### Bid Opening Tabulation Sheet

**Oakland Unified School District**  
Division of Facilities Planning and Management

**School:** Frick Middle School  
**Project:** Fence Installation  
**Project #:** 15105  
**Estimate:** $140,000

**Signature of Witness to Bid:**

**Company:** D-Line Constructors  
**Address:** 499 Embarcadero  
**City/State:** Oakland, CA  
**Phone:** 510-251-6400  
**Fax:** 510-251-6401

**Base Bid:** $163,000.00  
**Allowance:** $10,000.00  
**TOTAL:** $173,000.00

**Time Submitted:** 1:41 PM  
**Date Submitted:** 10/29/2019

**Time Opened:**  
**Date Opened:** 10/29/2019

**Signature of Bid Opener:**

**Required Day of Bid:**
- Signed Bid Form  
- Addendum Acknow.  
- Bid Bond  
- Non-Collusion  
- Iran Contracting Certification  
- Site Visit Certification  
- Contractor's Sub List  
- Debarmment Suspension & Schd Z  
- Local Business Participation Form  
- DVBE Forms

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**Company:** Bay Construction Company  
**Address:** 4026 Martin Luther King Jr. Way  
**City/State:** Oakland, CA  
**Phone:** 510-658-7225  
**Fax:** 510-638-4890

**Base Bid:** $134,900.00  
**Allowance:** $10,000.00  
**TOTAL:** $144,900.00

**Time Submitted:** 1:55 AM  
**Date Submitted:** 10/29/2019

**Time Opened:**  
**Date Opened:** 10/29/2019

**Required Day of Bid:**
- Signed Bid Form  
- Addendum Acknow.  
- Bid Bond  
- Non-Collusion  
- Iran Contracting Certification  
- Site Visit Certification  
- Contractor's Sub List  
- Debarmment Suspension & Schd Z  
- Local Business Participation Form  
- DVBE Forms

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**Company:**  
**Address:**  
**City/State:**  
**Phone:**  
**Fax:**

**Base Bid:** $10,000.00  
**Allowance:** $10,000.00  
**TOTAL:** $10,000.00

**Time Submitted:**  
**Date Submitted:**

**Time Opened:**  
**Date Opened:**

**Required Day of Bid:**
- Signed Bid Form  
- Addendum Acknow.  
- Bid Bond  
- Non-Collusion  
- Iran Contracting Certification  
- Site Visit Certification  
- Contractor's Sub List  
- Debarmment Suspension & Schd Z  
- Local Business Participation Form  
- DVBE Forms

---

**Company:**  
**Address:**  
**City/State:**  
**Phone:**  
**Fax:**

**Base Bid:** $10,000.00  
**Allowance:** $10,000.00  
**TOTAL:** $10,000.00

**Time Submitted:**  
**Date Submitted:**

**Time Opened:**  
**Date Opened:**

**Required Day of Bid:**
- Signed Bid Form  
- Addendum Acknow.  
- Bid Bond  
- Non-Collusion  
- Iran Contracting Certification  
- Site Visit Certification  
- Contractor's Sub List  
- Debarmment Suspension & Schd Z  
- Local Business Participation Form  
- DVBE Forms
MEMORANDUM

Date: October 30, 2019
To: Juanita Hunter
From: Lupe Serrano
Subject: Frick ISS Fence Installation, Project # 15105

The above reference project is subject to the District’s Local Business Utilization Policy (LBU) 50% requirements.

SUMMARY:
The LBU Compliance Team has conducted a review of the Local Business Participation Worksheet for the Frick ISS Fence Installation Project submitted by D-Line Constructors and Bay Construction Company. Per the Local Business Participation Worksheets both bids meets and/or exceeds the LBU 50% requirements.

➤ D-Line Constructors achieved 0% LBE and 100% SLBE/SLRBE
➤ Bay Construction Co. achieved 0% LBE and 55.5% SLBE/SLRBE

RECOMMENDATION:
Based on the LBU Participation Worksheets, the Compliance Team finds the two bids responsive and both bidders are eligible for contract award. Bay Construction is the lowest bidder.
# LOCAL BUSINESS PARTICIPATION WORKSHEET

**PRIME: Bay Construction Company**

- **Project:** Frick ISS Fence Installation LBU Compliance
- **Project #:** 15105
- **Estimate:** $140,000

- **Base Bid:** $134,900.00
- **Verified Local Business Participation Discount:** $2,680.00
- **Base Bid W/LBP Discount:** $132,220.00

**Based on Policy Calculation:** 2%

<table>
<thead>
<tr>
<th>PRIME Company: Bay Construction Co.</th>
<th>Total Dollar Amount of Work</th>
<th>LBE %</th>
<th>SLBE %</th>
<th>SLBR %</th>
<th>Comments</th>
</tr>
</thead>
<tbody>
<tr>
<td>Address: 4026 Martin Luther King Jr. Way</td>
<td>$74,900.00</td>
<td>55.5%</td>
<td></td>
<td></td>
<td>This firm meets the LBU 50% requirements and receives 2% bid discount toward its base bid.</td>
</tr>
<tr>
<td>City/State: Oakland, CA</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Phone: 510-658-7225</td>
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<td></td>
<td></td>
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<tr>
<td>Fax:</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Company: Mosto Construction</td>
<td>$60,000.00</td>
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<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Address: 3073 20th. Ave.</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>City/State: Oakland, CA</td>
<td></td>
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<td></td>
<td></td>
<td></td>
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<tr>
<td>Phone:</td>
<td></td>
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<td></td>
<td></td>
</tr>
</tbody>
</table>

**TOTAL PARTICIPATION**

- **Total:** $134,900.00
- **LBE:** 0.0%
- **SLBE:** 55.5%
- **SLBR:** 0.0%
- **SLBR %:** 55.5%

*Lugo Serrano  10/30/2019*

APPROVAL - LBU Compliance Officer

L. Luster and Associates
Dear Board Members:

The undersigned, doing business under the firm name of [Company Name], hereby proposes and agrees to enter into a contract, with the Oakland Unified School District ("Owner"), to furnish any and all labor, materials, applicable taxes, equipment and services for the completion of Work as described hereinafter and in the Contract Documents as Frick Intensive Support Site Fence Installation Project, 2845 64th Avenue, Oakland (the "Contract").

The Contract Documents were prepared by Oakland Unified School District – Contract Specialist, 955 High Street, Oakland, 510-535-7044.

The undersigned proposes to furnish such labor, materials, applicable taxes, equipment and services for the amount of one hundred forty-four thousand nine hundred dollars ($144,900.00). This amount includes all allowances identified in the Agreement form (see Article IV), including but not limited to a contingency allowance of Ten Thousand dollars ($10,000.00).

The undersigned declares that Bidder has read and understands the Contract Documents, including, without limitation, the Notice to Bidders and the Instructions to Bidders, and agrees and proposes to furnish all necessary labor, materials, and equipment to perform and furnish all work in accordance with the terms and conditions of the Contract Documents, including, without limitation, the Drawings and Specifications of Bid No. 15105

("Project" or "Contract") and will accept in full payment for that Work the following total lump sum amount, all taxes included:

OAKLAND UNIFIED SCHOOL DISTRICT
Frick Intensive Support Site
Fence Installation Project
Project No. 15105
October 7, 2019
Note: Local Business Participation documentation must be submitted within 24 hours of bid opening.

| 55.5% | | 0.0% | | 55.5% | | 0.0% | | 314.900 00 | | 0.0% |
|-------|---|---|---|---|---|---|---|---|
|       |   |   |   |   |   |   |   |   |
|       |   |   |   |   |   |   |   |   |
|       |   |   |   |   |   |   |   |   |
|       |   |   |   |   |   |   |   |   |

**TOTAL PARTICIPATION**

<table>
<thead>
<tr>
<th>Phone:</th>
<th></th>
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<tbody>
<tr>
<td>City/State: Oakland, CA 94602</td>
<td></td>
</tr>
<tr>
<td>Address: 2023 Grand Ave.</td>
<td></td>
</tr>
<tr>
<td>Company: Mosto Construction</td>
<td></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Phone:</th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>City/State: Oakland, CA 94609</td>
<td></td>
</tr>
<tr>
<td>Address: 4090 Marina Lakes Dr. Way</td>
<td></td>
</tr>
<tr>
<td>Company: Sky Construction Co.</td>
<td></td>
</tr>
</tbody>
</table>

**Base Bid Dollar Amount**

| 134,900 00 | | 140,000 00 |
|            |   |   |

**Amount of Work**

| 60,000 00 | | 74,900 00 |
|           |   |   |

Note: Please complete dollar amounts for subprime work. Local business percentages: base bid.

**2:00PM**

**10/29/2019**
Bidder acknowledges and agrees that the Total Bid accounts for any and all Allowance.

11.1.6.1 COURSE-OF-CONSTRUCTION INSURANCE REQUIREMENTS

Contractor, during the progress of the Work and until final acceptance of the Work by Owner upon Completion of the entire Contract, shall maintain Builder's Risk/Course-of-Construction insurance satisfactory to the Owner, issued on a completed value basis on all insurable Work included under the Contract Documents. This insurance shall insure against all risks, including but not limited to the following perils: vandalism, theft, malicious mischief, fire, sprinkler leakage, civil authority, sonic boom, explosion, collapse, flood (for projects not solely funded through revenue bonds, “flood” excludes a tidal wave), earthquake (for projects not solely funded through revenue bonds, “earthquake” is limited to those of 3.5 or less on the Richter Scale in magnitude), wind, hail, lightning, smoke, riot or civil commotion, debris removal (including demolition) and reasonable compensation for the Architect's services and expenses required as a result of such insured loss. This insurance shall provide coverage in an amount not less than the full cost to repair, replace or reconstruct the Work. Such insurance shall include the Owner, the Architect, and any other person or entity with an insurable interest in the Work as an additional named insured.

The Contractor shall submit to the Owner for its approval all items deemed to be uninsurable under the Builder's Risk/Course-of-Construction insurance. The risk of the damage to the Work due to the perils covered by the Builder's Risk/Course-of-Construction insurance, as well as any other hazard which might result in damage to the Work, is that of the Contractor and the surety, and no claims for such loss or damage shall be recognized by the Owner, nor will such loss or damage excuse the Complete and satisfactory performance of the Contract by the Contractor.

The undersigned certifies to the best of its knowledge and belief that it and its officials are not presently debarred, suspended, proposed for debarment, declared ineligible, or voluntarily excluded from covered transactions by any Federal department or agency according to Federal Acquisition Regulation Subpart 9.4, and by signing this bid certifies
that this contractor does not appear on the Excluded Parties List.
https://www.sam.gov/portal/public/SAM

If written notice of the Award of Contract is mailed, faxed, or delivered to the
undertaken at any time before this bid is withdrawn, the undersigned shall, within ten
(10) days after the date of such mailing, faxing, or delivering of such notice, execute and
deliver an agreement in the form of agreement present in these Contract Documents and
give Performance and Payment Bonds in accordance with the specifications and bid as
accepted.

The undersigned hereby designates as the office to which such Notice of Award of
Contract may be mailed, faxed, or delivered:

P.O. Box 11500
Oakland, CA 94611-1500

Our Public Liability and Property Damage Insurance is placed with:

OSI Insurance Services National Inc. as Insurance Agent

Our Workers' Compensation Insurance is placed with:

Cameron & Ford Insurance Corp. as Insurance Agent

Circular letters, bulletins, addenda, etc., bound with the specifications or issued during
the time of bidding are included in the bid, and, in Completing the Contract, they are to
become a part thereof.

The receipt of the following addenda to the specifications is acknowledged:

Addendum No. 1 Date 3/11/19
Addendum No. 2 Date 4/5/19
Addendum No. 3 Date 5/23/19

This bid may be withdrawn at any time prior to the scheduled time for the opening of
bids or any authorized postponement thereof.

A bidder shall not submit a bid unless the bidder's California contractor's license number
appears clearly on the bid, the license expiration date and class are stated, and the bid
contains a statement that the representations made therein are made under penalty of
perjury. Any bid submitted by a contractor who is not licensed pursuant to Business and
Professions Code section 7028.15 shall be considered nonresponsive and shall be
rejected. Any bid not containing the above information may be considered
nonresponsive and may be rejected.

OAKLAND UNIFIED SCHOOL DISTRICT
Frick Intensive Support Site
Fence Installation Project
Project No. 15105
October 7, 2019
NOTE: Each bid must give the full business address of the bidder and be signed by bidder with bidder's usual signature. Bids by partnerships must furnish the full name of all partners and must be signed in the partnership name by a general partner with authority to bind the partnership in such matters, followed by the signature and designation of the person signing. The name of the person signing shall also be typed or printed below the signature. Bids by corporations must be signed with the legal name of the corporation, followed by the name of the state of incorporation and by the signature and designation of the chairman of the board, president or any vice president, and then followed by a second signature by the secretary, assistant secretary, the chief financial officer or assistant treasurer. All persons signing must be authorized to bind the corporation in the matter. The name of each person signing shall also be typed or printed below the signature. Satisfactory evidence of the authority of the officer signing on behalf of a corporation shall be furnished.

The undersigned declares under penalty of perjury under the laws of the State of California that the representations made in this bid are true and correct.

Print or Type Name: Yong Kay

Title: President

Name of Company as Licensed in California: Mark Lee & Yong Kay inc DBA Bay Construction Co

Business Address: 4226 Martin Luther King Jr. Way, Oakland, CA 94609

Telephone Number: (510) 658-7225

California Contractor License No.: 698411

Class and Expiration Date: A, B, C-29, C-23

Public Works Contractor Registration No.: 1000000001

State of Incorporation, if Applicable: California

(✓) Evidence of authority to bind corporation is attached.

Dated: October 27, 2019

Signed: Yong Kay, President

Ricardo Camacho, C.F.O.

OAKLAND UNIFIED SCHOOL DISTRICT
Frick Intensive Support Site
Fence Installation Project
Project No. 15105
October 7, 2019

BID FORM
DOCUMENT 00 31 01-4
BID FORM
DOCUMENT 00 31 01

OAKLAND UNIFIED SCHOOL DISTRICT
Facilities Planning & Management
955 High Street, Upstairs Conference Room
Oakland, CA. 94601

Dear Board Members:

The undersigned, doing business under the firm name of [Redacted], hereby proposes and agrees to enter into a contract, with the Oakland Unified School District ("Owner"), to furnish any and all labor, materials, applicable taxes, equipment and services for the completion of Work as described hereinafter and in the Contract Documents as Frick Intensive Support Site Fence Installation Project, 2845 64th Avenue, Oakland (the "Contract").

The Contract Documents were prepared by Oakland Unified School District – Contract Specialist, 955 High Street, Oakland, 510-535-7044.

The undersigned proposes to furnish such labor, materials, applicable taxes, equipment and services for the amount of One Hundred Forty Thousand Dollars NO/100 ($140,000). This amount includes all allowances identified in the Agreement form (see Article IV), including but not limited to a contingency allowance of Ten Thousand dollars ($10,000.00).

The undersigned declares that Bidder has read and understands the Contract Documents, including, without limitation, the Notice to Bidders and the Instructions to Bidders, and agrees and proposes to furnish all necessary labor, materials, and equipment to perform and furnish all work in accordance with the terms and conditions of the Contract Documents, including, without limitation, the Drawings and Specifications of Bid No. 15105

("Project" or "Contract") and will accept in full payment for that Work the following total lump sum amount, all taxes included:

OAKLAND UNIFIED SCHOOL DISTRICT
Frick Intensive Support Site
Fence Installation Project
Project No. 15105
October 7, 2019
# Local Business Participation Worksheet

**Prime:** D-Line Constructors Inc.  
**Project:** Frick Intensive Support Site Fence Installation  
**Project #:** 15105  
**Estimate:** $163,000  
**Bid Opening Date:** 10/29/19  
**Time:** 2:00  
**Project Mgr:** John Esposito  
**Architect:**  

<table>
<thead>
<tr>
<th>Base Bid Dollar Amount</th>
<th>Total Dollar Amount of Work</th>
<th>LBE %</th>
<th>SLB %</th>
<th>SLBR %</th>
<th>City of Oakland Certification No.</th>
</tr>
</thead>
<tbody>
<tr>
<td>$163,000</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

**Prime Company:** D-Line Constructors  
**Address:** 499 Embarcadero  
**City/State:** Oakland 14606  
**Phone:** 510-251-6400  

**Company:**  
**Address:**  
**City/State:**  
**Phone:**  

**Company:**  
**Address:**  
**City/State:**  
**Phone:**  

**Company:**  
**Address:**  
**City/State:**  
**Phone:**  

**Company:**  
**Address:**  
**City/State:**  
**Phone:**  

**Total Participation:** $0.00  
0.0%  
0.0%  
0.0%  
0.0%

**Approvals:** LBU Compliance Officer  

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**Note:** Local Business Participation documentation must be submitted within 24 hours of bid opening.
Bidder acknowledges and agrees that the Total Bid accounts for any and all Allowance.

11.1.6.1 COURSE-OF-CONSTRUCTION INSURANCE REQUIREMENTS

Contractor, during the progress of the Work and until final acceptance of the Work by Owner upon Completion of the entire Contract, shall maintain Builder's Risk/Course-of-Construction insurance satisfactory to the Owner, issued on a completed value basis on all insurable Work included under the Contract Documents. This insurance shall insure against all risks, including but not limited to the following perils: vandalism, theft, malicious mischief, fire, sprinkler leakage, civil authority, sonic boom, explosion, collapse, flood (for projects not solely funded through revenue bonds, "flood" excludes a tidal wave), earthquake (for projects not solely funded through revenue bonds, "earthquake" is limited to those of 3.5 or less on the Richter Scale in magnitude), wind, hail, lightning, smoke, riot or civil commotion, debris removal (including demolition) and reasonable compensation for the Architect's services and expenses required as a result of such insured loss. This insurance shall provide coverage in an amount not less than the full cost to repair, replace or reconstruct the Work. Such insurance shall include the Owner, the Architect, and any other person or entity with an insurable interest in the Work as an additional named insured.

The Contractor shall submit to the Owner for its approval all items deemed to be uninsurable under the Builder's Risk/Course-of-Construction insurance. The risk of the damage to the Work due to the perils covered by the Builder's Risk/Course-of-Construction insurance, as well as any other hazard which might result in damage to the Work, is that of the Contractor and the surety, and no claims for such loss or damage shall be recognized by the Owner, nor will such loss or damage excuse the Complete and satisfactory performance of the Contract by the Contractor.

The undersigned certifies to the best of its knowledge and belief that it and its officials are not presently debarred, suspended, proposed for debarment, declared ineligible, or voluntarily excluded from covered transactions by any Federal department or agency according to Federal Acquisition Regulation Subpart 9.4, and by signing this bid certifies
that this contractor does not appear on the Excluded Parties List.
https://www.sam.gov/portal/public/SAM

If written notice of the Award of Contract is mailed, faxed, or delivered to the undersigned at any time before this bid is withdrawn, the undersigned shall, within ten (10) days after the date of such mailing, faxing, or delivering of such notice, execute and deliver an agreement in the form of agreement present in these Contract Documents and give Performance and Payment Bonds in accordance with the specifications and bid as accepted.

The undersigned hereby designates as the office to which such Notice of Award of Contract may be mailed, faxed, or delivered:

419 Embarcadero #6
Oakland, CA 94606

Our Public Liability and Property Damage Insurance is placed with:

Crum and Forster

Our Workers' Compensation Insurance is placed with:

State Compensation Insurance Fund

Circular letters, bulletins, addenda, etc., bound with the specifications or issued during the time of bidding are included in the bid, and, in Completing the Contract, they are to become a part thereof.

The receipt of the following addenda to the specifications is acknowledged:

Addendum No. 1 Date 10/11/19 Addendum No. _____ Date _____
Addendum No. 2 Date 10/24/19 Addendum No. _____ Date _____
Addendum No. 3 Date 10/25/19 Addendum No. _____ Date _____

This bid may be withdrawn at any time prior to the scheduled time for the opening of bids or any authorized postponement thereof.

A bidder shall not submit a bid unless the bidder's California contractor's license number appears clearly on the bid, the license expiration date and class are stated, and the bid contains a statement that the representations made therein are made under penalty of perjury. Any bid submitted by a contractor who is not licensed pursuant to Business and Professions Code section 7028.15 shall be considered nonresponsive and shall be rejected. Any bid not containing the above information may be considered nonresponsive and may be rejected.

OAKLAND UNIFIED SCHOOL DISTRICT
Frick Intensive Support Site
Fence Installation Project
Project No. 15105
October 7, 2019
NOTE: Each bid must give the full business address of the bidder and be signed by bidder with bidder's usual signature. Bids by partnerships must furnish the full name of all partners and must be signed in the partnership name by a general partner with authority to bind the partnership in such matters, followed by the signature and designation of the person signing. The name of the person signing shall also be typed or printed below the signature. Bids by corporations must be signed with the legal name of the corporation, followed by the name of the state of incorporation and by the signature and designation of the chairman of the board, president or any vice president, and then followed by a second signature by the secretary, assistant secretary, the chief financial officer or assistant treasurer. All persons signing must be authorized to bind the corporation in the matter. The name of each person signing shall also be typed or printed below the signature. Satisfactory evidence of the authority of the officer signing on behalf of a corporation shall be furnished.

The undersigned declares under penalty of perjury under the laws of the State of California that the representations made in this bid are true and correct.

Print or Type Name: Josue A. Prada
Title: President

Name of Company as Licensed in California: D-2 Inc

Business Address: 499 Embarcadero Office S Building
Oakland, CA 94606

Telephone Number: 510 251 6400

California Contractor License No.: 994284

Class and Expiration Date: A, B, C, D, E-27, ASB, HA2; 06/30/2020

Public Works Contractor Registration No.: 1000007894

State of Incorporation, if Applicable: California

Evidence of authority to bind corporation is attached.

Dated: 10/28/2019

Signed:

OAKLAND UNIFIED SCHOOL DISTRICT
Frick Intensive Support Site
Fence Installation Project
Project No. 15105
October 7, 2019

BID FORM
DOCUMENT 00 31 01-4