

## CITY OF PORTLAND

Christine Moody Chief Procurement Officer Procurement Services

OFFICE OF MANAGEMENT AND FINANCE 1120 S.W. Fifth Avenue, Rm. 750

Sam Adams, Mayor Kenneth L. Rust, Chief Administrative Officer Jeffrey B. Baer, Director, Bureau of Internal Business Services

20 S.W. Fifth Avenue, Rm. 750 Portland, Oregon 97204-1912 (503) 823-5047 FAX (503) 823-6865 TTY (503) 823-6868

CONSENT CALENDAR

April 27, 2011

TO THE COUNCIL:

The Chief Procurement Officer has advertised and received bids for Bid Number 112547 for Westside Header Relocation Phase 2 for the Portland Water Bureau, with a project construction estimate of \$ 6,224,000. The Portland Water Bureau rated the level of project estimate confidence as High.

Bids were opened on March 17, 2011, and Three (3) bids were received. The low bid of Moore Excavation Inc. was deemed responsive to the requirements of the solicitation. It is recommended that the bid of Moore Excavation Inc. be accepted at the unit price quoted in their bid for a total estimated amount of \$3,825,432.00.

The Portland Water Bureau along with Procurement Services identified Nine (9) Divisions of Work as potential M/W/ESB subcontracting opportunities for this project, resulting in \$671,494.74 awarded to subcontractors.

The Divisions of Work identified were:

Asphalt	Concrete	Concrete Work	Drilling/Boring	Excavating
Paving	Cutting			
Hauling	Hazardous	Traffic Control	Welding	
Services	Waste	Services		
(Trucking)	Removal	(includes TPDT)		

In their bid Moore Excavation Inc., indicated their intent to self perform the following divisions of work:

Excavating	Hauling Services	Hazardous	Traffic Control	Welding
	(Trucking)	Waste Removal	Services	
			(includes	
			TPDT)	

MWESB participation represents 53.3 % or \$ 358,000.00 of the estimated subcontracting dollars.

• MBE - \$ 358,000 performing Concrete Cutting and Drilling/Boring.

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.

Moore Excavation Inc. has a current City of Portland Business License and their EEO Certification is current through November 30, 2011. The company is located in Portland, Oregon, and is not a State Certified M/W/ESB Contractor.

Moore Excavation Inc. is in Full Compliance with the Equal Benefits Program.

Funds are available for this project under Owner Cost Center W01341.

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



Randy Leonard, Commissioner David G. Shaff, Administrator

1120 SW 5th Avenue, Room 600 Portland, Oregon 97204-1926 Information: 503-823-7404 www.portlandonline.com/water



An Equal Opportunity Employer

#### **MEMORANDUM**

DATE: March 30, 2011

TO: Christine Moody Chief Procurement Officer Procurement Services

4/1/2011

- FROM: Mike Stuhr Chief Engineer Portland Water Bureau
- SUBJECT: Return of Bids for Westside Header Relocation, Phase 2 Project Number W01341, Bid No. 112547

Returned herewith are the bids and bid tabulations for the construction of the Westside Header Relocation, Phase 2.

Moore Excavation, Inc. submitted the lowest responsive bid in the amount of \$3,825,432.00. This bid is in compliance with the specifications.

It is recommended that the City accept the proposal of the Apparent Low Bidder, Moore Excavation, Inc., as the lowest responsive bidder and award them the contract for this project in the amount of \$3,825,432.00.

Funds are available. Yes

#### GOOD FAITH EFFORT COMPLIANCE REPORT

155

Submission substantially com	nplies with Good Faith Effort Requirements YES <sup>S</sup> N
Reviewed by:	Angela Y. Pack
Date:	3-24-11

#### **PROJECT INFORMATION**

PROJECT NAME & BUREAU	Westside Header Relocation Phase 2 (WTR)				
BID NUMBER	112547				
PRE-BID DATE	2/15/11				
BID OPEN DATE	3/17/11				
BID AMOUNT	\$3,825,432				
CONTRACTOR	Moore Excavation Inc				

#### AT BID SUBMISSION

QUESTION	YES	NO
Did contractor submit the GFE Form 1 (Subcontractor and Self-Perform Work List)?	x	

### **MWESB PARTICIPATION – Total Bid**

PARTICIPATION TYPE	TOTAL \$	PERCENTAGE OF TOTAL BID AMOUNT
MBE \$358,000		9.3%
WBE	\$0	0%
ESB	\$0	0%
Total MWESB Participation	\$358,000	Total bid – 9.3% Subcontract percentage – 53.3%

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

TOTAL OF ALL SUBCONTRACTS (including non-certified firms)	TOTAL MBE & WBE SUBCONTRACTS	PERCENTAGE OF MWBE SUBCONTRACTS
\$671,494.74	\$358,000	53.3%

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

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

#### GOOD FAITH EFFORT ANALYSIS

1.	<b>Divisions of Work Identified by City:</b> Asphalt Paving: Concrete Cutting; Concrete Work; Drilling/Boring; Excavating; Hauling Services (Trucking);Hazardous Waste Removal; Traffic Control Services (includes TPDT); Welding
2.	Rationale for non-utilization of subcontractors for suggested Divisions of Work: Self-performing
3.	All Divisions of Work to be used on this project: Same as #1
4.	Certified Subcontractors' name, Cert Type, and Subcontract amount used on the Project: Brothers Concrete Cutting (MBE) - \$12,000;Gonzales Boring & Tunneling Inc.(MBE) \$346,000
5.	Subcontractor names and subcontract amounts awarded to non-certified firms: Brix Paving - \$133,677.84; Van Lom Concrete - \$39,816.90(Partial Concrete); Civil Works - \$140,000(Partial Concrete)
6.	<b>Divisions of Work retained by Prime:</b> Excavating; Hauling Services (Trucking); Hazardous Waste Removal; Traffic Control Services w/TPDT; Welding
7.	<b>Bids received from certified firms (not used):</b> Sawcutters NW (ESB) various prices per depth(Concrete Cutting); Bent Trucking/Fillup's (ESB) various per axel(prime self-performing); Blondy's Trucking(WBE)\$75-95 per axel per hr; Bud Construction, LLC Trucking (ESB) various per axel; GI Trucking, LLC(MBE) various per axel; Northwest Infrastructure, LLC(MBE) various per axel; Renner Trucking & Excavating(WBE) \$70-95 per axel per hr; All-N-One Asphalt Maintenance(ESB)\$10-17 sy; Kodiak Pacific Construction(WBE) \$66.66 ton plus; D&H Flagging(WBE) \$42,75/\$49.75 TCS;(prime self-performing); Kim Bell Flagging(WBE) \$42.75 per hr; Kurashi & Associate Co.(MBE) \$110,725; Portland Flagging(MBE) \$104,500
8.	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? No.
9.	Any special Good Faith Efforts undertaken by the Prime Contractor? Yes, prime contacted more than the required number of MWESB firms in each DOW.

#### NOTES:

10.

*EEO cert:* 11-30-11 *COP Lic:* 171604 *CCB Lic:* 28397

#### Clarifications: (Spoke to: Shannon Smith 3/24/11)

**1.** Form 2 –

a. I contacted Shannon per Form 2 listing Columbia Paving & Excavating on their solicitation for paving because I couldn't find them on the OMWESB website. She stated Columbia Paving & Excavating submitted a bid to MEI with an ESB number on the bottom of their quote. I couldn't validate their ESB number; therefore they won't be counted as minority subcontractor.

**Issues:** None. MEI solicited to 10 contractors; more than required.

**Recommendation:** Approval. The prime is in compliance with the GFE Program Requirements.

- Bids Solicited <u>73</u> in <u>8</u> DOW's
- Bids Received <u>16</u> in <u>5</u> DOW's
- MWESB Bids Used 2 in 2 DOW's
- OBE Bids Used <u>4</u> in <u>3</u> DOW's

Comparatively, the next low bidder...had over \$294,905k of MWESB participation.

#### Level of effort:

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

Cc: Loretta Young

# Bid No: 112547 Project Name: Westside Header Relocation Phase 2 Date Bid Opened: 3/17/2011 Project Manager: Scott Bryan Engineers Estimate: \$6,500,000.00

ltem No	Description	Est. Quant	Unit	Spec Reference	Moore Exca Unit Price	avation, Inc. Extended	James W. Unit Price	Fowler Co. Extended	Emery & Sons C Unit Price	Construction, Inc. Extended	•	's Estimate Extended
	1 MOBILIZATION			047140	¢000.000.00		A400.000.00	A 400 000 00				
	2 PORTABLE CHANGEABLE MESSAGE SIGN	30	LS DAY	017113 015526	\$360,000.00 \$400.00	\$360,000.00 \$12,000.00	\$400,000.00 \$340.00	\$400,000.00 \$10,200.00	\$425,000.00	and the second	\$310,000.00	\$310,000.00
	3 FLAGGERS	2,500	HR	015526	\$44.00	\$110,000.00	\$43.00	\$107,500.00	\$150.00 \$50.00	ty and an end of a set of the first set of the set of t	\$ 200.00 \$ 50.00	\$6,000.00 \$125,000.00
	4 TRAFFIC CONTROL	1	LS	015526	\$25,000.00	\$25,000.00	\$125,000.00	\$125,000.00	\$50,000.00	the state of the second st	\$100,000.00	\$100,000.00
	5 CONSTRUCTION SIGNS	4	EA	017113	\$400.00	\$1,600.00	\$565.00	\$2,260.00	\$750.00	(b) A set of the se	\$ 40.00	\$160.00
	6 EROSION CONTROL	1	LS	015713	\$10,000.00	\$10,000.00	\$30,000.00	\$30,000.00	\$15,000.00	the second se	\$ 15,000.00	\$15,000.00
	7 INLET PROTECTION	30	EA	015713	\$100.00	\$3,000.00	\$124.00	\$3,720.00	\$75.00	\$2,250.00	\$ 75.00	\$2,250.00
	8 SILT FENCE	1,000	LF	015713	\$3.00	\$3,000.00	\$5.00	\$5,000.00	\$4.00		\$ 5.00	\$5,000.00
	9 POLLUTION CONTROL PLAN 10 CORROSION CONTROL	1	LS	SCS 00290	\$500.00	\$500.00	\$2,200.00	\$2,200.00	\$2,500.00	(b) A second se second second sec	\$ 2,500.00	\$2,500.00
	11 CONTAMINATED MEDIA DISPOSAL	2,000	LS TN	264200	\$33,000.00	\$33,000.00	\$36,550.00	\$36,550.00	\$70,000.00	\$70,000.00	\$ 90,000.00	\$90,000.00
	12 HAZARDOUS WASTE DISPOSAL	2,000	TN	026100 026100	\$13.00 \$50.00	\$26,000.00	\$11.00	\$22,000.00	\$30.00			\$200,000.00
	13 WATER MAIN REMOVAL, 24" CAST IRON	510	LF	020100	\$18.00	\$3,500.00 \$9,180.00	\$123.00 \$8.00	\$8,610.00 \$4,080.00	\$50.00 \$10.00	the second s	<ol> <li>The second se second second se</li></ol>	\$14,700.00
	14 WATER MAIN REMOVAL, 8" CAST IRON	420	LF	024100	\$12.00	\$5,040.00	\$3.00	\$4,080.00	\$10.00	\$5,100.00 \$840.00		\$30,600.00 \$12,600.00
	15 REMOVAL OF TELECOM DUCT BANK	850	LF	024100	\$18.00	\$15,300.00	\$7.00	\$5,950.00	\$20.00	A second concernance of the second	State in the second	\$25,500.00
	16 REMOVAL OF RAILROAD TRACK AND TIES	250	LF	024100	\$21.00	\$5,250.00	\$27.00	\$6,750.00	\$10.00	\$2,500.00		\$15,000.00
	17 REMOVAL OF SIDEWALKS	220	SF	024100	\$1.25	\$275.00	\$3.00	\$660.00	\$5.00	\$1,100.00		\$1,100.00
	18 REMOVAL OF CATCHBASINS	8	EA	024100	\$300.00	\$2,400.00	\$500.00	\$4,000.00	\$150.00	\$1,200.00		\$800.00
	SALVAGING AND STOCKPILING OF											
	19 COBBLESTONES	240	SY	024100	\$8.00	\$1,920.00	\$17.00	\$4,080.00	\$5.00	\$1,200.00		\$2,400.00
	20 TRENCH EXCAVATION, COMMON	13,100	CY	312333	\$2.00	\$26,200.00	\$1.00	\$13,100.00	\$1.00	\$13,100.00		\$524,000.00
	21 VERIFICATION EXCAVATION AT CONNECTIONS 22 EXPLORATORY EXCAVATION	4 50	EA CY	312333	\$3,200.00	\$12,800.00	\$8,000.00	\$32,000.00	\$5,000.00	\$20,000.00	in the second	\$20,000.00
	23 POTHOLE EXCAVATION	25	EA	312333 312333	\$80.00	\$4,000.00	\$272.00	\$13,600.00	\$100.00	\$5,000.00		\$2,000.00
	24 WATER PIPE ZONE BEDDING AND BACKFILL	4,100	CY	312333	\$350.00 \$22.00	\$8,750.00 \$90,200.00	\$515.00 \$18.50	\$12,875.00 \$75,850.00	\$250.00	\$6,250.00		\$12,500.00
	25 TRENCH BACKFILL, CLASS A	160	CY	312333	\$5.00	\$800.00	\$18.50	\$75,850.00 \$14,080.00	\$1.00 \$1.00	\$4,100.00 \$160.00		\$82,000.00 \$4,000.00
	26 TRENCH BACKFILL, CLASS B	6,700	CY	312333	\$25.00	\$167,500.00	\$1.00	\$6,700.00	\$1.00	\$6,700.00	K. A. Statistical Activity of the second se second second sec	\$268,000.00
	27 TEMPORARY TRENCH RESURFACING	4,070	SY	321000	\$10.00	\$40,700.00	\$9.00	\$36,630.00	\$15.00	\$61,050.00		\$122,100.00
	28 PERMANENT TRENCH RESURFACING, 2" THICK	10,460	SY	321000	\$11.00	\$115,060.00	\$7.00	\$73,220.00	\$8.00	\$83,680.00		\$313,800.00
	29 PERMANENT TRENCH RESURFACING, 3" THICK	4,000	SY	321000	\$16.50	\$66,000.00	\$12.00	\$48,000.00	\$20.00	\$80,000.00		\$140,000.00
	PLAIN CONCRETE PAVEMENT, DOWELLED, 4"											
	30 THICK	40	SY	321000	\$70.00	\$2,800.00	\$68.00	\$2,720.00	\$65.00	\$2,600.00	\$ 40.00	\$1,600.00
	PLAIN CONCRETE PAVEMENT, DOWELLED, 6" 31 THICK	400	01								1	
	48" CASING, INSTALLED BY BORING AND	120	SY	321000	\$72.00	\$8,640.00	\$83.00	\$9,960.00	\$75.00	\$9,000.00	\$ 50.00	\$6,000.00
	32 JACKING	500	LF	330523	\$830.00	\$415,000.00	64 045 00	<b>#COD FOD OD</b>	<b>#055 00</b>		<b>* 4</b> 000 00	<b>*•••••••••••••</b>
	33 48" CASING, INSTALLED BY OPEN TRENCH	60	LF	330523	\$405.00	\$24,300.00	\$1,245.00 \$487.00	\$622,500.00 \$29,220.00	\$855.00 \$580.00	\$427,500.00 \$34,800.00	\$ 1,300.00 \$ 500.00	\$650,000.00 \$30,000.00
	48" & 24" CASINGS, INSTALLED THROUGH		E.1	000020	φ+00.00	φ2.4,000.00	ψ407,00	Ψ23,220.00	φ300.00	\$34,000.00	φ 500.00	\$30,000.00
	34 TUNNEL	1	LS	330523	\$225,000.00	\$225,000.00	\$300,000.00	\$300,000.00	\$190,000.00	\$190,000.00	\$350,000.00	\$350,000.00
	35 12" DUCTILE IRON PIPE RESTRAINED	509	LF	331110	\$68.00	\$34,612.00	\$125.00	\$63,625.00	\$125.00	\$63,625.00	\$ 115.00	\$58,535.00
	36 36" STEEL PIPE RESTRAINED	5,020	LF	331120	\$298.00	\$1,495,960.00	\$321.00	\$1,611,420.00	\$404.82	\$2,032,196.40		\$2,510,000.00
	37 36" WATER MAIN TIE-IN (1ST & PORTER)	1	LS	331120	\$30,000.00	\$30,000.00	\$25,818.00	\$25,818.00	\$28,000.00	\$28,000.00	\$ 5,000.00	\$5,000.00
	38 36" WATER MAIN TIE-IN (BLOCK J)	1	LS	331120	\$36,000.00	\$36,000.00	\$33,585.00	\$33,585.00	\$27,000.00	\$27,000.00	\$ 5,000.00	\$5,000.00
	39 36" WATER MAIN TIE-IN (NAITO & MARKET)	1	LS	331120	\$30,000.00	\$30,000.00	\$25,989.00	\$25,989.00	\$28,000.00	\$28,000.00	\$ 15,000.00	\$15,000.00
	40 36" WATER MAIN TIE-IN (NAITO & CLAY) 41 24" WATER MAIN CUT AND PLUG	1	LS	331120	\$48,000.00	\$48,000.00	\$45,340.00	\$45,340.00	\$34,000.00	\$34,000.00	\$ 15,000.00	\$15,000.00
	42 6" BLOW-OFF CUT AND PLUG	1	LS LS	331120 331120	\$5,000.00 \$3,000.00	\$5,000.00	\$2,900.00	\$2,900.00 \$1,472.00	\$3,500.00		\$ 5,000.00	\$5,000.00
	43 CLSM - OUT OF SERVICE WATER MAINS	230	CY	24130	\$3,000.00 \$135.00	\$3,000.00 \$31,050.00	\$1,472.00 \$154.00	\$1,472.00 \$35,420.00	\$2,000.00 \$100.00	\$2,000.00 \$23,000.00	\$ 3,000.00 \$ 165.00	\$3,000.00 \$37,950.00
	44 36" BUTTERFLY VALVES	8	ĔĂ	331216	\$14,600.00	\$116,800.00	\$10,980.00	\$87,840.00	\$100.00	\$23,000.00		\$128,000.00
	45 COMBINATION AIR VALVE ASSEMBLY	1	LS	331216	\$12,000.00	\$12,000.00	\$16,285.00	\$16,285.00	\$14,000.00	A second se Second second sec second second sec	\$ 25,000.00	\$25,000.00
	46 BLOWOFF ASSEMBLY	3	LS	331216	\$5,200.00	\$15,600.00	\$6,900.00	\$20,700.00	\$7,000.00	\$21,000.00		\$15,000.00
	47 AIR RELEASE ASSEMBLY	19	EA	331216	\$690.00	\$13,110.00	\$916.00	\$17,404.00	\$900.00	(a) A set of the se	\$ 1,000.00	\$19,000.00
	48 WATER MANHOLE	4	EA	331216	\$5,200.00	\$20,800.00	\$4,700.00	\$18,800.00	\$12,000.00	\$48,000.00	\$ 2,000.00	\$8,000.00
: '	49 REPLACEMENT OF EXISTING INLET LEADS	320	LF	333100	\$85.00	\$27,200.00	\$62.00	\$19,840.00	\$90.00	\$28,800.00	\$ 150.00	\$48,000.00
	REPLACEMENT OF EXISTING SANITARY SEWER	140	15	200400	A	<i><b>#</b>10,100,</i>	A	A			<b>.</b>	
	50 LATERALS 51 CONCRETE INLETS	140 8		333100	\$115.00	\$16,100.00	\$154.00	\$21,560.00	\$200.00	\$28,000.00		\$21,000.00
	52 CONCRETE CURB	8 765	EA LF	333100 321600	\$1,300.00	\$10,400.00	\$1,400.00	\$11,200.00	\$1,500.00	\$12,000.00		\$4,000.00
	53 CONCRETE ISLAND	1,100	SF	321600	\$19.00 \$9.50	\$14,535.00 \$10,450.00	\$34.00 \$9.50	\$26,010.00 \$10,450.00	\$15.00	\$11,475.00 \$5,500.00		\$13,005.00
	54 MONOLITHIC CURB & SIDEWALK	1	LS	321600	\$3,900.00	\$3,900.00	\$9.50 \$4,550.00	\$10,450.00	\$5.00 \$3,000.00	\$5,500.00		\$11,000.00 \$900.00
	55 CONCRETE WALK	2,700	SF	321600	\$6.00	\$16,200.00	\$7.50 \$7.50	\$20,250.00	\$6.00	\$16,200.00		\$900.00
					*****		¢	+==1,200,00	<b>40.00</b>		, , , , , , , , , , , , , , , , , , , ,	+=/1000.00
	Total					\$3,825,432.00		\$4,190,733.00		\$4,296,026.40		\$6,459,000.00
	Bid Surety				·	Yes BB		Yes BB		Yes BB		
	Contractor Roard Licongo No											
	Contractor Board License No.					28397		63701		312		

BRIDGE & OVERCROSSING CONSTRUCTION WORK Bidder shall identify contractor performing this work:

Civilworks NW Inc.

James W. Fowler Co.

Emery & Sons Construction, Inc.

#### Agenda No. **REPORT NO.** Title

-407

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JIYO

Accept bid of Moore Excavation Inc. for the Westside Header	Relocation	Phase 2 for
\$3,825,432,00 (Procurement Report - Bid No. 112547)	<i>6</i>	

INTRODUCED BY Commissioner/Auditor: Mayor Sam Adams COMMISSIONER APPROVAL Mayor—Finance and Administration - Adams	CLERK USE: DATE FILED <u>APR 2 2 2011</u> May A May Adam LaVonne Griffin-Valade Auditor of the City of Portland
Position 1/Utilities - Fritz Position 2/Works - Fish Position 3/Affairs - Saltzman	By:
Position 4/Safety - Leonard BUREAU APPROVAL Bureau: Procurement Services Bureau Head: Christine Moody	ACTION TAKEN: APR 27 2011 ACCEPTED PREPARE CONTRACE
Prepared by: Kathleen Brenes- Morua Date Prepared: April 15, 2011	
Financial Impact Statement Completed Amends Budget Not Required	
Council Meeting Date April 27,2011 City Attorney Approval	

		FOUR-FIFTHS AGENDA	COMMISSIONERS VOTED AS FOLLOWS:		90
TIME CERTAIN Start time:		3		YEAS	NAYS
Total amount of time needed:		1. Fritz	1. Fritz	V	
(for presentation, testimony and discussion)		2. Fish	2. Fish	V	
CONSENT		3. Saltzman	3. Saltzman		
REGULAR  Total amount of time needed:		4. Leonard	4. Leonard	V	8
(for presentation, testimony and discussion)		Adams	Adams	V	