# ATTACHMENT D

COMPLIANCE ANAYLSIS MEMO

MONTCLAIR VILLAGE ANTIOCH COURT PEDESTRIAN IMPROVEMENTS CITY PROJECT NO. 1001042



# INTER OFFICE MEMORANDUM

TO: Cathy Tran Assistant Engineer II FROM: Deborah Lusker Barnes FROM: Deborah Barnes, Director Department of Workforce And Employment Standards (DWES)

	(DWE3)	
THROUGH: Shelley Darensburg, Contract Compliance Su	Shallay Daranaburg Contract Compliance Officer	torhamy) Hang

SUBJECT: Compliance Analysis Montclair Village, Antioch Court Pedestrian Improvements Project No. 1001042 DATE: February 4, 2021

At the request of the Oakland Public Works Department, the designated Compliance Officer conducted a compliance analysis of three (3) bids submitted to the City in response to the above referenced Project. Below are the results of the compliance evaluations for the minimum 50% Local/Small Local Business Enterprise (L/SLBE) participation requirement, and Equal Benefits Ordinance (EBO).

	e to Social Policies	L/SLBE		PROPOSE IPATION		INTAGES	EARNED CREDITS & DISCOUNTS			ant?
Company Name	Original Bid Amount	Total LBE/SLBE	LBE	SLBE	*VSLBE/LP G	L/SLBE Trucking	Total Credited participation	Earned Bid Discounts	Adjusted Bid Amount	EBO Compliant? Y/N
Ray's Electric	\$765,307	77.94% *80.03	0.00%	75.85%	4.18%	100%	80.03%	5%	\$727,041.65	Y
Beliveau Engineering Contractors	\$840,062.00	78.54% *81.16%	0.00%	75.92%	5.24%	100%	81.16%	5%	\$798,058.90	Y

\*Double Counted for Very Small Local Business Enterprises (VSLBEs)

**Comments:** As noted above, both firms exceeded the minimum 50% L/SLBE participation requirement. They are EBO compliant.



	ponsive to tice Policies	PROPOSED L/SLBE PARTICIPATION PERCENTAGES									
Company Name	Original Bid Amount	Total LBE/SLBE	LBE	SLBE	*VSLBE/LPG	L/SLBE Trucking	Total Credited participation	Earned Bid Discounts	Adjusted Bid Amount	EBO Compliant?	
McGuire & Hester	\$1,051,949.18	95.63% *98.44%	80.26%	12.56%	5.62%	100%	98.44%	0%	NA	Y	

\*Double Counted for Very Small Local Business Enterprises (VSLBEs)

**Comments:** As noted above, firm failed to meet the minimum 50% L/SLBE participation requirement. They are EBO compliant.

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

## LBE/SLBE Participation Bidder 1

Project No.:	1001042	Engineer's Es	stimate	747,137.00		Under/Over Eng Estimate:	gineers	18,170.00						
Discipline	Prime & Subs	Location	Cert.	LBE	SLBE	*VSLBE/LPG	Total	VSLBE	L/SLBE	Total	TOTAL			
			Status			(2x Value)	LBE/SLBE	Trucking	Trucking	Trucking	Dollars	Ethn.	MBE	WBE
PRIME	Ray's Electric	Oakland	СВ		547,452.00		547,452.00				547,452.00	с		
Trucking	S & S Trucking	Oakland	СВ		33,000.00		33,000.00		33,000.00	33,000.00	33,000.00	Н	33,000.00	
Striping & Signage	Striping Graphics	Catati	UB								7,929.00	AA		7,929.0
SWPPP	Applan UDBE SWPPP	El Sobrante	UB	١							1,250.00	С		
Construction Staking	Benchmark Engineering	Modesto	UB								8,100.00	н	8,100.00	
Landscaping	Los Loza Inc.	Castro Valley	UB								29,100.00	С		
Concrete Material	Central Concrete	San Jose	UB								30,000.00	С		
AC Material	Gallagher & Burk	Oakland	СВ			16,000.00	16,000.00				16,000.00	С		
Traffic Control	CMC Traffic Control	SF	UB								9,050.00	С		
Decorative Crosswalk	Asphalt Impressions	Sacramento	UB								24,480.00	с		
Electrical Material	JAM Services	Livermore	UB								31,500.00	С		
Tree Removal	De Kay Demolition	Oakland	UB								8,050.00	С		
Trash Receptacle	Forms+ Surfaces	Pittsburgh	UB								4,610.00	С		
Bike Rack	Palmer Group	Mukilteo, WA	UB								811.00	С		
Service Petestal	Tesco Control	Sacramento	UB								4,975.00	С		
Draiagage Inlet	Oldcasite	Pleasanton	UB								9,000.00	С		
	Projec	t Totals		0.00	580,452.00	16,000.00	596,452.00	0.00	33,000.00	33,000.00	765,307.00		41,100.00	7,929.00
		· · · · · · · · · · · · · · · · · · ·		0.00%	75.85%	2.09%	77.94%	0.00%	100.00%	100.00%	100.00%		5.37%	1.04%
Requirements The 50% requirement An SLBE firm can be aVSLBE/LPP firm can	is is a combination of 25% LBE and counted 100% towards achieving 50 be counted double towards achievir	25% SLBE particip % requirements ar Ig the 50% requirm	ation. nd ient.	LBE 25%	SLBE 25%	VSLBE/LPG	TOTAL LBE/SLBE	VSLBE Trucking	L/SLBE TI	RUCKING	TOTAL DOLLARS	A = Asia	<b>ity</b> rican American	
													ian Pacific	

#### **Workforce & Employment Standards**

DWES



#### **PROJECT COMPLIANCE EVALUATION FOR :**

1001042

Project No.

RE:

Montclair Village Antioch Court Petdestrian Improvements

#### CONTRACTOR: Ray's Electric

Engineer's Estimate: \$747,137.00	<u>Contractors' Bi</u> \$765,307.00	id Amount	Over/Under Engine Estimate \$18,170.00	neer's_
Discounted Bid Amo	ount: Amt. of Bid Dis	count	Discount Points:	
\$727,041.65	\$38,265.35		5.00%	
1. Did the 50% local/s	small local requirement	nt apply:	YES	
2. Did the contractor a)	meet the 50% require % of LBE participation		YES	
,	% of SLBE rticipation	<u>75.85%</u>		
,	% of VSLBE ticipation	<u>*2.09%</u>	4.18%	(double counted value)
requirement?		king	YES	
,	E trucking participatio E trucking participatio			
4. Did the contractor	receive bid discount p	ooints?	YES	
(If yes, list the	points received)	<u>5%</u>		

5. Additional Comments.

Proposed VSLBE/LPG participation is valued at 2.09%, however, per the L/SLBE Program a VSLBE/LPG's participation is double counted towards meeting the requirment. Therefore, the VSLBE/LPG value is 4.18%.

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

	2/4/2	2021	
Reviewing		ate	
Officer:	Jophany) (tong)	Date:	2/4/2021
Approved By:	Shelley Darensburg	Date:	2/4/2021

## LBE/SLBE Participation Bidder 2

Project No.	<sup>12</sup> Montclair Village Antioch 1001042	Engineer's Es	timate	747,1		Under/Over Eng Estimate:	gineers	92,925.00						
Discipline	Prime & Subs	Location	Cert.	LBE	SLBE	*VSLBE/LPG	Total	VSLBE Trucking	L/SLBE	Total	TOTAL			
			Status				LBE/SLBE		Trucking	Trucking	Dollars	Ethn.	MBE	WBE
PRIME	Beliveau Engineering	Oakland	СВ		617,767.00		617,767.00				617,767.00	С		
Trucking	All City Trucking, Inc.	Oakland	СВ		20,000.00		20,000.00		20,000.00	20,000.00	20,000.00	AI	20,000.00	
Struoubg/Signs	Spriping Grphics	Cotati	UB								7,925.00	С		
Electrical	Radman Electric	Hayward	UB								125,000.00	AI	125,000.00	
Concrete supply	Allied Ready Mix	Alameda	UB								18,000.00	С		
Asphalt Supply	Gallagher & Burk	Oakland	СВ			22,000.00	22,000.00				22,000.00	С		
Decorative Asphalt	Asphalt Impressions	Sacramento	UB								15,870.00	С		
Paver Installation	European Paving Designs	San Jose	UB								13,500.00	С		
	Projec	t Totals		0.00 0.00%	637,767.00 75.92%	22,000.00 2.62%	659,767.00 78.54%	0.00 0.00%	20,000.00 100.00%	20,000.00 100.00%	840,062.00 100.00%		145,000.00 17.26%	0.00 0.00%
Requirements: The 50% requirements is a of SLBE firm can be counted to firm can be counted double to	combination of 25% LBE and 25% 00% towards achieving 50% requir owards achieving the 50% requirments achieving the 50% requirments achieving the 50% requirments achieving the 50% requirments achieved a	SLBE participation. ements and aVSLB ent.	An E/LPP	LBE 25%	SLBE 25%	VSLBE/LPG	TOTAL LBE/SLBE	VSLBE Trucking	L/SLBE T	RUCKING	TOTAL DOLLARS	A = Asi	rican American	

\*\* Proposed VSLBE/LPG particiation is valued at 2.62%, however per the L/SLBE Program a VSLBE/LPG's participation is double counted towards meeting the requirement. Double counted percentage is reflected on the evaluation form and cover memo.

### Workforce & Employment Standards



#### DWES

#### **PROJECT COMPLIANCE EVALUATION FOR :**

1001042

Project No.

RE:

Montclair Village Antioch Court Petdestrian Improvements

#### CONTRACTOR: Beliveau Engineering

Engineer's Estimate: \$747,137.00	Contractors' Bid Ar \$840,062.00	<u>nount</u>	<u>Estimat</u>	nder Engir te 925.00	<u>neer's</u>
Discounted Bid Amount:	Amt. of Bid Discour	<u>nt</u>	Discour	nt Points:	
\$798,058.90	\$42,003.10		5.	.00%	
1. Did the 50% local/small lo	ocal requirement apply	:	<u>YES</u>		
<ol> <li>Did the contractor meet t a) % of L</li> </ol>	he 50% requirement BE participation	<u>0.00%</u>	<u>YES</u>		
b) % of \$	SLBE participation	<u>75.92%</u>			
c) % of ∖ participa 3. Did the contractor meet tl	tion	<u>*<b>2.62%</b></u> quirement?	5. <u>YES</u>	.24%	(double counted value)
a) Total L/SLBE tru a) Total VSLBE tru	•	<u>100.00%</u> <u>0.00%</u>			
4. Did the contractor receive	e bid discount points?		<u>YES</u>		
(If yes, list the poin	ts received)	<u>5%</u>			
5. Additional Comments.					

Proposed VSLBE/LPG participation is valued at 2.62%, however, per the L/SLBE Program a VSLBE/LPG's participation is double counted towards meeting the requirment. Therefore, the VSLBE/LPG value is 5.24%.

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

		2/4/2021		
	-	Date		
Reviewing Officer:	Sorhamy) (Hama)		Date:	2/4/2021
Approved By:	Shelley Darensb	urg	Date:	2/4/2021

# LBE/SLBE Participation Bidder 3

Prime & Subs Guire & Hester ci Electric iping Graphics phalt Improssions	Oakland Oakland Cotati Sacramento	Cert. Status CB CB UB	747,137.00 LBE 696,908.18 147,375.00		Under/Over Eng Estimate: *VSLBE/LPG (2x Value)		304,812.18 VSLBE Trucking	L/SLBE Trucking	Total Trucking	TOTAL Dollars 696,908.18	Ethn. C	MBE	WBE
Prime & Subs Guire & Hester ci Electric iping Graphics phalt Improssions	Location Oakland Oakland Cotati Sacramento	Cert. Status CB CB UB	LBE 696,908.18		*VSLBE/LPG	Total LBE/SLBE	VSLBE	L/SLBE		Dollars		MBE	WBE
ci Electric iping Graphics phalt Improssions	Oakland Oakland Cotati Sacramento	CB CB UB	696,908.18		(2x Value)		Trucking	Trucking	Trucking			MBE	WBE
ci Electric iping Graphics phalt Improssions	Oakland Cotati Sacramento	CB UB	,			696,908.18				696,908.18	С		
iping Graphics phalt Improssions	Cotati Sacramento	UB	147,375.00								-		
phalt Improssions	Sacramento	_				147,375.00				147,375.00	с		147,375.00
										7,925.00	С		
ropean Paving		UB								24,480.00	NL		l
	San Jose	UB								13,513.00	NL		
llagher & Burk	Oakland	СВ			29,600.00	29,600.00				29,600.00	С	ļ	
City Trucking	Oakland	СВ		31,758.00		31,758.00		31,758.00	31,758.00	31,758.00	AI	31,758.00	
sas Brothers	Oakland	СВ		100,390.00		100,390.00				100,390.00	н		
													I
Projec	ct lotals		844,283.18 80.26%	132,148.00 12.56%	29,600.00 2.81%	1,006,031.18 95.63%	0.00 0.00%	31,758.00 100.00%	31,758.00 100.00%	1,051,949.18 100.00%		31,758.00 3.02%	147,375.00 0.00%
s a combination of 25% LBE a unted 100% towards achieving a counted double towards achi	and 25% SLBE partici g 50% requirements a eving the 50% requir	ipation. and ment.	LBE 25%	SLBE 25%	VSLBE/LPG	TOTAL LBE/SLBE	VSLBE Trucking	L/SLBE TI	RUCKING	TOTAL DOLLARS	AA = At A = Asi	frican American an	
sa	Proje	S Brothers Oakland Oakland Project Totals a combination of 25% LBE and 25% SLBE partic ted 100% towards achieving 50% requirements		S Brothers       Oakland       CB         Project Totals       844,283.18         80.26%         a combination of 25% LBE and 25% SLBE participation.         ted 100% towards achieving 50% requirements and	S Brothers       Oakland       CB       100,390.00         Project Totals       844,283.18       132,148.00         80.26%       12.56%         a combination of 25% LBE and 25% SLBE participation.       100,390.00	S Brothers         Oakland         CB         100,390.00           Project Totals         844,283.18         132,148.00         29,600.00           a combination of 25% LBE and 25% SLBE participation.         844,283.18         132,148.00         29,600.00           a combination of 25% LBE and 25% SLBE participation.         844,283.18         132,148.00         29,600.00           a combination of 25% LBE and 25% SLBE participation.         9,600.00         9,600.00         9,600.00	S Brothers         Oakland         CB         100,390.00         100,390.00           Project Totals         844,283.18         132,148.00         29,600.00         1,006,031.18           a combination of 25% LBE and 25% SLBE participation. ted 100% towards achieving 50% requirements and         LBE 25%         SLBE 25%         VSLBE/LPG         TOTAL	S Brothers         Oakland         CB         100,390.00         100,390.00           Project Totals         844,283.18         132,148.00         29,600.00         1,006,031.18         0.00           a combination of 25% LBE and 25% SLBE participation. ted 100% requirements and         I BE 25%         SLBE 25%         SLBE 25%         VSLBE/LPG         TOTAL         VSLBE	S Brothers         Oakland         CB         100,390.00         100,390.00         100,390.00           Project Totals         844,283.18         132,148.00         29,600.00         1,006,031.18         0.00         31,758.00           a combination of 25% LBE and 25% SLBE participation. ted 100% towards achieving 50% requirements and         LBE 25%         SL BE 25%         VSLBE/LPG         TOTAL         VSLBE         L/SLBE T	S Brothers         Oakland         CB         100,390.00         100,390.00         100,390.00           Project Totals         844,283.18         132,148.00         29,600.00         1,006,031.18         0.00         31,758.00         31,758.00         100,00%         1	S Brothers         Oakland         CB         100,390.00         100,00%         100,00%         100,00%         100,00%         100,00%         100,00%         100,00%         100,00%         100,00%         100,00%         100,00%         100,00%         100,00%         100,00%         100,00%         100,00%	S Brothers       Oakland       CB       100,390.00       100,390.00       100,390.00       H         Project Totals       844,283.18       132,148.00       29,600.00       1,006,031.18       0.00       31,758.00       31,758.00       1,051,949.18       100,00%         a combination of 25% LBE and 25% SLBE participation. ted 100% requirements and ounted double towards achieving the 50% requirement.       LBE 25%       SLBE 25%       VSLBE/LPG       TOTAL LBE/SLBE       VSLBE       L/SLBE TRUCKING       TOTAL DOLLARS       AA = AK	s Brothers       Oakland       CB       100,390.00       100,390.00       100,390.00       H         Project Totals       844,283.18       132,148.00       29,600.00       1,006,031.18       0.00       31,758.00       31,758.00       1,051,949.18       31,758.00         a combination of 25% LBE participation. ted 100% towards achieving 50% requirements and       I BE 25%       SI BE 25%       VSLBE/LPG       TOTAL       VSLBE       L/SLBE TRUCKING       TOTAL       Ethnicity

### Workforce & Employment Standards



#### DWES

## **PROJECT COMPLIANCE EVALUATION FOR :**

1001042

Project No.

RE:

Montclair Village Antioch Court Petdestrian Improvements

#### CONTRACTOR: MeGuire & Hester

Engineer's Estimate: \$747,137.00	<u>Contractors' Bid An</u> \$1,051,949.18	<u>nount</u>	Estin	<b>/Under Engir</b> nate 92,925.00	<u>neer's</u>
Discounted Bid Amount:	Amt. of Bid Discour	<u>nt</u>	Disco	ount Points:	
\$1,051,949.18	\$0.00			0.00%	
1. Did the 50% local/small lo	ocal requirement apply	:	<u>YES</u>		
<ol> <li>Did the contractor meet t a) % of L</li> </ol>	he 50% requirement BE participation	<u>80.26%</u>	<u>NO</u>		
b) % of S	SLBE participation	<u>12.56%</u>			
c) % of V participat 3. Did the contractor meet th	tion	<u>*<b>2.81%</b></u> juirement?	<u>YES</u>	5.62%	(double counted value)
a) Total L/SLBE true a) Total VSLBE true	01 1	<u>100.00%</u> <u>0.00%</u>			
4. Did the contractor receive	bid discount points?		<u>NO</u>		
(If yes, list the point	s received)	<u>0%</u>			
5. Additional Comments.					

Firm failed to meet to me minimum 50% L/SLBE participation requirement. Therefore, they are non-responsive to L/SLBE requirement.

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

	2/4/2	2021	
	Da	ate	
Reviewing Officer:	Sorthamy Hang	Date:	2/4/2021
Approved By:	Shelley Darensburg	Date:	2/4/2021