



CITY OF PORTLAND

OFFICE OF MANAGEMENT AND FINANCE

Sam Adams, Mayor
 Kenneth L. Rust, Chief Administrative Officer
 Jeffrey B. Baer, 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

REGULAR CALENDAR

March 3, 2010

TO THE COUNCIL:

The Chief Procurement Officer has advertised and received bids for Bid Number 111279 for Walker Creek Culvert Replacement for the Portland Water Bureau, with a project construction estimate of \$1,000,000.00. The Portland Water Bureau rates the level of project estimate confidence as Optimal.

Bids were opened on February 4, 2010, and six (6) bids were received. The low bid of Moore Excavation, Inc was deemed responsive to the requirements of the solicitation. It is recommended that the bid of Moore Excavation, Inc be accepted at the unit price quoted in their bid for a total estimated amount of \$939,625.00.

The Portland Water Bureau along with Procurement Services, identified eight (8) Divisions of Work as potential M/W/ESB subcontracting opportunities for this project, resulting in \$75,000.00 awarded to subcontractors.

The Divisions of Work identified were:

Asphalt Paving	Clearing/Grubbing/ Mowing/Brushing	Concrete Pumping	Concrete Work	Crane Service
Excavating	Hauling Services (Trucking)	Site Clean Up		

In their bid Moore Excavation, Inc, indicated their intent to self perform the following divisions of work:

Asphalt Paving (Partial)	Clearing/Grubbing/ Mowing/Brushing	Crane Service (Stated not needed)	Excavating	Site Clean Up
Hauling Services (Trucking) (Partial)				

MWESB participation represents 24 % or \$ 18,000.00 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.

- ESB - \$ 18,000.00 performing Hauling Services (Trucking) (Partial) & Corrosion Control.

Moore Excavation, Inc has a current City of Portland Business License and their EEO Certification is current through November 30, 2010. The company is located in Portland, Oregon, and is not a State Certified M/W/ESB Contractor.

Company is in Full Compliance with the Equal Benefits Program.

Funds are available for this project under WBS Element: W01350.IC.

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



CITY OF
PORTLAND, OREGON
PORTLAND WATER BUREAU

Randy Leonard, Commissioner
David G. Shaff, Administrator
1120 SW 5th Avenue
Portland, Oregon 97204
Information (503) 823-7404
Fax (503) 823-6133
TDD (503) 823-6868

MEMORANDUM

DATE: 02/10/2010

TO: Jeff Baer
Purchasing Director
Bureau of Purchasing

FROM: Michael Stuhr
Chief Engineer
Portland Water Bureau

M. Stuhr 2/12/10

SUBJECT: Return of Bids for
Walker Creek Culvert Replacement - Project Number W01350, Bid No. 111279

Returned herewith is the bid submitted for the construction of the above-referenced project.

The Bid submitted by Moore Excavation Inc. is the apparent lowest bid in the amount of \$939,625.00. This bid is 6% under the Engineer's Estimate of \$1,000,000.00. This bid is in compliance with the specifications. The bid tabulation is attached for your information and reference.

It is recommended that the Bureau of Purchases accept the proposal of Moore Excavation Inc., and award them the contract for this project in the amount of \$939,625.00.

Funds are available Yes

An Equal Opportunity Employer

**GOOD FAITH EFFORT
COMPLIANCE REPORT**

Submission substantially complies with Good Faith Effort Requirements		<i>ajp</i> YES NO
Reviewed by:	Brenda Kern	
Date:	2-9-10	

PROJECT INFORMATION

PROJECT NAME & BUREAU	Walker Creek Culvert Replacement (WTR)
BID NUMBER	111279
PRE-BID DATE	1-6-10
BID OPEN DATE	2-4-10
BID AMOUNT	\$939,625.00
CONTRACTOR	Moore Excavation Inc.

AT BID SUBMISSION

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

MWESB PARTICIPATION – Total Bid

PARTICIPATION TYPE	TOTAL \$	PERCENTAGE OF TOTAL BID AMOUNT
MBE	\$0	0%
WBE	\$0	0%
ESB	\$18,000	1.9%
Total MWESB Participation	\$18,000	Total bid – 1.9 % Subcontract percentage – 24 %

MWBE PARTICIPATION – Subcontracting (35% Aspirational goal)

TOTAL OF ALL SUBCONTRACTS (including non-certified firms)	TOTAL MBE & WBE SUBCONTRACTS	PERCENTAGE OF MWBE SUBCONTRACTS
\$75,000	\$0	0%

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>	X		
2.	<i>Did contractor explain why identified divisions of work (DOW) were not included for subcontracting? (See Form 1)</i>	X		
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>	X		
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>	X		
5.	<i>Were M/W/ESB firms contacted at least seven (7) calendar days before the bid opening?(Form 2)</i>	X		
6.	<i>Is a copy of the letter or fax sent to potential M/W/ESB subs included in Good Faith documentation?</i>	X		
7.	<i>Did prime provide a completed M/W/ESB Contact/Bids Received Log (Form 2)?</i>	X		

GOOD FAITH EFFORT ANALYSIS

1.	<i>Divisions of Work Identified by City: Asphalt Paving; Clearing/Grubbing - Mowing/Brushing; Concrete Pumping; Concrete Work; Crane Service; Excavating; Hauling Services (Trucking) and Site Clean-up.</i>
2.	<i>Rationale for non-utilization of subcontractors for suggested Divisions of Work: Self-performing</i>
3.	<i>All Divisions of Work to be used on this project: Same as #1</i>
4.	<i>Certified Subcontractors' name, Cert Type, and Subcontract amount used on the Project: Bud Construction (ESB)- \$15,000 and Corrosion Protection Services (ESB) - \$3,000.</i>
5.	<i>Subcontractor names and subcontract amounts awarded to non-certified firms: Ralph's Concrete Pumping - \$2,000 and Springhill Construction - \$55,000.</i>
6.	<i>Divisions of Work retained by Prime: Asphalt Paving (partial); Clearing/Grubbing - Mowing/Brushing; Crane Service (stated not needed); Excavating; Hauling Services (Trucking) (partial) and Site Cleanup.</i>
7.	<i>Bids received from certified firms (not used): Burden Concrete (ESB) - \$101,960, Bennett Crane Inc (ESB) \$135 per hr., Santana Crane (WBE) \$ various, (MEI self performing crane service), Kodiak Pacific Construction (WBE) \$5,350, Vancouver Paving (WBE) \$845/ton (MEI self performing paving), Bent Trucking (WBE) \$ various, Mark Bourdeau Trucking (MEI self performing trucking) and C's Traffic Consulting LLC (WBE) - \$41,25 hr. (project doesn't require flagging)</i>
8.	<i>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? No.</i>
9.	<i>Any special Good Faith Efforts undertaken by the Prime Contractor? Yes, contractor solicited to more than the required number of MWESB firms.</i>

10.	<p>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). Landis & Landis Construction \$1,323,265 (No Forms Submitted) Tri-State Construction Inc. - \$1,427,000 (No Forms Submitted), Westech Construction Inc. - \$1,120,485.00, Emery & Sons Construction Inc. - \$1,040,164 (1st Tier Form and Form 1 submitted) and James W. Fowler Co., \$1,260,550 (1st Tier Form and Form 1 submitted)</p>
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NOTES:

EEO cert: 11/30/10

COP Lic: **In Compliance: Business License # 171604**

CCB Lic: **Active 28397**

Clarifications: (Spoke to:)

1. None

Issues: None

Recommendation: Approval. The prime is in compliance with the GFE Program Requirements.

- Bids Solicited – 39 in 6 DOW's
- Bids Received – 10 in 5 DOW's
- MWESB Bids Used - 2 in 2 DOW's
- OBE Bids Used - 2 in 2 DOW's

Comparatively, the next low bidder...had \$103,240 of MWESB participation.

Level of effort:

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

Cc: Loretta Young – \$500k and above
Susan Wheaton – BES reports

Bid No: 111279

Project Name: WALKER CREET CULVERT REPLACEMENT

Date Bid Opened: 2/4/2010

Project Manager: RYAN NELSON

Engineers Estimate: \$1,000,000.00

Item No	Description	Est. Quant	SKU	Spec Reference	MOORE EXCAVATION INC		EMERY & SONS CONSTRUCTION INC		WESTECH CONSTRUCTION INC		JAMES W FOWLER CO	
					Unit Price	Extended	Unit Price	Extended	Unit Price	Extended	Unit Price	Extended
1	Mobilization	1	LS		\$88,000.00	\$88,000.00	\$58,500.00	\$58,500.00	\$110,000.00	\$110,000.00	\$122,000.00	\$122,000.00
2	Erosion and Sediment Control	1	LS		\$5,000.00	\$5,000.00	\$20,000.00	\$20,000.00	\$3,500.00	\$3,500.00	\$20,000.00	\$20,000.00
3	Security Plan	1	LS		\$5,000.00	\$5,000.00	\$30,000.00	\$30,000.00	\$500.00	\$500.00	\$16,500.00	\$16,500.00
4	Reinforced Concrete Culvert Footing	80	CY		\$700.00	\$56,000.00	\$490.00	\$39,200.00	\$385.00	\$30,800.00	\$350.00	\$28,000.00
5	Reinforced Concrete Culvert Stem Wall	50	CY		\$550.00	\$27,500.00	\$520.00	\$26,000.00	\$700.00	\$35,000.00	\$650.00	\$32,500.00
6	Cathodic Protection	1	LS		\$3,000.00	\$3,000.00	\$5,300.00	\$5,300.00	\$5,500.00	\$5,500.00	\$5,000.00	\$5,000.00
7	Clearing and Grubbing	1	LS		\$20,000.00	\$20,000.00	\$6,000.00	\$6,000.00	\$25,000.00	\$25,000.00	\$30,000.00	\$30,000.00
8	Dewatering	1	LS		\$1,000.00	\$1,000.00	\$67,000.00	\$67,000.00	\$25,000.00	\$25,000.00	\$100,000.00	\$100,000.00
9	Structure Excavation Below Elevations Shown	50	CY		\$100.00	\$5,000.00	\$73.00	\$3,650.00	\$75.00	\$3,750.00	\$115.00	\$5,750.00
10	Common Excavation	4000	CY		\$25.00	\$100,000.00	\$31.00	\$124,000.00	\$20.00	\$80,000.00	\$34.00	\$136,000.00
11	Rock Excavation	250	CY		\$200.00	\$50,000.00	\$92.00	\$23,000.00	\$90.00	\$22,500.00	\$115.00	\$28,750.00
12	Culvert Bedding, 3/4"-0"	160	CY		\$55.00	\$8,800.00	\$53.00	\$8,480.00	\$115.00	\$18,400.00	\$52.00	\$8,320.00
13	Select Native Backfill	200	CY		\$20.00	\$4,000.00	\$32.00	\$6,400.00	\$46.00	\$9,200.00	\$11.00	\$2,200.00
14	Trench Backfill, 3/4"-0" Controlled Low Strength Material (CLSM)	1200	CY		\$40.00	\$48,000.00	\$48.00	\$57,600.00	\$100.00	\$120,000.00	\$44.00	\$52,800.00
15	Pipe Zone Bedding and Backfill, Sand	65	CY		\$135.00	\$8,775.00	\$246.00	\$15,990.00	\$225.00	\$14,625.00	\$115.00	\$7,475.00
16	Imported Class 50 Riprap Filter Blanket	450	CY		\$60.00	\$27,000.00	\$42.00	\$18,900.00	\$75.00	\$33,750.00	\$40.00	\$18,000.00
17	Loose Native Riprap	150	CY		\$100.00	\$15,000.00	\$71.00	\$10,650.00	\$87.00	\$13,050.00	\$65.00	\$9,750.00
18	Concrete Embedded Riprap Boulders	1000	CY		\$10.00	\$10,000.00	\$63.00	\$63,000.00	\$23.00	\$23,000.00	\$14.00	\$14,000.00
19	Excavation and Conduit Support Systems	200	CY		\$100.00	\$20,000.00	\$141.00	\$28,200.00	\$40.00	\$8,000.00	\$160.00	\$32,000.00
20	Level 3, 1/2 inch Dense, MHMAC Mixture	1	LS		\$130,000.00	\$130,000.00	\$122,000.00	\$122,000.00	\$60,000.00	\$60,000.00	\$340,000.00	\$340,000.00
21	Permanent Seeding	10	Ton		\$500.00	\$5,000.00	\$289.00	\$2,890.00	\$325.00	\$3,250.00	\$260.00	\$2,600.00
22	Access Vault	1	EA		\$3,000.00	\$3,000.00	\$2,200.00	\$2,200.00	\$3,000.00	\$3,000.00	\$2,800.00	\$2,800.00
23	8-inch Ductile Iron Pipe Restrained	1	EA		\$10,000.00	\$10,000.00	\$11,500.00	\$11,500.00	\$15,000.00	\$15,000.00	\$12,000.00	\$12,000.00
24	24-inch Ductile Iron Pipe Restrained	16	LF		\$300.00	\$4,800.00	\$219.00	\$3,504.00	\$235.00	\$3,760.00	\$130.00	\$2,080.00
25	Conduit No. 2 Bypass Tee	25	LF		\$100.00	\$2,500.00	\$312.00	\$7,800.00	\$530.00	\$13,250.00	\$380.00	\$9,500.00
26	Additional Length of Conduit No. 2 Bypass Tee	1	LS		\$45,000.00	\$45,000.00	\$79,500.00	\$79,500.00	\$76,000.00	\$76,000.00	\$55,000.00	\$55,000.00
27	24-inch Butterfly Valve, MJ	10	LF		\$100.00	\$1,000.00	\$2,000.00	\$20,000.00	\$21,000.00	\$210,000.00	\$680.00	\$6,800.00
28	8-inch Gate Valve, MJ	1	EA		\$10,000.00	\$10,000.00	\$5,800.00	\$5,800.00	\$8,800.00	\$8,800.00	\$6,700.00	\$6,700.00
29	24-inch Check Valve	1	EA		\$2,500.00	\$2,500.00	\$1,300.00	\$1,300.00	\$1,500.00	\$1,500.00	\$1,200.00	\$1,200.00
30	216" X 107" Corrugated Structural Plate	1	EA		\$10,000.00	\$10,000.00	\$10,000.00	\$10,000.00	\$12,000.00	\$12,000.00	\$9,700.00	\$9,700.00
31	Arch Culvert	125	LF		\$1,100.00	\$137,500.00	\$830.00	\$103,750.00	\$720.00	\$90,000.00	\$750.00	\$93,750.00
32	Internal Culvert Backfill	400	CY		\$175.00	\$70,000.00	\$132.00	\$52,800.00	\$92.00	\$36,800.00	\$105.00	\$42,000.00
33	Biofilter Bags	50	EA		\$5.00	\$250.00	\$40.00	\$2,000.00	\$16.00	\$800.00	\$60.00	\$3,000.00
34	Wattles	250	LF		\$10.00	\$2,500.00	\$3.00	\$750.00	\$7.00	\$1,750.00	\$3.50	\$875.00
35	Sediment Fence	1000	LF		\$3.50	\$3,500.00	\$2.50	\$2,500.00	\$3.00	\$3,000.00	\$3.50	\$3,500.00

Total **\$939,625.00** **\$1,040,164.00** **\$1,120,485.00** **\$1,260,550.00**

Bid Surety Yes BB Yes BB Yes BB Yes BB

Contractor Board License No. 28397 312 99833 63701

Bid No: 111279
 Project Name: WALKER CREET CULVERT REPLACEMENT
 Date Bid Opened: 2/4/2010
 Project Manager: RYAN NELSON
 Engineers Estimate: \$1,000,000.00

Item No	Description	Est. Quant	SKU	Spec Reference	LANDIS & LANDIS CONSTRUCTION		TRI-STATE CONSTRUCTION INC	
					Unit Price	Extended	Unit Price	Extended
1	Mobilization	1	LS		\$124,400.00	\$124,400.00	\$112,719.00	\$112,719.00
2	Erosion and Sediment Control	1	LS		\$20,000.00	\$20,000.00	\$8,300.00	\$8,300.00
3	Security Plan	1	LS		\$10,000.00	\$10,000.00	\$26,700.00	\$26,700.00
4	Reinforced Concrete Culvert Footing	80	CY		\$350.00	\$28,000.00	\$1,175.00	\$94,000.00
5	Reinforced Concrete Culvert Stem Wall	50	CY		\$630.00	\$31,500.00	\$1,140.00	\$57,000.00
6	Cathodic Protection	1	LS		\$6,000.00	\$6,000.00	\$4,170.00	\$4,170.00
7	Clearing and Grubbing	1	LS		\$32,000.00	\$32,000.00	\$8,100.00	\$8,100.00
8	Dewatering	1	LS		\$60,000.00	\$60,000.00	\$116,640.00	\$116,640.00
9	Structure Excavation Below Elevations Shown	50	CY		\$20.00	\$1,000.00	\$80.00	\$4,000.00
10	Common Excavation	4000	CY		\$3.00	\$12,000.00	\$26.95	\$107,800.00
11	Rock Excavation	250	CY		\$200.00	\$50,000.00	\$100.00	\$25,000.00
12	Culvert Bedding, 3/4"-0"	160	CY		\$44.00	\$7,040.00	\$41.40	\$6,624.00
13	Select Native Backfill	200	CY		\$20.00	\$4,000.00	\$9.00	\$1,800.00
14	Trench Backfill, 3/4"-0"	1200	CY		\$10.00	\$12,000.00	\$41.40	\$49,680.00
15	Controlled Low Strength Material (CLSM)	65	CY		\$200.00	\$13,000.00	\$228.00	\$14,820.00
16	Pipe Zone Bedding and Backfill, Sand	450	CY		\$42.00	\$18,900.00	\$45.00	\$20,250.00
17	Imported Class 50 Riprap Filter Blanket	150	CY		\$60.00	\$9,000.00	\$66.60	\$9,990.00
18	Loose Native Riprap	1000	CY		\$20.00	\$20,000.00	\$19.00	\$19,000.00
19	Concrete Embedded Riprap Boulders	200	CY		\$100.00	\$20,000.00	\$196.00	\$39,200.00
20	Excavation and Conduit Support Systems	1	LS		\$530,000.00	\$530,000.00	\$409,100.00	\$409,100.00
21	Level 3, 1/2 inch Dense, MHMAC Mixture	10	Ton		\$600.00	\$6,000.00	\$410.00	\$4,100.00
22	Permanent Seeding	1	LS		\$7,500.00	\$7,500.00	\$2,500.00	\$2,500.00
23	Access Vault	1	EA		\$35,000.00	\$35,000.00	\$14,910.00	\$14,910.00
24	8-inch Ductile Iron Pipe Restrained	16	LF		\$50.00	\$800.00	\$168.75	\$2,700.00
25	24-inch Ductile Iron Pipe Restrained	25	LF		\$100.00	\$2,500.00	\$440.00	\$11,000.00
26	Conduit No. 2 Bypass Tee	1	LS		\$100,000.00	\$100,000.00	\$103,098.00	\$103,098.00
27	Additional Length of Conduit No. 2 Bypass Tee	10	LF		\$1,200.00	\$12,000.00	\$880.00	\$8,800.00
28	24-inch Butterfly Valve, MJ	1	EA		\$5,500.00	\$5,500.00	\$8,000.00	\$8,000.00
29	8-inch Gate Valve, MJ	1	EA		\$1,200.00	\$1,200.00	\$2,050.00	\$2,050.00
30	24-inch Check Valve	1	EA		\$8,500.00	\$8,500.00	\$13,000.00	\$13,000.00
31	216" X 107" Corrugated Structural Plate Arch Culvert	125	LF		\$785.00	\$98,125.00	\$678.71	\$84,838.75
32	Internal Culvert Backfill	400	CY		\$85.00	\$34,000.00	\$77.40	\$30,960.00
33	Biofilter Bags	50	EA		\$6.00	\$300.00	\$10.00	\$500.00
34	Wattles	250	LF		\$4.00	\$1,000.00	\$7.00	\$1,750.00
35	Sediment Fence	1000	LF		\$2.00	\$2,000.00	\$3.90	\$3,900.00
Total						\$1,323,265.00		\$1,426,999.75
Bid Surety					Yes	BB	Yes	BB
Contractor Board License No.						148742		62974

Agenda No.
REPORT NO.
Title

Accept bid of Moore Excavation, Inc. for the Walker Creek Culvert Replacement for \$939,625.00
(Purchasing-Report - Bid No. 111279)
Procurement

<p>INTRODUCED BY Commissioner/Auditor: Mayor Sam Adams <i>K. Williams on behalf of Mayor Adams</i></p> <p>COMMISSIONER APPROVAL</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>BUREAU APPROVAL</p> <p>Bureau: Procurement Services Bureau Head: Christine Moody <i>CM</i></p> <p>Prepared by: Kelly Davis Date Prepared: February 22, 2010</p> <p>Financial Impact Statement</p> <p>Completed <input checked="" type="checkbox"/> Amends Budget <input type="checkbox"/> Not Required <input type="checkbox"/></p> <p>Council Meeting Date March 3, 2010</p> <p>City Attorney Approval</p>	<p>CLERK USE: DATE FILED <u>FEB 26 2010</u></p> <p>LaVonne Griffin-Valade Auditor of the City of Portland</p> <p>By: <i>[Signature]</i> Deputy</p> <p>ACTION TAKEN: MAR 03 2010 ACCEPTED PREPARE CONTRACT</p>
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AGENDA
<p>TIME CERTAIN <input type="checkbox"/></p> <p>Start time: _____</p> <p>Total amount of time needed: _____ (for presentation, testimony and discussion)</p>
<p>CONSENT <input type="checkbox"/></p>
<p>REGULAR <input checked="" type="checkbox"/></p> <p>Total amount of time needed: 3 mins (for presentation, testimony and discussion)</p>

FOUR-FIFTHS AGENDA	COMMISSIONERS VOTED AS FOLLOWS:	
	YEAS	NAYS
1. Fritz	1. Fritz <input checked="" type="checkbox"/>	
2. Fish	2. Fish <input checked="" type="checkbox"/>	
3. Saltzman	3. Saltzman <input checked="" type="checkbox"/>	
4. Leonard	4. Leonard <input checked="" type="checkbox"/>	
Adams	Adams <input checked="" type="checkbox"/>	