



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
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REGULAR CALENDAR

January 27, 2010

TO THE COUNCIL:

The Chief Procurement Officer has advertised and received bids for Bid Number 111246 for the Outfall 27/Sellwood Combined Sewer Overflow Control Project No. E08467 for the Bureau of Environmental Services, with a project construction estimate of \$16,600,000.00.

Bids were opened on December 22, 2009, and five (5) bids were received. The low bid of Slayden Construction Group, Inc. was deemed responsive to the requirements of the solicitation. It is recommended that the bid of Slayden Construction Group, Inc. be accepted at the total base bid quoted in their bid for a total estimated amount of \$7,317,491.50. The Bureau of Environmental Services rates the level of confidence in the project cost as Optimal.

The Bureau of Environmental Services along with Procurement Services, identified twenty-five (25) Divisions of Work as potential M/W/ESB subcontracting opportunities for this project, resulting in \$3,550,914.50 awarded to subcontractors.

The Divisions of Work identified were:

Asphalt Paving	Concrete Cutting	Concrete Pumping	Concrete Work	Crane Service
Drilling/Boring	Drywall/Sheetrock	Electrical	Excavating	Fencing
Glass Services	Grading	Hauling Services (Trucking)	HVAC	Insulation
Landscaping	Masonry	Metal Fabrication	Painting/Wallpapering	Plumbing
Roofing	Structural Steel (Install/Erect)	Traffic Control Services (includes TPDT)	Utilities	Welding

In their bid Slayden Construction Group, Inc., indicated their intent to self perform the following divisions of work:

Concrete Work	Crane Service	Structural Steel (Install/Erect)		
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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.

MWESB participation represents 38.6% or \$1,370,755.00 of the estimated subcontracting dollars.

- MBE - \$560,067.00 performing Concrete Cutting, Drilling/Boring, Structural Steel, and Traffic Control.
- WBE - \$134,537.00 performing Landscaping and Masonry.
- ESB - \$676,151.00 performing Asphalt Paving, Fencing, Metal Fabrication, Plumbing, Roofing, and Utilities.

Slayden Construction Group, Inc. has a current City of Portland Business License and their EEO Certification is current through February 28, 2011. The company is located in Stayton, Oregon, and is not a State Certified M/W/ESB Contractor.

Slayden Construction Group, Inc. is in Full Compliance with the Equal Benefits Program.

Funds are available for this project under WBS Element #E08467.

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:kbm

BUREAU OF ENVIRONMENTAL SERVICES
MEMORANDUM
Engineering Services

DATE: December 31, 2009

TO: Kathleen Brenes-Morua, Bureau of Purchases and Stores

FROM: Blair Bean, Construction Project Mgr. *LB*
Tammy Cleys, Design Project Mgr. *TC*

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

SUBJECT: Awarding Contract for: Outfall 27 / Sellwood CSO Control Project
Bid No. 111246, Project No. E08467



We have reviewed the bids for this project.

The proposal from Slayden Construction, Inc. shows a bid amount of \$7,317,491.50, which is 55.92% under the Engineer's Estimate of \$16,600,000.00 and is the apparent low bid.

We therefore recommend that the Bureau of Purchases and Stores accept the proposal from Slayden Construction, 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 503-823-7199 if you have any questions.

cc: Jaime De La Garza
Scott Gibson
Bill Ryan
Dan Bangle
Dave Nunamaker
Susan Wheaton
Materials Testing Laboratory
BES File w/sup.docs

Attachment: Bid Tabs

BB/kmf

GOOD FAITH EFFORT COMPLIANCE REPORT

Submission substantially complies with Good Faith Effort Requirements		<div style="display: flex; justify-content: space-around;"> YES NO </div>
Reviewed by:	Angela Y. Pack	
Date:	1-4-2010	

PROJECT INFORMATION

PROJECT NAME & BUREAU	Outfall 27/ Sellwood CSO Control Project (BES)
BID NUMBER	111246
PRE-BID DATE	12/1/09
BID OPEN DATE	12/22/09
BID AMOUNT	\$7,317,491.50
CONTRACTOR	Slayden Construction Group

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	\$560,067	7.6%
WBE	\$134,537	1.8%
ESB	\$676,151	9.2%
Total MWESB Participation	\$1,370,755	Total bid – 18.7% Subcontract percentage – 38.6%

MWBE PARTICIPATION – Subcontracting (35% Aspirational goal)

TOTAL OF ALL SUBCONTRACTS (including non-certified firms)	TOTAL MBE & WBE SUBCONTRACTS	PERCENTAGE OF MWBE SUBCONTRACTS
\$3,550,914.50	\$694,604	19.6%

GOOD FAITH DOCUMENTATION (24 HOURS AFTER BID OPENING)

	QUESTION	YES	NO	NOTES
1.	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.	X		
2.	Did contractor explain why identified divisions of work (DOW) were not included for subcontracting? (See Form 1)	X		See notes
3.	Were letters or faxes sent to all M/W/ESBs (in identified DOW's to be subcontracted) at the pre-bid meeting?(Form 2)	X		
4.	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)	X		
5.	Were M/W/ESB firms contacted at least seven (7) calendar days before the bid opening?(Form 2)	X		
6.	Is a copy of the letter or fax sent to potential M/W/ESB subs included in Good Faith documentation?	X		
7.	Did prime provide a completed M/W/ESB Contact/Bids Received Log (Form 2)?	X		

GOOD FAITH EFFORT ANALYSIS

1.	Divisions of Work Identified by City: Asphalt Paving, Concrete Cutting, Concrete Pumping, Concrete Work, Crane Service,; Drywall/Boring, Electrical, Excavating, Fencing, Glass Services, Grading, Hauling Services (Trucking), HVAC, Insulation, Landscaping, Masonry, Metal Fabrication, Painting/Wallpaper, Plumbing, Roofing, Structural Steel (Install/Erect), Traffic Control Services (Includes TPDT), Utilities and Welding.
2.	Rationale for non-utilization of subcontractors for suggested Divisions of Work: None.
3.	All Divisions of Work to be used on this project: Same as above plus Missed Opportunity – Survey
4.	Certified Subcontractors' name, Cert Type, and Subcontract amount used on the Project: COAT Flagging (MBE) - \$45,263, Brothers Concrete Cutting (MBE) - \$7,920, Western States (ESB) - \$11,935, Titan Utilities (ESB) - \$543,840, Gonzales Boring & Tunneling (MBE) \$499,293, Fitzpatrick Fence & Rail (ESB) - \$12,550, Willamette Fence Co., Inc. (ESB) - \$1,020, Miller Factors (MBE) - \$42,787, B&K Sheetmetal Inc.(ESB) - \$7,770, Rice Masonry (MBE) \$91,750, Rhino Roofing Inc. (ESB) - \$11,050, Cisneros Construction (MBE) \$7,591 and Progressive Mechanical (ESB) - \$87,986.
5.	Subcontractor names and subcontract amounts awarded to non-certified firms: Westlake Consultants - \$11,400, NW Linings - \$4,735, Slead Construction - \$112,080, Rain for Rent - \$3,000, TBH & Associates - \$897,100, Center Stone Tile - \$43,472, R2M2 - \$194,010, Brown Contracting - \$288,760.50, D&D Door Inc. - \$15,699, Crawford Door - \$9,984, Taurus Power & Controls Inc. - \$47,336, Purcell Painting & Coating - \$25,695, Harlens Drywall Co. - \$6,308, Protek Park System/Rough Bros., Inc. - \$94,325, Santiam Heating & Sheetmetal - \$96,750, Team Electric - \$329,455
6.	Divisions of Work retained by Prime: Concrete Work, Crane Service and Structural Steel (Install/Erect)
7.	Bids received from certified firms (not used): Columbia Paving(ESB) - \$48,180, Kodiak Pacific (WBE) - \$47,667.50, Vancouver Paving (WBE) - \$42,300, Kaleidoscope Construction Inc. (MBE) - \$4,287, Edwards Concrete Pumping (WBE) \$110/hr., Myron Robinson Construction LLC (MBE) - \$14,856.24, C&W Grading (WSB) - \$1,021,486, V&K Construction (ESB) - \$42,025, Reliable Fence & Construction Inc. (ESB) - \$17,654, Willamette Fence (ESB) - \$15,220, General Sheet Metal Works, Inc (WBE) - \$155,513, LDE Company (ESB) - \$96,000, J&J

	<i>Mechanical Insulation, Inc. (ESB) - \$7,114, Kwik-Way Erosion Control Company (WBE) - \$1,700, New Growth Landscape, LLC (WBE) - \$37,573, Valley Growers Nursery (MBE) - \$26,100, A2 Fabrication (WBE) - \$81,518, BCN Metal Fabrication LLC (ESB) - \$29,800, Boanerges Group LLC (MBE) - \$169,000, Fine Painting & Allied Services LLC (MBE) - \$35,900, West Coast Coating, Inc (ESB) - \$54,444, Boanerges Group LLC (MBE) - \$99-132.81/hr, Eagle Plumbing Enterprises, Inc (ESB) - \$36,475, Plumbing Concepts Inc. (MBE) - \$17,479, Ri Ky Roofing (ESB) - \$74,444, Egami Construction, Inc. (MBE) - \$45/hr, Kim Bell Flagging, Inc (WBE) - \$42.95/hr, Mama Jo's Traffic Control (MBE) - \$42,25/hr, Portland Flagging, LLC (MBE) - \$43.10/hr., Bent Enterprise (WBE) - \$93/hr., Brian Baker Trucking (ESB) - \$65/hr., Bud Construction (ESB) - \$91/hr., Don Hines Trucking (WBE) - \$80/hr., EZ Grade, Inc (WBE) - \$110/hr, J. Losey Trucking (WBE) - \$80/hr., Mark Bourdeau Trucking, Inc (ESB) \$79.30/hr, Renner Trucking & Excavating, Inc. (ESB) \$68/hr., Rock & Road Construction (MBE) - \$85/hr., Rome Transportation LLC (WBE) - \$82.50/hr.,</i>
8.	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.
9.	Any special Good Faith Efforts undertaken by the Prime Contractor? Yes, contractor solicited to more than the required number of firms in most of the DOW's.
10.	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). MKB Constructors - \$8,036,780 (Submitted 1 st Tier, Form 1), McClure & Sons - \$7,807,775 (Submitted 1 st Tier, Form 1&2), James W. Fowler - \$8,580,000 (No Forms Submitted), Moore Excavation Inc. - \$7,888,745 (Submitted 1 st Tier, Form 1),

NOTES:

EEO cert: 2/28/11

COP Lic: 675454

CCB Lic: 157045 Active

Clarifications: (Spoke to: Scott Austin/Jennifer Erickson 1-11-10)

1. Who's performing Concrete Work? (MWESB solicited)
 - a. **Bid received didn't include all aspect of the work, so it was unclear. However, they will perform GFE again after award for participation.**
2. Who's performing Trucking? (MWESB's were solicited)
 - a. **Some trucking was awarded to utility subcontractor. Slayden will go back out to bid for Trucking for additional opportunity in the area of Site Work which wasn't including in the list of Divisions of Work.**
3. Who's performing Welding?(No MWESB's solicited)
 - a. **Slayden stated there is no Welding work to be performed per the specifications and no bids were received out of their solicitation.**

Issues:

There are no issues of concern.

Recommendation:

Approval: The prime is in substantial compliance with the GFE Program Requirements. They achieved good MWESB participation, which is the goal, as compare to the next low with very low participation.

- Bids Solicited – 284 in 22 DOW's
- Bids Received – 51 in 17 DOW's
- MWESB Bids Used - 15 in 13 DOW's
- OBE Bids Used - 18 in 10 DOW's

Comparatively, the next low bidder...had very little 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: 111246
Project Name: OUTFALL 27 SELLWOOD CSO CONTROL PROJECT
Date Bid Opened: 12/22/2009
Project Manager: Ana Brophy
Engineers Estimate: \$16,000,000.00

Item No	Description	Est. Quant	SKU	SLAYDEN CONSTRUCTION		MCCLURE & SONS		MOORE EXCAVATION		MKB CONSTRUCTORS		JAMES W FOWLER	
				Unit Price	Extended	Unit Price	Extended	Unit Price	Extended	Unit Price	Extended	Unit Price	Extended
1	Lents Trunk Sewer (LTS) Tunnel Lining Repair Open Cracks/Holes < 4" wide - Detail 1/Sheet SR106	500	LF	\$38.14	\$19,070.00	\$66.60	\$33,300.00	\$160.00	\$80,000.00	\$135.00	\$67,500.00	\$100.00	\$50,000.00
2	LTS Tunnel Lining Repair - Shallow Defects < 6" Deep - Detail 2/Sheet SR106	100	SF	\$366.06	\$36,606.00	\$391.50	\$39,150.00	\$330.00	\$33,000.00	\$279.00	\$27,900.00	\$350.00	\$35,000.00
3	LTS Tunnel Lining Repair - Deep Defects > 6" Deep - Detail 3/Sheet SR106	40	SF	\$565.17	\$22,606.80	\$794.00	\$31,760.00	\$820.00	\$32,800.00	\$695.00	\$27,800.00	\$575.00	\$23,000.00
4	LTS Tunnel Lining Invert Repair - Detail 4/SR106	40	SF	\$650.33	\$26,013.20	\$568.00	\$22,720.00	\$775.00	\$31,000.00	\$654.00	\$26,160.00	\$400.00	\$16,000.00
5	Drill Grout Holes	330	EA	\$201.35	\$66,445.50	\$284.90	\$94,017.00	\$225.00	\$74,250.00	\$188.00	\$62,040.00	\$215.00	\$70,950.00
6	Pressure Grouting	4,500	BAGS	\$28.00	\$126,000.00	\$51.40	\$231,300.00	\$75.00	\$337,500.00	\$63.00	\$283,500.00	\$75.00	\$337,500.00
7	Parking Structure	1	LS	\$94,325.00	\$94,325.00	\$96,908.00	\$96,908.00	\$175,000.00	\$175,000.00	\$156,880.00	\$156,880.00	\$150,000.00	\$150,000.00
Total of All Extended Bid Prices					\$391,066.50		\$549,155.00		\$763,550.00		\$651,780.00		\$682,450.00
Lump Sum Work					\$6,891,425.00		\$7,223,620.00		\$7,090,195.00		\$7,350,000.00		\$7,862,550.00
Cash Allowances					\$35,000.00		\$35,000.00		\$35,000.00		\$35,000.00		\$35,000.00
Unit Price Work					\$391,066.50		\$549,155.00		\$763,550.00		\$651,780.00		\$682,450.00
TOTAL BASE BID					\$7,317,491.50		\$7,807,775.00		\$7,888,745.00		\$8,036,780.00		\$8,580,000.00
Bid Surety					Yes BB	Yes BB		Yes BB		Yes BB		Yes BB	
Contractor Board License No.					157045	71127		28397		159329		63701	

Agenda No.
REPORT NO.
Title

Accept Bid of Slayden Construction Group, Inc. for the Outfall 27/Sellwood Combined Sewer Overflow Control Project No. E08467 for \$7,317,491.50 (Chief Procurement Officer Report - Bid No. 111246)

<p>INTRODUCED BY Commissioner/Auditor: Mayor Sam Adams</p>	<p>CLERK USE: DATE FILED <u>JAN 22 2010</u></p>
<p>COMMISSIONER APPROVAL</p> <p>Mayor—Finance and Administration - Adams <i>[Signature]</i></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>LaVonne Griffin-Valade Auditor of the City of Portland</p> <p>By: <i>[Signature]</i> Deputy</p>
<p>BUREAU APPROVAL</p> <p>Bureau: Procurement Services Bureau Head: Christine Moody <i>[Signature]</i></p>	<p>ACTION TAKEN:</p> <p>JAN 27 2010 ACCEPTED PREPARE CONTRACT</p>
<p>Prepared by: Kathleen Brenes-Morua Date Prepared: January 15, 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 January 27, 2010</p>	
<p>City Attorney Approval</p>	

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: 5 minutes. (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	✓	