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## 13-2023

[Report](#)

### Accept bid of Just Bucket Excavating, Inc. for the 2022 Signals Superbundle for \$4,743,691 (Procurement Report - Bid 00001947)

Accepted

TO THE COUNCIL:

On November 20, 2019 Council approved Ordinance Number Ordinance No. 189768 for Procurement Services to competitively solicit the SE 52nd and Woodstock Traffic Signal Replacement Project in accordance with PCC 5.34.

On October 20, 2020 Council approved Ordinance Number Ordinance No. 190168 for Procurement Services to competitively solicit the Safe Routes to School Signalized Crossings and Street Lighting Project in accordance with PCC 5.34.

On December 22, 2021 Council approved Ordinance Number Ordinance No. 190660 for Procurement Services to competitively solicit the Naito Whitaker Project in accordance with PCC 5.34.

These three projects were bundled together by the Portland Bureau of Transportation (PBOT) because they were all similar in scope and work elements (eg. primarily signals and ADA ramp work) with the hope that a package of several signals would generate more interest in the contractor community than standalone signals would.

The Chief Procurement Officer has advertised and received bids for Bid Number 00001947 on behalf of PBOT, with a project construction estimate of \$3,398,193. PBOT rated the project estimate confidence level as Moderate.

Bids were opened on November 15, 2022, and four (4) bids were received. The lowest responsive bid is from Just Bucket Excavating, Inc, thus it is recommended that their bid be accepted at the estimated unit prices quoted for a total bid amount of \$4,743,691, which is 39.39% over 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. **Just Bucket Excavating, Inc has committed to subcontract 20.07% to COBID Certified firms as follows:**

Introduced by

[Mayor Ted Wheeler](#)

Bureau

[Management and Finance;](#)

[Revenue and Financial Services](#)

Contact

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Chief Procurement Officer

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**Requested Agenda Type**

Regular

**Date and Time Information**

**Requested Council Date**

January 4, 2023

**Time Requested**

10 minutes

Subcontractor	Certification	Area of Work	Ownership	Amount
Bailey's Construction Unlimited	DBE, ESB, MEB	Hauling Services	African American (Black)	\$304,412
C & C Flagging LLC	DBE, ESB, MBE, WBE	Flagging	African American (Black)	\$146,375
Egami Construction Inc.	DBE, MBE, WBE	Signage, removal and installation	Asian Pacific	\$53,704
K Barrier, LLC	WBE	Barriers and Impact Attenuator	Caucasian (White)	\$37,592
Miller Factors, LLC	WBE	Landscape	Caucasian (White)	\$14,026
Nuwave Concrete, Inc	DBE	Concrete Work	Caucasian (White)	\$395,564
<b>Total</b>				<b>\$951,673</b>

Just Bucket Excavating, Inc acting as the prime contractor intends to self-perform 33.26% of the work and to subcontract 46.67% to the following non-certified firm:

Subcontractor	Area of Work	Amount
Hicks Striping & Curbing Inc.	Striping	\$73,671
NTA Contracting, Inc.	Install Sed and Sump Manholes	\$65,100
Prairie Electric Inc	Electrical	\$2,049,856
Willamette Fence Co., Inc.	Fencing	\$25,607
<b>Total</b>		<b>\$2,214,234</b>

Just Bucket Excavating, Inc is located in Albany, Oregon, and is a State COBID Certified DBE and MBE Contractor and is an African American (Black)/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.

PBOT has funds budgeted in FY 23-24 and FY 24-25 for construction, inspection and management of the project.

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 contract award to Just Bucket Excavating, Inc.

Recommended by:

Biko Taylor

Chief Procurement Officer

BT: VEH

## Impact Statement

### Purpose of Proposed Legislation and Background Information

Authorize the Chief Procurement Officer to execute a construction contract for the 2022 Signals Superbundle to Just Bucket Excavating, Inc. The construction cost based on bids received is \$4,743,691.

This solicitation bundled several large Portland Bureau of Transportation (PBOT) projects. The projects were bundled because they are all similar in scope and work elements (eg. primarily signals and ADA ramp work), so the hope was that a package of several signals would generate more interest in the contractor community than standalone signals would. PBOT also wanted to more efficiently deliver the projects, using one CM, 1-2 inspectors and one contractor.

Ordinance No. 189768 was approved by City Council on November 20, 2019, authorizing the Chief Procurement Officer to issue a competitive solicitation for the SE 52nd and Woodstock Traffic Signal Replacement Project on behalf of PBOT. This project's scope includes ADA improvements, traffic signal modernization, and intersection paving at 52nd and Woodstock.

Ordinance No. 190168 was approved by City Council on October 20, 2020, authorizing the Chief Procurement Officer to issue a competitive solicitation for the Safe Routes to School

Signalized Crossings and Street Lighting Project on behalf of PBOT. This project's scope includes constructing five new traffic signals (NE MLK Blvd & NE Going St, E Burnside St & SE 16th Ave, SE Washington St & SE 86th Ave, SE 148th Ave & SE Main St, NE Glisan St & NE 113th Ave) and adding street lighting on NE Glisan Street from NE 82nd to NE 162nd, along with ADA corner ramp upgrades.

Ordinance No. 190660 was approved by City Council on December 22, 2021, authorizing the Chief Procurement Officer to issue a competitive solicitation for the Naito Whitaker Project on behalf of PBOT. For this project, PBOT has been working with ODOT, OHSU and the SW neighborhood since 2012 to construct a safe crossing on Naito Pkwy at SW Whitaker. The project will install a signalized pedestrian crossing, illumination and new ADA ramps.

No revenues will be impacted by this legislation.

This legislation does not change existing City policy.

### **Financial and Budgetary Impacts**

Based on bids received, PBOT anticipates the construction contract cost to be \$4,743,691. The engineers' combined estimate for this project was \$3,398,193.30 and the confidence level was Moderate.

PBOT conducted a bid analysis and determined that the apparent low bid of \$4,743,691 received from Just Bucket Excavating Inc. is 39.39% above the Engineer's Estimate of \$3,398,193.30. PBOT evaluated the contractor's bid and current market conditions and finds the bid acceptable.

Funds are available in multiple PBOT Owner Cost Centers: T00344, T00720, T00749, T00754, T00755, T00757, T00759 and T00796. PBOT has funds budgeted in FY 23-24 and FY 24-25 for construction, inspection and management of the project.

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 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.

No known persons or groups will be testifying.

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

### **100% Renewable Goal**

Not applicable.

## Budget Office Financial Impact Analysis

This action authorizes bid acceptance of the 2022 Signals Superbundle from Just Bucket Excavating, Inc. for construction of several PBOT projects, including new traffic signals, pedestrian crossing, ADA improvements, signal modernization, and intersection repaving. The \$4,743,691 bid received is 39.39% above the Engineer's estimate \$3,398,193. PBOT has funds allocated in FY23-24 and FY24-25 CIP for the included projects.

## Agenda Items

### 13 Regular Agenda in [January 4, 2023 Council Agenda](#)

Accepted - Prepare Contract

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

Commissioner Carmen Rubio Yea

Commissioner Dan Ryan Yea

Commissioner Rene Gonzalez Yea

Commissioner Mingus Mapps Yea

Mayor Ted Wheeler Yea