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972-2022

Report

## Accept bid of Moore Excavation, Inc. for the S Bancroft & S Texas St Sewer Rehabilitation Project for \$1,752,690 (Procurement Report - ITB No. 00001942)

Accepted

TO THE COUNCIL:

On July 20, 2022, Council approved Ordinance Number 190939 for Procurement Services to competitively solicit the S Bancroft & S Texas St Sewer Rehabilitation Project in accordance with PCC 5.34. The Chief Procurement Officer has advertised and received bids for Bid Number 00001942 on behalf of Bureau of Environmental Services (BES), with a project construction estimate of \$1,770,000. BES rated the project estimate confidence level as Moderate.

Bids were opened on September 22, 2022, and two (2) bids were received. The lowest responsive bidder from Moore Excavation, Inc., was responsive to the solicitation requirements, thus it is recommended that Moore Excavation, Inc's bid be accepted at the estimated unit prices quoted for a total bid award amount of \$1,752,690, which is 0.98% under the engineer's estimated cost of \$1,770,000.

The City's equity in contracting aspirational goal of 20% of the hard construction costs for subcontractor and supplier utilization of firms certified by the State's Certification Office for Business Inclusion and Diversity (COBID) applies to this project. **Moore Excavation, Inc has committed to subcontract 20.14% to COBID Certified firms as follows:**

Subcontractor	Certification	Area of Work	Ownership	Amount
A+ Flagging, Inc.	D/WBE	Traffic Control	Hispanic/Female	\$70,000
Andersons Erosion Control, Inc.	D/WBE	Erosion Control & Landscaping	White/Female	\$18,924

### Introduced by

[Mayor Ted Wheeler](#)

### Bureau

[Management and Finance;](#)  
[Revenue and Financial Services](#)

### Contact

#### Biko Taylor

Chief Procurement Officer

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📞 [503-823-1095](tel:503-823-1095)

#### Mahn Saechao

Senior Procurement Specialist

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📞 [503-823-1075](tel:503-823-1075)

Monday thru Friday 7:30 AM  
to 4:00 PM

### Requested Agenda Type

Regular

### Date and Time Information

Requested Council Date

November 16, 2022

Time Requested

15 minutes

Berrien Concrete, LLC	D/M/ESB	Concrete Work	Black/Female	\$12,902
Brothers Concrete Cutting, Inc.	MBE	SAW cutting	Native American/Male	\$7,000
Clark Moore Trucking, Inc.	D/M/ESB	Trucking/Hauling	Asian Pacific/Male	\$25,000
Cutter Construction Co, Inc.	D/WBE	Trucking/Hauling	Caucasian/Female	\$95,000
Kodiak Pacific Construction Co.	D/M/WBE	Asphalt Paving	Caucasian/Female	\$124,130
<b>Total</b>				<b>\$352,956</b>

Moore Excavation, Inc acting as the prime contractor intends to self-perform 78.70% of the work and to subcontract 1.16% to the following non-certified firm:

<b>Subcontractor</b>	<b>Area of Work</b>	<b>Amount</b>
Pro-Pipe, Inc.	CCTV Services	\$18,790
Terminix International Company, L.P.	Pest Control Services	\$1,500
<b>Total</b>		<b>\$20,290</b>

Moore Excavation, Inc is located in Fairview, OR, and is not a State COBID Certified Contractor and is a Caucasian/Male owned firm. They have a current City of Portland Business Tax Registration and are in full compliance with all of the City's contracting requirements.

Funds are available in BES' Sewer System Operating fund in the FY 22-23 Budget, WBS Element E11504.

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.

Procurement Services recommends that Council accept this Report and authorize the contract award to Moore Excavation, Inc.

Recommended by:

Biko Taylor

Chief Procurement Officer

BT: mss

## **Impact Statement**

### **Purpose of Proposed Legislation and Background Information**

Authorize the Chief Procurement Officer to execute a construction contract for the S Bancroft & S Texas St Sewer Rehabilitation project to Moore Excavation, Inc. The construction cost based on bids received is \$1,752,690.

Bureau of Environmental Services (BES) needs to rehabilitate 1,230-ft of combined sewer pipe that are in severely deteriorated condition at two locations in the South Portland area at Bancroft-Macadam and S Texas St. Bancroft-Macadam is time sensitive due to a multi-bureau coordination to reduce overall City pavement restoration costs where several bureaus have construction work within the same work zone. S Texas St is urgent due to a post through the existing sewer that maintenance engineering is concerned will cause backups or further failure if not repaired prior to winter 2022-2023.

Ordinance No. 190939 was approved by City Council on July 20, 2022, authorizing the Chief Procurement Officer to issue a competitive solicitation for the S Bancroft & S Texas St Sewer Rehabilitation project on behalf of BES.

No revenues will be impacted by this legislation.

This legislation does not change existing City policy.

### **Financial and Budgetary Impacts**

The engineer's estimate for this project was \$1,770,000 and the confidence level was Moderate . Based on bids received, BES anticipates the construction contract cost to be \$1,752,690, which is 0.98% under the engineer's estimate.

Funds are available in BES' Sewer System Operating fund in the FY 22-23 Budget, WBS Element E11504.

No present positions will be created, eliminated or re-classified as a result of this legislation.

## Community Impacts and Community Involvement

The construction contracting community, including contractors certified with the State of Oregon as minority, women, and emerging small businesses became involved when the Chief Procurement Officer advertised and publicly noticed the project on the City's Online Procurement System on August 29, 2022. A public notice was also posted in the Daily Journal of Commerce on August 31, 2022.

Potential bidders were able to review the competitive solicitation, attend a pre-bid meeting, ask questions, provide comments and submit a bid in response to the Invitation to Bid (ITB). Bids received resulted in the award of the construction contract. Procurement Services managed the procurement process. No protests were received.

Since June 2017, Environmental Services has conducted extensive community outreach regarding the goals of the South Portland-Burlingame projects, these pipes were included in as of June 2022. Investigative activities during the design phase such as soil sampling and utility location, night work, and what to expect during construction have been a part of that communication. Outreach spanned the life of the E10680 South Portland-Burlingame Sewer Project - Phase 1 and E11080 South Portland-Burlingame Sewer Project - Phase 2. Outreach has included:

- Develop and maintain the project webpage.
- Mailed project notifications to 4,334 property owners and occupants within a two-block radius of the greater South Portland Burlingame project area.
- Emailing project updates to 216 local stakeholders for the greater South Portland Burlingame project.
- Canvassing businesses located within a two-block radius of the project area.
- Posting project updates on community bulletin boards.
- Presenting to the South Burlingame Neighborhood Association and South Portland Neighborhood Association.
- Compiling 115 individual business contacts for ongoing communications about the project.
- Working closely with local schools including Sunstone Montessori, L'Etoile French Immersion, Goddard, and Cottonwood to minimize disruptions to students and staff.
- Coordinating proactively with Portland Bureau of Transportation and the SW Trails organization to navigate concurrent construction projects and to address any potential impacts to trails in the project area.
- Project information is available in multiple languages online and through the project webpage.
- Responding to phone and email inquiries about the project.

Joe Tursi with Environmental Services, has been the contact for Community Outreach and Public Involvement throughout design and will remain the contact throughout construction with support from JLA Public Involvement

Inc.

The City's equity in contracting aspirational goal of 20% of the hard construction costs for subcontractor and supplier utilization of firms certified by the State's Certification Office for Business Inclusion and Diversity (COBID) applies to this project. **Moore Excavation, Inc has committed to subcontract 20.14% to COBID Certified firms as follows:**

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<b>Total</b>		<b>\$20,29</b>

Moore Excavation, Inc is located in Fairview, OR, and is not a State COBID Certified Contractor and is a Caucasian/Male owned firm. They have a current City of Portland Business Tax Registration and are in full compliance with all of the City's contracting requirements.

No known persons or groups will be testifying.

No future public involvement is anticipated or necessary for this request.

### **100% Renewable Goal**

This action neither increases nor decreases the City's total energy use.

This action neither increases nor decreases the City's renewable energy use.

## **Agenda Items**

### **972 Regular Agenda in November 16-17, 2022 Council Agenda**

Accepted

Motion to accept the report: Moved by Mapps and seconded by Ryan.

Commissioner Mingus Mapps Yea

Commissioner Carmen Rubio Yea

Commissioner Dan Ryan Yea

Commissioner Jo Ann Hardesty Yea

Mayor Ted Wheeler Yea