



# CITY OF PORTLAND

## OFFICE OF MANAGEMENT AND FINANCE

Sam Adams, Mayor  
Jack D. Graham, Chief Administrative Officer  
Jeffrey B. Baer, Director, Bureau of Internal Business Services

Christine Moody  
Chief Procurement Officer  
Procurement Services  
1120 S.W. Fifth Avenue, Rm. 750  
Portland, Oregon 97204-1912  
(503) 823-5047  
FAX (503) 823-6865  
TTY (503) 823-6868

### REGULAR CALENDAR

August 4, 2011

#### TO THE COUNCIL:

The Chief Procurement Officer has advertised and received bids for Bid Number 113020 for the Columbia Boulevard Wastewater Treatment Plant Lagoon Reconstruction, Phase 2 Project for the Bureau of Environmental Services, with a project construction estimate of \$5,900,000.00. The Bureau of Environmental Services rated the level of project estimate confidence as High.

Bids were opened on June 21, 2011, and two (2) bids were received. The low bid of R&G Excavating, Inc. was deemed responsive to the requirements of the solicitation. It is recommended that the bid of R&G Excavating, Inc. be accepted at the unit price quoted in their bid for a total estimated amount of \$7,640,150.00.

The Bureau of Environmental Services along with Procurement Services, identified seven (7) Divisions of Work as potential M/W/ESB subcontracting opportunities for this project, resulting in \$1,688,075.00 awarded to subcontractors.

The Divisions of Work identified were:

Concrete Work	Electrical	Excavating	Grading	Hauling Services (Trucking)
Sewer, Water & Storm Drain	Surveying			

In their bid R&G Excavating, Inc. indicated their intent to self perform the following divisions of work:

Concrete Work	Excavating	Grading	Hauling Services (Trucking)	Sewer, Water & Storm Drain
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M/W/ESB participation represents 14.9% or \$ 221,725.00 of the estimated subcontracting dollars.

- WBE - \$ 205,775.00 performing Hauling Services (Trucking) and Surveying.
- ESB - \$ 15,950.00 performing Instrumentation and Controls.

R&G Excavating, Inc. has a current City of Portland Business License and their EEO Certification is current through November 30, 2012. The company is located in Scio, Oregon, and is not a State Certified M/W/ESB Contractor.

*An Equal Opportunity Employer*

*To help ensure equal access to programs, services and activities, the Office of Management & Finance will reasonably modify policies/procedures and provide auxiliary aids/services to persons with disabilities upon request.*

R&G Excavating, Inc. is in Full Compliance with the Equal Benefits Program.

Funds are available for this project under Owner Cost Center WBS E07145.

It is further recommended that a Performance Bond and a Payment Bond each in the amount of 100% of the contract amount be furnished by the Contractor.

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.

Recommended by:

Christine Moody  
Chief Procurement Officer

CM:kbm

**BUREAU OF ENVIRONMENTAL SERVICES**  
**MEMORANDUM**  
*Engineering Services*

**DATE:** June 30, 2011

**TO:** Kathleen Brenes-Morua, Bureau of Purchases and Stores

**FROM:** David Hammond, Construction Project Mgr. *DA*  
Garry Ott, Design Project Mgr. *GO*

**THROUGH:** Mark Hutchinson, Construction Division Manager *MA*  
Susan Aldrich, CIP Manager *SA*

**SUBJECT:** Awarding Contract for: CBWTP Lagoon Reconstruction Phase 2  
Bid No. 113020, Project No. E07145



We have reviewed the bids for this project.

The proposal from R&G Excavating, Inc. shows a bid amount of \$7,640,150.00, which is 27% over the Engineer's Estimate of \$6,000,000.00 and is the apparent low bid.

We therefore recommend that the Bureau of Purchases and Stores accept the proposal from R&G Excavating, Inc., the apparent low bidder, as the lowest responsible bidder. This recommendation is subject to your evaluation of the bid packet for completeness and responsiveness.

Please contact me at 503-823-9686 if you have any questions.

cc: James Oehler  
Garry Ott  
Mike Lombardi (Inspector II)  
Jaime De La Garza  
Scott Gibson  
Bill Ryan (w/o attach.)  
Dave Nunamaker  
Harvey Lockett  
Susan Wheaton  
Materials Testing Laboratory  
BES File w/sup.docs

Attachment: Bid Tabs

DRH/JMS

RECEIVED  
2011 JUL -5 AM 8:15  
BUREAU OF PURCHASES

**GOOD FAITH EFFORT  
COMPLIANCE REPORT**

*Handwritten initials: RKM (blue) and BK (red) with a red circle around the 'YES' box in the table below.*

Submission substantially complies with Good Faith Effort Requirements		<b>YES</b>	NO
Reviewed by:	Brenda Kern		
Date:	7-11-11		

**PROJECT INFORMATION**

<b>PROJECT NAME &amp; BUREAU</b>	CBWTP Lagoon Reconstruction, Phase 2 – Rebid (BES)
<b>BID NUMBER</b>	113020
<b>PRE-BID DATE</b>	5-18-11
<b>BID OPEN DATE</b>	6-21-11
<b>BID AMOUNT</b>	\$7,640,150
<b>CONTRACTOR</b>	R&G Excavating, Inc.

**AT BID SUBMISSION**

QUESTION	YES	NO
Did contractor submit the GFE Form 1 (Subcontractor and Self-Perform Work List)?	<b>X</b>	

**MWESB PARTICIPATION – Total Bid**

PARTICIPATION TYPE	TOTAL \$	PERCENTAGE OF TOTAL BID AMOUNT
<b>MBE</b>	<b>\$0</b>	<b>0%</b>
<b>WBE</b>	<b>\$205,775</b>	<b>2.7%</b>
<b>ESB</b>	<b>\$15,950</b>	<b>.2%</b>
<b>Total MWESB Participation</b>	<b>\$221,725</b>	<b>Total bid – 2.9% Subcontract percentage – 14.9%</b>

**MWBE PARTICIPATION – Subcontracting (35% Aspirational goal)**

TOTAL OF ALL SUBCONTRACTS (including non-certified firms)	TOTAL MBE & WBE SUBCONTRACTS	PERCENTAGE OF MWBE SUBCONTRACTS
<b>\$1,688,075</b>	<b>\$205,775</b>	<b>13.8%</b>

**GOOD FAITH DOCUMENTATION (24 HOURS AFTER BID OPENING)**

	QUESTION	YES	NO	NOTES
1.	<i>Did prime contractor attend the mandatory pre-bid meeting? (If pre-bid meeting was waived, note in NOTES column.) Check sign-up sheet with Buyer.</i>	<b>X</b>		
2.	<i>Did contractor explain why identified divisions of work (DOW) were not included for subcontracting? (See Form 1)</i>	<b>X</b>		
3.	<i>Were letters or faxes sent to all M/W/ESBs (in identified DOW's to be subcontracted) at the pre-bid meeting?(Form 2)</i>	<b>X</b>		
4.	<i>Was a minimum of five (5) M/W/ESB firms contacted (in each identified DOW to be subcontracted) by letter/fax/email to bid on this project?(Form 2)</i>	<b>X</b>		
5.	<i>Were M/W/ESB firms contacted at least seven (7) calendar days before the bid opening?(Form 2)</i>	<b>X</b>		
6.	<i>Is a copy of the letter/fax/email sent to potential M/W/ESB subs included in Good Faith documentation?</i>	<b>X</b>		
7.	<i>Did prime provide a completed M/W/ESB Contact/Bids Received Log (Form 2)?</i>	<b>X</b>		

**GOOD FAITH EFFORT ANALYSIS**

1.	<b>Divisions of Work Identified by City:</b> Concrete Work; Electrical; Excavating; Grading; Hauling Services (Trucking); Sewer, Water & Storm Drain Work; and Surveying.
2.	<b>Rationale for non-utilization of subcontractors for suggested Divisions of Work:</b> Self-performing.
3.	<b>All Divisions of Work to be used on this project:</b> Same as #1.
4.	<b>Certified Subcontractors' name, Cert Type, and Subcontract amount used on the Project:</b> Buckel Associates Inc (WBE) - \$5,775 (Surveying); Renner Trucking (WBE) - \$200,000; The Automation Group (ESB 2 <sup>nd</sup> tier electrical) - \$15,950.
5.	<b>Subcontractor names and subcontract amounts awarded to non-certified firms:</b> Northwest Linings & Geotech Style Products - \$1,308,300 (liner <b>supply</b> ); Camp Creek Electric - \$174,000.
6.	<b>Divisions of Work retained by Prime:</b> Concrete Work; Excavating; Grading; Sewer, Water & Storm Drain Work; and Hauling Services (Trucking)(partial done by material supplier).
7.	<b>Bids received from certified firms (not used):</b> DK & Associates (ESB survey) - \$17,850; Bethin Engineering (ESB survey) - \$15,900; Firwood Design (ESB survey) - \$15,910; Crane & Merseeth Engineering (ESB survey) - \$15,000; Rome Transportation (WBE) – Various \$/hr; Bent Enterprises (WBE) – Various \$/hr; J Losey Trucking (WBE) – Various \$/hr; Bud Construction (ESB) – Various \$/hr; GI Trucks (MBE) – Various \$/hr.
8.	<b>Check Compliance file for prime contractor. Are there any contract compliance issues in the prime's Compliance file (last 3 years) that should be noted for the Purchasing Agent's Report to Council?</b> No.
9.	<b>Any special Good Faith Efforts undertaken by the Prime Contractor?</b> Yes, prime contacted more than the required number of MWESB's in some DOW's.
10.	<b>List of other prime bids received: Note any special Good Faith Efforts taken by the Prime Contractor and if good faith effort documentation submitted (Forms 1/2).</b> Tapani Underground - \$9,490,050 (Form 1).

**NOTES:**

EEO cert: 11/30/12

COP Lic: 725852 – Confirmed compliance with Allen Buller

CCB Lic: 65135

**Clarifications: (Spoke to: Glinda from R&G Excavating 7/12/11)**

1. Form 2 - Why wasn't The Automation Group (ESB) used for electrical when their bid was much lower? What does "I & C" stand for?
  - a. **I & C stands for Instrumentation and Controls which is the only thing The Automation Group performs. Their electrical subcontractor, Camp Creek Electric, is using The Automation Group for the Instrumentation and Controls.**
2. Form 2 – What are the trucking bid amounts?
  - a. **Various price lists were submitted to R&G. They decided to add Renner Trucking (WBE) for \$200k to increase their MWESB participation.**

**Issues:** None

**Recommendation:**

Approval. The contractor is in compliance with the GFE specifications.

- MWESB Bids Solicited – 27 in 2 DOW's
- MWESB Bids Received – 6 in 2 DOW's
- MWESB Bids Used - 1 in 1 DOW
- OBE Bids Used – 1 in 1 DOW

Comparatively, the next low bidder...Tapani Underground had approximately \$208,000 of MWESB participation.

**Level of effort:**

	<b>High</b>	Met the aspirational goal.
<b>x</b>	<b>Moderate</b>	Exceeded the solicitation requirements and/or achieved some participation.
	<b>Low</b>	Met the minimal solicitation requirements but achieved NO participation.

Cc: Susan Wheaton – BES reports

Bid No: 113020

Project Name: CBWTP REBID LAGOON RECONSTRUCTION PHASE 2

Date Bid Opened: 6/21/2011

Project Manager: Gary Ott

Engineers Estimate: \$6,000,000.00

Item No	Description	Est. Quant	Unit	R & G Excavation, Inc.		Tapani Underground, Inc.	
				Unit Price	Extended	Unit Price	Extended
1	Ground water and surface water control	1	LS	\$520,000.00	\$520,000.00	\$1,700,000.00	\$1,700,000.00
2	Excavate, condition, and transport onsite borrow material for dikes	23,600	CY	\$3.50	\$82,600.00	\$12.00	\$283,200.00
3	Procure and deliver imported fill material: Dike 2, 3, and 4 fill material	27,400	CY	\$17.00	\$465,800.00	\$17.50	\$479,500.00
4	Procure and deliver imported fill material: Cell 3, 4, and monofill bottom	19,200	CY	\$25.00	\$480,000.00	\$17.50	\$336,000.00
5	Construction of dikes 3 and 4	51,000	CY	\$5.00	\$255,000.00	\$8.00	\$408,000.00
6	Regrade and compact bottom of cells 3, 4, and monofill	74,300	SY	\$2.00	\$148,600.00	\$1.00	\$74,300.00
7	Procure, place and compact Type A material under liners: Side Slopes	25,500	SY	\$5.25	\$133,875.00	\$4.50	\$114,750.00
8	Procure, place and compact Type A material under liners: Bottom	74,300	SY	\$5.25	\$390,075.00	\$8.00	\$594,400.00
9	Lagoon solids processing, transport, and placement in the monofill	19,250	DRY TON	\$119.00	\$2,290,750.00	\$140.00	\$2,695,000.00
10	Geomaterial liner systems: Lagoon liner	73,100	SY	\$13.00	\$950,300.00	\$14.00	\$1,023,400.00
11	Geomaterial liner systems: Monofill liner	27,600	SY	\$14.00	\$386,400.00	\$15.00	\$414,000.00
12	Provide Mobilization and Demobilization as required for the entire project	1	LS	\$390,000.00	\$390,000.00	\$800,000.00	\$800,000.00
13	All other work: This Bid Item includes all other work, whether incidental to or directly related to performance and completion of work on this project that is not specifically included in Bid Items No. 1 thru 12.	1	LS	\$1,109,250.00	\$1,109,250.00	\$550,000.00	\$550,000.00
14	Overexcavate and fill per 02200-3.01.B if directed by the Owner's Representative	500	TON	\$75.00	\$37,500.00	\$35.00	\$17,500.00

Total

\$7,640,150.00

\$9,490,050.00

Bid Surety

Yes

BB

Yes

BB

Contractor Board License No.

65135

63434

856

Agenda No.  
**REPORT NO.**  
Title

Accept bid of R&G Excavating, Inc for the Columbia Boulevard Wastewater Treatment Plant Lagoon Reconstruction Phase 2 Project for \$7,640,150.00 (Procurement Report – Bid No. 113020)

<p><b>INTRODUCED BY</b> Commissioner/Auditor: <b>Mayor Sam Adams</b> <i>K. Allman on behalf Mayor Adams</i></p> <p><b>COMMISSIONER APPROVAL</b></p> <p>Mayor—Finance and Administration - Adams</p> <p>Position 1/Utilities - Fritz</p> <p>Position 2/Works - Fish</p> <p>Position 3/Affairs - Saltzman</p> <p>Position 4/Safety - Leonard</p> <p><b>BUREAU APPROVAL</b> Bureau: Procurement Services Bureau Head: Christine Moody <i>CM</i></p> <p>Prepared by: K. Brenes-Morua Date Prepared: August 4, 2011</p> <p>Financial Impact Statement Completed <input checked="" type="checkbox"/> Amends Budget <input type="checkbox"/> Not Required <input type="checkbox"/></p> <p>Council Meeting Date <b>August 10, 2011</b></p> <p><b>City Attorney Approval</b></p>	<p>CLERK USE: DATE FILED <u>AUG 05 2011</u></p> <p>LaVonne Griffin-Valade Auditor of the City of Portland</p> <p>By: <i>[Signature]</i> Deputy</p> <p><b>ACTION TAKEN:</b> <b>AUG 10 2011 ACCEPTED PREPARE CONTRACT</b></p>
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<b>AGENDA</b>
<p><b>TIME CERTAIN</b> <input type="checkbox"/></p> <p>Start time: _____</p> <p>Total amount of time needed: _____ (for presentation, testimony and discussion)</p>
<p><b>CONSENT</b> <input type="checkbox"/></p>
<p><b>REGULAR</b> <input checked="" type="checkbox"/></p> <p>Total amount of time needed: <b>5 minutes</b> (for presentation, testimony and discussion)</p>

FOUR-FIFTHS AGENDA	COMMISSIONERS VOTED AS FOLLOWS:		
		YEAS	NAYS
1. Fritz	1. Fritz	✓	
2. Fish	2. Fish	✓	
3. Saltzman	3. Saltzman	✓	
4. Leonard	4. Leonard	✓	
Adams	Adams	✓	