



# CITY OF PORTLAND

## OFFICE OF MANAGEMENT AND FINANCE

**Ted Wheeler, Mayor**

**Tom Rinehart, Chief Administrative Officer**

**Jennifer Cooperman, Director, Bureau of Revenue and Financial Services**

**Lester Spitler**  
**Chief Procurement Officer**  
**Procurement Services**

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## REGULAR CALENDAR

September 19, 2018

### TO THE COUNCIL:

On May 30, 2018, Portland City Council approved Ordinance Number 188974 for Procurement Services to competitively solicit Structural Rehabilitation of Taggart Outfall 30 in accordance with PCC 5.34. The Chief Procurement Officer has advertised and received bids for Bid Number 00000966 on behalf of the Portland Bureau of Environmental Services (BES) with an initial project construction estimate of \$8,000,000.00. BES rated the project estimate confidence level as high.

Bids were opened on July 31, 2018, and two (2) bids were received. The low bid from James W. Fowler Co. was responsive to the solicitation requirements, thus it is recommended that the bid be accepted at the estimated unit price quoted for a total bid amount of \$10,941,172.00, which is \$2,941,172.00 or 27% over the Engineers estimate.

The City identified an aspirational goal for D/M/W/ESB subcontractor and supplier utilization at 20% of the hard construction costs for the project.

James W. Fowler Co., acting as the prime contractor identified the following areas as opportunities for subcontracting: survey, flagging, tunnel cleaning, paving, pest control, laser testing, fencing, manhole coating, annular space grouting. There is \$84,250 (.77%) D/M/W/ESB subcontractor utilization identified towards the goal apportioned as follows:

- DBE - \$59,000      3 firms performing flagging, fencing and survey
- WBE - \$15,250      1 firm performing paving
- ESB - \$10,000      1 firm performing pest control

It should be noted that an additional \$3.3 million dollars of subcontracting is being performed by a subcontractor who currently has an application in to the State of Oregon COBID system for certification as a WBE firm.

James W. Fowler Co., is not a State of Oregon certified D/M business and is self-performing \$6,611,614.00 of the work.

James W. Fowler Co., is located in Dallas, Oregon, and is not a State Certified DMWESB Contractor. They have a current City of Portland Business Tax Registration and are in Full Compliance with all City contracting requirements.

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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.*

It is recommended that a Performance Bond and Payment Bond, each at 100% of the contract amount, be furnished by the Contractor. Further, 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:

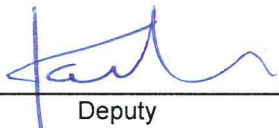


Lester Spitler  
Chief Procurement Officer

LS:cek

Agenda No.  
**REPORT**  
Title

Accept bid of James W. Fowler Co. for Structural Rehabilitation of Taggart Outfall for  
\$10,941,172.00 (Procurement Report - Bid No. 00000966)

<b>INTRODUCED BY</b> Commissioner/Auditor: <b>Mayor Wheeler</b>	CLERK USE: DATE FILED <u>SEP 11 2018</u>
<b>COMMISSIONER APPROVAL</b> Mayor—Finance and Administration – Wheeler Position 1/Utilities - Fritz Position 2/Works - Fish Position 3/Affairs - Saltzman Position 4/Safety - Eudaly	Mary Hull Caballero Auditor of the City of Portland By:  Deputy
<b>BUREAU APPROVAL</b> Bureau: OMF/BRFS/Procurement Bureau Head: Jennifer Cooperman Prepared by: Celeste King Date Prepared: 09/4/2018 Impact Statement Completed <input checked="" type="checkbox"/> Amends Budget <input type="checkbox"/>	<b>ACTION TAKEN:</b> SEP 19 2018 <b>ACCEPTED</b> PREPARE CONTRACT
<b>City Auditor Office Approval:</b> required for Code Ordinances	
<b>City Attorney Approval:</b> required for contract, code, easement, franchise, charter, Comp Plan	
<b>Council Meeting Date: September 19, 2018</b>	

<b>AGENDA</b> <b>TIME CERTAIN</b> Start time: Total amount of time needed: (for presentation, testimony and discussion)
<b>CONSENT</b> <b>REGULAR X</b> Total amount of time needed: 3 min (for presentation, testimony and discussion)

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. Eudaly	4. Eudaly	<input checked="" type="checkbox"/>	
Wheeler	Wheeler	<input checked="" type="checkbox"/>	