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# 177-2023

[Report](#)

## Accept bid from Moore Excavation, Inc. for the South Portland - Burlingame Phase II Sewer Rehabilitation Rebid Project for \$6,242,177 (Procurement Report - ITB No. 00002022)

Accepted

TO THE COUNCIL:

On November 10, 2021, Council approved Ordinance Number 190597 for Procurement Services to competitively solicit the South Portland – Burlingame Phase II Sewer Rehabilitation Rebid Project in accordance with PCC 5.34. The Chief Procurement Officer has advertised and received bids for Bid Number 00002022 on behalf the Bureau of Environmental Services (BES), with a project construction estimate of \$6,508,224. BES rated the project estimate confidence level as High.

Bids were opened on January 19, 2023, 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 \$6,242,177 which is 4.08% below 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 20.10% to COBID Certified firms** as follows:

Introduced by

[Mayor Ted Wheeler](#)

Bureau

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

Contact

Rachel Beane

Construction, Senior  
Procurement Specialist✉ [rachel.beane@portlandoregon.gov](mailto:rachel.beane@portlandoregon.gov)📞 [503-823-9293](tel:503-823-9293)

Biko Taylor

Chief Procurement Officer

✉ [biko.taylor@portlandoregon.gov](mailto:biko.taylor@portlandoregon.gov)📞 [503-823-1095](tel:503-823-1095)

Requested Agenda Type

Regular

Date and Time Information

Requested Council Date

March 1, 2023

Time Requested

15 minutes

Subcontractor	Certification	Area of Work	Ownership	Amount
A+ Flagging, Inc.	D/M/WBE	Flagging	Hispanic/Female	\$55,000
Berrien Concrete LLC	D/MBE/ESB	Concrete	African American/Female	\$71,440
Brothers Concrete	MBE	Saw Cutting	Native American/Male	\$45,000

## Cutting Inc.

Coria Landscape Inc	D/MBE/ESB	Landscaping	Hispanic/Male	\$29,898
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Cutter Construction Co Inc	DBE/WBE	Trucking	Caucasian/Female	\$50,000
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Gonzales Boring & Tunneling Co., Inc.	MBE	Boring	Hispanic/Male	\$680,470
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Kodiak Pacific Construction Co.	WBE	Asphalt Paving	Caucasian/Female	\$322,610
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<b>Total</b>				<b>\$1,254,418</b>
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Moore Excavation has committed to subcontracting 9.54% to the following COBID Certified firm which does not count towards the 20% aspirational goal:

Subcontractor	Certification	Area of Work	Ownership	Amount
Iron Horse LLC	DBE/WBE	CCTV/ CIPP/ Vac Truck	Caucasian/Female	\$595,780

To promote the aim of encouraging contractors to diversify their subcontractor utilization and to avoid abuse of the City's Subcontractor Equity Program, hard construction costs attributable to a subcontractor owned, controlled or managed by a relative of the person who owns, controls or manages the contractor, shall not count toward the 20% aspirational goal.

Moore Excavation, Inc acting as the prime contractor intends to self-perform 69.98% of the work and to subcontract 0.38% to the following non-certified firms:

Subcontractor	Area of Work	Amount
Coral Construction Company	Guardrails	\$9,750

Sun Coast Environmental NW Inc.	Manhole Rehab	\$3,400
Terminix International Company, L.P.	Pest Control	\$10,000
<b>Total</b>		<b>\$618,930</b>

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.

This project is part of BES' Large Scale Sewer Rehabilitation Program, which is funded through FY 2022-2023.

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 South Portland – Burlingame Phase II Sewer Rehabilitation Rebid Project for \$6,242,177.

The Project is a part of the Bureau of Environmental Services' (BES) Large Scale Sewer Rehabilitation Program. The Program goals are to rehabilitate or replace severely deteriorated sewer pipes, manholes, service laterals, and inlet pipes throughout the City's sewer system and restore service life as economically and efficiently as possible.

Ordinance No. 190597 was approved by City Council on November 10, 2021, authorizing the Chief Procurement Officer to issue a competitive solicitation for the South Portland – Burlingame Phase II Sewer Rehabilitation Rebid Project. The construction cost based on bids received is \$6,242,177.

**Financial and Budgetary Impacts**

The engineer’s estimate for this project was \$6,508,224 and the confidence level was high. Based on the proposal received, the BES anticipates the construction contract cost to not exceed \$6,242,177 which is 4.08% below the engineer’s estimate.

This project is part of BES’ Large Scale Sewer Rehabilitation Program, which is funded through FY 2022-2023.

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

**Community Impacts and Community Involvement**

Environmental Service’s South Portland – Burlingame Phase 2 Sewer Rehabilitation will repair or replace approximately 6,430 feet of public sewer pipe that are on average 100 years old and in deteriorated condition. The project will also include repairing or adding about 1,000 feet of service lateral connections from the main sewer line to the curb in front of homes or businesses. The project includes night work, work on private property both in and outside of permanent easements, work on and near heavily traveled roads, bike and bus routes, public parks, and several schools.

The project area is large and includes work in the South Portland and Burlingame areas. The project area is roughly bordered by S Lowell St to the North, SW Taylor’s Ferry Rd to the South, Interstate-5 to the West, and the Willamette River to the East. There is a thriving business association in the South Portland neighborhood. This project will impact a few businesses in the area and PI has been in communication with these businesses throughout the design of the project through one-on-one site visits by outreach staff and providing business questionnaires that can help lessen the impacts of construction on these businesses. These types of businesses include convenience stores, gas stations, small retail shops, and eateries.

Below is a table of demographic information from the 2010 Census:

<b>South Portland</b>	<b>South Burlingame</b>	
<b>Population by Age</b>	Age 20-34 Majority (44%)	Age 25-44 Majority Medium Age 39

<b>Population by Race</b>	82% white; 5% Latino; 2.5% Black; 9% Asian; 1.5% Native	88% white; 4% Latino; 2.5% Black; 4.5% Asian; 1% Native
<b>Housing (Own/Rent)</b>	40% owner occupied, 60% renter occupied	65.1% owner occupied, 34.9% renter occupied
<b>Population</b>	6,631	1,747

Since June 2017, Environmental Services has conducted extensive community outreach regarding the goals of the project, investigative activities during the design phase such as soil sampling and utility location, night work, and what to expect during construction. Outreach spanned the life of this project and E10680 South Portland Burlingame Sewer Project – Phase 1. 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 project area.
- Emailing project updates to 179 local stakeholders.
- 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 sharing the recording of the presentations with the South Portland Business 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, Environmental Services, has been the contact for Community Outreach and Public Involvement throughout design and will remain the

contact throughout construction with support from Lois D. Cohen Associates and JLA Public Involvement Inc.

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 December 20, 2022. A public notice was also posted in the Daily Journal of Commerce on December 23, 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 20.10% 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

### 177 Regular Agenda in [March 1, 2023 Council Agenda](#)

Accepted - Prepare Contract

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

Commissioner Carmen Rubio Yea

Commissioner Dan Ryan Yea

Commissioner Rene Gonzalez Yea

Commissioner Mingus Mapps Absent

Mayor Ted Wheeler Yea