Attachment D - Contract Compliance Memo, 03-31-2020



INTER OFFICE MEMORANDUM

TO: Allison Schwarz, CIP Coordinator FROM: Deborah Barnes, Director Ocnensburg

THROUGH: Shelley Darensburg, Senior Shelley Contract Compliance Officer Qarensburg

SUBJECT: Oakland Animal Services HVAC and Energy Management System Replacement Project No. 1003449 **DATE:** March 31, 2020

Contract Compliance Officer

PREPARED BY: Sophany Hang

The City Administrator's Office, Contracts and Compliance Unit reviewed three (3) bids in response to the above project. The L/SLBE program requires that there must be at least three certified businesses listed in the industry, trade or profession that constitutes a major category of work. If at least three L/SLBEs are not certified, then the requirement is either waved or the 50% requirement may be set from 50% to 0%. There were no certified firms that could perform the scope of work; therefore, the minimum 50% Local/Small Local Business Enterprise participation requirement waived for this project.

This memorandum provides a preliminary review for compliance with the Equal Benefits Ordinance (EBO).

Non-Responsive and/or EBO				Proposed P	articipatio	n	Earned (Credits a	and Discounts	ΝΛ
Company Name	Original Bid Amount	Total LBE/SLBE	LBE	SLBE	*VSLBE/LPG	L/SLBE /VSLBE Trucking	Total Credited participation	Earned Bid Discounts	Adjusted Bid Amount	EBO Compliant? Y
Heathorn & Associates.	\$1,754,735.00	7.58%	7.58%	0.00%	0.00%	NA	NA	NA	NA	N
Bay Construction, Inc.	\$1,781,000.00	70.12%	7.86%	62.26%	0.00%	NA	NA	NA	NA	Y
American Chiller Service, Inc.	\$1,924,375.00	2.94%	1.23%	1.71%	0.00%	NA	NA	NA	NA	Y

Comments: As noted above, Heathorn & Associates is not EBO compliant. The firm must come into compliance prior to full contract execution.



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Contractor Name:	Heathorn & Associates.
Project Name:	NA
Project No.	NA

50% Local Employment Program (LEP)

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

15% Oakland Apprenticeship Program

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

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

50	% Loc	al Emp	loymen	t Progr	am (L	EP)		15			lip
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 Apprenticeship Hours		Apprenticeship Goal and Hours	Apprentice Shortfall Hours
В		C	01	D	E	F	G	H	Caal	I. Llours	J
NA					NA	NA	NA	NA			NA
	Core Workforce Hours Deducted	Core Workforce Hours Deducted LEP Project	Reducted B Hours Hours Goal Hours Goal	Employment Employment Employment Employment Employment Employment Employment	Result Core Monkforce Hours Hours Deducted Ability LEP P B B Deducted B Deducted Mork Hours Achlieved	B Core Hours Hours Hours Hours B Core Hours B B Core B Core Hours Core B Core Hours Core B Core B Core Hours Coal Hours Hours Hours Hours Hours Hours Hours Hours Hours Hours Hours Hours Hurs Hours Hurs Hurs	B C Workfor B C Deduce B C B B C B B C B B C C B C C B C C B C C B C C C C C C C C C C C C C C C C C B C C C C C C C C C C C C C C C C C C C C C C C C C C C C C C C C C C C C C C C C C C C C C C C C C C C C C C C C	B Core Hours B Morkforce Hours B Core Hours B Achieved Compliance Mours	Hours Core Norkforce Hours A Mours Goal Hours Compliance Mours Apprenticeship Mours	Project IEB Project Brown Core Mours Goal Mours Goal Mours Goal Mours Goal Hours Achieved Achieved Achieved Achieved Achieved Brown Apprenticeship Hours Achieved Achieved Achieved Apprenticeship Apprenticeship Hours Achieved Achieved Achieved	B Goal Hours Goal Hours Achieved Achieved

Comments: There is no Local Employment or 15% Apprenticeship data for this firm. The firm has not had a previous City of Oakland project.

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

CITY ADMINISTRATOR'S OFFICE

Contracts and Compliance Unit



PROJECT COMPLIANCE EVALUATION FOR :

Project No.

1003449

RE:

Oakland Animal Services HVAC and Energy Management System Replacement-Rebid

CONTRACTOR: Heathorn & Associates

<u>Engineer's Estimate:</u> \$970,000.00	Contractors' Bid \$1,754,735.00	Amount	Over/Under Engineer \$784,735.00	<u>'s</u>
Discounted Bid Amount: \$1,754,735.00	Amt. of Bid Disc. \$0.00	<u>punt</u>	Discount Points:	
1. Did the 50% local/small	local requirement a	pply:	NO	
	BE participation LBE participation	ent <u>7.58%</u> <u>0.00%</u> <u>0.00%</u>	<u>NA</u>	
3. Did the contractor meet	the L/SLBE trucking	3	NA	
a) Total L/SLBE truc a) Total VSLBE truc		<u>0.00%</u> 0.00%		
4. Did the contractor recei	ve bid discount poin	ts?	NA	
(If yes, list the poin	ts received)	<u>0.00%</u>		
5. Additional Comments.				

An availability analysis was performed for this project. There were no certified firms that could perform the scope of work. Therefore, the minimum 50% Local and Small Local Business Enterprise (L/SLBE) participation requirement has been waived.

6. Date evaluation completed and returned to Contract Admin./Initiating Dept. 3/31/2020

		5/51/20	20		
		Date)		
Reviewing	Sugley H	ine			
Officer:	John) (1	\wedge	Date:	3/31/2020	
Approved By:	Shelley Oar	endung	Date:	3/31/2020	

LBE/SLBE Participation Bidder 1

133,000.00 18,000.00 133,000.00 7.58% WBE 18,000.00 1.03% MBE Ethn. z ∢ Z z z ပ z MO = Multiple Ownership IA = Native American 1,374,015.00 144,720.00 65,000.00 15,000.00 18,000.00 5,000.00 133,000.00 1,754,735.00 DOLLARS Dollars 100.00% TOTAL NL = Not Listed TOTAL Caucasian = Hispanic O = Other Trucking Trucking 0.00% 0.00 Total TRUCKING L/SLBE 0.00% 0.00 Under/Over Engineers -784,735.00 Trucking Trucking VSLBE VSLBE 0.00% 0.00 Oakland Animal Services HVAC and Energy Management System Replacement-Rebid 133,000.00 133,000.00 LBE/SLBE LBE/SLBE 7.58% TOTAL Total MBE = Minority Business Enterprise WBE = Women Business Enterprise (2x Value) **VSLBE/LP** *VSLBE/L 0.00% Estimate: 0.00 G UB = Uncertified Business Ċ CB = Certified Business 0.00 0.00% SLBE SLBE 25% 970,000.00 133,000.00 133,000.00 LBE 25% 7.58% LBE Total LBE/SLBE = All Certified Local and Small Local Businesses NPSLBE = NonProfit Small Local Business Enterprise Engineer's Estima The 50% requirements is a combination of 25% LBE and 25% SLBE participation. An SLBE firm can be counted 100% towards achieving 50% requirements and aVSLBE/LPP firm can be counted double towards achieving Status B G Cert. ЫÐ В ВU UB ЧB NPLBE = NonProfit Local Business Enterprise Location Project Totals Livermore SLBE = Small Local Business Enterprise Hayward Leandro _eandro Oakland Napa San San LBE = Local Business Enterprise SF **RSD Total Control** Carter Air Balance Temper Insulation Prime & Subs Western Roofing 1003449.0 Hatton Crane **Beci Electric** Heathorn & Associates Requirements: Project No.: Insulation Project Discipline Balancing Electrical Controls Roofing Crane PRIME

CITY ADMINISTRATOR'S OFFICE

Contracts and Compliance Unit



PROJECT COMPLIANCE EVALUATION FOR : Project No. 1003449

RE:

Oakland Animal Services HVAC and Energy Management System Replacement-Rebid

CONTRACTOR: Bay Construction, Inc.

Engineer's Estimate: \$970,000.00	<u>Contractors' Bid</u> \$1,781,000.00	Amount	Over/Under Engineer's Estimate \$811,000.00
Discounted Bid Amount: \$1,781,000.00	Amt. of Bid Disco \$0.00	<u>ount</u>	Discount Points: 0.00%
1. Did the 50% local/small loca	I requirement apply:	· ·	NO
2. Did the contractor meet the a) % of LBE pa b) % of SLBE p c) % of VSLBE	articipation participation	7.86% 62.26% 0.00%	<u>NA</u>
3. Did the contractor meet the	L/SLBE trucking		NA
a) Total L/SLBE tru a) Total VSLBE tru	- · ·	<u>0.00%</u> <u>0.00%</u>	
4. Did the contractor receive b	id discount points?		NA
(If yes, list the points	received)	<u>0.00%</u>	

5. Additional Comments.

An availability analysis was performed for this project. There were no certified firms that could perform the scope of work. Therefore, the minimum 50% Local and Small Local Business Enterprise (L/SLBE) participation requirement has been waived

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

		3/31/2020		
		Date		
Reviewing Officer:	Sagling Heng	D	ate:	3/31/2020
Approved By:	Shelley Darenstru	<u>∽</u> ≞	ate:	3/31/2020

LBE/SLBE Participation Bidder 2

Project Namo	roject میشن Dakland Animal Services HVAC and Energy Manag	vices HVAC	and El	hergy Manage	ement System Replacement-Rebid	Replacemen	t-Rebid	•						-
Project No.:	1003449.0	Engineer's Estimat	Estimate	940,0	970,000.00	Under/Over Engineers Estimate:		-811,000.00						
Discipline	Prime & Subs	Location	Cert.	LBE	SLBE	*VSLBE/LPG	Total	VSLBE	L/SLBE	Total	TOTAL			
•		12	Status			(2x Value)	LBE/SLBE		Trucking	Trucking	Dollars	Ethn	MBE	WBE
PRIME	Bay Construction, Inc.	Oakland	CB		1,108,800.00	· · · · ·	1,108,800.00	· · ·			1,108,800.00	AP	1,108,800.00	
Electrical	Beci Electric	Oakland	CB	140,000.00			140,000.00				140,100.00	U		140,000.00
Metal Work	Bay Area Welding	Richmond	UB				- - -				52,100.00	٦		
Mechanical	Planet Mechanical	Folsom	UB		-				• .		480,000.00	z		
		•					•							
	Project Totals	Totals		140,000.00 7.86%	1,108,800.00 62.26%	0,00 0.00%	1,248,800.00 70.12%	0.00 0.00%	0.00 0.00%	0.00 0.00%	1,781,000.00 100.00%		1,108,800.00 140,000.00 62.26% 7.86%	140,000.00 7.86%
Requirements: The 50% requirements SLBE participation. An achieving 50% requirem double towards achievir	Requirements: The 50% requirements is a combination of 25% LBE and 25% SLBE participation. An SLBE firm can be counted 100% towards achieving 50% requirements and aVSLBE/LPP firm can be counted double towards achieving the 50% requirment.	25% LBE and 2 ounted 100% to .PP firm can be nt.	5% wards counted	LBE 25%	SLBE 25%	VSLBE/LPG	TOTAL LBE/SLBE	VSLBE Trucking	TRUCKING	KING	TOTAL DOLLARS			
	LBE = Local Business Enterprise SLBE = Smalt Local Business Enterprise Total LBE/SLBE = All Certified Local and Small Local Businesses NPLBE = NonProfit Local Business Enterprise NPSLBE = NonProfit Small Local Business Enterprise	se interprise .ocal and Small L less Enterprise al Business Enter	ocal Busin prise		UB = Uncertified Business CB = Certified Business MBE = Minority Business Enterprise WBE = Women Business Enterprise	ness ss usiness Enterpris usiness Enterpris	8 W				C = Caucasian H = Hispanic NA = Native American O = Other NL = Not Listed MO = Multiple Ownership	멸		

CITY ADMINISTRATOR'S OFFICE



Contracts and Compliance Unit

PROJECT COMPLIANCE EVALUATION FOR : 1003449

Project No.

RE:

Oakland Animal Services HVAC and Energy Management System Replacement-Rebid

CONTRACTOR: American Chller Services, Inc

<u>Engineer's Estimate:</u> \$970,000.00	<u>Contractors' Bi</u> \$1,924,375			er Engineer 375.00	's Estimate	
Discounted Bid Amount: \$1,924,375.00	Amt. of Bid Dis \$0.00	<u>count</u>	Discount F 0.00%	<u>oints:</u>		
1. Did the 50% local/small I	ocal requirement a	pply:	NO			
2. Did the contractor meet a) % of L b) % of S c) % of V participat	BE LBE SLBE	ent <u>1.12%</u> <u>1.56%</u> <u>*0.00%</u>	<u>NA</u> 0.00%		(double coun value)	nted
 3. Did the contractor meet the L/SLBE trucking a) Total L/SLBE trucking participation a) Total VSLBE trucking participation 			<u>NA</u>			
4. Did the contractor receiv	e bid discount poir	its?	<u>NA</u>			
(If yes, list the poin	ts received)	<u>0%</u>				

5. Additional Comments.

An availability analysis was performed for this project. There were no certified firms that could perform the scope of work. Therefore, the minimum 50% Local and Small Local Business. Enterprise (L/SLBE) participation requirement has been waived.

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

		3/31/2020			
	\sim	Date			
<u>Reviewing</u> Officer:	Jophy H-A	2	Date:	•	3/31/2020
Approved By:	Shellay Darensby	<u>سم</u>	Date:	,	3/31/2020

LBE/SLBE Participation Bidder 3

												-		
Project Name:	Dakland Animal Services HVAC and Energy	es HVAC and	1 Energ		nent System I	Management System Replacement-Rebid	Rebid							
Project No.:	-	Engineer's Estimate	stimate		970,000.00	Under/Over Engineers Estimate:		-954,375.00	0					
Discipline	Prime & Subs	Location	Cert.	LBE	SLBE	*VSLBE/LPG	Total	VSLBE	L/SLBE	Total	TOTAL			
			Status			(2x Value)	LBE/SLBE		Trucking	Trucking	Dollars	Ethn.	MBE	WBE
PRIME	American Chiler Services, Inc	San Leandro	UB								420,490.71	ľ	•	
Paiinting	Citywide painting	Oakland	СB		13,200.00		13,200.00				13,200.00	AP	13,200.00	ľ
Controls	Automatic Controls Engineering	Richmond	BU								252,000.00	ľ		
Crane	Hatton Crane	Brentwood	BU								19,200.00			
Roofing	King's Roofing	Vallejo	UB								20,600.00	ž		
Insulation	Bayview Insulation	Oakland	B	21,600.00			21,600.00				21,600.00	U U		
lest + Balance	MTB Balance	Petaluma	UB								18,000.00	٦		
Ducting	Marina Mechanical	San Leandro	UB				- - -				420,000.00	z		
Electrical	Electrical Services Co.	Oakland	ПВ				-				111,000.00	٦Ľ		
Equipment Supplier	Norman S Wright	Oakland	UB								543,338.49	٦٢		
Equipment Supplier	Sigler	Concord	UB	÷							53,745.80	٦		
Concrete	AA Johnson	Oakland	CB		16,800.00		16,800.00				16,800.00	U		
Structure Steel	Metal Building Company	Oakland	UB							,	14,400.00	z		
	Project Totals	Totals		21,600.00 1 1 2%	30,000.00 1 56%	0.00	51,600.00 2 68%	0.00%	0.00 0.00%	0.00 0.00	1,924,375.00 100.00%		13,200.00 0.69%	0.00%
Requirements: The 50% requirements participation. An SLBE 50% requirements and towards achieving the 5	Requirements: The 50% requirements is a combination of 25% LBE and 25% SLBE participation. An SLBE firm can be counted 100% towards achieving 50% requirements and aVSLBE/LPP firm can be counted double towards achieving the 50% requirement.	% LBE and 25% 5 30% towards achi be counted double	SLBE ieving	LBE 25%	SLBE 25%-	VSLBE/LPG	TOTAL	VSLBE Trucking	L/SLBE T	L'SLBE TRUCKING	TOTAL DOLLARS	-		
	LBE = Local Business Enterprise SLBE = Small Local Business Enterprise Total LBE/SLBE = All Certified Locat and Small Local Businesses NDI RF = NonDorAft 1 or al Business Entermise	rprise at and Small Local B Entermise	lusinesses		UB = Uncertified Business CB = Certified Business MBE = Minority Busine WRF = Women Busine	UB = Uncertified Business CB = Certified Business MBE = Minority Business Enterprise WRF = Wormen Business Enterprise	, as a				C = Caucasian H ⊭ Hispanic NA = Native American O = Other NL = Not Listed			
	NPSLBE = NonProfit Small Local Business Enterprise	usiness Enterprise									MO = Multiple Ownership	ship		