUCTION CO.		ROCKRIDGE BUILDERS		
Item Number	Spec. Section	Quantity	Unit of Measure	Item Description	Unit Price	Total Amount	Unit Price	Total Amount	Unit Price	Total Amount	Unit Price	Total Amount
A	Various	1	LS	Repairs for Subgrade Drainage	\$21,600.00	21,600.00	30,122.00	30,122.00	28,500.00	28,500.00	10,000.00	10,000.00
B	Various	1	LS	New Subgrade Venting	\$12,600.00	12,600.00	24,525.00	24,525.00	39,600.00	39,600.00	10,000.00	10,000.00
C	Various	1	LS	Repair Existing Downspouts	\$2,500.00	2,500.00	20,148.00	20,148.00	8,000.00	8,000.00	10,000.00	10,000.00
D	Various	1	LS	Repair and Replacement of Damaged Subgrade Wood Components	\$15,200.00	15,200.00	69,174.00	69,174.00	54,000.00	54,000.00	95,000.00	95,000.00
E	Various	1	LS	Termites and Fungus Damage Repairs	\$32,700.00	32,700.00	44,690.00	44,690.00	28,000.00	28,000.00	50,000.00	50,000.00
F	Various	1	LS	Wood Trim and Siding Repairs*	\$89,000.00	89,000.00	109,545.00	109,545.00	76,000.00	76,000.00	130,000.00	130,000.00
G	Various	1	LS	Window Repair and Replacement*	\$92,000.00	92,000.00	212,958.00	212,958.00	61,000.00	61,000.00	70,000.00	70,000.00
H	Various	1	LS	Miscellaneous Repairs*	\$11,000.00	11,000.00	24,019.00	24,019.00	72,000.00	72,000.00	90,000.00	90,000.00
I	0	0	-	(NOT USED)	\$0.00							
J	Various	1	LS	Exterior Painting and Surface Preparation*	\$180,000.00	180,000.00	55,330.00	55,330.00	98,000.00	98,000.00	90,000.00	90,000.00
Total of Base Bid Items per spreadsheet calculation						456,600.00		590,511.00		465,100.00		555,000.00
Total of Base Bid Items per contractor calculation							595,510.00		465,000.00		555,000.00	629,488.00

Bid Alternate 1:				ANGOTTI & REILLY INC.		B SIDE INC		BAY CONSTRUCTION CO.		ROCKRIDGE BUILDERS	
7-3	1	LS	ADD Cost of Commercial Liability Insurance Coverage	Lump Sum		12,000.00		5,000.00		10,000.00	5,400.00
7-3	1	LS	ADD Cost of Worker's Compensation Insurance Coverage	Lump Sum		48,000.00		15,000.00		8,000.00	19,920.00
7-3	1	LS	ADD Cost of Excess Liability or Umbrella Insurance Coverage	Lump Sum		1,200.00		2,500.00		5,000.00	1,800.00
Total of Bid Alternate 1						61,200.00		22,500.00		23,000.00	27,120.00

Bid Alternate 2:				ANGOTTI & REILLY INC.		B SIDE INC		BAY CONSTRUCTION CO.		ROCKRIDGE BUILDERS	
Various	1	LS	Add alternate for porch removal and reconstruction per Plan Sheets 22 & 23. Surface Prep and painting work for the porch will still be included in the base Bid	93,000.00	93,000.00	39,000.00	39,000.00	42,600.00	42,600.00	50,000.00	94,473.00

Bid Alternate 3:				ANGOTTI & REILLY INC.		B SIDE INC		BAY CONSTRUCTION CO.		ROCKRIDGE BUILDERS	
Various	1	LS	Deductive alternate for deletion of all work in Social Hall rehabilitation scope from Base Bid. Painting still will be required with minimum surface prep as part of Base Bid work	(29,000.00)	(29,000.00)	(19,000.00)	(19,000.00)	(10,000.00)	(10,000.00)	(10,000.00)	(22,253.00)

Bid Alternate 4:				ANGOTTI & REILLY INC.		B SIDE INC		BAY CONSTRUCTION CO.		ROCKRIDGE BUILDERS	
Various	1	LS	Deductive alternate for deletion of window repair and replacement work shown on Plan Sheet 9 from Base Bid. Painting still will be required with minimum surface prep as part of Base Bid work	(92,000.00)	(92,000.00)	(180,000.00)	(180,000.00)	(50,000.00)	(50,000.00)	(20,000.00)	(147,950.00)

Bid Alternate 5:				ANGOTTI & REILLY INC.		B SIDE INC		BAY CONSTRUCTION CO.		ROCKRIDGE BUILDERS	
Various	1	LS	Deductive alternate for deletion of exterior painting only from Base Bid. Only apply primer coats to complete the project. A volunteer group to paint the exterior at a later time.	(15,000.00)	(15,000.00)	(20,000.00)	(20,000.00)	(18,200.00)	(18,200.00)	(25,000.00)	(33,297.00)

Engineer's Estimate				ANGOTTI & REILLY INC.		B SIDE INC		BAY CONSTRUCTION CO.		ROCKRIDGE BUILDERS	
Base Bid Total				456,600.00	590,511.00	465,100.00	555,000.00	629,400.00			
Bid Alternate 2				93,000.00	39,000.00	42,600.00	50,000.00	94,473.00			
Bid Alternate 3				(29,000.00)	(19,000.00)	(10,000.00)	(10,000.00)	(22,253.00)			
Bid Alternate 4				(92,000.00)	(180,000.00)	(50,000.00)	(20,000.00)	(147,950.00)			
Bid Alternate 5				(15,000.00)	(20,000.00)	(18,200.00)	(25,000.00)	(33,297.00)			
				413,600.00	410,511.00	429,500.00	550,000.00	520,373.00			
% Over / Under Engineer's Estimate					29.33%	1.86%	21.55%	37.84%			

PRIORITY ORDER OF ALTERNATES ANNOUNCED AT BID OPENING:



INTER OFFICE MEMORANDUM

TO: WooJae Kim,
CIP Coordinator

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

SUBJECT: Compliance Analysis
DeFremery Park Recreation Center Exterior Rehabilitation-Including Bid Alternate No. 2
Project No. C469510

DATE: January 15, 2015

City Administrator's Office, Contracts and Compliance Unit reviewed four (4) bids in response to the above referenced project. Below is the outcome of the compliance evaluation for the minimum 50% Local and Small Local Business Enterprise (L/SLBE) participation requirement, a preliminary review for compliance with the Equal Benefits Ordinance (EBO), and a brief overview of the lowest responsible bidder's compliance with the 50% Local Employment Program (LEP) and the 15% Oakland Apprenticeship Program on the bidder's most recently completed City of Oakland project.

Responsive to L/SLBE and/or EBO Policies		Proposed Participation					Earned Credits and Discounts			EBO Compliant?
Company Name	Original Bid Amount	Total LBE/SLBE	LBE	SLBE	*VSLBE/LPG	L/SLBE Trucking	Total Credited participation	Earned Bid Discounts	Adjusted Bid Amount	
B Side Inc.	\$507,700.00	80.30%	0.00%	80.30%	0.00%	NA	80.30%	5%	\$482,315.00	Y
Bay Construction	\$605,000.00	100.00%	7.44%	84.46%	8.10%	NA	100.00%	5%	\$574,750.00	Y

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

*Bay Construction's proposed VSLBE/LPG participation value was 8.10%, however, per the L/SLBE Program a VSLBE/LPG's participation is double counted towards meeting the requirement. Therefore, the VSLBE/LPG values for Bay Construction is 16.20%.

Non-Responsive to L/SLBE and/or EBO Policies		Proposed Participation					Earned Credits and Discounts				EBO Compliant? Y/N
Company Name	Original Bid Amount	Total LBE/SLBE	LBE	SLBE	*VSLBE/LPG	L/SLBE Trucking	Total Credited participation	Earned Bid Discounts	Adjusted Bid Amount	Adjusted Bid Amount	
Angotti & Reilly Inc.	\$629,511.00	0.00%	0.00%	0.00%	0.00%	0.00%	0%	0%	0%	0%	Y
Rockridge Builders	\$666,736.00	48.93%	0.00%	48.93%	0.00%	0.00%	0%	0%	0%	0%	Y

Comments: As noted above, Angotti & Reilly Inc. and Rockridge Builders failed to meet the minimum 50% L/SLBE participation requirement. Therefore, they are non-compliant with the 50% L/SLBE program.

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: B- Side Inc
Project Name: Elmhurst Library Renovation, 1427 88th Ave
Project No. C273610

50% Local Employment Program (LEP)

Was the 50% LEP Goal achieved?	No	If no, shortfall hours?	700
Were all shortfalls satisfied?	No	If no, penalty amount	\$57,140.34

15% Oakland Apprenticeship Program

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

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

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
1552	0	50%	776	50%	76	0	700	12%	100%	15%	233	0

Comments: B-Side Inc did not meet the Local Employment Program's 50% resident hiring goal and did meet the 15% Oakland Apprenticeship Program goals with 116 on-site hours and 116 off-site hours.

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



Contracts and Compliance Project Evaluation Report

Project No: C469510

Project Name: DeFremery Park Recreation Center Exterior Rehabilitation-including Bid Alternate No. 2

Contractor: B Side Inc.

<u>Engineer's Estimate:</u>	<u>Contractor's Bid Amount:</u>	<u>Under/Over Engineer's Estimate:</u>
\$550,000.00	\$507,700.00	\$42,300.00
<u>Discounted Bid Amount:</u>	<u>Amount of Bid Discount:</u>	<u>Discount Points:</u>
\$482,315.00	\$25,385.00	5.00%

-
1. Did the 50% Local/Small Local requirement apply? Yes
 2. Did the contractor meet the 50% requirement? Yes
 - a) % of LBE participation 0.00%
 - b) % of SLBE participation 80.30%
 - c) % of VSLBE/LPG participation 0.00% 0.00% (double counted value)
 3. Did the contractor meet the Trucking requirement? NA
 - a) % of SLBE/LBE trucking participation
 - b) % of VSLBE trucking participation
 4. Did the Contractor receive any bid discount? Yes

(if yes, list the percentage received) 5.00%
 5. Additional Comments
 6. Date evaluation completed and returned to initiating department. 1/14/2015

Reviewing Officer: Sophany Hang

Reviewing Officer Date: 1/14/2015

Approved By: Shelley Darenburg

Approved By Date: 1/14/15

LBE/SLBE/VSLBE/LPG PARTICIPATION

Project Name: DeFremery Park Recreation Center Exterior Rehabilitation-including Bid Alternate No. 2

Project No: C469510

Engineers Estimate: \$550,000.00

Under/Over Engineers Estimate: \$42,300.00

No. Discipline	Contractor	Location	Cert. Status	LBE	SLBE	VSLBE/LPG	L/SLBE Trucking	UB Trucking	UB Dollars	For Tracking Only		
										Ethn	MBE	WBE
1 Prime	B Side Inc.	Oakland	CB		407,700.00					C		
2 Abatment	Reliance Construction	Burlingame	UB						15,000.00	H	15,000.00	
3 Siding	Fort Ross	Ganite Bay	UB						40,000.00	C		
4 Trim	Cal Pro Trim & Finish	Sacramento	UB						45,000.00	NL		
Project Totals:					407,700.00				100,000.00		15,000.00	
					80.30%				19.70%		2.95%	

REQUIREMENTS: The 50% Requirements, is a combination of 25% LBE and 25% SLBE participation. An SLBE firm can be counted 100% towards achieving the 50% requirements and a VSLBE/LPG/VSLBE Trucking firm can be counted double towards achieving the 50% requirements.

Total LBE \ SLBE \$ and %: **\$407,700.00 80.30%**
 Total LBE \ SLBE Trucking \$ and %:
 Total VSLBE\LPG \$ and %:

Total Bid Amount: \$507,700.00
Total Participation of VSLBE / SLBE / LBE / LPG: 80.30%

LBE = Local Business Enterprise UB = Uncertified Business
 SLBE = Small Local Business Enterprise CB = Certified Business
 VSLBE = Very Small Local Business Enterprise MBE = Minority Business Enterprise
 LPG = Locally Produced Goods WBE = Women Business Enterprise
 NPSLBE = NonProfit Small Local Business Enterprise
 NPLBE = NonProfit Local Business Enterprise

*** Notes:**

ETHNICITY:
 AA = African American NA = Native American
 AI = Asian Indian O = Other
 AP = Asian Pacific NL = Not Listed
 C = Caucasian MO = Multiple Ownership
 H = Hispanic



Contracts and Compliance Project Evaluation Report

Project No: C469510

Project Name: DeFremery Park Recreation Center Exterior Rehabilitation-including Bid Alternate No. 2

Contractor: Bay Construction Company, Inc.

<u>Engineer's Estimate:</u>	<u>Contractor's Bid Amount:</u>	<u>Under/Over Engineer's Estimate:</u>
\$550,000.00	\$605,000.00	(\$55,000.00)
<u>Discounted Bid Amount:</u>	<u>Amount of Bid Discount:</u>	<u>Discount Points:</u>
\$574,750.00	\$30,250.00	5.00%

1. Did the 50% Local/Small Local requirement apply? Yes
2. Did the contractor meet the 50% requirement? Yes
 - a) % of LBE participation 7.44%
 - b) % of SLBE participation 84.46%
 - c) % of VSLBE/LPG participation 8.10% 16.20% (double counted value)
3. Did the contractor meet the Trucking requirement? NA
 - a) % of SLBE/LBE trucking participation
 - b) % of VSLBE trucking participation
4. Did the Contractor receive any bid discount? Yes

(if yes, list the percentage received) 5.00%
5. Additional Comments *Proposed VSLBE/LPG participation is valued at 8.10%, however, per the L/SLBE Program a VSLBE/LPG's participation is double counted towards meeting the requirement. Therefore, the value is 16.20%.
6. Date evaluation completed and returned to initiating department. 1/14/2015

Reviewing Officer: Sophany Hang

Reviewing Officer Date: 1/14/2015

Approved By: Shelley Darenabun

Approved By Date: 1/14/15

LBE/SLBE/VSLBE/LPG PARTICIPATION

Project Name: DeFremery Park Recreation Center Exterior Rehabilitation-including Bid Alternate No. 2

Project No: C469510

Engineers Estimate: \$550,000.00

Under/Over Engineers Estimate: (\$55,000.00)

No. Discipline	Contractor	Location	Cert. Status	LBE	SLBE	VSLBE/LPG	L/SLBE Trucking	UB Trucking	UB Dollars	For Tracking Only		
										Ethn	MBE	WBE
1 Prime	Bay Construction Company, Inc.	Oakland	CB		511,000.00					AP	511,000.00	
2 Led Removal	Bayview Environmental	Oakland	CB	45,000.00						C		
3 Painting	Citywide Painting	Oakland	CB			49,000.00				AP	49,000.00	
Project Totals:				45,000.00	511,000.00	49,000.00					560,000.00	
				7.44%	84.46%	8.10%						92.56%

REQUIREMENTS: The 50% Requirements, is a combination of 25% LBE and 25% SLBE participation. An SLBE firm can be counted 100% towards achieving the 50% requirements and a VSLBE/LPG/VSLBE Trucking firm can be counted double towards achieving the 50% requirements.

Total LBE \ SLBE \$ and %: **\$556,000.00 91.90%** Total Bid Amount: **\$605,000.00**
 Total LBE \ SLBE Trucking \$ and %:
 Total VSLBE\LPG \$ and %: **\$49,000.00 8.10%** Total Participation of VSLBE / SLBE / LBE / LPG: **100.00%**

LBE = Local Business Enterprise UB = Uncertified Business
 SLBE = Small Local Business Enterprise CB = Certified Business
 VSLBE = Very Small Local Business Enterprise MBE = Minority Business Enterprise
 LPG = Locally Produced Goods WBE = Women Business Enterprise
 NPSLBE = NonProfit Small Local Business Enterprise
 NPLBE = NonProfit Local Business Enterprise

* Notes:

ETHNICITY:
 AA = African American NA = Native American
 AI = Asian Indian O = Other
 AP = Asian Pacific NL = Not Listed
 C = Caucasian MO = Multiple Ownership
 H = Hispanic



Contracts and Compliance Project Evaluation Report

Project No: C469510

Project Name: DeFremery Park Recreation Center Exterior Rehabilitation-including Bid Alternate No. 2

Contractor: Angotti & Reilly Inc.

<u>Engineer's Estimate:</u>	<u>Contractor's Bid Amount:</u>	<u>Under/Over Engineer's Estimate:</u>
\$550,000.00	\$629,511.00	(\$79,511.00)
<u>Discounted Bid Amount:</u>	<u>Amount of Bid Discount:</u>	<u>Discount Points:</u>
\$629,511.00	\$0.00	0.00%

-
1. Did the 50% Local/Small Local requirement apply? Yes
 2. Did the contractor meet the 50% requirement? No
 - a) % of LBE participation 0.00%
 - b) % of SLBE participation 0.00%
 - c) % of VSLBE/LPG participation 0.00% 0.00% (double counted value)
 3. Did the contractor meet the Trucking requirement? NA
 - a) % of SLBE/LBE trucking participation
 - b) % of VSLBE trucking participation
 4. Did the Contractor receive any bid discount? No

(if yes, list the percentage received) 0.00%
 5. Additional Comments Firm failed to meet minimum 50% L/SLBE participation requirement. Therefore, they are non-compliant with the L/SLBE program.
 6. Date evaluation completed and returned to initiating department. 1/14/2015

Reviewing Officer: Sophany Hang

Reviewing Officer Date: 1/14/2015

Approved By: Shelley Darenburg

Approved By Date: 1/14/15

LBE/SLBE/VSLBE/LPG PARTICIPATION

Project Name: DeFremery Park Recreation Center Exterior Rehabilitation-including Bid Alternate No. 2

Project No: C469510

Engineers Estimate: \$550,000.00

Under/Over Engineers Estimate: (\$79,511.00)

No. Discipline	Contractor	Location	Cert. Status	LBE	SLBE	VSLBE/LPG	L/SLBE Trucking	UB Trucking	UB Dollars	For Tracking Only		
										Ethn	MBE	WBE
1 Prime	Angotti & Reilly Inc.	San Francisco	UB						580,080.00	C		
2 Paint	Cal Inc.	Vacaville	UB						49,431.00	NL		
Project Totals:									629,511.00			
									100.00%			

REQUIREMENTS: The 50% Requirements, is a combination of 25% LBE and 25% SLBE participation. An SLBE firm can be counted 100% towards achieving the 50% requirements and a VSLBE/LPG/VSLBE Trucking firm can be counted double towards achieving the 50% requirements.

Total LBE \ SLBE \$ and %: **\$0.00 0.00%** **Total Bid Amount: \$629,511.00**
 Total LBE \ SLBE Trucking \$ and %:
 Total VSLBE/LPG \$ and %: **Total Participation of VSLBE / SLBE / LBE / LPG: 0 . 0 0 %**

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 LPG = Locally Produced Goods WBE = Women Business Enterprise
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Contracts and Compliance Project Evaluation Report

Project No: C469510

Project Name: DeFremery Park Recreation Center Exterior Rehabilitation-including Bid Alternate No. 2

Contractor: Rockridge Builders

<u>Engineer's Estimate:</u>	<u>Contractor's Bid Amount:</u>	<u>Under/Over Engineer's Estimate:</u>
\$550,000.00	\$666,736.00	(\$116,736.00)
<u>Discounted Bid Amount:</u>	<u>Amount of Bid Discount:</u>	<u>Discount Points:</u>
\$666,736.00	\$0.00	0.00%

-
1. Did the 50% Local/Small Local requirement apply? Yes
2. Did the contractor meet the 50% requirement? No
- a) % of LBE participation 0.00%
- b) % of SLBE participation 48.93%
- c) % of VSLBE/LPG participation 0.00% 0.00% (double counted value)
3. Did the contractor meet the Trucking requirement? NA
- a) % of SLBE/LBE trucking participation
- b) % of VSLBE trucking participation
4. Did the Contractor receive any bid discount? No
- (if yes, list the percentage received) 0.00%
5. Additional Comments Firm failed to meet minimum 50% L/SLBE participation requirement. Therefore, they are non-compliant with the 50% L/SLBE program.
6. Date evaluation completed and returned to initiating department. 1/14/2015

Reviewing Officer: Sophany Hang

Reviewing Officer Date: 1/14/2015

Approved By: Shelley Darenobry

Approved By Date: 1/14/15

LBE/SLBE/VSLBE/LPG PARTICIPATION

Project Name: DeFremery Park Recreation Center Exterior Rehabilitation-including Bid Alternate No. 2

Project No: C469510

Engineers Estimate: \$550,000.00

Under/Over Engineers Estimate: (\$116,736.00)

No. Discipline	Contractor	Location	Cert. Status	LBE	SLBE	VSLBE/LPG	L/SLBE Trucking	UB Trucking	UB Dollars	For Tracking Only		
										Ethn	MBE	WBE
1 Prime	Rockridge Builders	Oakland	CB		326,260.00							C
2 Restoration	B.C.E	Alameda	UB						75,000.00			C
3 Painting	Excellco Coating, Inc.	San Francisco	UB						235,476.00			C
4 Scaffolding	Nor-Cal Scaffold, Inc.	San Leandro	UB						30,000.00			C
Project Totals:					326,260.00				340,476.00			
					48.93%				51.07%			

REQUIREMENTS: The 50% Requirements, is a combination of 25% LBE and 25% SLBE participation. An SLBE firm can be counted 100% towards achieving the 50% requirements and a VSLBE/LPG/VSLBE Trucking firm can be counted double towards achieving the 50% requirements.

Total LBE \ SLBE \$ and %: **\$326,260.00 48.93%** Total Bid Amount: **\$666,736.00**
 Total LBE \ SLBE Trucking \$ and %:
 Total VSLBE/LPG \$ and %: Total Participation of VSLBE / SLBE / LBE / LPG: **48.93%**

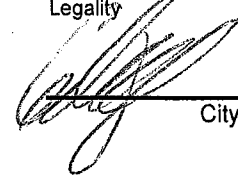
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*** Notes:**

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FILED
OFFICE OF THE CITY CLERK
OAKLAND

OAKLAND CITY COUNCIL



City Attorney

2015 MAR 31 PM 12:50

RESOLUTION No. _____ C.M.S.

Introduced by Councilmember _____

RESOLUTION TO REJECT ALL BIDS, WAIVE FURTHER ADVERTISING AND COMPETITIVE BIDDING, AND AUTHORIZE THE CITY ADMINISTRATOR, OR DESIGNEE, TO NEGOTIATE AND EXECUTE A CONSTRUCTION CONTRACT UP TO THE AMOUNT OF SIX HUNDRED FORTY THOUSAND DOLLARS (\$640,000.00) IN THE OPEN MARKET FOR THE DEFREMERY PARK RECREATION CENTER EXTERIOR REHABILITATION PROJECT (NO. C469510) IN ACCORDANCE WITH THE PROJECT PLANS AND SPECIFICATIONS

WHEREAS, the DeFremery Park Recreation Center, a designated City Landmark located at 1651 Adeline Street in Oakland, is in need of exterior rehabilitation due to extensive wood damage to the building due to dry rot, sun exposure and degradation from age; and

WHEREAS, on December 22, 2014, the Office of the City Clerk of the City of Oakland received four bids for the DeFremery Park Recreation Center Exterior Rehabilitation (Project No. C469510); and

WHEREAS, B-Side, Inc. and Bay Construction failed to meet the qualification requirements specified in the bid documents as restoration specialists who have 10 years of experience in comparable exterior repair work, including at least two recognized historic properties that were restored within the last five years; and

WHEREAS, Rockridge Builders and Angotti & Reilly, Inc. failed to meet the LBE/SLBE participation requirements according to the City's Compliance Analysis; and

WHEREAS, all four bids are determined to be non-responsive; and

WHEREAS, if reimbursement billing for Community Development Block Grant (CDBG) fund is delayed beyond fiscal year 2014-15, the City is required to provide justifications to the U.S. Department of Housing and Urban Development (HUD) and possibly risk losing grant funds; and

WHEREAS, OMC Title 2, Chapter 2.04, Article I, Section 2.04.050.A requires the City to conduct advertising and competitive bidding when it purchases services, supplies or a combination thereof that exceeds \$50,000.00; and

WHEREAS, OMC Title 2, Chapter 2.04, Article I, Section 2.04.050.I.5 provides an exception to this advertising and competitive bidding requirement when specifically authorized by the City Council after a finding and determination that it is in the best interests of the City.

WHEREAS, it is in the best interest for the City to waive further advertising and competitive bidding for the project as prescribed in OMC 2.04.050.I.5, and for the City Administrator, or designee, to negotiate and execute a construction contract before end of fiscal year 2014-15 in order to secure project funding; and

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

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

WHEREAS, the City Council finds and determines that the performance of this contract shall not result in the loss of employment or salary by any person having permanent status in the competitive services; now therefore be it

RESOLVED: That all bids are hereby rejected and the City Council finds that it is in the best interest of the City to waive further advertising and competitive bidding as prescribed in OMC 2.04.050.I.5 in order to meet CDBG funding expenditure deadline and commit Measure WW Grand funds for the project; and be it

FURTHER RESOLVED: That there are sufficient funds in the project budget for the work under the following sources:

- City Facilities (4400); Project Management Capital Projects Organization (92270); Capital Improvement – Buildings Additions & Improvements Account (57212); Facilities Minor CIP - DeFremery Recreation Center Project (C469510);
- Housing and Urban Development – Community Development Block Grant (2108); DeFremery Recreation Center Organization (502232); Capital Improvement – Buildings Additions & Improvements Account (57212); DeFremery House Project (G469725);
- Measure WW: East Bay Regional Park District Fund (2260); Project Management Capital Projects Organization (92270); Capital Improvement – Buildings Additions & Improvements Account (57212); DeFremery Recreation Center Projects (TBD); and be it

FURTHER RESOLVED: That the City Administrator, or designee, is hereby authorized to negotiate, award and execute a construction contract up to the amount of Six Hundred Forty Thousand Dollars (\$640,000) in the open market for the DeFremery Park Recreation Center Exterior Rehabilitation Project (C469510) in accordance with the project plans and specifications and per OMC Section 2.04.050.J; and be it

FURTHER RESOLVED: That the City Council hereby approves the project plans and specifications prepared under the direction of the Assistant Director of the Oakland Public Works Department, including any subsequent changes during negotiations and construction; and be it

FURTHER RESOLVED: That the City Administrator, or designee, is hereby authorized to approve any subsequent amendments or modifications of the contract within the limitation of the project specifications without return to Council; and be it

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

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

IN COUNCIL, OAKLAND, CALIFORNIA, _____

PASSED BY THE FOLLOWING VOTE:

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

NOES -

ABSENT -

ABSTENTION -

ATTEST: _____

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