



# AGENDA REPORT


**TO:** Jestin D. Johnson  
City Administrator

**FROM:** G. Harold Duffey  
Director, Oakland Public  
Works

**SUBJECT:** SUPPLEMENTAL - Award  
Construction Contracts for Mandela  
Parkway and Cary Avenue Trash  
Capture Projects

**DATE:** February 14, 2024

City Administrator Approval

  
Jestin Johnson (Feb 14, 2024 14:21 PST)

Date: Feb 14, 2024

## RECOMMENDATION

Staff Recommends That The City Council Adopt The Following Pieces Of Legislation:

1. A Resolution 1) Authorizing The City Administrator To Award A Construction Contract That Follows All City Advertising And Competitive Bidding Requirements To The Lowest Responsive And Responsible Bidder In Accord With Project Plans And Specifications And With The Contractor's Bid For Project No. 1006066 Mandela Parkway Trash Capture Project For An Amount Not To Exceed Three Million Seven Hundred Nineteen Thousand Three Hundred Thirty-Three Dollars (\$3,719,333.00), Contingent Upon Caltrans Approval Of Additional Funding, Without Return To City Council; 2) If No Valid Bids Are Received, Authorizing The City Administrator To Award A Construction Contract In The Open Market; 3) Rejecting All Bids That Were Due October 19, 2023; And 4) Adopting Appropriate California Environmental Quality Act Findings For Project No. 1006066 Mandela Parkway Trash Capture Project; And
2. A Resolution 1) Authorizing The City Administrator To Award A Construction Contract That Follows All City Advertising And Competitive Bidding Requirements To The Lowest Responsive And Responsible Bidder, In Accord With Project Plans And Specifications And With Contractor's Bid For Project No. 1006466 Cary Avenue Trash Capture Project For An Amount Not To Exceed Three Million Thirty-Six Thousand One Hundred Forty-Five Dollars (\$3,036,145.00), Contingent Upon Caltrans Approval Of Additional Funding, Without Return To City Council; 2) If No Valid Bids Are Received, Authorizing The City Administrator To Award A Construction Contract In The Open Market; And 3) Adopting Appropriate California Environmental Quality Act Findings For Project No. 1006466 Cary Avenue Trash Capture Project.

## REASON FOR SUPPLEMENTAL

City Council  
February 20, 2024

This report is a supplemental report to the February 20, 2024 Agenda Report, Award Construction Contracts for Mandela Parkway Trash Capture Project (Mandela Parkway Project) and the Cary Avenue Trash Capture Project (Cary Avenue Project).

On January 25 and February 1, 2024, the City Clerk received four bids for the Mandela Parkway Project (Project No. 1006066) and three for the Cary Avenue Project (Project No. 1006466), respectively. The bid summary for the Mandela Parkway Project is shown in **Attachment A**: Bid Summary – 1006066 Mandela Parkway Trash Capture Device Re-Bid. The bid summary for the Cary Avenue Project is shown in **Attachment B**: Bid Summary Cary Avenue Trash Capture Device. The following table summarizes the projects’ bids received by the City Clerk.

<b>MANDELA PARKWAY PROJECT (PROJECT NO. 1006066)</b>	
<b>CONTRACTORS</b>	<b>TOTAL BID AMOUNT</b>
JMB Construction, Inc.*	\$4,641,800.00
Marinship Development Interest, LLC*	\$4,869,661.80
Disney Construction*	\$5,800,600.00
Devaney Engineering, Inc.**	\$6,777,000.00
<b>CARY AVENUE PROJECT (PROJECT NO. 1006466)</b>	
Marinship Development Interest, LLC**	\$3,330,550.00
JMB Construction, Inc.*	\$3,842,700.00
GSW Construction, Inc.*	\$4,724,443.86

\*Responsive firm(s)  
 \*\*Non-Responsive firm(s)

On February 9, the Department of Workforce and Employment Standards (DWES) completed a compliance analysis of the received bids for both projects. Refer to **Attachment C** for the Mandela Parkway Project Compliance Analysis and **Attachment D** for the Cary Avenue Project Compliance Analysis.

For the Mandela Parkway Project, DWES determined that JMB Construction Inc., Marinship Development Interest, LLC, and Disney Construction met the 20% L/SLBE requirement and are deemed responsive firms, while Devaney Engineering, Inc. did not meet the requirement and is deemed as a non-responsive firm. For the Cary Ave Project, DWES determined that JMB Construction, Inc. and GSW Construction, Inc. meet the 20% L/SLBE requirement and are deemed responsive firms, while the Marinship Development Interest, LLC did not meet the requirement and is deemed a non-responsive firm. Therefore, based on the compliance analyses, JMB Construction, Inc. is the lowest responsive and responsible bidder for both Mandela Parkway and Cary Avenue Projects.

Both projects are 100%-funded by Caltrans. Based on the abovementioned bid results and compliance analysis updates, staff shared the expected construction costs with Caltrans. As documented in a letter of support, Caltrans committed to supporting the additional funds to

match the successful lowest responsive and responsible bid for each of the two projects to complete the projects as scheduled (**Attachment E – Caltrans Letter of Support**). Staff are working with Caltrans staff to amend the funding agreement for each project.


**ACTION REQUESTED OF THE CITY COUNCIL**

Staff Recommends That The City Council Adopt The Following Pieces Of Legislation:

1. A Resolution 1) Authorizing The City Administrator To Award A Construction Contract That Follows All City Advertising And Competitive Bidding Requirements To The Lowest Responsive And Responsible Bidder In Accord With Project Plans And Specifications And With The Contractor’s Bid For Project No. 1006066 Mandela Parkway Trash Capture Project For An Amount Not To Exceed Three Million Seven Hundred Nineteen Thousand Three Hundred Thirty-Three Dollars (\$3,719,333.00), Contingent Upon Caltrans Approval Of Additional Funding, Without Return To City Council; 2) If No Valid Bids Are Received, Authorizing The City Administrator To Award A Construction Contract In The Open Market; 3) Rejecting All Bids That Were Due October 19, 2023; And 4) Adopting Appropriate California Environmental Quality Act Findings For Project No. 1006066 Mandela Parkway Trash Capture Project; And
2. A Resolution 1) Authorizing The City Administrator To Award A Construction Contract That Follows All City Advertising And Competitive Bidding Requirements To The Lowest Responsive And Responsible Bidder, In Accord With Project Plans And Specifications And With Contractor’s Bid For Project No. 1006466 Cary Avenue Trash Capture Project For An Amount Not To Exceed Three Million Thirty-Six Thousand One Hundred Forty-Five Dollars (\$3,036,145.00), Contingent Upon Caltrans Approval Of Additional Funding, Without Return To City Council; 2) If No Valid Bids Are Received, Authorizing The City Administrator To Award A Construction Contract In The Open Market, And 3) Adopting Appropriate California Environmental Quality Act Findings For Project No. 1006466 Cary Avenue Trash Capture Project.

For questions regarding this report, please contact Tiffany Pham, Project Manager, Civil Engineer, at 510-851-0754.

Respectfully submitted,

  
Harold (Glen) Duffey (Feb 14, 2024 09:07 PST)

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G. HAROLD DUFFEY  
Director, Oakland Public Works

City Council  
February 20, 2024

Jestin D. Johnson, City Administrator

Subject: SUPPLEMENTAL – Award Construction Contracts for Mandela Parkway and Cary Avenue Trash Capture Projects

Date: February 14, 2024

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Reviewed by:

Siew-Chin Yeong, P.E., Assistant Director  
Bureau of Design & Construction

Terri Fashing, Acting

Watershed and Stormwater Management  
Division and DD Bond Manager

Prepared by:

Tiffany Pham, P.E., Project Manager  
Watershed & Stormwater Management Division

Attachments (5):

*A: Bid Summary - 1006066 Mandela Parkway Trash Capture Device Re-bid*

*B: Bid Summary - 1006466 Cary Avenue Trash Capture Device Re-Bid*

*C: Mandela Parkway - Compliance Analysis*

*D: Cary Avenue - Compliance Analysis*

*E: Caltrans Award Letter of Support Oakland Trash Capture*

**CITY OF OAKLAND BID SUMMARY**  
**Public Works Department - Capital Contracts Division**

**PROJECT NAME:** Mandels Parkway Trash Capture Device - Rebid

**PROJECT NO:** 1006066

**BID OPENING DATE:** Thursday, January 25, 2024

**BASIS OF AWARD (BOA):** Lowest responsive and responsible bid

**ENGINEER'S ESTIMATE OF BOA:** \$3,631,500.00

**APPARENT LOW BIDDER PER BOA:** JMB Construction

**PROJECT MANAGER:** Tiffany Pham

**COMPLIANCE OFFICER:** Sophany Hang

**ISSUED TO COMPLIANCE AND ALL BIDDERS:** Monday, January 29, 2024

**COMMENTS:** 1) The apparent low bidder is not necessarily the lowest responsive, responsible bidder. The Dept. of Contract Compliance must evaluate all bids for mandatory local business participation and any bid discounts.

Mandatory Bid Items	JMB Construction, Inc.	Marinship Development Interest, LLC	Disney Construction	Devaney Engineering, Inc.
Contractor's Bid and Bid Schedule	Y	Pending Review	Y	Y
Number of Addenda and Acknowledgement of all?	Y	Y	Y	Y
Bid Security Clause	Y	Y	Y	Y
Contractor Signature	Y	Y	Y	Y
Schedule I - Sanctuary City	Y	Y	Y	Y
Schedule O - Campaign Contribution Limits	Y	Y	Y	Y
Schedule R - Subcontractor, Supplier, Trucking Listing	Y	Y	Y	Y
Subcontractor Licenses Listed and Active per CSLB?	Y	Y	Y	Y
Prime & Subcontractors Registered with DIR?	Y	Y	Y	Y
If Trucking is required, was one listed?	Y	Y	Y	Y
Schedule W - Border Wall Prohibition	Y	Y	Y	Y
Bid Bond	Y	Y	Y	Y

Engineer's Estimate							JMB Construction, Inc.		Marinship Development Interest, LLC		Disney Construction		Devaney Engineering, Inc.	
Item Number	Dwg. Or Spec. Section	Quantity	Unit of Measure	Item Description	Unit Price	Total Amount	Unit Price	Total Amount	Unit Price	Total Amount	Unit Price	Total Amount	Unit Price	Total Amount
1	900-8.1	1	LS	Health and Safety Plan	\$30,000.00	30,000.00	\$30,000.00	\$30,000.00	\$1.00	\$1.00	\$5,000.00	5,000.00	\$20,000.00	20,000.00
2	900-11	1	LS	Mobilization	\$175,000	175,000.00	\$200,000.00	\$200,000.00	\$1.00	\$1.00	\$260,000.00	260,000.00	\$500,000.00	500,000.00
3	900-12	1	LS	Water Pollution Control and Erosion Control	\$10,000	10,000.00	\$40,000.00	\$40,000.00	\$1.00	\$1.00	\$25,000.00	25,000.00	\$250,000.00	250,000.00
4	900-13	1	LS	Pre & Post Construction Monument Verification and Reset Monument	\$13,200	13,200.00	\$24,200.00	\$24,200.00	\$1.00	\$1.00	\$25,000.00	25,000.00	\$30,000.00	30,000.00
5	901.5	1	LS	Installation of DSBB	\$200,000	200,000.00	\$65,000.00	\$65,000.00	\$1.00	\$1.00	\$150,000.00	150,000.00	\$700,000.00	700,000.00
6	902-5	1	LS	Traffic Control	\$100,000	100,000.00	\$70,000.00	\$70,000.00	\$1.00	\$1.00	\$150,000.00	150,000.00	\$125,000.00	125,000.00
7	904-6	1	LS	Demo and Clearing and Grubbing	\$72,000	72,000.00	\$84,000.00	\$84,000.00	\$1.00	\$1.00	\$300,000.00	300,000.00	\$75,000.00	75,000.00
8	904-6	4,400	TONS	Excavation and Disposal	\$82	360,800.00	\$150.00	\$660,000.00	\$4,400.00	\$19,360,000.00	\$170.00	748,000.00	\$275.00	1,210,000.00
9	904-6	1	LS	Backfill and Structural Backfill	\$140,000	140,000.00	\$325,000.00	\$325,000.00	\$1.00	\$1.00	\$350,000.00	350,000.00	\$250,000.00	250,000.00
10	905-3	1	LS	Sheeting, Shoring, and Bracing	\$675,000	675,000.00	\$1,050,000.00	\$1,050,000.00	\$1.00	\$1.00	\$880,000.00	880,000.00	\$1,350,000.00	1,350,000.00
11	906-5	1	LS	Dewatering	\$350,000	350,000.00	\$410,000.00	\$410,000.00	\$1.00	\$1.00	\$350,000.00	350,000.00	\$375,000.00	375,000.00
12	906-5	1	LS	Temporary Stormwater Diversion	\$53,000	53,000.00	\$285,000.00	\$285,000.00	\$1.00	\$1.00	\$400,000.00	400,000.00	\$250,000.00	250,000.00
13	908-5	152	CY	Concrete Junction Box 1	\$2,950	448,400.00	\$2,700.00	\$410,400.00	\$152.00	\$23,104.00	\$5,000.00	760,000.00	\$3,000.00	456,000.00
14	908-5	152	CY	Concrete Junction Box 2	\$2,950	448,400.00	\$2,700.00	\$410,400.00	\$152.00	\$23,104.00	\$5,000.00	760,000.00	\$3,000.00	456,000.00
15	908-5	4	CY	Concrete Weir Wall	\$2,500	10,000.00	\$4,500.00	\$18,000.00	\$4.00	\$16.00	\$10,000.00	40,000.00	\$3,000.00	12,000.00
16	908-5	104	CY	96" RCP Pipe Collars	\$2,000	208,000.00	\$1,400.00	\$145,600.00	\$104.00	\$10,816.00	\$1,500.00	156,000.00	\$2,500.00	260,000.00
17	908-5	3	EA	Access Manholes	\$12,000	36,000.00	\$6,000.00	\$18,000.00	\$3.00	\$9.00	\$8,000.00	24,000.00	\$25,000.00	75,000.00
18	908-5	25	CY	Minor Concrete Structures	\$1,000	25,000.00	\$1,500.00	\$37,500.00	\$25.00	\$625.00	\$1,600.00	40,000.00	\$2,500.00	62,500.00
19	909-4	3	EA	36" Manhole Frames and Covers	\$3,000	9,000.00	\$2,500.00	\$7,500.00	\$3.00	\$9.00	\$2,500.00	7,500.00	\$4,000.00	12,000.00
20	909-4	1	LS	Steps (Revocable)	\$20,000	20,000.00	\$10,000.00	\$10,000.00	\$1.00	\$1.00	\$15,000.00	15,000.00	\$7,000.00	7,000.00
21	910-3	36	LF	72" RCP	\$1,650	59,400.00	\$2,300.00	\$82,800.00	\$36.00	\$1,296.00	\$1,100.00	39,600.00	\$2,000.00	72,000.00
22	910-3	69	LF	96" RCP	\$2,100	144,900.00	\$2,600.00	\$179,400.00	\$69.00	\$4,761.00	\$3,500.00	241,500.00	\$2,500.00	172,500.00
23	911-4	3,200	SF	Roadway Surfacing	\$12	38,400.00	\$20.00	\$64,000.00	\$3,200.00	\$10,240,000.00	\$20.00	64,000.00	\$10.00	32,000.00
24	912-3	1	LS	Striping and Pavement Marking	\$5,000	5,000.00	\$15,000.00	\$15,000.00	\$1.00	\$1.00	\$10,000.00	10,000.00	\$25,000.00	25,000.00
<b>Subtotal</b>					\$1,873,444.00	3,631,500.00	\$2,634,570.00	\$4,641,800.00	\$8,161.00	\$29,663,753.00	\$2,958,390.00	5,800,600.00	\$4,004,785.00	6,777,000.00
										*unit price/total price discrepancy, pending review				
<b>Total of Base Bid Items per spreadsheet calculation</b>						3,631,500.00		\$4,641,800.00		\$29,663,753.00		5,800,600.00		6,777,000.00
<b>Total of Base Bid Items per Bidder calculation</b>						-		4,641,800.00		\$4,869,661.80		5,800,600.00		6,777,000.00
<b>TOTAL BID (BOA)</b>						3,631,500.00		\$4,641,800.00		\$29,663,753.00		5,800,600.00		6,777,000.00
<b>% Self - Performed * (applies to engineering projects only)</b>								84%		94.11%		81.66%		86.06%
<b>% Over / Under Engineer's Estimate</b>								27.82%		716.85%		59.73%		86.62%

**CITY OF OAKLAND BID SUMMARY**  
**Public Works Department - Capital Contracts Division**



**CITY OF OAKLAND BID SUMMARY**  
**Public Works Department - Capital Contracts Division**

Attachment B

PROJECT NAME: Cary Avenue Trash Capture Device

PROJECT NO: 1006466

BID OPENING DATE: Thursday, February 1, 2024

BASIS OF AWARD (BOA): Lowest responsive and responsible bid

ENGINEER'S ESTIMATE OF BOA: \$2,992,700.00

APPARENT LOW BIDDER PER BOA: Marinship Development Interest, LLC

PROJECT MANAGER: Tiffany Pham

COMPLIANCE OFFICER: Sophany Hang

ISSUED TO COMPLIANCE AND ALL BIDDERS: Thursday, February 1, 2024

COMMENTS: 1) The apparent low bidder is not necessarily the lowest responsive, responsible bidder. The Dept. of Contract Compliance must evaluate all bids for mandatory local business participation and any bid discounts.

Mandatory Bid Items	Marinship Development Interest, LLC	JMB Construction, Inc.	GSW Construction, Inc.
Contractor's Bid and Bid Schedule	Y	Y	Y
Number of Addenda and Acknowledgement of all?	Y	Y	Y
Bid Security Clause	Y	Y	Y
Contractor Signature	Y	Y	Y
Schedule I - Sanctuary City	Y	Y	Y
Schedule O - Campaign Contribution Limits	Y	Y	Y
Schedule R - Subcontractor, Supplier, Truck Listing	Y	Y	Y
Subcontractor Licenses Listed and Active per CSLB?	Y	Y	Y
Prime & Subcontractors Registered with DIR?	Y	Y	Y
If Trucking is required, was one listed?	Y	Y	Y
Schedule W - Border Wall Prohibition	Y	Y	Y
Bid Bond	Y	Y	Y

Engineer's Estimate							Marinship Development Interest, LLC		JMB Construction, Inc.		GSW Construction, Inc.	
Item Number	Dwg. Or Spec. Section	Quantity	Unit of Measure	Item Description	Unit Price	Total Amount	Unit Price	Total Amount	Unit Price	Total Amount	Unit Price	Total Amount
1	900-8.1	1	LS	Health and Safety Plan	\$30,000.00	30,000.00	\$25,000.00	\$25,000.00	\$15,000.00	\$15,000.00	\$34,500.00	34,500.00
2	900-12	1	LS	Mobilization (5% of the total bid)	\$150,000.00	150,000.00	\$148,000.00	\$148,000.00	\$190,000.00	\$190,000.00	\$225,000.00	225,000.00
3	900-13	1	LS	Water Pollution Control and Erosion Control	\$10,000.00	10,000.00	\$60,000.00	\$60,000.00	\$25,000.00	\$25,000.00	\$38,400.00	38,400.00
4	900-14	1	LS	Construction Survey and Construction Staking	\$12,000.00	12,000.00	\$60,000.00	\$60,000.00	\$30,000.00	\$30,000.00	\$31,500.00	31,500.00
5	900-15	1	LS	Temporary Fencing and Barricade	\$25,000.00	25,000.00	\$60,000.00	\$60,000.00	\$35,000.00	\$35,000.00	\$84,800.00	84,800.00
6	900-16	760	SY	Temporary 6" Class 2 AB for TCE	\$20.00	15,200.00	\$85.00	\$64,600.00	\$50.00	\$38,000.00	\$42.63	32,398.80
7	901-5	1	LS	Installation of DSBB	\$200,000.00	200,000.00	\$300,000.00	\$300,000.00	\$70,000.00	\$70,000.00	\$250,000.00	250,000.00
8	902-5	1	LS	Traffic Control	\$75,000.00	75,000.00	\$40,000.00	\$40,000.00	\$65,000.00	\$65,000.00	\$35,000.00	35,000.00
9	903-6	1	LS	Replacement and Protection of Sanitary Sewer Line	\$90,000.00	90,000.00	\$80,000.00	\$80,000.00	\$160,000.00	\$160,000.00	\$113,800.00	113,800.00
10	904-6	1	LS	Demo and Clearing and Grubbing	\$40,000.00	40,000.00	\$35,000.00	\$35,000.00	\$35,000.00	\$35,000.00	\$27,800.00	27,800.00
11	904-6	1	LS	Demo and Disposal of Existing Concrete Box Culvert	\$60,000.00	60,000.00	\$70,000.00	\$70,000.00	\$70,000.00	\$70,000.00	\$71,700.00	71,700.00
12	904-6	2100	TON	Excavation and Disposal	\$90.00	189,000.00	\$183.00	\$384,300.00	\$185.00	\$388,500.00	\$178.57	374,997.00
13	904-6	1	LS	Backfill and Structural Backfill	\$75,000.00	75,000.00	\$308,500.00	\$308,500.00	\$220,000.00	\$220,000.00	\$420,000.00	420,000.00
14	905-3	1	LS	Sheeting, Shoring and Bracing	\$530,000.00	530,000.00	\$160,000.00	\$160,000.00	\$480,000.00	\$480,000.00	\$1,270,000.00	1,270,000.00
15	905-3	1	LS	Settlement Monitoring	\$15,000.00	15,000.00	\$52,000.00	\$52,000.00	\$50,000.00	\$50,000.00	\$75,000.00	75,000.00
16	906-5	1	LS	Dewatering	\$232,000.00	232,000.00	\$305,000.00	\$305,000.00	\$350,000.00	\$350,000.00	\$274,800.00	274,800.00
17	906-5	1	LS	Temporary Stormwater Diversion	\$280,000.00	280,000.00	\$296,000.00	\$296,000.00	\$475,000.00	\$475,000.00	\$165,600.00	165,600.00
18	908-5	150	CY	Upstream Junction Box	\$2,950.00	442,500.00	\$2,241.00	\$336,150.00	\$3,000.00	\$450,000.00	\$3,000.00	450,000.00
19	908-5	100	CY	Downstream Junction Box	\$2,950.00	295,000.00	\$2,348.00	\$234,800.00	\$4,100.00	\$410,000.00	\$3,750.00	375,000.00
20	908-5	6	CY	Concrete Weir Wall	\$2,500.00	15,000.00	\$5,000.00	\$30,000.00	\$6,000.00	\$36,000.00	\$9,550.00	57,300.00
21	908-5	3	EA	Access Manholes With 36" Manhole Frames and Covers	\$15,000.00	45,000.00	\$8,000.00	\$24,000.00	\$10,000.00	\$30,000.00	\$12,666.67	38,000.01
22	908-5	8	CY	Minor Concrete Structures	\$1,500.00	12,000.00	\$2,000.00	\$16,000.00	\$4,200.00	\$33,600.00	\$4,775.00	38,200.00
23	909-5	1	LS	Steps (Revocable)	\$15,000.00	15,000.00	\$15,000.00	\$15,000.00	\$15,000.00	\$15,000.00	\$18,300.00	18,300.00
24	909-5	1	LS	Metal Railing Replacement	\$44,200.00	44,200.00	\$25,000.00	\$25,000.00	\$30,000.00	\$30,000.00	\$15,200.00	15,200.00
25	910-3	15	LF	60" RCP	\$1,600.00	24,000.00	\$3,000.00	\$45,000.00	\$3,000.00	\$45,000.00	\$6,026.67	90,400.05
26	911-4	2300	SF	Roadway Surfacing	\$10.00	23,000.00	\$40.00	\$92,000.00	\$30.00	\$69,000.00	\$24.78	56,994.00
27	911-4	2200	SF	Slurry Seal	\$4.00	8,800.00	\$3.00	\$6,600.00	\$6.00	\$13,200.00	\$4.07	8,954.00
28	908-2.1	16	CY	West Side Sidewalk and Curb and Gutter	\$2,500.00	40,000.00	\$3,600.00	\$57,600.00	\$900.00	\$14,400.00	\$3,175.00	50,800.00
				<b>Subtotal</b>	<b>\$1,912,324.00</b>	<b>2,992,700.00</b>	<b>\$2,066,000.00</b>	<b>\$3,330,550.00</b>	<b>\$2,346,471.00</b>	<b>\$3,842,700.00</b>	<b>\$3,194,593.39</b>	<b>4,724,443.86</b>
				<b>Total of Base Bid Items per spreadsheet calculation</b>		2,992,700.00		\$3,330,550.00		\$3,842,700.00		4,724,443.86
				<b>Total of Base Bid Items per Bidder calculation</b>		-		4,641,800.00		\$3,842,700.00		4,724,443.81
				<b>TOTAL BID (BOA)</b>		<b>2,992,700.00</b>		<b>\$3,330,550.00</b>		<b>\$3,842,700.00</b>		<b>4,724,443.86</b>
				<b>% Self - Performed (applies to engineering projects only)</b>				68%		73.35%		70.75%
				<b>% Over / Under Engineer's Estimate</b>				11.29%		28.40%		57.87%



# INTER OFFICE MEMORANDUM

Department of Workplace & Employment Standards (DWES)

**TO:** Tiffany Pham,  
Civil Engineer

**FROM:** Shelley Darensburg, *SD*  
Contract Compliance Supervisor  
DWES

**PREPARED BY:** Sophany Hang *S. Hang*  
Contract Compliance Officer

**SUBJECT:** Compliance Analysis  
Mandela Parkway Trash Capture Device  
Project No. 1006066

**DATE:** February 9, 2024

The assigned Contract Compliance Officer conducted a compliance analysis of four (4) bids submitted to the City in response to the above referenced 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 two (2) certified firms that could perform the scope of work; therefore, the minimum 50% Local/Small Local Business Enterprise participation requirement is set at 20% for this project

Responsive with 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/LPG	SLBE	*VSLBE	L/SLBE/VSLBE Trucking	Total Credited participation	Earned Bid Discounts	Adjusted Bid Amount	
JMB Construction, Inc.	\$4,641,800	15.19% *23.95%	0.59%	5.84%	8.76%	NA	*23.95%	NA	\$4,641,800	N
Marinship Development Interest, LLC	\$4,869,661.80	21.64% *22.05%	1.64%	19.59%	0.41%	NA	*22.05%	NA	\$4,869,661.80	Y
Disney Construction	\$5,800,600	16.04% *22.22%	0.0%	9.86%	6.18%	NA	*22.22%	NA	\$5,800,600	Y

**Comments:** As noted above, the firms exceeded the minimum 20% L/SLBE participation requirement. JMB Construction, Inc. is not EBO compliant. They have to come into compliance prior to full contract execution.



Non-Responsive with 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/LPG	SLBE	*VSLBE	L/SLBE /VSLBE Trucking	Total Credited participation	Earned Bid Discounts	Adjusted Bid Amount	
Devaney Engineering, Inc.	\$6,777,000	11.88% *13.36%	4.94%	5.46%	1.48%	NA	0.0%	NA	\$0.0	N

**Comments:** As noted above, firm failed to meet the minimum 20% L/SLBE participation requirement. They are not EBO compliant. They have to come into compliance prior to full contract execution.

Should you have any questions, you may contact Sophany Hang, Contract Compliance Officer at [Shang@Oaklandca.gov](mailto:Shang@Oaklandca.gov) or (510) 238-3723.

## LBE/SLBE Participation Bidder 1

Project Name:		Rebid-Mandela Parkway Trash Capture Device												
Project No.:		1006066	Engineer's Estimate			3,631,500.00	Under/Over Engineers Estimate:							
Discipline	Prime & Subs	Location	Cert. Status	LBE/LPG	SLBE	*VSLBE (2x Value)	Total LBE/SLBE	VSLBE Trucking	L/SLBE Trucking	Total Trucking	TOTAL Dollars			
												Ethn.	MBE	WBE
<b>PRIME</b>	JMB Construction, Inc.	S. SF	UB								3,684,003	C		
Rebar	Camblin Steel	Roseville	UB								200,760	C		
Demo, Minor Concrete	Ceau Company	Oakland	CB			406,577	406,577				406,577	C		
Security	Vigilant Pro Private Security Services	Oakland	CB		116,520		116,520				116,520	H		116,520
Trucking & Disposal	S&S Trucking A DBA of SN Sands Corp.	Oakland	CB		154,440		154,440		154,440	154,440	154,440	H	154,440	
FurnishAg Base	Argent Materials	Oakland	CB	27,500			27,500				27,500	C		
Ready mix	Central Concrete	Oakland	UB								52,000	NL		
<b>Project Totals</b>				\$27,500 0.59%	\$270,960 5.84%	\$406,577 8.76%	\$705,037 15.19%	\$0 0.00%	\$154,440 100%	\$154,440 100%	\$4,641,800 100%		154,440 3.33%	116,520 2.51%
				<b>LBE/LPG 25%</b>	<b>SLBE 25%</b>	<b>VSLBE</b>	<b>TOTAL LBE/SLBE</b>	<b>VSLBE Trucking</b>	<b>L/SLBE TRUCKING</b>		<b>TOTAL DOLLARS</b>	<b>Ethnicity</b> AA = African American A = Asian AI = Asian Indian AP = Asian Pacific		

\*\* Proposed VSLBE/LPG participation is valued at 8.76%, 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.

**Department of Workplace & Employment Standards**



**DWES**

**PROJECT COMPLIANCE EVALUATION FOR :**

**Project No. 1006066**

**RE:** **Rebid-Mandela Parkway Trash Capture Device**

**CONTRACTOR: JMB Construction, Inc.**

<b><u>Engineer's Estimate:</u></b> \$3,631,500.00	<b><u>Contractors' Bid Amount</u></b> \$4,641,800.00	<b><u>Over/Under Engineer's Estimate</u></b> (\$1,010,300.00)
<b><u>Discounted Bid Amount:</u></b> \$0.00	<b><u>Amt. of Bid Discount</u></b> \$0.00	<b><u>Discount Points:</u></b> 0.00%

- 1. Did the 50% local/small local requirement apply: **YES**
- 2. Did the contractor meet the 20% requirement **YES**
  - a) % of LBE/LPG **0.59%**
  - b) % of SLBE **5.84% %**
  - c) % of VSLBE participation **\*8.76%**

**(Double Counted Value is 17.52%)**
- 3. Did the contractor meet the L/SLBE trucking requirement? **NA**
  - a) Total L/SLBE trucking participation **100.00%**
  - a) Total VSLBE trucking participation **0.00%**
- 4. Did the contractor receive bid discount points? **NA**

(If yes, list the points received) **0%**

5. Additional Comments.  
**This is a task order. Therefore, bid discounts are not applicable. Per the L/SLBE Program, an availability analysis was conducted and the requirement was reduced to 20%. Proposed VSLBE/LPG participation is valued at 8.76%, however, per the L/SLBE Program a VSLBE/LPG's participation is double counted towards meeting the requirement. Therefore, the VSLBE/LPG value is 17.52%**

6. Date evaluation completed and returned to Contract Admin./Initiating Dept.  
2/9/2024  
Date

**Reviewing Officer:**

**Sophany Hang** **Date:** 2/9/2024

**Approved By:**

**Shelley Darensburg** **Date:** 2/9/2024

## LBE/SLBE Participation Bidder 2

Project Name:		Rebid-Mandela Parkway Trash Capture Device												
Project No.:		1006066		Engineer's Estimate		3,631,500.00		Under/Over Engineers Estimate:						
Discipline	Prime & Subs	Location	Cert. Status	LBE/LPG	SLBE	*VSLBE (2x Value)	Total LBE/SLBE	VSLBE Trucking	L/SLBE Trucking	Total Trucking	TOTAL Dollars			
												Ethn.	MBE	WBE
PRIME	Marinship Development Interest, LLC	Oakland	UB								2,824,021.80	AA	2,824,022	
partial civil work	Focon, Inc.	Oakland	CB		953,940		953,940				953,940	AA	953,940	
Trucking	Curbside Trucking	Oakland	CB			20,000	20,000	20,000		20,000	20,000	AA	20,000	
Backfill	Argent Materials	Oakland	CB	80,000			80,000				80,000	C		
Concrete Reinforcement	Alta Group	SF	UB								264,000	C		
Shoring & Evacuation	M. A. McClish Excavating	Santa Rosa	UB								440,550	C		
Precast	Old Castle Infrastructure	Pleasanton	UB								129,550	C		
Rigging	Bigge Crane & Rigging	San Leandro	UB								87,600	C		
Concrete	Cemex	Oakland	UB								70,000	C		
<b>Project Totals</b>				\$80,000 1.64%	\$953,940 19.59%	\$20,000 0.41%	\$1,053,940 21.64%	\$20,000 100.00%	\$0 0%	\$20,000 100%	\$4,869,661.80 100%		3,797,962 77.99%	0 0.00%
				<b>LBE/LPG 25%</b>	<b>SLBE 25%</b>	<b>VSLBE</b>	<b>TOTAL LBE/SLBE</b>	<b>VSLBE Trucking</b>	<b>L/SLBE TRUCKING</b>		<b>TOTAL DOLLARS</b>	<b>Ethnicity</b> AA = African American A = Asian AI = Asian Indian AP = Asian Pacific		

\*\* Proposed VSLBE/LPG participation is valued at 0.41%, 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.

**Department of Workplace & Employment Standards**



**DWES**

**PROJECT COMPLIANCE EVALUATION FOR :**

**Project No. 1006066**

**RE:** **Rebid-Mandela Parkway Trash Capture Device**

**CONTRACTOR: Marinship Development Interest, LLC**

<b><u>Engineer's Estimate:</u></b> \$3,631,500.00	<b><u>Contractors' Bid Amount</u></b> \$4,869,661.80	<b><u>Over/Under Engineer's Estimate</u></b> (\$1,238,161.80)
<b><u>Discounted Bid Amount:</u></b> \$0.00	<b><u>Amt. of Bid Discount</u></b> \$0.00	<b><u>Discount Points:</u></b> 0.00%

- 1. Did the 50% local/small local requirement apply: **YES**
- 2. Did the contractor meet the 20% requirement **NO**
  - a) % of LBE/LPG **1.64%**
  - b) % of SLBE **19.59% %**
  - c) % of VSLBE participation **\*0.41%**

**(Double Counted Value is 0.82%)**
- 3. Did the contractor meet the L/SLBE trucking requirement? **NA**
  - a) Total L/SLBE trucking participation **0.00%**
  - a) Total VSLBE trucking participation **100.00%**
- 4. Did the contractor receive bid discount points? **NA**

(If yes, list the points received) **0%**

5. Additional Comments.  
**Per the L/SLBE Program, an availability analysis was conducted and the requirement was reduced to 20%. Proposed VSLBE/LPG participation is valued at 0.41%, however, per the L/SLBE Program a VSLBE/LPG's participation is double counted towards meeting the requirement. Therefore, the VSLBE/LPG value is 0.82%**

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

2/9/2024  
Date

**Reviewing Officer:** Sophany Hang **Date:** 2/9/2024

**Approved By:** Shelley Darenburg **Date:** 2/9/2024

## LBE/SLBE Participation Bidder 3

Project Name: <b>Rebid-Mandela Parkway Trash Capture Device</b>														
Project No.: <b>1006066</b>		Engineer's Estimate <b>3,631,500.00</b>				Under/Over Engineers Estimate:								
Discipline	Prime & Subs	Location	Cert. Status	LBE/LPG	SLBE	*VSLBE (2x Value)	Total LBE/SLBE	VSLBE Trucking	L/SLBE Trucking	Total Trucking	TOTAL Dollars			
												Ethn.	MBE	WBE
<b>PRIME</b> Shoring & Evacuation Rebar Trucking Demo Surface, Minor Concrete, AC/AO Install,Pump/Place Concrete, Grind &Mill AC Security	Disney Construction	Burlingame	UB								4,229,600.00			
	M. A. McClish Excavating	Santa Rosa	UB								440,500	C		
	Camblin Steel	Roseville	UB								200,000	C		
	S&S Trucking A DBA of SN Sands Corp.	Oakland	CB		507,000		507,000		507,000	507,000	507,000	H	507,000	
	CEAU Company	Oakland	CB			358,500	358,500				358,500	O		358,500
	Baines Security Consulting	Oakland	CB			65,000	65,000				65,000	AA	65,000	
<b>Project Totals</b>				\$0 0.00%	\$572,000 9.86%	\$358,500.00 6.18%	\$930,500 16.04%	\$0.00 0.00%	\$507,000.00 100%	\$507,000.00 100%	\$5,800,600.00 100%		572,000 9.86%	358,500 6.18%
				<b>LBE/LPG 25%</b>	<b>SLBE 25%</b>	<b>VSLBE</b>	<b>TOTAL LBE/SLBE</b>	<b>VSLBE Trucking</b>	<b>L/SLBE TRUCKING</b>		<b>TOTAL DOLLARS</b>	<b>Ethnicity</b> AA = African American A = Asian AI = Asian Indian AP = Asian Pacific		

\*\* Proposed VSLBE/LPG participation is valued at 6.18%, 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.



**Department of Workplace & Employment Standards**



**DWES**

**PROJECT COMPLIANCE EVALUATION FOR :**

**Project No. 1006066**

**RE:** Rebid-Mandela Parkway Trash Capture Device

**CONTRACTOR:** GSW Construction

<u>Engineer's Estimate:</u> \$3,631,500.00	<u>Contractors' Bid Amount</u> \$5,800,600.00	<u>Over/Under Engineer's Estimate</u> (\$2,169,100.00)
<u>Discounted Bid Amount:</u> \$0.00	<u>Amt. of Bid Discount</u> \$0.00	<u>Discount Points:</u> 0.00%

1. Did the 50% local/small local requirement apply: **YES**
2. Did the contractor meet the 20% requirement **YES**
  - a) % of LBE/LPG **0.00%**
  - b) % of SLBE **9.86% %**
  - c) % of VSLBE participation **\*6.18%**

**(Double Counted Value is 12.36%)**
3. Did the contractor meet the L/SLBE trucking requirement? **NA**
  - a) Total L/SLBE trucking participation **100.00%**
  - a) Total VSLBE trucking participation **0.00%**
4. Did the contractor receive bid discount points? **NA**

(If yes, list the points received) **0%**

5. Additional Comments.  
**This is a task order. Therefore, bid discounts are not applicable. Per the L/SLBE Program, an availability analysis was conducted and the requirement was reduced to 20%. Proposed VSLBE/LPG participation is valued at 6.18%, however, per the L/SLBE Program a VSLBE/LPG's participation is double counted towards meeting the requirement. Therefore, the VSLBE/LPG value is 12.36%.**

6. Date evaluation completed and returned to Contract Admin./Initiating Dept.  
2/9/2024  
 Date

Reviewing Officer: Sophany Hang **Date:** 2/9/2024

Approved By: Shelley Darenburg **Date:** 2/9/2024

## LBE/SLBE Participation Bidder 4

Project Name:		Rebid-Mandela Parkway Trash Capture Device												
Project No.:		1006066	Engineer's Estimate			3,631,500.00	Under/Over Engineers Estimate:							
Discipline	Prime & Subs	Location	Cert. Status	LBE/LPG	SLBE	*VSLBE (2x Value)	Total LBE/SLBE	VSLBE Trucking	L/SLBE Trucking	Total Trucking	TOTAL Dollars	Ethnicity		
												Ethn.	MBE	WBE
PRIME	Devaney Engineering, Inc.	SF	UB								5,027,000	NL		
Trucking	S&S Trucking A DBA of SN Sands Corp.	Oakland	CB		370,000		370,000		370,000	370,000	370,000	H	370,000	
Backfill	Argent Materials	Oakland	CB	210,000			210,000				210,000	C		
Pipe Supply	Pace Supply Corp.	Oakland	CB	125,000			125,000				125,000	C		
Asphalt	Ceau Company	Oakland	CB			100,000	100,000				100,000	C		
Dewater	Viking Drillers Inc.	Granite Bay	UB								305,000	C		
Concrete	Terrocons	SF	UB								95,000	C		
Crane	Bigge Crane & Rigging	San Leandro	UB								500,000	C		
											45,000	C		
<b>Project Totals</b>				\$335,000 4.94%	\$370,000 5.46%	\$100,000 1.48%	\$805,000 11.88%	\$0 0.00%	\$370,000 100%	\$370,000 100%	\$6,777,000 100%		370,000 5.46%	0 0.00%
				<b>LBE/LPG 25%</b>	<b>SLBE 25%</b>	<b>VSLBE</b>	<b>TOTAL LBE/SLBE</b>	<b>VSLBE Trucking</b>	<b>L/SLBE TRUCKING</b>		<b>TOTAL DOLLARS</b>	<b>Ethnicity</b> AA = African American A = Asian AI = Asian Indian AP = Asian Pacific		

\*\* Proposed VSLBE/LPG participation is valued at 1.48%, 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.

**Department of Workplace & Employment Standards**



**DWES**

**PROJECT COMPLIANCE EVALUATION FOR :**

**Project No. 1006066**

**RE:** Rebid-Mandela Parkway Trash Capture Device

**CONTRACTOR: GSW Construction**

<b><u>Engineer's Estimate:</u></b> \$3,631,500.00	<b><u>Contractors' Bid Amount</u></b> \$6,777,000.00	<b><u>Over/Under Engineer's Estimate</u></b> (\$3,145,500.00)
<b><u>Discounted Bid Amount:</u></b> \$0.00	<b><u>Amt. of Bid Discount</u></b> \$0.00	<b><u>Discount Points:</u></b> 0.00%

- 1. Did the 50% local/small local requirement apply: **YES**
- 2. Did the contractor meet the 50% requirement **NO**
  - a) % of LBE/LPG **4.94%**
  - b) % of SLBE **5.46% %**
  - c) % of VSLBE participation **\*1.48%**

**(Double Counted Value is 2.96%)**
- 3. Did the contractor meet the L/SLBE trucking requirement? **NA**
  - a) Total L/SLBE trucking participation **100.00%**
  - a) Total VSLBE trucking participation **0.00%**
- 4. Did the contractor receive bid discount points? **NA**

(If yes, list the points received) **0%**

5. Additional Comments.  
**This is a task order. Therefore, bid discounts are not applicable. Per the L/SLBE Program, an availability analysis was conducted and the requirement was reduced to 20%. Firm failed to meet the minimum 20% L/SLBE participation requirement. Therefore, they are non-responsive to L/SLBE program.**

6. Date evaluation completed and returned to Contract Admin./Initiating Dept.  
2/9/2024  
Date

**Reviewing Officer:** Sophany Hang **Date:** 2/9/2024

**Approved By:** Shelley Darenburg **Date:** 2/9/2024



# INTER OFFICE MEMORANDUM

Department of Workplace & Employment Standards (DWES)

**TO:** Tiffany Pham,  
Civil Engineer

**FROM:** Shelley Darensburg, *SD*  
Contract Compliance Supervisor  
DWES

**PREPARED BY:** Sophany Hang *S. Hang*  
Contract Compliance Officer

**SUBJECT:** Compliance Analysis  
Rebid-Cary Avenue Trash Capture Device  
Project No. 1006466

**DATE:** February 9, 2024

The assigned Contract Compliance Officer conducted a compliance analysis of three (3) bids submitted to the City in response to the above referenced 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 two (2) certified firms that could perform the scope of work; therefore, the minimum 50% Local/Small Local Business Enterprise participation requirement is set at 20% for this project.

Responsive with 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/LPG	SLBE	*VSLBE	L/SLBE /VSLBE Trucking	Total Credited participation	Earned Bid Discounts	Adjusted Bid Amount	
JMB Construction, Inc.	\$3,842,700	13.10% *21.19%	0.31%	4.70%	8.09%	NA	*21.19%	NA	\$3,842,700	N
GSW Construction	\$4,724,443.86	15.28% *25.28%	0.0%	5.28%	10%	NA	*25.28%	NA	\$4,724,443.86	N

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

**Comments:** As noted above, both firms exceeded the minimum 20% L/SLBE participation requirement. Both firms are not EBO compliant. They have to come into compliance prior to full contract execution.

Non-Responsive with 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/LPG	SLBE	*VSLBE	L/SLBE /VSLBE Trucking	Total Credited participation	Earned Bid Discounts	Adjusted Bid Amount	
Marinship Development Interest, LLC	\$3,330,550	13.06% *14.26%	1.80%	10.06%	1.20%	NA	0.0%	NA	\$0.0	Y

**Comments:** As noted above, Marinship Development Interest, LLC failed to meet the minimum 20% L/SLBE participation requirement. Therefore, they are non-responsive to L/SLBE program. They are EBO compliant.

Should you have any questions, you may contact Sophany Hang, Contract Compliance Officer at [Shang@Oaklandca.gov](mailto:Shang@Oaklandca.gov) or (510) 238-3723.

## LBE/SLBE Participation Bidder 1

Project Name:		Rebid-Cary Avenue Trash Capture Device												
Project No.:		1006466	Engineer's Estimate			2,992,700.00	Under/Over Engineers Estimate:							
Discipline	Prime & Subs	Location	Cert. Status	LBE/LPG	SLBE	*VSLBE (2x Value)	Total LBE/SLBE	VSLBE Trucking	L/SLBE Trucking	Total Trucking	TOTAL Dollars			
												Ethn.	MBE	WBE
PRIME	Marinship Development Interest, LLC	Oakland	UB								2,008,110	AA	2,008,110	
partial civil work	Focon, Inc.	Oakland	CB		335,000		335,000				335,000	AA	335,000	
Trucking	Curbside Trucking	Oakland	CB			40,000	40,000	40,000		40,000	40,000	AA	40,000	
Backfill	Argent Materials	Oakland	CB	60,000			60,000				60,000	C		
Concrete Reinforcement	Alta Group	SF	UB								236,700	C		
Shoring & Evacuation	M. A. McClish Excavating	Santa Rosa	UB								393,740	C		
Precast	Old Castle Infrastructure	Pleasanton	UB								12,000	C		
Rigging	Bigge Crane & Rigging	San Leandro	UB								85,000	C		
Concrete	Cemex	Oakland	UB								60,000	C		
Trucking	Bradley Tanks, Inc.	Danville	UB								100,000	C		
<b>Project Totals</b>				\$60,000 1.80%	\$335,000 10.06%	\$40,000 1.20%	\$435,000 13.06%	\$40,000 100.00%	\$0 0%	\$40,000 100%	\$3,330,550 100%		2,383,110 71.55%	0 0.00%
				<b>LBE/LPG 25%</b>	<b>SLBE 25%</b>	<b>VSLBE</b>	<b>TOTAL LBE/SLBE</b>	<b>VSLBE Trucking</b>	<b>L/SLBE TRUCKING</b>		<b>TOTAL DOLLARS</b>	<b>Ethnicity</b> AA = African American A = Asian AI = Asian Indian AP = Asian Pacific		

\*\* Proposed VSLBE/LPG participation is valued at 1.20%, 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.



**Department of Workplace & Employment Standards**



**DWES**

**PROJECT COMPLIANCE EVALUATION FOR :**

**Project No. 1006466**

**RE:** **Rebid-Cary Avenue Trash Capture Device**

**CONTRACTOR:** Marinship Development Interest, LLC

<u>Engineer's Estimate:</u> \$2,992,700.00	<u>Contractors' Bid Amount</u> \$3,330,550.00	<u>Over/Under Engineer's Estimate</u> (\$337,850.00)
<u>Discounted Bid Amount:</u> \$0.00	<u>Amt. of Bid Discount</u> \$0.00	<u>Discount Points:</u> 0.00%

1. Did the 50% local/small local requirement apply: **YES**
2. Did the contractor meet the 20% requirement **NO**
  - a) % of LBE/LPG **1.80%**
  - b) % of SLBE **10.06% %**
  - c) % of VSLBE participation **\*1.20%**

**(Double Counted Value is 2.40%)**
3. Did the contractor meet the L/SLBE trucking requirement? **NA**
  - a) Total L/SLBE trucking participation **100.00%**
  - a) Total VSLBE trucking participation **0.00%**
4. Did the contractor receive bid discount points? **NA**

(If yes, list the points received) **0%**

5. Additional Comments.  
**This is a task order. Therefore, bid discounts are not applicable. Per the L/SLBE Program, an availability analysis was conducted and the requirement was reduced to 20%. Bidder failed to meet the minimum 20% L/SLBE participation requirement. Therefore, they are non-responsive to L/SLBE program.**

6. Date evaluation completed and returned to Contract Admin./Initiating Dept.  
2/9/2024  
Date

Reviewing Officer: Sophany Hang Date: 2/9/2024

Approved By: Shelley Darenburg Date: 2/9/2024

## LBE/SLBE Participation Bidder 2

Project Name:		Rebid-Cary Avenue Trash Capture Device												
Project No.:		1006466	Engineer's Estimate		2,992,700.00	Under/Over Engineers Estimate:								
Discipline	Prime & Subs	Location	Cert. Status	LBE/LPG	SLBE	*VSLBE (2x Value)	Total LBE/SLBE	VSLBE Trucking	L/SLBE Trucking	Total Trucking	TOTAL Dollars	Ethn.	MBE	WBE
<b>PRIME</b>	JMB Construction, Inc.	SSF	UB								2,680,999	C		
Rebar	Camblin Steel	Roseville	UB								214,750	C		
Demo, Minor Concrete	Ceau Company	Oakland	CB			310,716	310,716				310,716	C		
Shoring & Excavating	M.A. McLish Excavating	Santa Rosa	UB								393,740	C		
Trucking & Disposal	S&S Trucking A DBA of SN Sands Corp.	Oakland	CB		75,495		75,495		75,495	75,495	75,495	H	75,495	
FurnishAg Base	Argent Materials	Oakland	CB	12,000			12,000				12,000	C		
Ready mix	Central Concrete	Oakland	UB								50,000	NL		
Security	Vigilant Pro Private Security Services	Oakland	CB		105,000		105,000				105,000	O		105,000
<b>Project Totals</b>				\$12,000 0.31%	\$180,495 4.70%	\$310,716 8.09%	\$503,211 13.10%	\$0 0.00%	\$75,495 100%	\$75,495 100%	\$3,842,700 100%		75,495 1.96%	105,000 2.73%
				<b>LBE/LPG 25%</b>	<b>SLBE 25%</b>	<b>VSLBE</b>	<b>TOTAL LBE/SLBE</b>	<b>VSLBE Trucking</b>	<b>L/SLBE TRUCKING</b>	<b>TOTAL DOLLARS</b>	<b>Ethnicity</b> AA = African American A = Asian AI = Asian Indian AP = Asian Pacific			

\*\* Proposed VSLBE/LPG participation is valued at 8.09%, 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.

**Department of Workplace & Employment Standards**



**DWES**

**PROJECT COMPLIANCE EVALUATION FOR :**

**Project No. 1006466**

**RE:** **Rebid-Cary Avenue Trash Capture Device**

**CONTRACTOR:** JMB Construction, Inc.

<u>Engineer's Estimate:</u> \$2,992,700.00	<u>Contractors' Bid Amount</u> \$3,842,700.00	<u>Over/Under Engineer's Estimate</u> (\$850,000.00)
<u>Discounted Bid Amount:</u> \$0.00	<u>Amt. of Bid Discount</u> \$0.00	<u>Discount Points:</u> 0.00%

- 1. Did the 50% local/small local requirement apply: **YES**
- 2. Did the contractor meet the 20% requirement **YES**
  - a) % of LBE/LPG **0.31%**
  - b) % of SLBE **4.70% %**
  - c) % of VSLBE participation **8.09%**

**(Double Counted Value is 16.18%)**
- 3. Did the contractor meet the L/SLBE trucking requirement? **NA**
  - a) Total L/SLBE trucking participation **100.00%**
  - a) Total VSLBE trucking participation **0.00%**
- 4. Did the contractor receive bid discount points? **NA**

(If yes, list the points received) **0%**

5. Additional Comments.  
**This is a task order. Therefore, bid discounts are not applicable. Per the L/SLBE Program, an availability analysis was conducted and the requirement was reduced to 20%. Proposed VSLBE/LPG participation is valued at 8.09%, however, per the L/SLBE Program a VSLBE/LPG's participation is double counted towards meeting the requirement. Therefore, the VSLBE/LPG value is 16.18%.**

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

2/9/2024  
Date

Reviewing Officer:

*Sophany Hang* Date: 2/9/2024

Approved By:

*Shelley Darenburg* Date: 2/9/2024

## LBE/SLBE Participation Bidder 3

Project Name:		Rebid-Cary Avenue Trash Capture Device												
Project No.:		1006466		Engineer's Estimate		2,992,700.00		Under/Over Engineers Estimate:						
Discipline	Prime & Subs	Location	Cert. Status	LBE/LPG	SLBE	*VSLBE (2x Value)	Total LBE/SLBE	VSLBE Trucking	L/SLBE Trucking	Total Trucking	TOTAL Dollars			
												Ethn.	MBE	WBE
<b>PRIME</b> Demo, sewer, asphalt Security Trucking Furnish Agg. Shoring Supply Concrete Rebar	GSW Construction	SF	UB								3,158,347.86	NL		
	Ceau Co.	Oakland	CB			472,445	472,445				472,445	C		
	Vigilant Pro Private Security Services	Oakland	CB		80,000		80,000				80,000	O		80,000
	S&S Trucking A DBA of SN Sands Corp.	Oakland	CB		162,801		162,801		162,801	162,801	162,801	H	162,801	
	Argent Materials	Oakland	CB		6,500		6,500				6,500	C		
	Blue Iron Foundations & Shoring, LLC	Sacramento	UB								615,000	W		615,000
	Central Concrete	Oakland	UB								15,000	NL		
	Camblin Steel	Roseville	UB								214,350	C		
<b>Project Totals</b>				\$0 0.00%	\$249,301 5.28%	\$472,445.00 10.00%	\$721,746 15.28%	\$0.00 0.00%	\$162,801.00 100%	\$162,801.00 100%	\$4,724,443.86 100%		162,801 3.45%	695,000 14.71%
				<b>LBE/LPG 25%</b>	<b>SLBE 25%</b>	<b>VSLBE</b>	<b>TOTAL LBE/SLBE</b>	<b>VSLBE Trucking</b>	<b>L/SLBE TRUCKING</b>		<b>TOTAL DOLLARS</b>	<b>Ethnicity</b> AA = African American A = Asian AI = Asian Indian AP = Asian Pacific		

\*\* Proposed VSLBE/LPG participation is valued at 10%, 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.

**Department of Workplace & Employment Standards**



**DWES**

**PROJECT COMPLIANCE EVALUATION FOR :**

**Project No. 1006466**

**RE:** **Rebid-Cary Avenue Trash Capture Device**

**CONTRACTOR:** GSW Construction

<u>Engineer's Estimate:</u> \$2,992,700.00	<u>Contractors' Bid Amount</u> \$4,724,443.86	<u>Over/Under Engineer's Estimate</u> (\$1,731,743.86)
<u>Discounted Bid Amount:</u> \$0.00	<u>Amt. of Bid Discount</u> \$0.00	<u>Discount Points:</u> 0.00%

1. Did the 50% local/small local requirement apply: **YES**
2. Did the contractor meet the 50% requirement **YES**
  - a) % of LBE/LPG **0.00%**
  - b) % of SLBE **5.28% %**
  - c) % of VSLBE participation **10.00%**

**(Double Counted Value is 20.00%)**
3. Did the contractor meet the L/SLBE trucking requirement? **NA**
  - a) Total L/SLBE trucking participation **100.00%**
  - a) Total VSLBE trucking participation **0.00%**
4. Did the contractor receive bid discount points? **NA**

(If yes, list the points received) **0%**

5. Additional Comments.  
**This is a task order. Therefore, bid discounts are not applicable. Per the L/SLBE Program, an availability analysis was conducted and the requirement was reduced to 20%. Proposed VSLBE/LPG participation is valued at 10%, however, per the L/SLBE Program a VSLBE/LPG's participation is double counted towards meeting the requirement. Therefore, the VSLBE/LPG value is 20%.**

6. Date evaluation completed and returned to Contract Admin./Initiating Dept.  
2/9/2024  
 Date

Reviewing Officer: *Sophany Hang* **Date:** 2/9/2024

Approved By: *Shelley Darenburg* **Date:** 2/9/2024

## California Department of Transportation

Division of Environmental Analysis  
SACRAMENTO, CA 94273-0001  
[www.dot.ca.gov](http://www.dot.ca.gov)



February 13, 2024

*Sent via email; no hard copy to follow*

Ms. Siew Chin Yeong  
Assistant Director of Public Works  
City of Oakland

Mr. Thomas Mumley  
Assistant Executive Officer  
San Francisco Regional Water Board

### **Subject: Caltrans Grant Funding Commitment - Oakland Trash Capture Projects**

Caltrans is fully committed to funding the City of Oakland regional partnership projects that will provide multi-pollutant removal of Trash, Polychlorinated Biphenyls, and Mercury from stormwater before discharging to the San Francisco Bay.

The City of Oakland is subject to the San Francisco Bay Regional Water Quality Control Board's (Water Board's) Municipal Regional Stormwater National Pollutant Discharge Elimination System (NPDES) Permit (MRP). Under the updated MRP, known as MRP 3.0, Bay Area cities within the MRP jurisdiction must reduce the amount of trash discharging from their storm drainage systems by 100 percent by June 30, 2025.

Caltrans is required to prevent the discharge of trash from 8,910 acres in accordance with the San Francisco Bay Water Board issued trash discharge Cease and Desist Order (CDO) (No. R2-2019-0007 as amended by R2-2021-0030) by 2026. Further, Caltrans is required to reduce PCB and Mercury loading from 2,970 acres of ROW tributary to the San Francisco Bay in accordance with Attachment D of the Caltrans NPDES Permit (Order 2022-0033-DWQ).

Caltrans and Oakland entered into two agreements whereby the City of Oakland committed to design, advertise, award, and administer two regional partnership project contracts for Hydrodynamic Separators that treat both Caltrans and Oakland stormwater runoff. Given the significant water quality benefit of the Mandela trash capture project, and that it serves an economically challenged area of the city, San Francisco Bay Water Board agreed to grant Caltrans 127 acres of Alternative Compliance Credit (ACC) to substantiate the Caltrans investment relative to compliance generation.



Caltrans will claim the ACCs toward the 2024 CDO trash control compliance benchmark for Caltrans areas where there are no feasible on or off right-of-way trash controls, as allowed by the CDO.

The following table details the actual funding gap needed, that Caltrans will authorize, to align with the 2024 bid results. Caltrans will fully encumber the Mandela and Cary capital improvement stormwater projects to ensure City of Oakland has all funding required to execute its authority to award and administer the two contracts.

<b>Project</b>	<b>Caltrans Capital &amp; Support Funding to Date</b>	<b>Oakland Total Bid Result Capital &amp; Support Need</b>	<b>Caltrans Capital &amp; Support Funding Gap Commitment</b>
Mandela HDS <sup>1</sup> D43CIAOAK0001 Project 1006066	\$4,805,185	\$6,990,825	\$2,185,640
Cary HDS <sup>2</sup> D43CIAOAK0002 Project 1006466	\$3,200,000	\$5,891,403	\$2,691,403
<b>Total</b>	<b>\$8,005,185</b>	<b>\$12,882,228</b>	<b>\$4,877,043</b>

1. Mandela Ave Cooperative Implementation Agreement (CIA) executed on June 4, 2021 and amended for additional funding on July 1, 2023.
2. Cary Ave CIA executed on June 24, 2022.

The following table outlines the environmental benefits to San Francisco Bay.

<b>Project</b>	<b>Oakland Trash, Compliance Credits (Acres)</b>	<b>Caltrans Trash, Compliance Credits (Acres)</b>
Mandela HDS D43CIAOAK0001 Project 1006066	610	16 <u>+127 ACC</u> 143
Cary HDS D43CIAOAK0002 Project 1006466	739	38
<b>Total</b>	<b>1,349</b>	<b>181</b>

The Caltrans NPDES Permit allows an acreage credit of three times the credit recognized for Caltrans funded regional partnership projects that reduce PCB and Mercury loading in old industrial areas. Caltrans and Oakland will work with the San Francisco Bay Water Board individually to determine appropriate PCB and mercury reduction crediting toward their respective stormwater NPDES permit requirements

Ms. Yeong, Mr. Mumley  
November 28<sup>th</sup>, 2023  
Page 3

based on the land uses within the treatment shed and removal efficiencies of the installed devices.

Caltrans is dedicated to working alongside our regulatory, environmental advocacy, and municipal partners to deliver structural control projects that protect and restore water quality.

Sincerely,

*Hardeep Takhar*

HARDEEP TAKHAR  
Chief Environmental Engineer  
Assistant Division Chief  
Caltrans HQ Division of Environmental Analysis

Cc: Eileen White, San Francisco Bay Water Board, Executive Officer  
Keith Lichten, San Francisco Water Board Division Manager, Watershed Mgmt

Qi Yan, San Francisco Water Board Engineer, Watershed Management  
Joseph Martinez, San Francisco Water Board Engineer, Watershed Management  
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Dave Ambuehl, Caltrans District 4, Chief Deputy District Director  
Leah Budu – Caltrans District 4, Deputy District Director, Maintenance  
Chris Caputo, Deputy District Director, Caltrans District 4, Environmental  
Hardeep Takhar, Caltrans District 4, Supervising Engineer, Water Quality  
Tiffany Pham, City of Oakland, Bureau of Design and Construction  
Jennifer Stern, City of Oakland, Bureau of Design and Construction