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# 802-2024

Report

## Accept bid of \$1,076,251 from Moore Excavation, Inc. for the NE Portland Urgent Sewer Rehabilitation Project (Procurement Report - Bid 00002384)

Accepted  
September 18, 2024

### TO THE COUNCIL:

On December 20, 2023, Council approved Ordinance Number 191563 for Procurement Services to competitively solicit the NE Portland Urgent Sewer Rehabilitation Project in accordance with PCC 5.34. The Chief Procurement Officer has advertised and received bids for Bid Number 00002384 on behalf of the Bureau of Environmental Services (BES), with a project construction estimate of \$1,263,000. BES rated the project estimate confidence level as High.

Bids were opened on August 6, 2024, and four (4) bids were received. The lowest responsive bid is from Moore Excavation, Inc., thus it is recommended that their bid be accepted at the estimated total bid amount of \$1,076,251, which is 15.6% 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 21.96% to COBID Certified firms as follows:**

Contractor	Certification	Area of Work	Ownership	Amount
ARCK Construction Company	DMWBE	CCTV	Caucasian/Female	\$15,000
Brothers Concrete Cutting, Inc.	MBE	Sawcutting	Native American/Male	\$10,000

Introduced by  
[Mayor Ted Wheeler](#)

City department  
[Procurement and Business Opportunities](#)

### Contact

**Kathleen Brenes-Morua**  
Design & Construction,  
Manager II

✉ [Kathleen.Brenes-Morua@portlandoregon.gov](mailto:Kathleen.Brenes-Morua@portlandoregon.gov)

📞 [503-865-6156](tel:503-865-6156)

### Requested Agenda Type

Consent

### Date and Time Information

**Requested Council Date**  
September 18, 2024

Contractor	Certification	Area of Work	Ownership	Amount
Cutter Construction Co., Inc.	DWBE	Trucking	Caucasian/Female	\$45,000
Kodiak Pacific Construction Co.	WBE	Asphalt Paving, Cold Plane	Caucasian/Female	\$108,415
LCP, LLC	DWESB	Rodent Control	Caucasian/Female	\$5,400
Lemus Construction LLC	DMESB	Concrete Work	Hispanic/Male	\$52,545
<b>Total</b>				<b>\$236,360</b>

Moore Excavation, Inc. acting as the prime contractor intends to self-perform **78.04%** of the work and to subcontract **0%** to non-certified firms.

Moore Excavation, Inc. is located in Fairview, Oregon 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.

This project is part of BES's Maintenance Capital Construction program, which is funded through FY 2023-24. The bureau has resources set aside in their CY budget, WBS E11487 and will pay for this out of the Sewer System Operating Fund.

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 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:

Kathleen Brenes-Morua

Interim Chief Procurement Officer

KBM: rab

## Impact Statement

### Purpose of Proposed Legislation and Background Information

Authorize the Chief Procurement Officer to execute a construction contract for NE Portland Urgent Sewer Rehabilitation Project to Moore Excavation, Inc. The construction cost based on bids received is \$1,076,251.

The NE Portland Urgent Sewer Rehabilitation project is part of BES's Maintenance Capital Contract program. Program goals are to design and construct relatively small-scale, urgent collection system projects. Projects address structural failures, near failures, localized flooding, and hydraulic capacity problems. Projects in this program are prioritized based on the criticality and condition of the facility and the need to protect health and property.

Approximately 977 feet of failing and undersized combined sewer infrastructure will be repaired during this project.

Ordinances 191563 was approved by City Council on December 20, 2023, authorizing the Chief Procurement Officer to issue a competitive solicitation for the project known as NE Portland Urgent 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 \$1,263,000 and the confidence level was High. Based on bids received, BES anticipates the construction contract cost to be \$1,076,251, which is 15.6% under the engineer's estimate.

This project is part of BES's Maintenance Capital Construction program, which is funded through FY '23-'24. The bureau has resources set aside in their CY budget, WBS E11487 and will pay for this out of the Sewer System Operating Fund.

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

### Economic and Real Estate Development Impacts

Not applicable

## 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 July 9, 2024, including a public notice posted in the Daily Journal of Commerce on July 10, 2024.

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). Bids received resulted in the award of the construction contract. Procurement Services managed the procurement process.

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 21.96% to COBID Certified firms as follows:**

Subcontractor	Certification	Area of Work	Ownership	Amount
ARCK Construction Company	DMWBE	CCTV	Caucasian/Female	\$15,000
Brothers Concrete Cutting, Inc.	MBE	Sawcutting	Native American/Male	\$10,000
Cutter Construction Co, Inc.	DWBE	Trucking	Caucasian /Female	\$45,000
Kodiak Pacific Construction Co.	WBE	Asphalt Paving, Cold Plane	Caucasian /Female	\$108,415
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Moore Excavation, Inc. acting as the prime contractor intends to self-perform **78.04%** of the work and to subcontract **0%** to non-certified firms.

Moore Excavation, Inc. is located in Fairview, Oregon 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.

### Financial and Budget Analysis

This action accepts a bid of \$1,076,251 from Moore Excavation for the NE Portland Urgent Sewer Rehabilitation project. Project funds are included in BES' FY 2024-25 Adopted Budget. No additional appropriations are required as a result of this action.

### Document History

Item 802 Consent Agenda in [September 18-19, 2024 Council Agenda \(https://www.portland.gov/council/agenda/2024/9/18\)](https://www.portland.gov/council/agenda/2024/9/18)

City Council

Accepted - Prepare Contract

Aye (5):

Rene Gonzalez, Mingus Mapps, Carmen Rubio, Dan Ryan, Ted Wheeler