



# CITY OF PORTLAND

## OFFICE OF MANAGEMENT AND FINANCE

Sam Adams, Mayor  
Jack D. Graham, Chief Administrative Officer  
Bryant Enge, Director, Bureau of Internal Business Services

Christine Moody  
Chief Procurement Officer  
Procurement Services

1120 S.W. Fifth Avenue, Rm. 750  
Portland, Oregon 97204-1912  
(503) 823-5047  
FAX (503) 823-6865  
TTY (503) 823-6868

### CONSENT CALENDAR

March 28, 2012

#### TO THE COUNCIL:

The Chief Procurement Officer has advertised and received bids for Bid Number 113901 for the East Lents Floodplain Restoration – Phase 2 for the Bureau of Environmental Services, with a project construction estimate of \$2,538,622. The Bureau of Environmental Services rated the level of project estimate confidence as High.

Bids were opened on March 6, 2012, and Ten (10) bids were received. The low bid of Tapani Underground, Inc. was deemed responsive to the requirements of the solicitation. It is recommended that the bid of Tapani Underground, Inc. be accepted at the unit price quoted in their bid for a total estimated amount of \$2,288,003.10.

The Bureau of Environmental Services along with Procurement Services, identified Fourteen (14) Divisions of Work as potential M/W/ESB subcontracting opportunities for this project, resulting in \$ 349,535.00 awarded to subcontractors.

The Divisions of Work identified were:

Asphalt Paving	Bridges	Clearing/Grubbing/ Mowing/Brushing	Concrete Cutting	Concrete Pumping
Concrete Work	Crane Service	Hauling Services (Trucking)	Fencing	Grading
Striping	Surveying	Sewer, Water & Storm Drain Work	Traffic Control Services (includes TPDT)	

In their bid Tapani Underground, Inc. indicated their intent to self perform the following divisions of work:

Clearing/Grubbing/ Mowing/Brushing	Concrete Work (Partial)	Grading	Sewer, Water & Storm Drain Work	Traffic Control Services (includes TPDT)
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MWESB participation represents 34.9 % or \$ 122,057.00 of the estimated subcontracting dollars.

#### *An Equal Opportunity Employer*

*To help ensure equal access to programs, services and activities, the Office of Management & Finance will reasonably modify policies/procedures and provide auxiliary aids/services to persons with disabilities upon request.*

- WBE - \$ 78,880.00 performing Bridges and Trucking.
- ESB - \$ 43,177.00 performing Trucking, Concrete Cutting, Surveying & Striping.

Tapani Underground, Inc. has a current City of Portland Business License and their EEO Certification is current through April 15, 2013. The company is located in Battle Ground, Washington, and is not a State Certified M/W/ESB Contractor.

Tapani Underground, Inc. is in Full Compliance with the Equal Benefits Program.

Funds are available for this project under WBS Element E08464.

It is further recommended that a Performance Bond and a Payment Bond each in the amount of 100% of the contract amount be furnished by the Contractor.

It is also recommended that a two (2) year Maintenance/Warranty Bond for 20% of the final contract amount be furnished by the Contractor before final payment is released.

The bid sureties of the remaining bidders should be returned immediately in compliance with Section 5.34.410D of the City Code.

Recommended by:



Christine Moody  
Chief Procurement Officer

CM:ked

**BUREAU OF ENVIRONMENTAL SERVICES**  
**MEMORANDUM**  
**ENGINEERING SERVICES DIVISION**

**DATE:** March 14, 2012

**TO:** Kathleen Brenes-Morua, Procurement Services

**THROUGH:** Mark Hutchinson, Construction Division Manager *AA.*  
Susan Aldrich, CIP Manager *SA*

**FROM:** Nicolas Naval, Jr., Construction Project Manager *N.N.*  
Don Henry, Design Project Manager *DJH*



**RE:** Bid No. 113901  
Project No. E08464

**SUBJECT:** East Lents Floodplain Restoration Project, Phase 2  
Contract Award Recommendation

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We have reviewed the bids for this project.

The proposal from Tapani Underground, Inc. shows a bid amount of \$2,288,003.10, which is 13.79% under the Engineer's Estimate of \$2,654,088.50 and is the apparent low bid.

We therefore recommend that Procurement Services accept the proposal from Tapani Underground, Inc., the apparent low bidder, as the lowest responsible bidder. This recommendation is subject to your evaluation of the bid packet for completeness and responsiveness.

Please contact me at 503-823-7108, if you have any questions.

cc: Scott Gibson  
Scott Clement  
Lloyd Stauning  
Josh Nault  
Alicia Rawlins  
Bill Ryan  
Dave Nunamaker  
Jaime de la Garza  
Neil Bruesch  
Neil Choate  
Const. File w/sup.docs

ec: Susan Wheaton  
TRIM Folder 54.0

Attachment: Bid Tabs

# GOOD FAITH EFFORT COMPLIANCE REPORT

*Handwritten initials: LHM, BS*

Submission substantially complies with Good Faith Effort Requirements		<b>YES</b>	NO
Reviewed by:	Brenda Scott		
Date:	3-15-12		

## PROJECT INFORMATION

PROJECT NAME & BUREAU	East Lents Floodplain Restoration – Phase 2 (BES)
BID NUMBER	113901
PRE-BID DATE	2-15-12
BID OPEN DATE	3-6-12
BID AMOUNT	\$2,288,003.10
CONTRACTOR	Tapani Underground

## AT BID SUBMISSION

QUESTION	YES	NO
Did contractor submit the GFE Form 1 (Subcontractor and Self-Perform Work List)?	x	

## M/W/ESB PARTICIPATION – Total Bid

PARTICIPATION TYPE	TOTAL \$	PERCENTAGE OF TOTAL BID AMOUNT
MBE	\$0	0%
WBE	\$78,880	3.4%
ESB	\$43,177	1.9%
Total M/W/ESB Participation	\$122,057	Total bid – 5.3% Subcontract percentage – 34.9%

## M/WBE PARTICIPATION – Subcontracting (35% Aspirational goal)

TOTAL OF ALL SUBCONTRACTS (including non-certified firms)	TOTAL MBE & WBE SUBCONTRACTS	PERCENTAGE OF M/WBE SUBCONTRACTS
\$349,535	\$78,880	22.6%

**GOOD FAITH DOCUMENTATION (24 HOURS AFTER BID OPENING)**

	QUESTION	YES	NO	NOTES
1.	<i>Did prime contractor attend the mandatory pre-bid meeting? (If pre-bid meeting was waived, note in NOTES column.) Check sign-up sheet with Buyer.</i>	<b>X</b>		
2.	<i>Did contractor explain why identified divisions of work (DOW) were not included for subcontracting? (See Form 1)</i>	<b>X</b>		Self-performing.
3.	<i>Were letters or faxes sent to all M/W/ESBs (in identified DOW's to be subcontracted) at the pre-bid meeting?(Form 2)</i>	<b>X</b>		
4.	<i>Was a minimum of five (5) M/W/ESB firms contacted (in each identified DOW to be subcontracted) by letter or fax to bid on this project?(Form 2)</i>	<b>X</b>		
5.	<i>Were M/W/ESB firms contacted at least seven (7) calendar days before the bid opening?(Form 2)</i>	<b>X</b>		
6.	<i>Is a copy of the letter or fax sent to potential M/W/ESB subs included in Good Faith documentation?</i>	<b>X</b>		
7.	<i>Did prime provide a completed M/W/ESB Contact/Bids Received Log (Form 2)?</i>	<b>X</b>		

**GOOD FAITH EFFORT ANALYSIS**

1.	<b>Divisions of Work Identified by City:</b> Asphalt Paving; Bridges; Clearing/Grubbing/Mowing/Brushing; Concrete Cutting; Concrete Pumping; Concrete Work; Crane Service; Fencing; Grading; Hauling Services (Trucking); Sewer, Water & Storm Drain Work; Striping; Surveying; and Traffic Control Services (Includes TPDT).
2.	<b>Rationale for non-utilization of subcontractors for suggested Divisions of Work:</b> Self-performing.
3.	<b>All Divisions of Work to be used on this project:</b> Same as #1 plus missed opportunity – Landscaping.
4.	<b>Certified Subcontractors' name, Cert Type, and Subcontract amount used on the Project:</b> Staton Companies (WBE Bridges) - \$53,880; Cutter Construction (WBE Trucking) - \$25,000; Bud Construction (ESB Trucking) - \$25,000; Sawcutters NW (ESB Concrete Cutting) - \$1,977; Tom Nelson & Associates (ESB Surveying) - \$12,000; and Eagle Striping Services Inc (ESB Striping) - \$4,200.
5.	<b>Subcontractor names and subcontract amounts awarded to non-certified firms:</b> KF Jacobsen (Asphalt Paving) - \$87,746; Fox Erosion Control & Landscape Inc (Landscape) - \$21,000; DSU Inc (Concrete Pumping) - \$2,000; Campbell Crane (Crane Service) - \$5,000; Interstate Fence Company (Fencing) - \$25,022; and B Gentle Concrete Construction (Concrete Work partial) - \$86,710.
6.	<b>Divisions of Work retained by Prime:</b> Clearing/Grubbing/Mowing/Brushing; Concrete Work (partial); Grading; Sewer, Water & Storm Drain Work; and Traffic Control Services (Includes TPDT).
7.	<b>Bids received from certified firms (not used):</b> Adventure Trucking LLC (WBE) - \$115hr; Ann Phelps Trucking LLC (ESB) - \$110hr; Bent Enterprises (WBE) - \$105hr; Parrish Exavating (WBE) - \$105hr; Don Hines Trucking (WBE) - \$105hr; A Cut Above Concrete Cutting LLC (ESB) - \$2,432; Brothers Concrete Cutting (MBE) - \$2,233; Alcantar & Associates LLC (MBE) - \$37,000; Work Horse Construction Metro (MBE) - \$115hr Trucking and .48ft for Concrete Cutting; Firwood Design Group LLC (ESB) - \$29,360; D&H Flagging (WBE) - \$49.50hr; ASAP Flagging (MBE) - \$46hr; AD Traffic Control Services LLC (MBE) - \$21,250; and Vancouver Paving (WBE) - \$91,653.
8.	<b>Check Compliance file for prime contractor. Are there any contract compliance issues in the prime's Compliance file (last 3 years) that should be noted for the Purchasing Agent's Report to Council?</b> No.



9.	<b>Any special Good Faith Efforts undertaken by the Prime Contractor?</b> Yes, prime contacted more than the required number of MWESB's in most DOW's, even when there were less than 5 on the website under the NIGP code.
10.	<b>List of other prime bids received: Note any special Good Faith Efforts taken by the Prime Contractor and if good faith effort documentation submitted (Forms 1/2).</b> R&R General Contractors (MBE) - \$3,135,093.40 (no forms); Westech Construction - \$2,708,971.30 (no forms); Goodfellow Brothers - \$2,779,252.75 (no forms); Emery & Sons Construction - \$2,615,820.90 (Form 1); NW Earthmovers - \$3,085,635.58 (no forms); Dirt & Aggregate (MBE) - \$2,897,641.70 (Form 1); and Brant Construction – \$2,727,555 (no forms).

**Notes:**

EEO Cert. Expires: 4/15/13  
COP License No.: 369543  
CCB License No.: 63434

**Issues:** None.

**Clarifications:** None.

*Summary of Tapani Underground's Good Faith Efforts:*

DOW		Required M/W/ESB Contacts	# M/W/ESBs Contacted	# Bids Received	# Bids Used
91395	ASPHALT PAVING	5	5	1	0
91313	BRIDGES	5	6	1	1
91382	CONCRETE CUTTING	5	7	5	1
92519	CONCRETE PUMPING	5	6	0	0
91430	CONCRETE WORK	6	6	0	0
96247	CRANE SERVICE	1	6	0	0
98815	FENCING	6	7	0	0
96239	HAULING SERVICES (TRUCKING)	6	8	6	2
91276	STRIPING	5	5	1	1
92586	SURVEYING	5	8	3	1
96884	TRAFFIC CONTROL SERVICES (INCLUDES TPDT)	0 (self-performing)	5	3	0
Total		49	69	20	6

**Level of Effort:**

	<b>High</b>	Met the aspirational goal.
<b>X</b>	<b>Moderate</b>	Exceeded the solicitation requirements and/or achieved some participation.
	<b>Low</b>	Met the minimal solicitation requirements but achieved NO participation.

**Recommendation:** Approval. The contractor is in compliance with the GFE specifications.

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Agenda No.  
**REPORT NO.**  
 Title

Accept bid of Tapani Underground, Inc. for the East Lents Floodplain Restoration - Phase 2 for \$2,288,003.10 (Procurement Report – Bid No. 113901)

<p>INTRODUCED BY          Commissioner/Auditor:  <b>Mayor Sam Adams</b></p> <p><i>K. Williams in behalf of Mayor Adams</i></p> <p><b>COMMISSIONER APPROVAL</b></p> <p>Mayor—Finance and Administration - Adams</p> <p>Position 1/Utilities - Fritz</p> <p>Position 2/Works - Fish</p> <p>Position 3/Affairs - Saltzman</p> <p>Position 4/Safety - Leonard</p> <p><b>BUREAU APPROVAL</b></p> <p>Bureau: Procurement Services          Bureau Head: Christine Moody <i>CM</i></p> <p>Prepared by: Kelly Davis          Date Prepared: March 19, 2012</p> <p>Financial Impact &amp; Public          Involvement Statement          Completed <input checked="" type="checkbox"/> Amends Budget <input type="checkbox"/></p> <p>Council Meeting Date  <b>March 28, 2012</b></p> <p><b>City Attorney Approval</b></p>	<p>CLERK USE: DATE FILED <b>MAR 23 2012</b></p> <p>LaVonne Griffin-Valade          Auditor of the City of Portland</p> <p>By: <i>[Signature]</i>          Deputy</p> <p>ACTION TAKEN:  <b>MAR 28 2012 ACCEPTED PREPARE CONTRACT</b></p>
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<b>AGENDA</b>
<p><b>TIME CERTAIN</b> <input type="checkbox"/></p> <p>Start time: _____</p> <p>Total amount of time needed: _____          (for presentation, testimony and discussion)</p>
<p><b>CONSENT</b> <input checked="" type="checkbox"/></p>
<p><b>REGULAR</b> <input type="checkbox"/></p> <p>Total amount of time needed: _____          (for presentation, testimony and discussion)</p>

FOUR-FIFTHS AGENDA	COMMISSIONERS VOTED AS FOLLOWS:		YEAS	NAYS
1. Fritz	1. Fritz		✓	
2. Fish	2. Fish		✓	
3. Saltzman	3. Saltzman		✓	
4. Leonard	4. Leonard		✓	
Adams	Adams		✓	