



# 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

December 19, 2018

### TO THE COUNCIL:

On July 25, 2018, Council approved Ordinance Number 189082 for Procurement Services to competitively solicit the Highway Safety Improvement Program Bike & Pedestrian Project in accordance with PCC 5.34. The Chief Procurement Officer has advertised and received bids for Bid Number 00000974 on behalf of the Portland Bureau of Transportation (PBOT), with a project construction estimate of \$1,193,111.00. PBOT rated the project estimate confidence level as optimal.

Bids were opened on October 30, 2018, and four (4) bids were received. The low bid from Brown Contracting, Inc., was responsive to the solicitation requirements, thus it is recommended that the Brown Contracting, Inc. bid be accepted at the estimated unit prices quoted for a total bid amount of \$1,193,111.00.

Ordinance No. 179568 authorized PBOT to participate in Oregon Department of Transportation's (ODOT) Local Public Agency Certification Program for the delivery of federal-aid projects. On June 29, 2011, ODOT's Director informed the Mayor that PBOT had successfully completed the requirements to become fully certified, and City Council accepted ODOT's certification acknowledgement by Ordinance No. 184710. This is a federal-aid transportation project under the ODOT Federal-Aid Highway Program. Under ODOT's certification, this project will be reviewed and audited by ODOT for federal-aid project compliance.

Part of the certification is that ODOT shall administer on behalf of the City, ODOT's Disadvantaged Business Enterprise (DBE), Equal Employment Opportunity (EEO), and On-The-Job Training (OJT) programs. As such, ODOT establishes the minimum DBE goals for each federal-aid project in compliance with 49 CFR 26. The criteria used in assigning project goals includes: project location, size, duration, dollar value, and the availability of DBE firms that can perform identified subcontracting opportunities. This project has a 12% DBE goal. ODOT deemed Brown Contracting, Inc. to be responsive to the DBE requirement. Brown Contracting, Inc. has committed DBE participation of 13.66%. State based certifications other than DBE are not reported in Federal Aid projects.

Brown Contracting, Inc. is located in Eugene, OR, and is not a State of Oregon Certified D/M/W/ESB Contractor. They have a current City of Portland Business Tax Registration number and are in Full Compliance with the City's contracting requirements.

Funds are available for this project under Owner Cost Center T00024.

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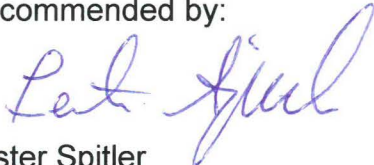
### *An Equal Opportunity Employer*

*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 Performance Bond and Payment Bonds, each at 100% of the contract amount, be furnished by the Contractor.

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:eca

Agenda No.  
**REPORT**  
Title

Accept bid of Brown Contracting, Inc. for the Highway Safety Improvement Program Bike & Pedestrian Project for \$1,193,111.00 (Procurement Report - Bid No. 00000974)

<p><b>INTRODUCED BY</b> Commissioner/Auditor: <b>Mayor Wheeler</b></p>	<p>CLERK USE: DATE FILED <u>DEC 11 2018</u></p>
<p><b>COMMISSIONER APPROVAL</b></p> <p>Mayor—Finance &amp; Administration - Wheeler <i>MT</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>Mary Hull Caballero Auditor of the City of Portland</p> <p>By: <u><i>[Signature]</i></u> Deputy</p>
<p><b>BUREAU APPROVAL</b></p> <p>Bureau: OMF/BRFS/Procurement Bureau Head: Jennifer Cooperman <i>JC</i></p> <p>Prepared by: Emmanuel Amunga Date Prepared: 12/05/2018</p>	<p><b>ACTION TAKEN:</b></p> <p>DEC 20 2018 <b>ACCEPTED</b> PREPARE CONTRACT</p>
<p>Impact Statement</p> <p>Completed <input checked="" type="checkbox"/> Amends Budget <input type="checkbox"/></p>	
<p><b>City Auditor Office Approval:</b> required for Code Ordinances</p>	
<p><b>City Attorney Approval:</b> required for contract, code, easement, franchise, charter, Comp Plan</p>	
<p>Council Meeting Date: <b>December 19, 2018</b></p>	

<b>AGENDA</b>
<p><b>TIME CERTAIN</b> <input type="checkbox"/></p> <p>Start time: _____</p> <p><b>Total amount of time needed:</b> (for presentation, testimony and discussion)</p>
<p><b>CONSENT</b> <input type="checkbox"/></p>
<p><b>REGULAR</b> <input checked="" type="checkbox"/></p> <p><b>Total amount of time needed: 10 minutes</b> (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. Eudaly	4. Eudaly	_____	
Wheeler	Wheeler	✓	