Lester Spitler
Chief Procurement Officer
Michelle Kirby
Interim Chief Financial Officer

Tom Rinehart
Chief Administrative Officer
Ted Wheeler
Mayor

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REGULAR CALENDAR

September 25, 2019

TO THE COUNCIL:

On May 8, 2019, Council approved Ordinance Number 189490 for Procurement Services to competitively solicit the South Portland – Burlingame Phase 1 Sewer Rehabilitation Project in accordance with PCC 5.34. The Chief Procurement Officer has advertised and received bids for Bid Number 00001297 on behalf of the Bureau of Environmental Services (BES), with a project construction estimate of $2,112,000. BES rated the project estimate confidence level as High.

Procurement Services recommends that Council accept this Report and authorize the Chief Procurement Officer to execute the contract with James W. Fowler Co. in the amount of $2,235,000.

Bids were opened on August 20, 2019, and four (4) bids were received. The lowest responsive bid is from James W. Fowler Co., thus it is recommended that their bid be accepted at the estimated unit prices quoted for a total bid amount of $2,235,000, which is 5.8% over the engineer's estimate.

BES and Procurement Services identified an aspirational goal for COBID Certified subcontractor and supplier utilization at 20% of the hard construction costs for the project. James W. Fowler Co. has identified the following COBID Certified firms as participating companies:

- 68.63% Self-performed by James W. Fowler
- 20.73% Certified COBID subcontractors
- 10.64% Non-Certified subcontractors

Subcontractor	Certification	Area of Work	Ownership	Amount
Bent Enterprise, Inc.	DWBE	Trucking	Caucasian/Female	$35,000
Brothers Concrete Cutting Inc.	DMBE	Sawcutting	Native American/Male	$24,000
Chick of All Trades LLC	DMWBE	Traffic Control/flagging	Hispanic/Female	$80,000
Cutter Construction Co Inc.	DWBE	Trucking	Caucasian/Female	$35,000
Iron Horse LLC	DWESB	CIPP	Caucasian/Female	$115,000

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Kodiak Pacific Construction Co.	WBE	Asphalt Paving	Caucasian/Female	$139,590
Rock & Road Construction LLC	DMBE	Trucking	African American /Male	$35,000
Total				**$463,000**

James W. Fowler Co. acting as the prime contractor intends to contract with the State COBID Certified firms as listed above and intends to contract with the following non-certified firms listed below:

Subcontractor	**Area of work**	**Amount**
Hoffman Southwest Corp dba Professional Pipe Services	CCTV	$25,000
Roger Langeliers Construction Co.	Curbs, Gutters Sidewalks	$212,560
Total		**$550,534**

James W. Fowler Co. is located in Dallas, Oregon, and is not a State COBID Certified Contractor. They have a current City of Portland Business Tax Registration and are full compliance with all of the City's contracting requirements.

Funds are available for this project in the Sewer System Operating Fund, FY 19-20 and FY 20-21 Budgets, BES, WBS Element E10680.

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: rab

Agenda No. 908

Item Type: Report **No.** _____

Council Meeting Date: September 25, 2019

Title: Accept bid of James W. Fowler Co. for the South Portland - Burlingame Phase 1 Sewer Rehabilitation Project for $2,235,000 (Procurement Report - Bid No.00001297)

AGENDA TYPE

- [ ] **Consent**
- [x] **Regular**
- [ ] **Time Certain** Start Time

Item 1 of 1

Total amount of time needed for presentation, testimony and discussion (Regular and Time Certain Only): 10 Minutes

INTRODUCED BY: Mayor Wheeler

COMMISSIONER / AUDITOR APPROVAL

Mayor - Finance & Admin. - Wheeler Mustafa Washington Digitally signed by Mustafa Washington Date: 2019.09.17 12:06:50 -07'00'

Position 1/ Utilities - Fritz

Position 2/ Works - Fish

Position 3/ Affairs - Hardesty

Position 4/ Safety - Eudaly

City Auditor - Hull Caballero

BUREAU APPROVALS

Bureau: OMF/CAO

OMF/CAO: Tom Rinehart Digitally signed by Tom Rinehart Date: 2019.09.10 11:02:43 -07'00'

Bureau Approval: Michelle Kirby Digitally signed by Michelle Kirby Date: 2019.09.09 17:37:24 -07'00'

Prepared By: Rachel Beane

Date Prepared: September 4, 2019

1) Is a completed Impact Statement attached? [x] Yes

2) Does the item amend the budget? [ ] Yes [x] No
If yes, **Budget Office** Approval

3) Is the item a Code ordinance? [ ] Yes [x] No
If yes, **Auditor Office** Approval

4) Is this item a contract (current or future), code, easement, franchise, comp plan or Charter? [ ] Yes [x] No
If yes, **Attorney Office** Approval

5a) Is item a Portland Policy Document or Administrative Rule? [ ] Yes [x] No

5b) If yes, is the City Policy/Admin Rule directive in the ordinance or resolution? [ ] Yes [ ] No

ACTION TAKEN:

SEP 25 2019 **Rescheduled to September 25, 2019 at 2:00 PM**

SEP 25 2019 **ACCEPTED PREPARE CONTRACT**

CLERK USE: DATE FILED 9/17/19

Mary Hull Caballero
Auditor of the City of Portland

By: Keelan McClymont Digitally signed by Keelan McClymont Date: 2019.09.17 14:26:14 -07'00'
Deputy

FOUR-FIFTHS AGENDA	COMMISSIONERS VOTED AS FOLLOWS:	YEAS	NAYS
1. Fritz	1. Fritz	—	—
2. Fish	2. Fish	✓	
3. Hardesty	3. Hardesty		✓
4. Eudaly	4. Eudaly	✓	
Wheeler	Wheeler	✓	