



CITY OF PORTLAND

OFFICE OF MANAGEMENT AND FINANCE

Sam Adams, Mayor
Kenneth L. Rust, 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
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CONSENT CALENDAR

ORIGINALS

May 11, 2011

TO THE COUNCIL:

The Chief Procurement Officer has advertised and received bids for Bid Number 112653 for the South Waterfront Intersection Improvements: Harbor Dr & SW River Parkway for the Portland Bureau of Transportation, with a project construction estimate range of \$2.5 to \$2.9 million. The Portland Bureau of Transportation rated the level of project estimate confidence as Moderate.

Bids were opened on April 7, 2011, and Seven (7) bids were received. The low bid of Kodiak Pacific Construction was deemed responsive to the requirements of the solicitation. It is recommended that the bid of Kodiak Pacific Construction be accepted at the unit price quoted in their bid for a total estimated amount of \$1,699,999.

The Portland Bureau of Transportation along with Procurement Services, identified Ten (10) Divisions of Work as potential M/W/ESB subcontracting opportunities for this project, resulting in \$830,965.00 awarded to subcontractors.

The Divisions of Work identified were:

Asphalt Paving	Concrete Cutting	Concrete Work	Grading	Irrigation
Landscaping	Sewer, Water & Storm Drain Work	Traffic Control Services (includes TPDT)	Traffic Sign Installation/Removal	

In their bid Kodiak Pacific Construction, a certified WBE, indicated their intent to self-perform the following divisions of work for an estimated total of \$869,034.00:

Asphalt Paving	Grading	Sewer, Water & Storm Drain Work		
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Including the Prime Contractor, MWESB participation represents 56.3% or \$957,234.00 of the estimated total project cost of \$1,699,999.

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.

- MBE - \$ 88,200 performing Concrete Cutting, Traffic Control (includes TPDT) and Traffic Sign Installation/Removal.
- WBE - \$ 869,034 performing Asphalt Paving, Sewer, Water & Storm Drain Work and Grading.

Kodiak Pacific Construction has a current City of Portland Business License and their EEO Certification is current through December 23, 2012. The company is located in Tualatin, Oregon, and is a State Certified M/W/ESB Contractor. The company is currently registered as an Oregon Business with the Secretary of State.

Kodiak Pacific Construction is in Full Compliance with the Equal Benefits Program.

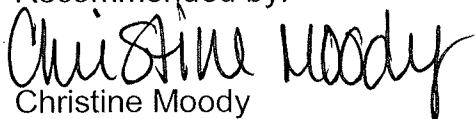
Funds are available for this project under WBS Element T00064.C42.

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



Sam
Adams
Mayor

Susan D.
Keil
Director

MEMORANDUM

Date: 4/13/11

TO: Christine Moody, Purchasing Director

FROM: Steve Townsen, P.E., City Engineer *Steve Townsen*

SUBJECT: **South Waterfront Intersction Improvements:
SW Harbor Drive and SW River Parkway**

Attached are: The bid tabulation and bid results/summary reports for the above referenced project.

The apparent low bid of \$1,699,999.00 was received from Kodiak Pacific Construction. This bid is 26.18% below the Engineer's Estimate of \$2,302,953.79.

Based on the corrected results of the bids and findings of Purchasing staff, it is my recommendation that Kodiak Pacific Construction be declared the lowest responsible and responsive bidder and that their bid be accepted.

ST: bjs for SD

Attachments: Bid-Results Summary Report, Bid Tabs

Copy: Slavik Dezhnyuk
Ross Swanson

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APR 13 2011 10:10
CITY OF PORTLAND
DEPARTMENT OF TRANSPORTATION

**GOOD FAITH EFFORT
COMPLIANCE REPORT**

SK
ASOM

Submission substantially complies with Good Faith Effort Requirements		<input checked="" type="checkbox"/> YES	<input type="checkbox"/> NO
Reviewed by:	Brenda Kern		
Date:	4-19-11		

PROJECT INFORMATION

PROJECT NAME & BUREAU	South Waterfront Intersection Improvements: Harbor Dr & River Parkway (PBOT)
BID NUMBER	112563
PRE-BID DATE	None
BID OPEN DATE	4-7-11
BID AMOUNT	\$1,699,999
CONTRACTOR	Kodiak Pacific Construction (certified WBE)

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	\$88,200	5.2%
WBE	\$869,034(prime)	51.1% (prime)
ESB	\$0	0%
Total MWESB Participation	\$957,234	Total bid – 56.3% Subcontract percentage – 10.6% <i>(WBE prime amount not included in sub %)</i>

MWBE PARTICIPATION – Subcontracting (35% Aspirational goal)

TOTAL OF ALL SUBCONTRACTS <i>(including non-certified firms)</i>	TOTAL MBE & WBE SUBCONTRACTS	PERCENTAGE OF MWBE SUBCONTRACTS
\$830,965	\$88,200	10.6%

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.	n/a		<i>No prebid</i>
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)	n/a		<i>No prebid</i>
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.	Divisions of Work Identified by City: Asphalt Paving; Concrete Cutting; Concrete Work; Grading; Irrigation; Landscaping; Sewer, Water & Storm Drain Work; Striping; Traffic Control Services (includes TPDT); and Traffic Sign Installation/Removal.
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 plus missed opportunities – Electrical and Fencing.
4.	Certified Subcontractors' name, Cert Type, and Subcontract amount used on the Project: Brothers Concrete Cutting (MBE) - \$8,000; A+ Flagging (MBE) - \$41,000; and Sundown Electric Company (MBE traffic sign installation) - \$39,200.
5.	Subcontractor names and subcontract amounts awarded to non-certified firms: JC Compton Contractors Inc - \$12,600; Duty Fence Company - \$1,065; Fox Erosion Control & Landscape Inc - \$87,900; Eastern States Paving - \$35,700; Specialized Pavement Marking Inc - \$34,600; Keywest Retaining Systems Inc - \$138,400; Van Lom Concrete - \$92,600; and Elcon Corp - \$339,900.
6.	Divisions of Work retained by Prime: Asphalt Paving; Grading; and Sewer, Water & Storm Drain Work.
7.	Bids received from certified firms (not used): A Cut Above Concrete (ESB) - \$8,187; Sawcutters NW LLC (ESB) - \$13,945; We Cut Concrete Inc (WBE) - \$8,839; Chick of All Trades (MBE) - \$42,000; D&H Flagging (WBE) - \$42,750; Portland Flagging LLC (MBE) - \$42,000; Green Art Landscaping & Irrigation (MBE) - \$99,873; Valley Growers Nursery & Landscape (MBE) - \$147,584; NW Wetland Restoration (WBE) - \$69,870; and Egami Construction (MBE) - \$40,567.
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's in most DOW's.

10.	<p>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). Granite Construction Co - \$1,868,868(Form 1); Westech Construction(no forms); R&R General Contractors (MBE) - \$1,868,188.92(Form 1); Emery & Sons - \$1,940,908.75 (no forms); Goodfellow Brothers - \$2,044,538.60(no forms); and Stacy & Witbeck - \$2,194,682(no forms).</p>
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NOTES:
 EEO cert: 12/23/12
 COP Lic: 383555
 CCB Lic: 53583

Clarifications: None

Issues: None

Recommendation:
 Approval. The prime is in compliance with the GFE specification.

- MWESB Bids Solicited – 45 in 7 DOW's
- MWESB Bids Received – 16 in 5 DOW's
- MWESB Bids Used - 3 in 3 DOW's
- OBE Bids Used - in DOW's

Comparatively, the next low bidder... R&R General Contractors (MBE) had \$3,500 of MWESB participation.

Level of effort:

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

Agenda No.
REPORT NO.
Title

Accept bid of Kodiak Pacific Construction for the South Waterfront Intersection Improvements: Harbor Dr & SW River Parkway for \$1,699,999 (Procurement Report - Bid No. 112653)

<p align="center">INTRODUCED BY Commissioner/Auditor: Mayor Sam Adams <i>K. Allmann on behalf of Mayor Adams</i> COMMISSIONER APPROVAL</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 align="center">BUREAU APPROVAL</p> <p>Bureau: Procurement Services Bureau Head: Christine Moody <i>CM</i></p> <p>Prepared by: Kathleen Brenes-Morua Date Prepared: April 28, 2011</p> <p>Financial Impact Statement</p> <p>Completed <input checked="" type="checkbox"/> Amends Budget <input type="checkbox"/> Not Required <input type="checkbox"/></p> <p>Council Meeting Date May 11, 2011</p> <p>City Attorney Approval</p>	<p>CLERK USE: DATE FILED <u>MAY 06 2011</u></p> <p align="right">LaVonne Griffin-Valade Auditor of the City of Portland</p> <p>By: <i>[Signature]</i> Deputy</p> <p>ACTION TAKEN: MAY 11 2011 ACCEPTED PREPARE CONTRACT</p> <p align="right"><i>[Faint handwritten note]</i></p>
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AGENDA
<p>TIME CERTAIN <input type="checkbox"/></p> <p>Start time: _____</p> <p>Total amount of time needed: _____ (for presentation, testimony and discussion)</p>
<p>CONSENT <input checked="" type="checkbox"/></p>
<p>REGULAR <input type="checkbox"/></p> <p>Total amount of time needed: _____ (for presentation, testimony and discussion)</p>

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