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 | ity 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. | ¹² 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> | | |
| Did the contractor meet t a) % of L | 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>*2.62%</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 | /Under Engir 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> | | |
| Did the contractor meet t a) % of L | 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>*2.81%</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 |