



CITY OF PORTLAND
OFFICE OF MANAGEMENT AND FINANCE

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REGULAR CALENDAR

December 12, 2018

TO THE COUNCIL:

The Portland Water Bureau and Oregon Department of Transportation have performed a series of seismic resiliency studies on the water supply lines and bridges that cross the Willamette River. These studies find that the current water supply lines and the bridges that carry some of them are at significant risk of failure during a 500-year seismic event such as a Cascadia Subduction Zone earthquake. Of greatest concern are the three central city crossings which have a 48% chance of failing simultaneously during such an event. Such an occurrence would leave the central business district and much of the west side of the city of Portland without potable water for up to six months.

The goal of the Project is to provide a seismically hardened crossing beneath the Willamette River in the central business district that will be able to withstand a 500-year seismic event. The intent is to construct a pipe crossing just north of the Marquam Bridge. The pipe crossing will be located under the liquefiable soils that present the greatest seismic hazard.

The Project will require specialized skills and experience in alternative procurement methods, geotechnical engineering, trenchless technology such as horizontal directional drilling, public information, and environmental permitting compliance. An analysis was completed by the Water Bureau and determined that the Design-Build (DB) design and construction method will pose the least risk and is the most cost-effective method for crossing beneath the river using horizontal directional drilling.

The Council adopted Ordinance No. 187520 on December 16, 2015 that approved findings, authorized an exemption to the competitive bidding requirements, authorized the alternative contracting method of Design-Build (DB), and authorized payment for the design and construction of the Willamette River Crossing Project.

A Request for Qualifications (RFQ) Number 00000596 was issued on April 5, 2017, for the design and construction of the Willamette River Crossing Design Build project. Three (3) contractors were determined qualified and invited to participate in the Request for Proposals.

A Request for Proposals for the Willamette River Crossing Project Design-Build Services, RFP No. 00000722, was issued on November 7, 2017. One proposal was received, reviewed, evaluated, and scored by a seven (7)-member evaluation

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.

committee including two (2) members of the Minority Evaluator Program in accordance with Portland City Code 5.34. The evaluation committee selected James W. Fowler Company as the highest scoring proposer.

The Chief Procurement Officer recommends the award of a Design-Build contract to James W. Fowler Company for the design and construction of the Willamette River Crossing Project for the Firm Fixed Price (FFP) of \$73,500,000, as stated in the FFP Exhibit A, attached to this report.

The City has established an aspirational goal for State of Oregon COBID certified Disadvantaged, Minority, and Women owned firms as well as Emerging Small Businesses and Service-Disabled Veteran owned businesses (D/M/W/ESB/SDVBE) in subcontracting that ranges from 22% to 35% of design and applicable non-specialty hard construction costs as defined in the performance specifications of the RFP. James W. Fowler Company and their subcontractors at all tiers have made a commitment of 35% utilization of COBID certified subcontractors, material suppliers and manufacturers on this project of which 6% is ESB. James W. Fowler has committed to date a total of \$414,997 utilization of COBID certified subconsultants for early design work and certified firm outreach. The D/M/W/ESB Subcontractor and Supplier Plan and the Workforce Training & Hiring Program Plan is attached to this report as Exhibit B.

James W. Fowler is located in Dallas, Oregon, and is not a State Certified D/M/W/ESB Contractor. They have a current City of Portland Business Tax Registration and EEO Certification, and are in Full Compliance with the City's contracting requirements.

Funds are available for this project under Owner Cost Center W01590.

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:kdm

Agenda No.

REPORT

Title

million

Accept Firm Fixed Price of \$73,500,000 from James W. Fowler Co. for the design and construction of the Willamette River Crossing Project. (Procurement Report - RFP No. 00000772)

<p>INTRODUCED BY Commissioner/Auditor: Amanda Fritz <i>Mayor Ted Wheeler</i></p> <p>COMMISSIONER APPROVAL</p> <p>Mayor—Finance & Administration - Wheeler <i>MP</i></p> <p>Position 1/Utilities - Fritz</p> <p>Position 2/Works - Fish</p> <p>Position 3/Affairs - Saltzman</p> <p>Position 4/Safety - Eudaly</p> <p>BUREAU APPROVAL</p> <p>Bureau: Procurement Services Bureau Head: Jennifer Cooperman <i>JC</i></p> <p>Prepared by: Kelly Davis-McKernan Date Prepared: 11/27/18</p> <p>Impact Statement Completed <input checked="" type="checkbox"/> Amends Budget <input type="checkbox"/></p> <p>City Auditor Office Approval: required for Code Ordinances</p> <p>City Attorney Approval: required for contract, code, easement, franchise, charter, Comp Plan</p> <p>Council Meeting Date December 12, 2018</p>	<p>CLERK USE: DATE FILED <u>DEC 04 2018</u></p> <p style="text-align: right;">Mary Hull Caballero Auditor of the City of Portland</p> <p>By: <i>[Signature]</i> Deputy</p> <p>ACTION TAKEN: DEC 12 2018 ACCEPTED PREPARE CONTRACT</p>
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AGENDA	FOUR-FIFTHS AGENDA	COMMISSIONERS VOTED AS FOLLOWS:																																					
<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: 15 Minutes (for presentation, testimony and discussion)</p>	<table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <th></th> <th style="width: 15%; text-align: center;">YEAS</th> <th style="width: 15%; text-align: center;">NAYS</th> </tr> <tr> <td>1. Fritz</td> <td style="text-align: center;">✓</td> <td></td> </tr> <tr> <td>2. Fish</td> <td style="text-align: center;">✓</td> <td></td> </tr> <tr> <td>3. Saltzman</td> <td style="text-align: center;">✓</td> <td></td> </tr> <tr> <td>4. Eudaly</td> <td style="text-align: center;">✓</td> <td></td> </tr> <tr> <td>Wheeler</td> <td style="text-align: center;">✓</td> <td></td> </tr> </table>		YEAS	NAYS	1. Fritz	✓		2. Fish	✓		3. Saltzman	✓		4. Eudaly	✓		Wheeler	✓		<table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <th></th> <th style="width: 15%; text-align: center;">YEAS</th> <th style="width: 15%; text-align: center;">NAYS</th> </tr> <tr> <td>1. Fritz</td> <td style="text-align: center;">✓</td> <td></td> </tr> <tr> <td>2. Fish</td> <td style="text-align: center;">✓</td> <td></td> </tr> <tr> <td>3. Saltzman</td> <td style="text-align: center;">✓</td> <td></td> </tr> <tr> <td>4. Eudaly</td> <td style="text-align: center;">✓</td> <td></td> </tr> <tr> <td>Wheeler</td> <td style="text-align: center;">✓</td> <td></td> </tr> </table>			YEAS	NAYS	1. Fritz	✓		2. Fish	✓		3. Saltzman	✓		4. Eudaly	✓		Wheeler	✓	
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