



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

September 15, 2010

TO THE COUNCIL:

The Chief Procurement Officer has advertised and received bids for Bid Number 111879 for Fire Station 31, Construction of New Station for the Bureau of OMF/Internal Business Services/Facility Services, with a project construction estimate of \$2,190,228.00. The Bureau of OMF/Internal Business Services/Facility Services rated the level of project estimate confidence as High.

Bids were opened on June 29, 2010, and five (5) bids were received. The low bid of Maddox Construction and the second low bid of 2KG Contractors were deemed non-responsive to the requirements of the Good Faith Effort Program. Therefore, it is recommended that the bid of Sierra Construction Company, Inc. be accepted at the lump sum quoted in their bid for a total amount of \$1,884,000.00.

The Bureau of OMF/Internal Business Services/Facility Services along with Procurement Services, identified thirty (30) Divisions of Work as potential M/W/ESB subcontracting opportunities for this project, resulting in \$1,063,349.00 awarded to subcontractors.

The Divisions of Work identified were:

Asbestos Removal	Asphalt Paving	Carpentry	Clearing/Grubbing	Concrete Cutting
Concrete Pumping	Concrete Work	Demolition	Drywall/Sheetrock	Electrical
Excavating	Floor Coverings	Glass Services	Trucking	HVAC
Insulation	Landscaping	Lead Paint Abatement	Masonry	Painting
Plumbing	Roofing	Sewer, Water & Storm Drain	Site Clean Up	Striping
Structural Steel	Tile/ Marble Work	Utilities	Welding	Windowcoverings

In their bid Sierra Construction Company, Inc., indicated their intent to self perform the following divisions of work:

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.

Concrete Pumping	Concrete Work	Site Clean Up	Welding	
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MWESB participation represents 42.5 % or \$ 451,800.00 of the estimated subcontracting dollars.

- MBE - \$ 22,000 performing Landscaping.
- WBE - \$ 240,340 performing Asphalt Paving and Electrical.
- ESB - \$ 189,460 performing Masonry, Plumbing, and Striping.

Sierra Construction Company, Inc. has a current City of Portland Business License and their EEO Certification is current through June 30, 2011. The company is located in Portland, OR, and is not a State Certified M/W/ESB Contractor.

Sierra Construction Company, Inc. is in Full Compliance with the Equal Benefits Program.

Funds are available for this project under Owner Cost Center MFOP000038.

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 one (1) 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  for Christine Moody
Chief Procurement Officer

CM:mp

Perrie, Michael

From: Attridge, Rich
Sent: Monday, August 23, 2010 7:28 AM
To: Perrie, Michael
Subject: RE: Fire Station 31 - Bid # 111879 - Facilities Recommendation to Award

Michael:

I understand that Sierra Construction has been determined to be the low responsive bidder for Bid #111879, Construction of Fire Station 31, in the amount of \$1,884,000. I recommend that Procurement award the contract to Sierra Construction, as the lowest responsive bidder. Please move forward with the Intent to Award Notice.

Thanks.

Rich

Rich Attridge

Project Manager
Office of Management & Finance
Facilities Services Division
1120 SW 5th Ave, #1204
Portland, OR 97204
(503) 823-5566 - Office
(503) 823-6924 - Fax

From: Perrie, Michael
Sent: Thursday, August 19, 2010 4:20 PM
To: Attridge, Rich
Subject: Fire Station 31 - Bid # 111879 - Facilities Recommendation to Award

Hi Rich,

As you may be aware, 2KG Contractors was also found non-responsive to the GFE requirements, and so we are proceeding with Sierra Construction's bid and would like to hear your recommendation to award the contract to Sierra Construction for their bid of \$ 1,884,000.00 for the contract file records.

About half hour ago I was just given final verification of Sierra's compliance to the GFE, so with your recommendation to award and receipt of Sierra's EBO declaration, we will be able to issue an Intent to Award notice.

Thanks for your patience,
Michael

From: Attridge, Rich
Sent: Thursday, July 08, 2010 1:42 PM
To: Perrie, Michael
Subject: Fire Station 31 - Bid # 111879

Michael:

I understand that Maddox Construction LLC has been disqualified. I therefore recommend Purchasing award the contract to the next low responsive and responsible bidder, 2 KG Contractors at \$1,834,000 for the Fire Station 31 project, Bid #111879.

Thanks.

Rich

Rich Attridge

Project Manager

Office of Management & Finance

Facilities Services Division

1120 SW 5th Ave, #1204

Portland, OR 97204

(503) 823-5566 - Office

(503) 823-6924 - Fax

GOOD FAITH EFFORT COMPLIANCE REPORT

[Handwritten signature]
[Handwritten "yes"]

Submission substantially complies with Good Faith Effort Requirements		<input checked="" type="checkbox"/> YES	<input type="checkbox"/> NO
Reviewed by:	Brenda Kern		
Date:	8-4-10 8-19-10		

PROJECT INFORMATION

PROJECT NAME & BUREAU	Fire Station 31 Construction of New Station (FAC)
BID NUMBER	111879
PRE-BID DATE	6-2-10
BID OPEN DATE	6-29-10
BID AMOUNT	\$1,884,000
CONTRACTOR	Sierra Construction Company 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	\$22,000	1.2%
WBE	\$240,340	12.8%
ESB	\$189,460	10%
Total MWESB Participation	\$451,800	Total bid – 24% Subcontract percentage – 42.5%

MWBE PARTICIPATION – Subcontracting (35% Aspirational goal)

TOTAL OF ALL SUBCONTRACTS (including non-certified firms)	TOTAL MBE & WBE SUBCONTRACTS	PERCENTAGE OF MWBE SUBCONTRACTS
\$1,063,349	\$262,340	24.7%

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.	Divisions of Work Identified by City: Asbestos Removal; Asphalt Paving; Carpentry; Clearing/Grubbing/Mowing/Brushing; Concrete Cutting; Concrete pumping; Concrete work; demolition; Drywall/Sheetrock; Electrical; Excavating; Floor coverings; glass services; Hauling Services (Trucking); HVAC; Insulation; Landscaping; Lead Paint Abatement; Masonry; Painting/Wallpapering; Plumbing; Roofing; Sewer, Water & Storm Drain Work; Site Cleanup; Striping; Structural Steel (install/erect); Tile/Terrazzo/Marble Work; utilities; Welding; Windowcoverings.
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: Green Art Landscape (MBE) - \$22,000; Milne Masonry (ESB) - \$96,700; Jet Electric (WBE) - \$226,450; Vancouver Paving (WBE) - \$13,890; Eagle Striping Services (ESB) - \$401; Ferrari Enterprises Inc (ESB) - \$92,359.
5.	Subcontractor names and subcontract amounts awarded to non-certified firms: Axis Construction - \$167,842; Konell Construction & Demolition - \$93,966; IRS Environmental - \$10,465; McDonald & Wetle Inc - \$83,584; JB Insulation - \$14,189; Capitol City Glass - \$41,360; Rubenstein's Contract Carpet - \$16,532; Environmental Protective Coatings - \$15,500; Columbia Drywall Systems - \$37,915; Santiam Heating & Sheetmetal - \$124,500; Custom Dimensions - \$5,696.
6.	Divisions of Work retained by Prime: Concrete Work; Site Clean Up; Welding; Concrete Pumping.
7.	Bids received from certified firms (not used): Zilco (ESB) - \$12,470; Kodiak Pacific (WBE) - \$17,800; Active Construction (ESB) - \$24,470; Boanerges Group (MBE) - \$103,680(carpentry) and \$54,432(painting); Ferrari Enterprises (ESB) - \$36,890(for demolition)and \$180,848(for excavating); Kevin Cooper Excavating (ESB) - \$48,250; Bent Enterprises (WBE) - \$80-100hr ; CLT Trucking (WBE) - \$80-92; Miller Factors (WBE) - \$32,995; Rice LLC (WBE) - \$124,300; Woodburn Masonry (WBE) - \$175,900; Unican Painting (MBE) - \$27,950; Reliant Plumbing (MBE) - \$144,000; West Side Iron(MBE) - \$55,000; Lauzon Contracting (ESB) - \$119,880.

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 many DOW's.
10.	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). Skyward Construction - \$2,078,000(no forms); Seabold Construction - \$2,090,419 (no forms); Maddox Construction LLC - \$1,814,000(Form 1-2, low bidder determined non-responsive to GFE); 2KG Contractors Inc - \$1,834,000(Form 1-2), second low bidder also determined non-responsive to GFE.

EEO cert: 6/30/11

COP Lic: 434675 **Unable to Confirm Compliance, Call the UCT coordinator at x52475.**

CCB Lic: 121086 Active

Clarifications / Issues: (spoke to Guy Blanchard 8-18-10)

Form 2 –

- 1) **91479 Structural Steel - Ebony Iron Works is one of 5 listed but not certified which puts them one short of the requirement. Emailed OMWESB, however also see that the Blue Book doc's they submitted showed Ebony on a list as a DBE or MBE. I also recollect that Ebony used to be certified.**
 - a. Received info from the OMWESB that Ebony Iron Works had been certified until June 3rd, 2010, so this should not be considered a deficiency as the prebid was June 2nd.
- 2) **91240 Demolition – There were 3 MWESB prebid attendees so 8 needed to be contacted. Only 7 listed on the demolition sheet; however not an issue as they solicited to 12 excavation firms, which can also do demolition work, so can be counted for demolition.**
- 3) **96239 Trucking - There are 2 trucking bids marked as received but their prices are not listed.**
 - a. Guy Blanchard emailed the 2 trucking bids over.

Recommendation:

Approval. The prime is in substantial compliance with the GFE Program Requirements.

- Bids Solicited – 155 in 26 DOW's
- Bids Received – 24 in 15 DOW's
- MWESB Bids Used - 6 in 6 DOW's (one ESB is non-DOW, cabinets)
- OBE Bids Used - 11

Comparatively, the next low bidder...has unknown MWESB participation as no forms were submitted.

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.

Cc: Loretta Young – \$500k and above

TABULATION OF BIDS

CITY OF PORTLAND
PROCUREMENT SERVICES

Project: FIRE STATION 31 CONSTRUCTION OF NEW STATION
Bid Opening: June 29, 2010

Bid Number: 111879 Bureau: OMF/BIBS/FACILITIES Estimate: \$ 2,084,902.00			
Bidder's Name	Lump Sum Base Bid	Bid Surety	OCCB License Number
MADDOX CONSTRUCTION LLC	\$ 1,814,000.00	Y	147747
2KG CONTRACTORS INC	\$ 1,834,000.00	Y	80251
SIERRA CONSTRUCTION COMPANY INC	\$ 1,884,000.00	Y	121086
SKYWARD CONSTRUCTION INC	\$ 2,078,000.00	Y	158289
SEABOLD CONSTRUCTION CO INC	\$ 2,090,419.00	Y	48023

Buyer: Michael Perrie

1257

Agenda No.
REPORT NO.
Title

Accept bid of Sierra Construction Company, Inc. for the Fire Station 31, Construction of New Station for \$ 1,884,000.00 (Procurement Report - Bid Number 111879)

<p>INTRODUCED BY Commissioner/Auditor: Mayor <i>U. Allmann on behalf of Mayor Adams</i></p> <p>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>BUREAU APPROVAL</p> <p>Bureau: Procurement Bureau Head: Christine Moody <i>Spn 2 for Christine Moody</i></p> <p>Prepared by: Michael Perrie Date Prepared: 9/2/10</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 September 15, 2010</p> <p>City Attorney Approval</p>	<p>CLERK USE: DATE FILED <u>SEP 10 2010</u></p> <p>LaVonne Griffin-Valade Auditor of the City of Portland</p> <p>By: <i>[Signature]</i> Deputy</p> <p>ACTION TAKEN: SEP 15 2010 ACCEPTED PREPARE CONTRACT</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	1. Fritz	✓	
2. Fish	2. Fish	✓	
3. Saltzman	3. Saltzman	_____	
4. Leonard	4. Leonard	✓	
Adams	Adams	✓	