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989-2022

Report

Accept bid of Moore Excavation, Inc. for the N Jantzen Ave West of N Pavilion Ave Water Main Improvements Project for \$1,534,790 (Procurement Report - ITB No. 00001960)

Accepted

TO THE COUNCIL:

On February 23, 2022, Council approved Ordinance Number 190719 for Procurement Services to competitively solicit the N Jantzen Ave West of N Pavilion Ave Water Main Improvements Project in accordance with PCC 5.34. The Chief Procurement Officer has advertised and received bids for Bid Number 00001960 on behalf the Portland Water Bureau (PWB), with a project construction estimate of \$1,326,698. PWB rated the project estimate confidence level as high.

Bids were opened on October 25, 2022, and three (3) bids were received. The lowest responsive bid is from Moore Excavation, Inc., thus it is recommended that their bid be accepted at the estimated unit prices quoted for a total bid amount of \$1,534,790 which is approximately 15.68% above the engineer's estimate.

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 20.05% to COBID Certified firms** as follows:

Subcontractor	Certification	Area of Work	Ownership	Amount
Berrien Concrete LLC	D/MBE/ESB	Concrete	African American/Female	\$17,781
Brothers Concrete Cutting Inc.	MBE	Saw Cutting	Native American/Male	\$20,000

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)

Requested Agenda Type

Regular

Date and Time Information

Requested Council Date

November 30, 2022

Time Requested

10 minutes

Cutter Construction Co Inc.	D/WBE	Trucking	Caucasian/Female	\$70,000
Eugene Williams Construction, LLC	D/MBE/ESB	Underground Utilities	Native American/Male	\$140,000
IRS Environmental of Portland, Inc	MBE/WBE	Abatement	Asian Pacific/Female	\$9,930
Kodiak Pacific Construction Co.	WBE	Asphalt Paving	Caucasian/Female	\$50,000
Total				\$307,711

Moore Excavation, Inc. acting as the prime contractor intends to self-perform 78.97% of the work and to subcontract 0.98% to the following non-certified firms:

Subcontractor	Area of Work	Amount
Bryan R. Green	Plumbing	\$10,000
MAK Electric Group Corp.	Electrical	\$5,000
Total		\$15,000

Moore Excavation, Inc. is located in Fairview, Oregon, and is not a State COBID Certified contractor. They have a current City of Portland Business Tax Registration and are in full compliance with all of the City's contracting requirements.

Funding for this Project, with budgeted contingency, will be requested in the FY 2022-23 Budget.

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 Chief Procurement Officer to execute the contract with Moore Excavation, Inc.

Recommended by:

Biko Taylor

Chief Procurement Officer

BT: rab

Impact Statement

Purpose of Proposed Legislation and Background Information

The purpose of this legislation is to authorize the Chief Procurement Officer to execute a construction contract for the N Jantzen Ave West of N Pavilion Ave Water Main Improvements Project for \$1,534,790.

The Project will replace approximately 2,200 feet of pipe and install new fire hydrants and water services. Replacement of the main and service work will reduce breaks and outages, make the water system more resilient in an earthquake, protect the water system from contaminants from backflow, and improve water flow and supply to fight fires.

Ordinance No. 190719 was approved by City Council on February 23, 2022, authorizing the Chief Procurement Officer to issue a competitive solicitation for the N Jantzen Ave West of N Pavilion Ave Water Main Improvements Project. The construction cost based on bids received is \$1,534,790.

Financial and Budgetary Impacts

The engineer's estimate for this project was \$1,326,698 and the confidence level was high. Based on the proposal received, the Portland Water Bureau (PWB) anticipates the construction contract cost to not exceed \$1,534,790 which is approximately 15.68% above the engineer's estimate.

Funding for this Project, with budgeted contingency, will be requested in the FY 2022-23 Budget.

The purposed legislation will not create, eliminate or re-classify any positions now or in the future.

Community Impacts and Community Involvement

The Project is located on Hayden Island within existing easements along North Jantzen Avenue. North Jantzen Avenue serves as an access route for over 300 houseboat residents and a recreational vehicle and storage unit complex.

Outreach before and during construction will alert stakeholders to upcoming noise, traffic, parking, and other impacts associated with water main, hydrant, and backflow prevention assembly installation. Outreach for this Project began during the design phase with information mailed to 383 area residents, businesses, and property owners, and hosted an online presentation and Q&A with the houseboat homeowner's association board and community members. The Portland Water Bureau has also been in contact with property owners/managers about construction, plumbing impacts to their properties, and easement acquisition requirements. Communications with owners, residents, and businesses will continue throughout the construction phase.

Because this Project is located almost entirely on private property, many impacts have been explicitly discussed via temporary construction easement negotiations. The temporary construction easements will document where the contractor selected for the Project may store equipment and materials on land belonging to the property owners, where they will do work, and will also govern ingress and egress of the contractor on private property.

This Project will also require the relocation of existing water meters. Approval of this Project will necessitate the selected contractor to do work on private water service lines (pipe between the meter and the building) to align them with the new meter location. Property owners are already aware of this requirement, easing the contractor's ability to gain authorization to do the work.

Along with private plumbing work, the Portland Water Bureau's Water Quality Group has identified that private water services within the Project area have nonconforming backflow prevention assemblies or are lacking adequate backflow prevention protection. While the plumbing costs for the relocation of the water meter and the private line will be covered by the Portland Water Bureau, the installation and testing of the backflow prevention assembly, including its housing, must be paid for by the property owner. All impacted properties have been notified, have acknowledged their responsibilities, and have paid associated relocation fees. Portland Water Bureau staff are working closely with property owners to plan for construction.

Passing of this proposed legislation will ensure public health and economic viability in the area by improving the maintenance, operability, and water quality of the existing water system along North Jantzen Avenue for local residences and businesses.

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 September 23, 2022. A public notice was also posted in the Daily Journal of Commerce on September 28, 2022.

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

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 20.05% to COBID Certified firms** as follows:

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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

989 Regular Agenda in November 30, 2022 Council Agenda

Accepted - Prepare Contract

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

Commissioner Mingus Mapps Yea

Commissioner Carmen Rubio Absent

Commissioner Dan Ryan Yea

Commissioner Jo Ann Hardesty Absent

Mayor Ted Wheeler Yea