



# CITY OF PORTLAND

OFFICE OF MANAGEMENT AND FINANCE

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## REGULAR CALENDAR

December 15, 2010

### TO THE COUNCIL:

The Chief Procurement Officer is submitting this report and recommending that the Bureau of Transportation and Procurement Services be authorized to proceed with awarding a contract to Stacy and Witbeck, Inc. (Construction Manager / General Contractor) for construction of the SW Moody Avenue Roadway and Track Relocation Project in the amount of \$ 27,814,675.00.

By way of background, Ordinance Number 183783 passed by Council on May 19, 2010, authorized the Procurement Services to use an alternative contracting method to select a Construction Manager/General Contractor for the SW Moody Avenue Roadway and Track Relocation Project.

The Chief Procurement Officer advertised Request for Proposals (RFP) Number 111818 on July 19, 2010, for pre-construction services and construction of the SW Moody Avenue Roadway and Track Relocation Project with a construction estimate of \$ 22,100,000.00. The Bureau of Transportation rated the project estimate confidence level as Low. Proposals were due on August 16, 2010, and six (6) proposals were received. A seven (7) person selection committee with representatives from TriMet, Bureau of Transportation, Portland Streetcar, Inc. Board of Directors, and the public selected Stacy and Witbeck, Inc. as the Construction Manager / General Contractor as authorized by Ordinance 183783. Procurement Services issued a Notice of Intent to Award for the Pre-Construction Services Contract to Stacy and Witbeck, Inc. on August 27, 2010. Pre-Construction Services Contract Number 30001659 for \$ 125,475.00 was entered into effective September 27, 2010.

Stacy and Witbeck, Inc. and their subcontractors at all tiers have made a firm commitment of 22% (of overall contract value) Disadvantaged Business Enterprises (DBE) utilization on this project, as well as a firm commitment of 15% Minority Owned Business Enterprise (MBE) and Women Owned Business Enterprise (WBE) utilization on this project. Stacy and Witbeck, Inc. has also made a strong commitment to have the DBE contracting community perform more than this goal with continued diversity outreach throughout the life of the project. Stacy and Witbeck, Inc. has agreed to adopt and implement the City's Workforce Training and Hiring Program requirements.

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*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.*

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The SW Moody Avenue Roadway and Track Relocation Project is funded, in whole or in part, by Ordinance Number 183696 passed April 21, 2010, accepting an Oregon Transportation Investment Ave (OTIA) grant in the amount of \$12,000,000 from the Oregon Department of Transportation for preliminary engineering; Ordinance Number 184001 passed July 21, 2010, accepting Federal TIGER grant for \$23,203,988 from the Federal Transit Administration through TriMet for construction; and by dedicated City System Development Charge funds, City General Fund, and Federal Transportation Earmark funds, for a total budget of \$44,314,926.00.

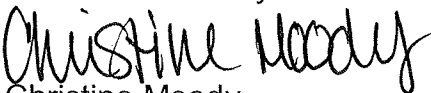
Stacy and Witbeck, Inc. has a current City of Portland Business License and their EEO Certification is current through March 31, 2011. The company's Northwest Regional Office is located in Portland, Oregon, and Stacy and Witbeck, Inc, and is not a State Certified M/W/ESB Contractor. The company is currently registered as an Oregon Business with the Secretary of State.

Stacy and Witbeck, Inc. is in Full Compliance with the Equal Benefits Program.

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.

Recommended by:



Christine Moody  
Chief Procurement Officer

CM:mp

**Stacy and Witbeck, Inc.**  
GENERAL ENGINEERING CONTRACTORS

**SW MOODY AVENUE IMPROVEMENTS**

**SUBCONTRACTOR and SUPPLIER OUTREACH PLAN**

**Including**

**DBE and M/W/ESB Program**

**&**

**Workforce Training & Hiring Plan**

**As Part of Pre-Construction Services**

**Owner:**

**City of Portland – Portland Bureau of Transportation**

**Contract: SW Moody Avenue Improvements**

**Owner RFP No.: 111818**

**Contractor:**

**Stacy and Witbeck, Inc.**

**Date: December 6, 2010**

**Revision No. 1**

**Stacy and Witbeck, Inc.**  
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# Stacy and Witbeck, Inc.

GENERAL ENGINEERING CONTRACTORS

**SUBCONTRACTOR AND SUPPLIER OUTREACH PLAN/CONTRACTING PLAN**  
**INCLUDING**  
**DBE AND M/W/ESB PLAN**  
**&**  
**WORKFORCE TRAINING & HIRING PLAN**

## **EXECUTIVE SUMMARY**

During the Pre-Construction services portion of the Construction Manager/General Contractor Services, Stacy and Witbeck, Inc. (SWI) is to provide a Subcontractor and Supplier Outreach Plan. This document also contains plans on how SWI intends to maximize the utilization of DBE and M/W/ESB firms throughout the project. The SWI Subcontractor and Supplier Outreach Plan contains distinct sections as indicated in the underlined headings below which are followed by a brief narrative. **The intent here is to adopt and implement the City of Portland's DBE/MWESB & SUPPLIER PROGRAM CONSTRUCTION PLAN as well as the WORKFORCE TRAINING & HIRING PLAN** (Attachment No. 2).

### SUBCONTRACTOR AND SUPPLIER OUTREACH/CONTRACTING PLAN

The Subcontractor and Supplier Outreach Plan strategy for both the subcontracting and purchasing requirements is further elaborated in Exhibit No. 1 – Subcontractor and Supplier Outreach Plan Narrative. Please note that SWI has adopted the City of Portland's "DBE/MWESB & Supplier Program Construction Plan". This document has been included as Exhibit No. 2 of which excerpts have been included herein. Exhibit No. 4 has been included to demonstrate efforts thus far in soliciting pricing for Package 1 advertised subcontracted scopes of work.

The contracting plan for the SW Moody Avenue Improvements was originally addressed in response to the City's RFP and is elaborated further herein. SWI has developed a detailed list of work scopes for the project and recommendations of self performed vs. subcontracting each scope. The plan considers the best interest of the project including: cost, schedule, quality, public outreach, and DBE participation.

SWI will use a combination of contracting means to ensure the project is getting the most competitive pricing available over the course of construction while minimizing any potential schedule impacts/delays. Each major component of subcontracted work is addressed. Major subcontracting components for Package 1 include: water main work, traffic signals and lighting, temporary systems, and private OHSU parking lot modifications. Sewer reconstruction work will be self performed by SWI in order to expedite the project schedule. Additionally, water main and temporary OCS work has been contracted through direct negotiations in order to expedite the project purchasing

*SW Moody Avenue Improvements Project*  
*Subcontractor and Supplier Outreach Plan – Executive Summary*

# **Stacy and Witbeck, Inc.**

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schedule. Package 2 subcontracting opportunities include: permanent systems, traffic signal installations, water main work, and asphalt paving.

Major permanent material supplier components are addressed as well. This includes low density cellular concrete, girder rail, embedded trackwork, rail isolation materials, elastomeric grout, other track materials, precast walls, concrete and aggregates.

## DBE AND M/W/ESB PLAN

Stacy and Witbeck, Inc. continues to set high aspirational goals for DBE participation, and to the SW Moody Avenue Improvements Project team will make all efforts to maximize the utilization of a diverse work force and DBE subcontracting firms from the local area. Since the SW Moody Avenue Improvements Project is relying heavily on federal funds, the federal DBE program is required on this project. Nonetheless, a high level of importance will be placed on the City of Portland's M/W/ESB program requirements as well. It is very likely that all of the DBE firms used on the project will be an M/W/ESB as well. After significant due diligence pursuing DBE contractors for a certain scope of work for which a DBE firm could not be found, an equal diligence will be used to find an M/W/ESB firm. This will ensure the intent of the plan is still met using historically underutilized businesses in the local contracting community as often as possible. SWI's aspirational goal for this project is 22%.

## WORKFORCE TRAINING & HIRING PLAN

Stacy and Witbeck, Inc. will adopt and implement the City of Portland Workforce Training & Hiring Plan for the SW Moody Avenue Improvements Project.

# Stacy and Witbeck, Inc.

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## SUBCONTRACTOR and SUPPLIER OUTREACH PLAN SW MOODY AVENUE IMPROVEMENTS TABLE OF CONTENTS

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2	City of Portland "Draft" DBE/MWESB & SUPPLIER PROGRAM CONSTRUCTION PLAN	23-Apr-09	11
3	Table of Contents from SWI Standard Bid Documents	27-Oct-10	1
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# Stacy and Witbeck, Inc.

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## Introduction

Stacy and Witbeck, Inc. (SWI) is submitting for review a combined Subcontractor and Supplier Outreach Plan as required of Pre-construction Services, Section B, Item 4 Deliverables and Schedule. This plan narrative will also address the Disadvantaged Business Enterprise (DBE) and Minority, Woman & Emerging Small Business (M/W/ESB) Plan. Since these topics are interlinked and many components are common to all, having all plans addressed in one document is more practical.

Both the Subcontractor and Supplier Outreach/Contracting Plan and the DBE and M/W/ESB Plan are intimately related to one another. These plans will be worked in conjunction to better optimize contracting with the DBE and M/W/ESB community; both plans feed off one another concurrently. The Subcontractor and Supplier Outreach/Contracting Plan is an overview of all contracting on the project including work in which SWI will self-perform and also includes many other major scopes of large identifiable areas of work. This plan identifies the contracting methods which are defined as Direct Negotiations, Limited Solicitations, Informal Solicitations, and Formal Solicitations or Requests for Proposal (RFP). These contracting methods are defined in greater detail below. The intent of the DBE and M/W/ESB Plan is to identify early on and ultimately maximize project-wide DBE and M/W/ESB opportunities.

## Subcontractor and Supplier Outreach/Contracting Plan

Work has been and will continue to be packaged in such a manner so as to facilitate a competitive bid environment whenever possible. For the most part these packages are grouped in trade specific packages. Specialized scopes of work will be procured through value-based or low bid type selection processes. These work scopes are identified in follow-on tables.

Definition of Subcontracting Methods as adopted from the draft DBE/MWESB & Supplier Program Construction Plan;

- *Direct Negotiations* - where the Estimated Package Value (EPV) is not greater than \$5,000 or where schedule constraints have precluded soliciting pricing from multiple subcontractors. Only one subcontractor will be solicited for these packages. SWI intends to write letters of exemption for water main and temporary OCS work in order to utilize direct negotiations.
- *Limited Solicitations* - where the Estimated Package Value is not greater than \$25,000. Only two subcontractors may be solicited for these packages. SWI will select eventual subcontractors for the overall best value.
- *Informal Solicitations* - where the Estimated Package Value is greater than \$25,000 and less than \$200,000. A minimum of three subcontractors will be

# Stacy and Witbeck, Inc.

GENERAL ENGINEERING CONTRACTORS

solicited for these packages. SWI will select eventual subcontractors for the overall best value.

- *Formal Solicitations* - where the Estimated Package Value is greater than \$200,000. These packages will be advertised for open solicitation and be required to meet the project DBE requirements. SWI will select eventual subcontractors for the overall best value.
- *Self-Perform* – SWI will propose a cost for the work. Competitive pricing will be derived from SWI historical construction estimate information, Owner's Representative historical records, industry guidelines and fixed price quotations from potential subcontractors, and material vendors and suppliers. This will be a forward priced open book cost estimate proposal.

SWI intends to self-perform many parts of the work. This includes, but not limited to:

1. All tangent track work and concrete track way.
2. Installation of special track work including turnouts, crosses and pre-curved rail.
3. Nearly all of the cast-in-place concrete flatwork, curb, gutter, driveways, station platforms, traffic signals and lighting pole and OCS pole foundations. To meet the aspirational goal, DBE firms will be used as needed.
4. PCC pavement placement.
5. General excavation and disposal of both contaminated and noncontaminated materials.
6. Near-surface storm sewers, inlets, manholes and track drains as they relate to concrete track way construction.
7. Ductbank, conduit and vault excavation and backfill.
8. The management of a DBE electrical subcontractor to complete the temporary OCS work.

The list of self-performed work activities is subject to change in whole or part pending potential DBE and M/W/ESB utilization and/or a mutual agreement with the City of Portland to solicit pricing for a particular portion of the work. Due to schedule implications, and available in house systems knowledge, SWI intends to enter direct negotiations with a DBE electrical subcontractor to complete the temporary OCS work. Not only will this allow for early procurement of OCS hardware, but it will create an opportunity to further develop the capacity of a local DBE firm.

Exhibit No. 4 has been included to demonstrate the subcontractors contacted who have expressed interest in bidding the indicated bid package.



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## Package 2 Subcontracts

Furnish and Place Low Density Cellular Concrete, Permanent Systems, and Traffic Signals and Lighting subcontractor bidding pools will bid IFC documents likely available sometime in late December 2010 or early January 2011.

## Permanent Material Procurement

The following table takes a quick look at major permanent material items.

Table No. 1 – Major Areas of Permanent Material Procurement by SWI

s/n	Permanent Material Description	No. of Potential Suppliers	Received Quotes From
1	Low Density Cellular Concrete	1	-
2	112PDX Girder Rail	1	-
3	Special Trackwork	5	-
4	Concrete	5	-
5	Rail Stray Current Isolation Materials & Plastic Gauge Ties	2	-
6	Elastomeric Grout	2	-
7	Aggregates	8	-

In summary, both the table above and Exhibit No. 4 show the level of effort put forth by SWI to maintain competitive pricing on the City's behalf. This effort will continue through Package 2 Estimating phase.

## DBE and M/W/ESB Plan

SWI recognizes the importance of diversity in the work place to both the City of Portland and other valued stakeholders. With the inclusion of federal funds for a large portion of the SW Moody Avenue Improvements Project funding, the FTA requires compliance with their DBE Program. SWI is extremely familiar with this DBE program. At a minimum, SWI will take all necessary and reasonable steps to ensure DBE goals are maximized through existing and future partnerships. There will be a strong commitment to have the DBE contracting community perform more than the 22% goal of overall contract value. Continued community outreach will run through the life of the project.

SWI has successfully implemented DBE Plans which have been demonstrated successfully on past projects.

The Program will address the following:

- Management Plan to Oversee DBE and M/W/ESB Plan Implementation

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- DBE and M/W/ESB Outreach
- Tabular Summary of Anticipated DBE and M/W/ESB Opportunities
- DBE and M/W/ESB Reporting Requirements

## DBE and M/W/ESB Management and Outreach

Faye Burch of F M Burch & Associates, Inc. has been contracted to provide primary assistance to manage the implementation of the DBE Plan. SWI has designated Ms. Burch as the DBE Coordinator. DBE firms have already been solicited regarding subcontracting opportunities by SWI, and F M Burch & Associates. A project-specific advertising example of outreach for specific scopes of work is attached as Exhibit No. 5.

When needed, the DBE Coordinator will also serve in a support type role to DBE subcontractors along with support from the project team. An additional support resource exists through the City of Portland Bureau of Purchases – Contract Compliance Specialist and TriMet. SWI understands that a City of Portland or TriMet designated independent technical assistance provider can be called upon. The aforementioned support may include:

- Scope review and clarification
- Assist in generation and submitting of Certified Payroll
- Staffing assistance
- Pre-bid questions and answers
- Insurance and bonding requirements
- Prompt payment arrangements in accordance with City of Portland requirements of up to bi-monthly
- Equipment sourcing
- Other reporting obligations as needed by the City of Portland and SWI.

SWI has a long standing history of working with DBE firms on projects. Work in this endeavor will continue. Financial assistance in the form of weekly payments and accelerated mobilization payments can be offered when necessary. Technical and managerial support can also be offered when necessary. Many past small construction firms have been mentored and SWI will strive to do so going forward.

A reasonable amount of diligence will be put forth in determining if a DBE is non-qualified to perform a certain scope of work. The DBE coordinator will lead this effort with support from the project's managerial and technical staff.

Workshops will be offered to provide guidance and assistance in navigating initial sign-up paperwork and monthly reporting requirements. Based off the support SWI is willing to provide, this will encourage DBE firms to apply.

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Another role of the DBE coordinator is to schedule monthly project meetings with the City of Portland and the Owner's Representative DBE coordinator for providing updates on DBE activities.

## Anticipated DBE and M/W/ESB Opportunities

The following is a general list of DBE and M/W/ESB opportunities for contracting directly with SWI for the construction of the SW Moody Avenue Improvements Project. This listing below is not meant to be all encompassing at this time. Major identifiable areas of work are listed below. The areas of work are subject to change over the course of the project:

- QA/QC Services and Testing
- Drop Boxes and Debris Removal
- Landscaping
- Concrete Flatwork
- Traffic and Other Misc. Signage
- Trucking and Aggregate Placement
- Temporary OCS.
- Ductbank Installation
- Excavation and Backfill
- Janitorial Services
- Final Cleaning Services
- AC Paving and Grinding
- Pre-Construction Survey
- Office, Safety and Construction Supplies
- Traffic Control
- Electrical

The above list is not all inclusive, but rather a summary of scope easily available for competitive pricing and DBE and/or M/W/ESB firms. Exhibit No. 3 has been included to further elaborate existing DBE contracting capacity and potential DBE capacity.

Future DBE and M/W/ESB subcontractors and suppliers will be sought by using the State of Oregon DBE certification List, TriMet's online DBE Directory, Oregon Association of Minority Entrepreneurs (OAME), Native American Chamber, Hispanic Chamber of Commerce and Asian Pacific Chamber. Exhibit No. 5 contains an actual advertisement which was published in periodicals soliciting subcontractor quotes. The DBE Coordinator will also look outside these organizations to develop new DBE enterprises as part of the project's outreach efforts. SWI will assist DBE firms through informal mentoring relationships. Such assistance provides a vital service that can create and expand DBE involvement. Currently, SWI is using in house systems knowledge to assist an electrical contractor on the installation of the temporary OCS installation.

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As the work progresses, additional smaller scopes of work will be identified in which all efforts will be made to utilize DBE and/or M/W/ESB contractors. Division of work will be reviewed and packaged creatively to:

- Match existing pool within the local DBE and M/W/ESB community.
- Make the best of DBE and M/W/ESB opportunities.
- Fit financial and bonding limitation with existing DBE and M/W/ESB contractors.
- Investigate expansion of DBE and M/W/ESB contractor breadth of work.
- Create DBE and M/W/ESB Prime Contractor Opportunities.
- Day long workshops to discuss estimating, bonding, reporting requirements and contract close-out.
- Encourage like company joint ventures to tackle common scope bid packages which may be out of reach in bonding capacity for one or both joint venture partners.
- Hour long "brown bags" to discuss project specific items like understanding the bidding process, reporting, safety, quality, RFI writing, correspondence, surveying and plan/specification reading.

DBE and M/W/ESB support services as provided by SWI and the DBE coordinator will assist large value subcontractors in exceeding the minimum requirements whenever possible.

The following scopes of work have been identified for which SWI will diligently try and use DBE and/or M/W/ESB firms. Note that some of these scopes of work are not typically DBE or M/W/ESB scopes of work. SWI feels that there may be some new opportunities here, as follows:

- Temporary OCS. SWI intends to mentor a DBE electrical subcontractor with its in house knowledge of systems work.
- Roadway Concrete and Asphalt saw cutting. SWI is in the process of mentoring a DBE saw cutting subcontractor on the Portland Streetcar Loop Project.
- "Open for Business" signage and any other temporary construction related signage.
- Amenity placement on the sidewalk adjacent to the track alignment. Amenities include streetcar stop shelters, trash receptacles and signage.
- Crane services on the project for unloading special trackwork from open top ocean freight shipping containers, assisting in the erection project sponsored artwork, and as part of the Maintenance Facility Expansion construction.
- Long haul trucking services for full truck load permanent materials for items like girder rail, stray current isolation rubber boot, plastic gauge ties, elastomeric grout and potentially many more items shipped great distances.
- Environmental remediation and abatement of unknown contaminated media during excavation for water and sewer lines and excavation for track slab.

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- Structural steel welding and rail stick welding services.
- AutoCad drafting services.
- Professional engineering services.
- Professional staffing opportunities for document control services.

## **DBE and M/W/ESB Reporting Requirements**

All contacts with DBE and M/W/ESB firms and/or prospective DBE and M/W/ESB firms will be documented. A project-specific example of this documentation is attached as Exhibit No.9.

All contacts with DBE and M/W/ESB contractors are documented and can be reviewed upon request. SWI will maintain an open-book policy in terms of DBE and M/W/ESB reporting and support documentation. All DBE and M/W/ESB subcontractor agreements entered into with SWI contain DBE or M/W/ESB name, address, total contract dollar amount including approved change orders, documentation of payments and reporting supplied by the DBE and/or M/W/ESB firm.

SWI understands the criticality of the reporting efforts and the prompt payments to the DBE and/or M/W/ESB subcontractor. SWI also understands that DBE and M/W/ESB dollars can not be credited towards the prime contractor's DBE goals until progress payments, including any retainage held by the joint venture, has been paid to the DBE or M/W/ESB firm.

# **DISADVANTAGED BUSINESS ENTERPRISE, MINORITY, WOMEN, AND EMERGING SMALL BUSINESS & SUPPLIER & WORKFORCE PROGRAM CONSTRUCTION PLANS**

## **I. Program Goal**

The objective of Stacy and Witbeck, Inc.'s (SWI) DBE/MWESB Program Construction Plan on the SW Moody Avenue Improvements Project is to maximize the utilization of DBE Contractor's and Suppliers with a secondary emphasis of utilizing MWESB's subcontractors wherever possible to promote their economic growth and to increase competition for City of Portland construction contracts. The goal is to accomplish this objective while ensuring that the Project meets schedule, budget, and quality requirements. Throughout this plan the reference to DBE/MWESB means that DBE is the primary objective and M/W/ESB is secondary as indicated above. SWI and their subcontractors at all tiers make a firm commitment of 22% DBE utilization on this project. SWI and their subcontractors at all tiers make a firm commitment of 15% diversity for minority and female.

To ensure that agreed upon goals and aspirations are met, and to assist in the implementation and monitoring. SWI has designated Faye Burch of FM Burch & Associates as the DBE/MWESB Outreach Program Consultant. FM Burch & Associates will assist SWI in the preparation of subcontractor procurement procedures, the DBE/MWESB & Supplier Program Construction Plan, and in initiating DBE/MWESB outreach during the pre-construction services phase. FM Burch & Associates is DBE/MWESB certified, and has extensive experience and expertise in developing and implementing participation programs for minorities and women in the Oregon construction industry. SWI will retain FM Burch & Associates to provide guidance in creating and assuring maximum DBE utilization during the life of the Project.

The procurement of subcontractors for the Project will consist of an open, fair and competitive subcontractor solicitation process, incorporating both SWI and the City's commitment to the utilization of DBE/MWESB. SWI will use both the "Informal" and "Formal" calls for bid to bring about the utilization of these subcontractors.

The process, as a minimum, will include timely notification of solicitation requests; availability of and easy access to plans and specifications; identification of subcontracting work feasible for DBE/MWESB solicitation; identification of DBE/MWESB subcontractors by work categories; facilitating the interest of these subcontractors on the Project; directing prospective bidders to interested DBE/MWESB subcontractors; and evaluating bid proposals for compliance with the City's solicitation requirements.

In addition to subcontracting, SWI will identify materials and supplies needed for the work of the Project and solicit the interest of DBE/MWESB material suppliers and manufacturers in bidding the work.

## **II. Criteria for Identifying and Packaging DBE/MWESB Subcontracting Opportunities**

The following criteria will be used in creating construction packages for the DBE subcontractors.

- Work normally subcontracted
- Risk compatible with critical path work

- Available DBE/MWESB subcontractors
- Informal packages under \$200,000
- Formal packages above \$200,000

SWI, in collaboration with the City Contract Compliance Specialist, will review all subcontract project packages against these criteria to ensure maximum opportunities are brought forward while mitigating risk, cost and schedule impacts. SWI will prepare a DBE/MWESB Construction Package for each package identified for DBE/MWESB solicitation. This information will be utilized for outreach coordination and solicitation purposes. All solicitations will at a minimum comply with the DBE/MWESB & Supplier Plan requirements.

### **III. EEO Certification**

All bidders and proposers must be currently certified as an Equal Employment Opportunity (EEO) Affirmative Action Employer. SWI is current in it's certification and will require all subcontractors to be EEO certified prior to start date and time of bid opening or it could result in a delay in the awarding of a contract.

### **IV. Solicitation Prioritization**

To assure utilization of DBE and MWESB subcontractors in the work of the Project, solicitation for all informal project packages will be prioritized as follows:

1. DBE subcontractor availability
2. MWESB subcontractor availability

### **V. Identified Bidding Opportunities**

SWI has identified the following potential subcontract work, much of which will be used for DBE contract opportunities in project packages to meet the established DBE target amount for the Project:

Asphalt Paving/ Saw Cutting	Compaction Testing	Contaminated Media Disposal
Drop Boxes	Electrical Services	Erosion Control
Janitorial Services	Landscape Restoration	Reinforcement Installation
Reinforcement Installation	Removal of Slurry / Tanks	Rock Supply
Security Services	Sewer Testing	Shaft Backfill
Site Fencing	Stack Manholes	Street Sweeping
Striping	Surveying	Traffic Control
Trucking	Utility Relocates	Abatement
Archeology & Historical Consulting	Concrete Paving	Concrete Supply
Concrete Saw-cutting	Delivery of Rock/ Backfill Material	Disposal of Trench Spoils
Diving Services/ Consultants	Drafting/ CAD Services	Engineering Services
Environmental	Excavation Services	Fire Alarm Services
Flagging	Geotechnical Exploration	Geotechnical Instrumentation
Geotechnical Monitoring	Grouting Services	HVAC Services

Medical Services	Mobile Welding	Plumbing Services
Pothole/ Hydro-excavating Utilities	Recycling	Scaffolding
Signage	Utility Locating Services	Equipment Rental
Waterproofing	Wire Rope	

Having already identified likely subcontracting opportunities, DBE/MWESB outreach will start during the pre-construction phase to provide advance notice to DBE's. SWI will contact all certified firms by email and/or fax notifying them of the anticipated work available on the Project. Information will be posted on the SWI and City of Portland, Procurement websites to facilitate ascertaining the interest of DBE's in the work of the Project. The advance notice will also be sent to key trade and business organizations that promote utilization of minorities and women in public works and DBE's. Outreach will continue during the life of the Project and will be tailored to specific opportunities made available in project packages. Continued outreach will minimize the risk of overlooking DBE/MWESB's with an interest in the Project.

#### **VI. DBE Awards Target**

SWI commits and aspires to achieve, as a minimum, \$5,000,000.00. in subcontract awards to DBE firms on the Project. Accordingly, SWI will take all reasonable steps to accomplish the target amount.

#### **VII. Procurement Methods**

SWI will procure all subcontractors in the construction of the Project using the following methods:

1. Direct Negotiations, project packages \$5,000 or less
2. Limited Solicitations, project packages \$25,000 or less
3. Informal Solicitations, project packages not greater than \$200,000
4. Formal Solicitations, project packages greater than \$200,000

#### **VIII. Informal Bid Methods**

1. Direct Negotiation - where the Estimated Package Value (EPV) is not greater than \$5,000  
Project packages at this level will be negotiated directly with a subcontractor. This procurement process may be appropriately used for limited construction support services. Only one subcontractor need be solicited in this category and contract award may occur provided the bid amount is less than \$5,000 and other bid requirements are properly met.
2. Limited Solicitation - where the EPV is not greater than \$25,000  
Project packages at this level will be limited to subcontractor competition. This procurement process may be appropriately used for limited construction support services. Only two subcontractors need be solicited in this category and contract award may occur provided the bid amount is less than \$25,000 and other bid requirements are properly met.
3. Informal Solicitation - where the EPV is greater than \$25,000 and less than \$200,000  
Project packages at this level will not be advertised; however, solicitation will target a



minimum of three DBE/MWESB subcontractors indicating interest in bidding the package. If no bids are received, the project package will bid to the open market.

## **IX. Formal Bid Method**

### Formal Open Solicitation/DBE Requirements - Required - where the EPV is greater than \$200,000

Project packages at this level will, as a minimum, be advertised in the *Daily Journal of Commerce*, *El Hispanic News*, *The Skanner*, *The Portland Observer*, *The Asian Reporter*, other DBE/MWESB publications and will be made available for posting on the City's Bureau of Purchases web page. Posting information will be provided to the City Contract Compliance Specialist. These packages will be subject to the City's DBE/MWESB requirements regardless of subcontracting tier.

SWI will engage in DBE/MWESB Requirements on all packages having an EPV greater than \$200,000 and will require all subcontractors submitting a quote or a proposal to perform work in the package, regardless of tier, to meet the DBE/MWESB Program requirements.

## **X. Formal Qualification/Price Based Method**

### Request for Proposal (RFP) - where the work involved requires specialized knowledge, skill, experience and expertise

Project packages that require special professional skills, knowledge, experience and expertise not included in the City's pre-qualification work classifications will be solicited through this method. RFP's will, at a minimum, be advertised in the *Daily Journal of Commerce*, *El Hispanic News*, *The Skanner*, *The Portland Observer*, *The Asian Reporter*, other DBE publications and will be made available for posting on the City's Procurement Services website. Posting information will be provided to the City Contract Compliance Specialist. These packages will be subject to the City's GFE requirements regardless of subcontracting tier.

SWI will engage in DBE/MWESB Requirements on all packages having an EPV greater than \$200,000 and will require all subcontractors submitting a quote or a proposal to perform work in the package, regardless of tier, to meet the DBE/MWESB program requirements. RFP's may require of proposing subcontractors, when deemed to be appropriate, responses to the following:

- a. Describe your company's policy and practice for contracting with DBE/MWESB's and include your success by identifying the number of individual DBE/MWESB's contracted, the dollar amount contracted and amount paid to DBE/MWESB's over the past three years. List the name, nature of work, and subcontract dollar amount of each DBE/MWESB subcontractor for the cited projects.
- b. Describe successes that occurred through DBE/MWESB utilization, problems experienced by these subcontractors and solutions adopted and implemented during the life of the project.

- c. Describe objectives for increasing DBE/MWESB subcontracting capacity in the work of the project, including an estimate of the dollar volume of DBE/MWESB utilization you will aspire to achieve and your rationale for the estimate.
- d. Describe your company's hiring policy and practice for hiring, retaining and advancing minorities and women in your workforce. Include your company's current workforce composition by ethnic/gender breakdown and work classifications.
- e. Describe your company's policy and practice for achieving diversity in contracting through your subcontractors.
- f. Identify staff and describe the role of your company's personnel responsible for MWESB outreach and diversity in hiring.

#### **XI. Pre-Bid Meetings**

SWI will conduct pre-bid meetings for all project packages with an estimated value greater than \$25,000. The purpose of the meetings is to provide clarity to bid specifications, encourage bidders to submit proposals, and to reiterate the importance of SWI's commitment to and expectations for DBE/MWESB utilization. DBE/MWESB requirements will be emphasized beginning with bids and throughout the life of the project. SWI will coordinate meetings with the City Contract Compliance Specialist required to attend all Pre-bids.

#### **XII. DBE/MWESB Program Parameters**

All project packages identified with DBE/MWESB opportunities will be subject to the contract provisions approved for the DBE/MWESB Plan participation requirements for the Project.

#### **XIII. DBE/MWESB Subcontractor Outreach/Solicitation**

SWI will identify all construction packages for which DBE subcontractors may be available in sufficient numbers to competitively bid as the primary objective of this project, with a secondary emphasis of utilizing MWESB's subcontractors wherever possible. To avoid confusion on the part of subcontractors submitting quotes at or below the second tier, will be available to provide outreach services to DBE/MWESB's subcontractors as detailed below.

#### **XIV. Outreach/Solicitation Procedures**

- a. Construction Package: Prior to solicitation, SWI will prepare an DBE/MWESB Construction Package for all project packages with an EPV greater than \$25,000 and less than \$200,000. SWI will prepare an Outreach Letter of Inquiry containing information on the package. This letter will be sent to all DBE/MWESB subcontractors that are pre-qualified at a dollar value equal to or greater than the EPV.

- b. Pre-Qualification/Certification: In the event less than three DBE subcontractors within the designated pre-qualification classification respond as having interest in bidding the package, SWI will then proceed to send the Outreach Letter of Inquiry to certified DBE/MWESB subcontractors falling within the appropriate commodity code best describing the work contained in the package. Letters will be sent until a total of three (combined DBE's and MWESB's) have responded as having interest in bidding the package. SWI will expand the outreach efforts to open market subcontractors, if and only if, less than three subcontractors from the DBE and MWESB ranks have responded as having interest in bidding the package. DBE contractors will be supplied by Tri-Met and M/W/ESB prequalified contractors will be supplied by the City.
- cB Subcontracts to be Awarded by SWI: SWI will list the names, addresses, etc. of those subcontractors having indicated interest in bidding the package. SWI will in turn mail a bid proposal packet to those interested subcontractors and/or make it available for pick-up. The bid proposal packet will include a package number, BOLI Requirements (where appropriate), bid date and time, bid submittal address, EPV, Estimated Notice to Proceed date (ENTP), etc.
- d. Subcontracts to be Awarded by First Tier or Lower Tier Subcontractor and Suppliers: All Tier Subcontractors will conduct outreach as outlined above and the results of the efforts, i.e. the names, addresses, etc. of interested subcontractors will be transmitted to SWI and the plan holders in which the DBE/MWESB project package(s) appear so as to enable them to solicit quotes from those identified interested DBE/MWESB subcontractors prior to the bid date of the project package in which the DBE/MWESB package(s) appear. In the event the package falls under the overall work scope of a first tier or lower subcontractor, SWI will direct in its larger Project solicitation that the DBE/MWESB packages be solicited consistent with these procedures.
- eB Packages with an EPV Greater Than \$200,000: Any package, division of work and/or work element having an EPV greater than \$200,000, regardless of subcontracting tier will be solicited from open market subcontractors. Subcontractors bidding on any package, division of work and/or work element having an EPV greater than \$200,000, regardless of subcontracting tier, will be required to meet the DBE/MWESB & Supplier Construction Plan program requirements and including the submission of all required forms. SWI will require all subcontractors, regardless of tier, either bidding or quoting work on the Project for a dollar amount greater than \$200,000 to engage DBE/MWESB requirements toward utilizing DBE/MWESB subcontractors on the work being bid or quoted. SWI will deem bid proposals not meeting this requirement to be non-responsive.
- f. Bidder Assistance: SWI will be available to assist prospective bidders in DBE/MWESB outreach/solicitation services on project packages with an EPV greater than \$200,000.
- g. Package Advertisement: SWI will ensure the package is advertised in:
- o *Daily Journal of Commerce (DJC)*,
  - o *El Hispanic News*
  - o *The Skanner*
  - o *The Portland Observer*
- The ad will also be made available to:
- o The City's Procurement Services for posting on the web page

- Oregon Association of Minority Entrepreneurs (OAME)
- National Utility Contractors Association (NUCA)
- Associated General Contractors (AGC)
- National Association of Minority Contractors Oregon (NAMCO)

- h. **Project Bid Specifications:** Before bids are released, the City Contract Compliance Specialist will be provided with one copy of the Project specifications and a copy of each project package anticipated to bid, regardless of size, scope or procurement method used. All DBE Forms will be submitted, Letter of Intent to Award and any other required forms to both TriMet and the City.
- i. **Reporting Requirements:** All subcontractors, regardless of tier, that have lower tiered subcontractor(s) and suppliers will be required to submit a Monthly Subcontractor Payment and Utilization Report (Form 3) and can expect to be paid according to accelerated payment requirements, which is twice monthly.

Outreach services provided by SWI will ensure timely, consistent outreach; timely notification to soliciting subcontractors of interested DBE/MWESB subcontractors; and reduce or eliminate inconsistent outreach efforts.

## **XV. Accelerated Payment**

All contracts are subject to the requirements of Section 195.50 and 195.51, Progress Payments, Retained Amounts, and Mid-Month Payments of the City of Portland's Standard Construction Specifications, which requires twice-monthly payment to primes and subcontractors. These provisions are mandatory on all contracts of the Project at any tier.

## **XVI. Outreach Components/Utilization Strategies**

- a. **Subcontracting Opportunities Forum**  
During the pre-construction services phase, SWI will conduct outreach conferences apprising the construction industry and DBE/MWESB subcontractors of the subcontracting procurement process and approach to DBE/MWESB utilization. The conferences will include information on future bidding opportunities by description of work, anticipated solicitation dates, and divisions of work identified for DBE/MWESB and local subcontractor participation. Conference attendees will be informed of the resources that will be available to them during the bidding and construction phases. These events will also provide a networking forum for prospective contract participants. Major and/or specialty subcontractors anticipating bidding on project packages will be invited to attend.
- b. **Voluntary DBE/MWESB Project Outreach Meeting**  
During the construction phase, voluntary pre-bid meetings will be conducted on Project packages where work has been identified for DBE/MWESB participation to assure prospective bidders/subcontractors have an understanding of the solicitation requirements. At the meeting, bidders will receive information and instructions and will be offered assistance in conducting effective solicitation steps to obtain DBE/MWESB participation. Prime Contractor is required

to notify the City of Portland, Contract Compliance prior to the meeting being held.

c. Project Notifications

DBE/MWESB firms will be provided ample notification of contract opportunities via mail, email, fax, and phone, through the City Procurement Services electronic resources, and through minority/women trade associations and general publications. Ads will be placed in *El Hispanic News*, *The Skanner* and *The Portland Observer*. The notifications will inform prospective subcontractors of the type of work, bid date, availability of plans and specifications and technical assistance.

d. Plans and Specifications

Plans and specifications will be available at the local plan centers, such as (but not limited to): *Daily Journal of Commerce*, OAME Plan Center, MCIP and Ford Graphics. SWI will also maintain five (5) full sets of plans and specifications for project packages for review at the OAME Plan Center by DBE/MWESB firms. Plans and specifications will be distributed and shipped directly to potential subcontractors based on the area they are bidding in hard copy, and/or electronically.

e. SWI Assisted Purchasing

To level the playing field, in partnership with the City, SWI may negotiate pricing and secure a single material supplier or group of suppliers for eligible participants on particular aspects of the Project to decrease or eliminate material pricing as a factor in the award of contracts to DBE/MWESB firms. Many of these firms are small and do not have the purchasing power or ability to negotiate the best unit prices from major suppliers, and thus are less competitive.

fB Equitable Opportunities Packaging

To create opportunities for the utilization of firms that typically may not benefit from DBE/MWESB opportunities, SWI will take steps to offer project packages for DBE/MWESB's to compete against firms of similar size and circumstances. Only those firms that are certified and have limited gross receipts over a fixed period of time will be invited to compete for designated projects. For example, to increase the utilization of small MWESB firms on incidental project work such as flagging, trucking/hauling, landscaping, or cleanup, bid specifications could require that the work be competitively solicited from firms that meet the equitable opportunities eligibility requirements, which take into account the market disparity within the MWESB marketplace. A specific type and dollar amount of DBE/MWESB participation will be pre-established for participation under this utilization strategy on a project-by-project basis.

g. Unit Price Project Packaging

In collaboration with the City, SWI will look for opportunities to contract with DBE/MWESB's in business areas that are difficult to realize a profit. Assuring genuine economic opportunities through project packaging is essentially the objective of the DBE/MWESB & Supplier Construction Plan. In recognition that some segments of the DBE/MWESB contracting pool that service the construction industry are minimally able to access opportunities and/or realize a meaningful profit, SWI will take steps to build project packages that provide reasonable assurance of access and profitable performance. For example, flagging and trucking DBE/MWESB companies are often small and not diversified. These companies are faced with the dilemma of offering unit prices that are not commercially useful. Eventually they will go out of business and are replaced by other companies that repeat the cycle. To remedy this, SWI may establish unit price project packaging for trucking and flagging through which a pool of

DBEMWESB's can profitably perform.

#### **XVII. Technical/Business Assistance**

SWI will offer and provide the following technical assistance services to all DBE/MWESB subcontractors awarded a contract on the Project regardless of subcontracting tier:

- a. Establishing a schedule of values for the package to be performed.
- b. Cash flow projections required for successful performance of the package.
- c. Advance on progress payments consistent with the City's Accelerated Payment provisions, i.e. bi-monthly payments.
- d. Payment advance superseding the advance on progress payment provisions in those instances where prudent and appropriate to facilitate successful participation of first tier DBE/MWESB subcontractors.
- e. Establishing projected measurable capacity building elements (e.g. additional equipment, expanded expertise, improved production efficiency, etc.) anticipated as a result of participating in the capacity building component of this DBE/MWESB & Supplier Construction Plan.

#### **XVIII. Pre/Post Contract Award Monitoring**

SWI will comply fully with the provisions of the Subcontracting Procurement Memorandum in the solicitation and award of subcontracts during the life of the Project. Prior to each solicitation, SWI will allow the City Contract Compliance Specialist access to all bid proposal packages for review and comment. After solicitation but prior to subcontract award, SWI will submit all bid proposal results, responses to RFP's, and other supporting documentation to the City Contract Compliance Specialist for review purposes to monitor compliance with established procurement procedures.

SWI will establish and maintain contact with all participating DBE/MWESB subcontractors, regardless of tier, to monitor and coordinate efforts to prevent problems from arising and/or solve those that have arisen, which are or may contribute toward unsuccessful performance by the affected subcontractor(s). Information regarding such matters will be submitted with the Monthly Subcontractor Payment and Utilization Reports (Form 3) under separate cover to the City Contract Compliance Specialist.

#### **XIX. DBE/MWESB Replacement Policy and Procedure**

While affording maximum opportunities for DBE/MWESB subcontractors to participate on the Project, it is imperative that the overall Project production schedules be maintained. Any DBE/MWESB subcontractor on the Project deemed to warrant replacement will be terminated in accordance with the relevant contract provisions as set forth in the DBE/MWESB Bid Specifications or Plan requirements. The basis for termination will be one or more of the following with supportive documentation:

1. Inability of the company to perform the work as required

2. Refusal of the company to perform the work as required
3. Mutual agreement in writing from SWI and the company not to perform the work due to reasons beyond the control or influence of SWI

The successful bidder, regardless of tier, will not be permitted to substitute a DBE/MWESB subcontractor without the consent of SWI and Chief Procurement Officer. A DBE/MWESB is considered substituted or replaced when any portion of the work identified in Form 1 of the DBE/MWESB Requirements is performed with the resources of any firm other than the DBE/MWESB. Resources include supplying the labor, supervision, material, equipment, technical and management expertise to perform the DBE/MWESB's work.

If any subcontractor is added or replaced after the bid is submitted, the successful bidder shall make good faith efforts to contract with a DBE/MWESB for the work to be performed by that subcontractor. Documentation of these efforts is required, and must be submitted to City Contract Compliance Specialist regardless of tier.

SWI will not terminate any first tier DBE/MWESB companies on the Project without adhering to the criteria set forth in this Plan. Prior to termination, SWI will notify the City Contract Compliance Specialist in a written statement of the decision and the basis upon which the DBE/MWESB is being terminated. In so doing, SWI will seek the advice and consent of the City Contract Compliance Specialist to avoid termination if possible of DBE/MWESB contracted to perform on the Project. Prime Contractor shall not replace any DBE/MWESB subcontractor without the prior written consent of TriMet and the City Chief Procurement Officer.

## **XX. Documentation, Reporting and Program Evaluation**

### **NB Documentation**

During the life of the Project, SWI will document information regarding the implementation of the DBE & Supplier Program Construction Plan. Information to be documented includes all aspects of the program including but not limited to:

- The creation of DBE packages;
- DBE results;
- Inquiries of DBE interest in bidding, bid amounts, and contract awards;
- Level of performance;
- Subcontractor payments;
- Subcontractor replacement requests/decisions;
- Technical assistance requested/provided and/or referred to the City's technical assistance provider;
- Problems and successes experienced; and
- Capacity building results.

Required documentation of the DBE/MWESB & Supplier Construction Plan produced and maintained by SWI will be available for the City to audit. SWI will allow the City access to all DBE/MWESB & Supplier Construction Plan components for preliminary review to assure all systems are operating satisfactorily.

### **NB Development/Maintenance of Database**

SWI will create a excel spreadsheet designed to capture and maintain data associated with the

implementation and operation of the DBE/MWESB & Supplier Construction Plan. The Excel spreadsheet reports reflecting data from all subcontracting tiers and supplier and have the capacity for data input/reporting on other City projects to be interfaced in the future. The database will be designed to capture all critical data elements at all subcontracting tiers/supplier necessary to both qualitatively and quantitatively measure and evaluate the success of the DBE/MWESB & Supplier Construction Plan. Though by no means exhaustive, the database will include the activities cited in the documentation section above, and DBE and MWESB bidders, certification status, bid amounts, award amounts, notice to proceed dates, change orders, and progress payments.(See Sample Reports Attached). A monthly report will be delivered electronically via email to the City Contract Compliance Specialist. Quarterly reporting of updates will be submitted regarding all parts of this spreadsheet.

c. Monthly Reports

SWI and all tier subcontractors working on the Project having a lower tiered subcontractor will prepare a Monthly Subcontractor Payment and Utilization Report. SWI will prepare two copies of these reports and submit them electronically via email to Compliance Specialist by the 15<sup>th</sup> of each month. Within 15 days of submitting its monthly report SWI will update the excel spreadsheet program by entering data from all Form 3's and other pertinent data to be submitted electronically to the City's Compliance Specialist prior to Monthly Meetings.

## **XXI. Required Procurement Documents**

- DBE Program Requirements including all related forms
- Specification Copies per Solicitation
- Upcoming List of Bids for Solicitation, Pre-bid Dates
- City of Portland Workforce Training and Hiring Program Specs including all related forms
- Electronic Spreadsheet of DBE/MWESB Awards/Quarterly Reporting of Subcontract Awards, Material & Major Expenditures and Supplier Purchases
- Presentations of Overall Project Progress to NAMC and OAME is expected quarterly, desired Charts, graphs.



## **WORKFORCE TRAINING & HIRING PLAN**

Stacy and Witbeck, Inc.'s (SWI) objective on the SW Moody Avenue Improvements Project will be to fully comply with the City of Portland (City) Workforce Training & Hiring Program Requirements. The content of this plan describes how SWI will not only comply, but will endeavor to enhance results consistent with City workforce objectives in constructing the Project.

The recruitment and retention of apprentices to comply with the contract provisions requiring 20% apprentice hours by trade, and the composition of a project workforce that reflects the diversity of the City of Portland and Multnomah County, will be accomplished by working with the City Contract Compliance Specialist, construction industry, minority and women trade associations, and community organizations.

### **I. PROGRAM GOAL**

The purpose of the Workforce Training & Hiring Program is to build a diverse construction workforce that includes minorities and women in the construction trades, and to help them progress through the trades from trainee (apprentice) to journey worker. These participants are to be afforded the same opportunities, such as standardized training or wage and benefits packages, as any other trainee or apprentice participating in the contractor's workforce.

The Project provides excellent training opportunities to accomplish hiring and training objectives. The expectations for the Project are to not only recruit and train, but to retain and graduate. In many cases, the size, duration and location of the work may be ideal for an apprentice to begin or complete his/her apprenticeship program on the Project. Major subcontractor project packages may allow for substantial completion of apprenticeship as well. This is possible because of the project duration and continuity of work. The construction will last well over one year and most of the work will be underground and not be affected by weather conditions or work stoppage. Workers will have an opportunity for steady employment.

SWI will comply with the workforce requirements on all project work that it self performs and will meet or exceed the 20% apprentice work hours and the workforce diversity requirements. Work performed by all subcontractors with a contract value of \$100,000 or more will be subject to the requirements of this plan, and will be monitored for compliance. SWI will work with union and non-union subcontractors alike to assure compliance with the City program requirements and apprenticeship standards.

### **II. EEO CERTIFICATION**

SWI is certified as an Equal Employment Opportunity (EEO) Affirmative Action Employer by the City, and will require all subcontractors awarded work on the Project to be EEO certified before contract award and performing any work on the Project.

### **III. CONTRACTOR SELF-PERFORMED WORK**

- a. Hiring Needs - Within 15 calendar days of contract award, SWI will complete and submit to the City Contract Compliance Specialist a Projected Hiring Needs Form (Exhibit 2) for work in the project that it will self-perform.
- b. Registered Training Agent - Prior to beginning on-site work SWI will submit proof of registration as a Training Agent with the Bureau of Labor & Industry (BOLI) Apprenticeship & Training Division and with the City Contract Compliance Specialist.
- c. Placement - SWI will notify the City Contract Compliance Specialist when an apprentice is hired and submit proof.
- d. Apprenticeship Compliance - SWI will ensure that a minimum of 20% labor hours in each apprenticed trade on work self-performed by SWI and subcontractors on packages of \$100,000 or more are worked by state-registered apprentices.
- e. Diversity Workforce Compliance - SWI will make all reasonable and necessary efforts to employ a workforce on work that it self-performs that reflects the diversity of the City of Portland and Multnomah County, including recruitment of a diverse workforce from the Northwest College of Construction and other community resources working with the College to recruit and retain a diverse pool of workers for dispatch.
- f. Documentation - SWI will maintain written documentation of all requests for workers from apprenticeship programs, labor and trade associations, community organizations and the City Contract Compliance Specialist.
- g. Reporting - SWI will complete and submit the Monthly Employment Report (Exhibit 4) electronically to the City Project Manager and City Contract Compliance Specialist by the 5<sup>th</sup> of each month via email.

### **IV. SUBCONTRACTORS, AWARDS OF \$100,000 OR MORE**

- a. Hiring Needs – Submit with signing the subcontract agreement prior to beginning work on the project, SWI will require the subcontractor to complete and submit a Projected Hiring Needs Form (Exhibit 2) to be forwarded to the City Contract Compliance Specialist.
- b. Registered Training Agent - Prior to beginning on-site work the subcontractor will submit to SWI proof of registration as a Training Agent with the BOLI Apprenticeship & Training Division to be forwarded to the City Contract Compliance Specialist.

- c. Placement - The subcontractor will notify SWI and the City Contract Compliance Specialist when an apprentice is hired and submit proof (dispatch sheet) to SWI and cc City Contract Compliance Specialist.
- d. Apprenticeship Compliance - The subcontractor will be provided a copy of the City's Workforce Training & Hiring Program, and will be offered assistance to ensure that a minimum of 20% of labor hours in each apprenticed trade performed by the subcontractor, are worked by state-registered apprentices.
- e. Diversity Workforce Compliance - The subcontractor will be required to make all reasonable and necessary efforts to employ a workforce that reflects the diversity of the City of Portland and Multnomah County, including recruitment of a diverse workforce from unions, apprenticeship programs and other community resources.
- f. Documentation - The subcontractor will be required to complete and submit written documentation of all requests for workers from labor and trade associations, unions, apprenticeship programs and community organizations.
- g. Reporting - The subcontractor will be required to complete and submit the Monthly Employment Report (Exhibit 4) electronically to SWI and cc City Contract Compliance Specialist by the 5<sup>th</sup> of each month.

## **V. CONTRACTOR ASSISTANCE**

SWI will contact Compliance Specialist to assist in meeting the Workforce Training & Hiring Program requirements. SWI, will work with City Contract Specialist and subcontractors with training obligations. Prior to construction, the City Contract Compliance Specialist shall provide training to SWI and subcontractors.

## **VI. APPROACH**

The program will focus on identifying, assessing, and creating access to opportunities for career-oriented individuals in the construction industry. The primary emphasis will be placed on maximizing the use of existing resources to accomplish the objectives of the Workforce Training & Hiring Program. Resources may include construction industry organizations, apprenticeship programs, organized labor, construction contractors, and project management staff. The primary objective will be to maximize opportunities for minorities and women that are actively interested in participating or have in the recent past participated as trainees or apprenticeship participants in construction.

Step 1, Identifying Potential Opportunities: The first step to building an effective training program is to identify any potential upcoming training opportunities as early as possible. This will enable SWI to project and quantify the need for trainees over a period of time. Potential opportunities will be identified as project plans and specifications are developed for project packaging.

Step 2, Assessing for Apprenticeship: The second step to building an effective training program is to evaluate the nature of upcoming project work to determine which potential training opportunities fall within the apprenticed trades. The assessment and projection of actual apprentice opportunities will be completed after project plans and specifications are finalized and prior to any on-site performance. Once the project is assessed for the availability of specific apprenticeship training, SWI will be able to begin conducting craft specific outreach and recruitment efforts.

Step 3, Creating Access to Available Opportunities: The third step to building an effective training program is to assure access to positions. Referral of training candidates will take into consideration the relevant experience of the candidate and the objective of advancing the individual toward journey status in any given trade. SWI will meet with union and non-union labor and apprenticeship organizations for the target crafts to establish relationships that are conducive to the employment and retention of apprentices and of a minority and women workforce that reflects the diversity of the City of Portland and Multnomah County.

Step 4, Outreach/Recruitment Process: Outreach is a process upon which all other components of the program rely. SWI will conduct outreach services to recruit minorities and women for anticipated training opportunities. The initial source of recruitment will come from applicants already enrolled in apprenticeship programs. The training consultant will work with such programs to facilitate entry of individuals who have indicated an interest in a construction career. The outreach may be extended to community employment organizations, social services organizations, minority and women associations, and contractor and trade associations. Printed literature, web page marketing, and close working relationships with apprenticeship organizations and unions will be included in the outreach efforts as well. This process may consist of:

- a. Intake orientation in which prospective candidates participate in a session to learn about the demands of construction and construction apprenticeship to determine if it is in fact a career suitable for them,
- b. Assistance in completing the apprentice application and gathering necessary documentation for the trade of choice,
- c. Drug screening prior to referring the individual,
- d. Referral to an apprenticeship organization or contractor,
- e. Mentoring and coaching to assure retention in the trade.

Step 5, Tracking Results: By the 15<sup>th</sup> of each month, the City Contract Compliance Specialist will provide SWI with a report of SWI compliance with the 20% apprentice hours and diversity requirements.

SWI will track labor hours monthly to determine the status of all contractors for compliance with the Workforce Training & Hiring provisions, including SWI self-performed work and subcontractors with awards of \$100,000 or more. The tracking will identify which contractors are compliant with the 20% apprentice hours versus those that are not. SWI will take remedial steps to bring any non-compliant subcontractors into compliance and document all efforts to fully comply with the provisions.

In an effort to track the success of apprentices on the Project quarterly, SWI will request from the dispatch source the status of the apprentice's progression toward journey status for all work in which the apprentice participated. SWI will likewise request the same status report of its subcontractors that employed apprentices. This information will be compiled and submitted to the City Contract Compliance Specialist during the month following the end of the quarter.

## **VII. ROLES**

SWI will function in two distinct capacities: as an employer and trainer on work that it self-performs, and as the project manager. In its project management role, SWI will be responsible for monitoring and enforcing program requirements and will work closely with the City Contract Compliance Specialist to assure understanding of and compliance with the program requirements.

## **WORKFORCE TRAINING & HIRING PROGRAM OUTLINE**

### **SW Moody Avenue Improvements Project**

#### **Components**

- Applicable on all subcontracts, regardless of tier, \$100,000 and up
- 20% of work hours in apprentice able trades performed by state-registered apprentices
- Written documentation of all requests for workers
- Employ diverse workforce reflecting City and County data as supplied by the City
- Proof of registration as BOLI Training Agent before starting work
- Submit Exhibit 2, Projected Hiring Needs, before contract award or as otherwise designated
- Notification to Program when apprentice is hired.
- Submit Monthly Employment Report (MER) on the 5<sup>th</sup> of each month, electronically.

#### **Non-Compliance Consequences**

- Progress payments withheld until breach remedied
- Assess damages for failure to comply at \$250 per day for missed apprenticeship hours or until breach of contract is remedied
- Damages are independent of any liquidated damages due to delay in project caused by noncompliance with the workforce provisions
- Other applicable damages may apply as per the contract
- Possible debarment notification for noncompliance

#### **Records Review**

- Owner entitled to review the books and records when contractor is reasonably believed to be in violation of the requirements
- Failure to allow review of the books and records constitutes a material breach for which Section IV remedies may be imposed.

# INSERT CITY OF PORTLAND WORKFORCE SPECIFICATIONS

## EXHIBIT 3

# Stacy and Witbeck, Inc.

GENERAL ENGINEERING CONTRACTORS

## STANDARD BID DOCUMENTS SW MOODY AVENUE IMPROVEMENTS TABLE OF CONTENTS

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Attachment			
A	Bidders Checklist	27-Oct-10	1
B	SW Moody Avenue Improvements Contract Requirements (Excerpt from RFP No. 111818) including:	19-Jul-10	14
	• Addendum Number 3 – General Conditions	4-Aug-10	113
C	Non-Collusion Affidavit	27-Oct-10	1
D	Subcontract Safety Qualifications	27-Oct-10	1
E	• Disadvantaged Business Enterprise Participation Form	27-Oct-10	1
	• Good Faith Efforts Documentation	27-Oct-10	1
F	TriMet DBE Program	19-Jul-10	2
G	Request for Information	27-Oct-10	1
H	"Buy America" Provisions & Certificate	27-Oct-10	1
I	Certification Regarding Debarment, Suspension, and other Ineligibility and Voluntary Exclusion from Transactions Financed in Part by the U.S. Government	27-Oct-10	1
J	Certification of Restrictions on Lobbying	27-Oct-10	1
K	Cargo Preference – Use of United States Flag Vessels	27-Oct-10	1
L	Stacy and Witbeck Site Specific Safety and Health Plan	October 2010	132
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N	Workforce Training and Hiring Program	19-Jul-10	14
O1	Labor Compliance Manual	April 2010	25
O2	Prevailing Wage Rates for Public Works Contracts in Oregon Subject to BOTH the State PWR and Federal Davis-Bacon Act BOLI July 2010	July 2010	119
P	Sample Certificates of Liability Insurance	22-Oct-10	4
Q	EEO/Affirmative Action Program	27-Oct-10	7
R1	QC Project Requirements	27-Oct-10	3
R2	Stacy and Witbeck Inc. Project QA/QC Plan	27-Oct-10	121
S	Required Reports	27-Oct-10	1
T	Stacy and Witbeck, Inc. and Subcontract Agreement	18-Aug-06 OR	16
U	Federal Requirements (10/09)	19-Jul-10	19
V	Federal ARRA Requirements	19-Jul-10	1
W	Equal Benefits Compliance Worksheet/Declaration	March 2008	1
X	Sustainability Information	27-Oct-10	1
Y	Standard Subcontractor Payment Performance Bonds	16-Mar-09	2
Z	Conduct of Construction	TBD	TBD



## EXHIBIT 4

Table 4B

## SW Moody Avenue Roadway and Track Relocation

## Proposed Subcontracting Opportunities Based on Estimated Values

Package	Scope	Summary Estimated Value	Existing DBE Capacity	Potential DBE Capacity	Non DBE Sub	Notes, Names, and Ideas
	<b>MISC SERVICES</b>	\$ 200,000				
1	Janitorial		20,000			Bestrade - Cosmos, Conks, Kathy H., Bestrade's turn.
2	Dumpster/drop box service		25,000			City of Roses - Alonso
3	Office Products		10,000			Indian County, office supplies and furniture - Featherlite.
4	Copies				20,000	In house
5	Sanitary Services				10,000	
6	Utilities, Vehicle Maintenance, IT				5,000	Nosak - James Casson
7	<b>CONSULTANTS</b>	\$ 60,000	50,000	10,000	50,000	Someone on the alignment, Macadam or Barbur
8	Environmental					
9	Noise Consultant		10,000			Michael Minor
10	Permitting					Karen Carlson
11	Permit Assistance		10,000			Karen Carlson
12	DBE Coordinator		30,000			FMB
13	Drafting & Civil Design Support		10,000			Elena Vance - try to introduce to Val for traffic drawings, or VJ
	<b>QUALITY CONTROL</b>	\$ 300,000				
14	QC Staffing		175,000			Kerri Eikenberg, Carlson Testing - WBE?
15	QC Laboratory Services		75,000		25,000	
16	QC Independent Testing				25,000	
17	<b>SECURITY</b>	\$ 25,000	25,000			Charles Caisson, Hassan
18	<b>SURVEY</b>	\$ 250,000	250,000			Buckle, Carol Townsend, Marcella, Hardy Lee, xyz girl.
	<b>TRUCKING</b>	\$ 700,000				
19	Import Materials					NorthEast Urban Trucking - hold a committee and have Kevin Spellman moderate.
	Misc. Dump Trucking		500,000		50,000	Hourly and size of contracts. Also EZ grade
	Hauling		100,000			
	<b>TRAFFIC CONTROL</b>	\$ 400,000				
20	Traffic Control Plans		10,000			Coat, Portland Flagging (Evan Williams), Canelles (AA woman)
21	Traffic Barrier Rental		20,000			
22	Temporary and Permanent Signage		20,000			
23	Traffic Control and Flagging		250,000			
24	Temporary Paving		100,000			Workhorse
25	<b>TEMP &amp; PERMANENT STRIPING</b>	\$ 50,000			50,000	Kadoni - Champion Sweeping
26	<b>CONCRETE</b>	\$ 350,000				
26	Concrete Paving		150,000	50,000		Fasion, Leajack (structural walls)
27	Concrete Barrier					Fasion, Leajack (structural walls), Ramos Landscaping (ask Mark)
28	Platform Concrete			25,000		Pacific Mark, Raimore
29	Curb / Gutter / Sidewalk		100,000	25,000		Faye, get back to me with more small names.
30	Track Concrete					
31	<b>REBAR</b>	\$ 400,000	300,000	100,000		Liberty
32	<b>MISC METAL</b>	\$ 10,000	10,000			Liberty
33	<b>SHELTERS</b>	\$ -				A2 or Liberty
34	Painting					
35	<b>STRUCTURAL STEEL</b>	\$ -				Liberty
36	<b>POST TENSIONING</b>	\$ -				
37	<b>CIVIL &amp; DEMO</b>	\$ 300,000				PNG abatement - Rosa Martinez
37	Potholing		25,000			
38	Asphalt / Concrete Cutting		10,000			Pacific Mark
39	Roadway Demolition		75,000			Raimore??
40	Earthwork		160,000		30,000	McDonald Excavating - possible batch plant for placement of cellular concrete
41	<b>WATER</b>	\$ 500,000	300,000	100,000	100,000	Werbin - Workhorse, Richardson
42	<b>STORM</b>	\$ 400,000	250,000	75,000	50,000	Rocks, aggregate supply
43	<b>SEWER</b>	\$ 1,800,000	800,000		1,000,000	NW Infrastructure,
44	<b>ASPHALT PAVING</b>	\$ 100,000			100,000	Workhorse, Vancouver
45	<b>LANDSCAPING</b>	\$ 200,000	200,000			Valley, Island
46	<b>ROADWAY SWEEPING</b>	\$ 50,000	50,000			Champion
47	<b>EROSION/SEDIMENT CONTROL</b>	\$ 100,000	100,000			Coat, Workhorse, Valley Growers
48	<b>WALLS</b>	\$ -				Ramos, Leajack,
49	Retaining Walls					
50	MSE Walls					Ramos
51	Sound Walls					
52	<b>BRIDGES</b>	\$ -				
53	<b>FENCING</b>	\$ 100,000	100,000			
54	<b>SYSTEMS</b>	\$ 2,500,000				
55	Ductbank		200,000			Ask Jean and Maurice
56	OCS System				2,300,000	Affordable JV
57	Catenary Foundations					
58	<b>ELECTRICAL</b>	\$ 900,000				
59	Street Lighting		200,000			Ask Jean and Maurice
60	Utility Trench & Vaults		300,000		100,000	
61	Traffic Signals				300,000	
	<b>Local Vendors Along the Alignment</b>	\$ 100,000			100,000	
	<b>The 55 scopes summarized above produce an estimated 75 Subcontracts.</b>	Summary Estimated Value	Existing DBE Capacity	Potential DBE Capacity	Non DBE Sub	
	<b>Totals From Above</b>	\$ 9,795,000	\$ 5,070,000	\$ 385,000	\$ 4,315,000	
	<b>Percentage Based on \$22 Million Job</b>	45%	23%	2%	20%	
In order to successfully implement a contracting plan regardless of low bid, best value, or a combination of the two, we always start with a plan that focuses on known participants, their capabilities, estimated scopes, and opportunities for growth. Much like a design drawing we utilize a tool like this to conceptualize and communicate what we are planning to do. There are many now who understand this effort, but few who have the experience and success rate.						

## SW MOODY AVENUE IMPROVEMENTS - PACKAGE 1

FORMAL SOLICITATIONS - PACKAGES > 200,000 - MUST MEET RFP REQUIREMENTS						
RAIL						
Contractor	Contact person	Phone	e-mail	Address	DBE	Cert
SPECIAL TRACK						
Contractor	Contact person	Phone	e-mail	Address	DBE	Cert
Cleveland Track Materials	Paul Valastin	(216) 408-8307	pvalastin@hotmail.com	PO Box 603160, Cleveland Ohio, 44103	DBE, MBE, ESB	4027
VAE Nortrak	Linnea Frary	(206) 255-4134	lfrary_nortrak.com	3422 1st Avenue South, Seattle, WA 98134	DBE, MBE, ESB	5956
Progress Rail Services	Rodger Furgason	(707) 678-0300	rfurgason_progressrail.com	540 Morgan Lane, Dixon, CA 95620	DBE, MBE, ESB	
LB Foster	Bill McGuire	(503) 684-9778	bmcguire_lbfosterco.com		DBE, MBE	
Harmer Steel	George Webb	(503) 286-3691	GWebb_harmersteel.com	9933 NW 107th Avenue, Portland, OR 97231 USA		
INFOMRAL SOLICITATIONS - PACKAGES ≤ 200,000 - SOLICIT A MINIMUM OF THREE SUBCONTRACTORS						
ELECTRICAL - ILLUMINATION - TRAFFIC SIGNAL MODIFICATION						
Contractor	Contact person	Phone	e-mail	Address	DBE	Cert
Affordable Electric, Inc.	Jean-wildy Malary	(503) 880-6872	jean.ae.comcast.net	PO Box 1870, Fairview, OR 97024	DBE, MBE, ESB	4027
O'Neill Electric, Inc.	Ali O'Neill	(503) 493-6045	ali_oneillelectricinc.com	1212 SE Gideon St. Portland, OR 97202	DBE, MBE	2007
West Hills Electrical	Kendrick Mitchell	(503) 382-9447	kendrickm_westhillsinc.com	PO BOX 5935, Portland, OR 97228	DBE, MBE, ESB	5956
Sundown Electric Company	Gene Nelson	(503) 359-0604	gene_sundownelectric.com	PO Box 129, Forest Grove, OR 97116	DBE, MBE	
Team-Electric	Ken Calmer	(503) 557-7180	kenc_teamelectricco.com	9400 SE Clackamas Rd, Clackamas, OR 97015		
Tice Electric Co.	Brad Slayton	(503) 233-8801	brad-ticeelectric.com	8405 N Lagoon Ave, Portland, OR 97217-7687		
PRIVATE OHSU PARKING LOT MODIFICATIONS						
Contractor	Contact person	Phone	e-mail	Address	DBE	Cert
McDonald Excavating	Michael McDonald	(360) 835-8794	mike_mcdonaldexcavatinginc.com	2719 B Street Washougal, WA 98671	DBE, MBE	3625
Work Horse Construction Metro	James Posey	(503) 936-0277	posej.comcast.net	P.O. Box 3561 Portland, OR 97212	DBE, MBE	1501
Parish Excavating	Juli Parrish	(503) 658-6905	juli_parrishexcavating.com	19592 SE Foster Rd, Damascus, OR 97089	DBE, WBE, ESB	
R. R. General Contractors	Jesse Rodriguez	(503) 570-3388	jrodriguez_RRGSCINC.NET	9720 SW Hillman Court, Suite 840, Wilsonville, OR 97070	DBE, MBE, ESB	5485
B. G. Excavation and Plumbing	Gaylene Umemoto	(503) 761-2038	bobo_inet.com	4241 SE 136th Ave.	DBE, WBE, ESB	
Grading Unlimited	Julie Gillett	(503) 648-6484	julie_gradingunlimited.com	22115 NW Imbrie Drive #402, Hillsboro, OR 97124	DBE, MBE, WBE, ESB	
Staton Companies	John Pingel	(541) 726-9422	john_statonco.com	PO Box 7515, Eugene, OR 97401	DBE, MBE	
Dirt Aggregate Interchange	Henry Pelfrey	(503) 661-5093	contractor_dirtagg.com	20905 NE Sandy Blvd., Fairview, OR 97024	DBE, MBE	
Crestview Construction	Mark Dominguez	(503) 693-3606	pams_crestviewconstruction.net	205 SE 3rd. Avenue, Suite 600, Hillsboro, OR 97123	DBE, MBE	
Catworks, LLC	Doug Stetler	(360) 953-3519	doug_catworks-llc.com	22105 B NE 72nd Ave, Battle Ground WA 98604	DBE, MBE	5606
Iron Mountain Excavation, LLC	Allen Kalkhoven	(971) 344-2224	allenkalkhoven_aol.com	7350 SW Straughn Rd., Hillsboro, OR 97123	ESB	
C. W. Grading, Inc.	Ron Vergara	(503) 709-7622	ron_cwgrading.com	PO Box 3151, Tualatin, OR 97062		
D. T. Excavation, Inc.	Derek Osterholm	(503) 263-2607	dereho_dtexcavation.com	PO Box 3767, Wilsonville, OR 97070		
Moore Excavation, Inc.	Shannon Smith	(503) 252-1180	shannon.smith_themegroup.com	17090 NE San Rafael, Portland, OR 97230		
NW Earthmovers, Inc.	Craig Smelter	(503) 625-3100	csmelter_nwearthmovers.com	13600 SW Galbreath Dr, Sherwood, OR 97140		
Landis Landis	Jesse Vail	(503) 446-9043	jvail_llconstruction.com	PO Box 50, Marylhurst, OR 97036		
K. E. Excavating Inc.	Brian Littlefield	(503) 399-4833	brian_keex.net	3871 Lanley St SE, Salem, OR 97317		
LANDSCAPE						
Contractor	Contact person	Phone	e-mail	Address	DBE	Cert
Green Art Landscaping	Brian Park	(503) 617-9990	bpark88533_aol.com	8335 NW Cornelius Pass Rd Hillsboro, OR 97124-9488	DBE, MBE	634
Miller Factors	Hillarie Miller	(503) 284-0600	millerfactors_clearwire.net	4010 NE Buffalo St, Portland, OR 97211-2112	WBE, ESB	3705
Valley Growers	Vicqui Guevara	(503) 651-3535	vlygrws_web-ster.com	PO Box 610, Hubbard, OR 97032	DBE, WBE, ESB, MBE	1462
Island Landscape	Rudy Trujillo	(503) 289-6010	sverlic_earthlink.net	9020 NE Vancouver Way # A Portland, OR 97211	DBE, MBE, ESB	729
Ramos Landscape	Jaime Ramos	(503) 359-3569	jaime_ramoslandscape.com	1740 Mountinview Lane, Forest Grove, OR 97116	DBE, MBE, ESB	
ASPHALT PAVING						
Contractor	Contact person	Phone	e-mail	Address	DBE	Cert
Kodiak Pacific	Sam Manley	(503) 783-4300	stan_kodiakco.com	PO Box 886, Tualatin, OR 97062	WBE	
Work Horse Construction Metro	James Posey	(503) 936-0277	posej.comcast.net	P.O. Box 3561 Portland, OR 97212		3601
Vancouver Paving	Ginger Edwards	(360) 573-7973	gedwards_vancouverpavingco.com	406 NE 139th Street, Vancouver, WA 98685	DBE, WBE	
S2 Contractors	Dave Short	(503) 651-4000		6860 S Anderson Rd, Aurora, OR 97002		
Goodfellow-Bros	Oliver Murray	(503) 256-4114	oliverm_goodfellowbros.com	6148 NE 80th Ave, Suite A3, Portland, OR 97218		
Ortiz - Associates	Baltasar Ortiz	(503) 668-4114		PO Box 1094, Sandy, OR 97055	MBE, ESB	1968
LIMITED SOLICITATIONS - PACKAGES ≤ 25,000 - SOLICIT TWO SUBCONTRACTORS						
STRIPING						
Contractor	Contact person	Phone	e-mail	Address	DBE	Cert
Ready Made Barricade	Susan Farley	(503) 324-1912	rmblnc105884_aol.com	PO BOX 489, Banks, OR 97106	DBE, WBE, ESB	1174
Gregg's Stripe-a-lot	Darin Gregg	(503) 930-8480	darinregg_yahoo.com	5434 RIVER RD N, KEIZER, OR 97303	DBE, MBE, ESB	5258
APM	Mark Cooper	(503) 885-0420		11095 SW Industrial Way # A, Tualatin, OR 97062-9688		
Apply-A-Line	Mark Henning	(503) 727-4228	mark-applyaline.com	PO Box 90577, Portland, OR 97266		
TEMPORARY/PERMANENT FENCING						
Contractor	Contact person	Phone	e-mail	Address	DBE	Cert
Azuri	Jose Figueroa	(503) 289-8431	jose_azuriconstruction.com	5617 NE 16th Ave, Portland, OR 97211	DBE, MBE, ESB	238
MSD Construction LLC	M. Sanchez Duarte	(503) 701-7520	miquel_msdcnst.net	29580 SW Farmington RD Hillsboro, OR 97213	DBE, MBE	3283
Falcon Construction	James Falcon	(503) 492-0684	falconinfo_comcast.net	6226 SW 33rd Place, Portland, OR 97239	DBE, MBE, ESB	2768
Machuca Company LLC	Fernando Machuca	(503) 638-6653	bluesteelr_msn.com	1430 SW Borland Rd, West Linn, OR 97068	DBE, MBE, ESB	
TRUCKING						
Contractor	Contact person	Phone	e-mail	Address	DBE	Cert
Teton Trucking LLC	John Callison	(503) 692-7936	jbcallison_verizon.net	20886 SW Teton Ave, Tualatin, OR 97062	ESB	
Raimore Construction	Jeff Moreland	(503) 493-3533	moreland_raimore.com	2613 NE MLK Portland, OR 97212	DBE, MBE, ESB	3527
Don Hines Truck Sales	Myra Hines	(503) 650-7700	hines_zzz.com	PO Box 2139, Clackamas, OR 97015	DBE, WBE, ESB	293
Kevin Austin Trucking	Kevin Austin	(503) 780-0802	ka1932_aol.com	PO Box 2662, Hillsboro, OR 97213	ESB	3542
USA Junk	Gary Hollands	(503) 249-5865	gary_usajunk.com	4353 NE Jarrett St., Portland, OR 97218	MBE	5608
Cutter Construction	Lori Potttratz	(503) 632-5160	cutter_bctonline.com	21410 S. Levi Road, Beaverton, OR 97004	DBE, WBE, ESB	
Bent Enterprises	Phil or Julie Bent	(503) 324-6011	juli_fillupstruckline.com	PO Box 128, Banks, OR 97106	DBE, WBE, ESB	
J. R. Trucking Inc	Robert Andrews	(503) 287-3471	andrews_questoffice.net	1610 N. Prescott, Portland, OR 97217	DBE, MBE, ESB	
Richardson Rocks	Shane Richardson	(541) 784-5868	richardsonrocks_msn.com	PO Box 994, Canyonville, OR 97417	DBE	4614
Wilson Sons Contruction	Cheryl Wilson	(503) 849-712	wilsonandsons92_aol.com	48994 SE Baty Rd, Sandy, OR 97055	DBE, WBE, ESB	
Arthur C Garrett Trucking	Arthur Garrett	(503) 384-8829		PO Box 17582, Portland, OR 97214	DBE, MBE, ESB	5081
J. Losey Trucking, Inc.	Joy Losey	(503) 884-7460	joytrucks_gmail.com	345 SW 345th Avenue, Hillsboro, OR 97123	DBE, WBE, ESB	
Marble Trucking Co., LLC	Tamarat Alemu	(503) 267-7076	mabmsbea_aol.com	3508 N Williams Ave., Portland, OR 97227	DBE, MBE, ESB	
Peter Akhtar Trucking, Inc.	Peter Akhtar	(503) 318-8326	peterakhtartrucking_gmail.com	10422 NE Skidmore St., Portland, OR 97220	DBE, MBE, ESB	
Rock Road Construction	Alvin Hall	(503) 753-4763		2729 SW Indian John Place, Troutdale, OR 97060	DBE, MBE	
TRAFFIC CONTROL/FLAGGING						
Contractor	Contact person	Phone	e-mail	Address	DBE	Cert
K. D. Services	Carol Walton	(503) 723-7287		16123 SE 135th Ave., Clackamas, OR 97015	WBE	
COAT	Val Solozano	(503) 467-6386	val_coatflagging.com	PO Box 11935, Portland, OR 97211	DBE, MBE, WBE, ESB	4546
Portland Flagging	Eval Williams	(503) 715-5760	evan_portlandflagging.com	4134 N Vancouver Ave., Suite 214, Portland, OR 97219	DBE, MBE, ESB	
Professional Flagging	Cheryl Chapin	(541) 928-6760	plcflagger_aol.com	PO Box 2738, Albany, OR 97321		

## EXHIBIT 5

Pacific Innovations LLC	Joe Tshirbi	(503) 488-0933	innvpc_aol.com	2419 NE Saratoga St, Portland, OR 97211	DBE, MBE, ESB	5306
<b>DIRECT NEGOTIATIONS - PACKAGES ≤ 5,000 / SCHEDULE CONSTRAINTS</b>						
<b>WATER (SCHEDULE CONSTRAINTS)</b>						
<b>Contractor</b>	<b>Contact person</b>	<b>Phone</b>	<b>e-mail</b>	<b>Address</b>	<b>DBE</b>	<b>Cert</b>
Werblin West Contracting	JF Werblin	503-888-9452	werblinwest_gmail.com	PO Box 20338, Portland, OR 97294	N/A	
<b>TEMPORARY SYSTEMS (SCHEDULE CONSTRAINTS)</b>						
<b>Contractor</b>	<b>Contact person</b>	<b>Phone</b>	<b>e-mail</b>	<b>Address</b>	<b>DBE</b>	<b>Cert</b>
Affordable Electric, Inc.	Jean-wildy Malarly	503-880-6872	jean.ae_comcast.net	PO Box 1870, Fairview, OR 97024	DBE, MBE, ESB	4027
<b>SAW CUTTING</b>						
<b>Contractor</b>	<b>Contact person</b>	<b>Phone</b>	<b>e-mail</b>	<b>Address</b>	<b>DBE</b>	<b>Cert</b>
Work Horse Construction Metro	James Posey	(503) 936-0277	jposey_comcast.net	P.O. Box 3561 Portland, OR 97212		1501
Pacificmark	Mark Mathews	(503) 208-3355	mark_pacificmarkconstruction.com	PO BOX 67247, Portland, OR 97268	DBE, MBE, ESB	2810
Saw Cutters NW	Kasey Cooper	(503) 668-7274	sawcuttersnw_aol.com	PO Box 481, Boring, OR 97009	ESB	
Boanerges Group, LLC	S. Maxwell Hendrick	(503) 281-0224	shamaxhend_acinc.net	PO Box 11115, Portland, OR 97211	DBE, MBE, WBE	
Rose City Concrete Repair	Melissa Winter	(503) 232-9702	rosecityconcrete_comcast.net	3300 NW 185th Ave., Ste 183, Portland, OR 97229	DBE, WBE, ESB	
<b>EROSION CONTROL</b>						
<b>Contractor</b>	<b>Contact person</b>	<b>Phone</b>	<b>e-mail</b>	<b>Address</b>	<b>DBE</b>	<b>Cert</b>
Kwik-Way Erosion Control Co.	Joyce McKinney	(503) 631-3204	joycemck_cowebster.net	18860 S Pear Rd, Oregon City, OR 97045	DBE, WBE, ESB	
<b>SWEEPING</b>						
<b>Contractor</b>	<b>Contact person</b>	<b>Phone</b>	<b>e-mail</b>	<b>Address</b>	<b>DBE</b>	<b>Cert</b>
Champion Sweeping	Kidane Tekle	(503) 234-4131	kidtehl360_aol.com	P.O. Box 12062 Portland, OR 97212	DBE, MBE, ESB	4268
<b>CONVEYOR TRUCK</b>						
<b>Contractor</b>	<b>Contact person</b>	<b>Phone</b>	<b>e-mail</b>	<b>Address</b>	<b>DBE</b>	<b>Cert</b>
CAD Northwest	Melvorn Haley	(503) 390-6965	CADNWV_aol.com	P.O. Box 21046 Kelsier, OR 97307		4815
EZ Grade, Inc.	Trina Hart	(503) 871-8910	ezgradeinc_aol.com	P.O. Box 218 Stayton, OR 97383	DBE, WBE, ESB	5069
<b>RECYCLING</b>						
<b>Contractor</b>	<b>Contact person</b>	<b>Phone</b>	<b>e-mail</b>	<b>Address</b>	<b>DBE</b>	<b>Cert</b>
City of Roses Disposal Rec.	Alando Simpson	(503) 285-9940	cityofrosesdr@yahoo.com	P.O. Box 20431 Portland, OR 97294	DBE, MBE, ESB	377

EXHIBIT 6

**SUBBIDS REQUESTED**

**City of Portland  
SW Moody Avenue Roadway and Track Relocation  
Package #1**

**Bids Due: Novemeber 30, 2010 @ 2:00 PM**

**Pre-Bid Meeting: November 9, 2010 @ 2:00 PM**

Submit to:

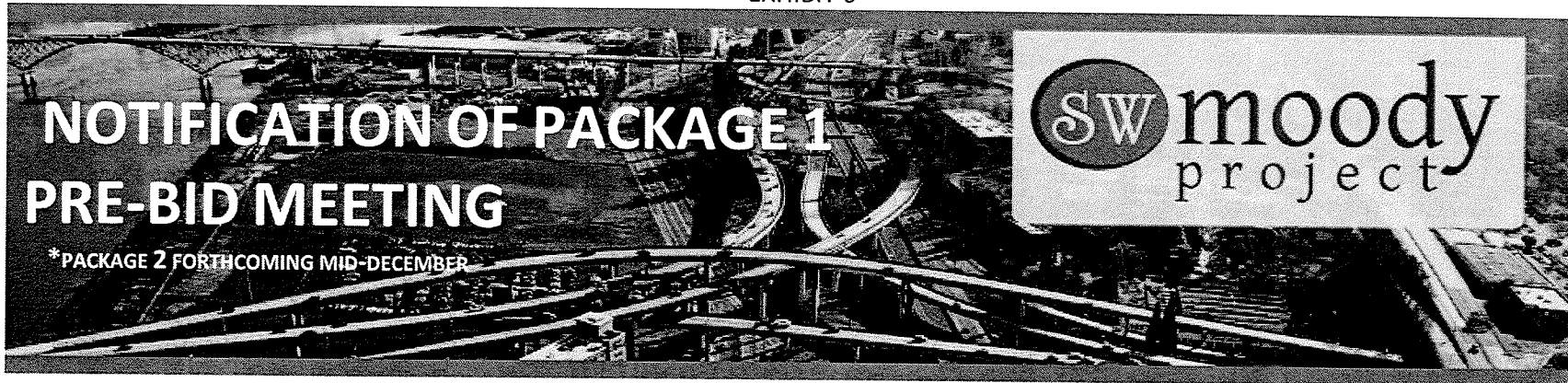
**SPMcY and J iPNeck, Inc.**

403 SE Caruthers Street, Portland OR 97214  
(503) 231-5300 FAX (503) 231-6692 CCB# 97061

**Scope of Work Includes:**

Demo, earthwork, erosion control, drainage, asphalt paving, concrete barrier, fencing, trucking, landscaping, street sweeping, temporary signage, saw-cutting, traffic control, striping, hazardous soil and water removal, pole removal, traffic signals

*We are an equal opportunity employer and request sub-bids from all interested firms including disadvantaged, minority, women, and emerging small business enterprises.*



### Pre-Bid Meeting Location

*Stacy and Witbeck, Inc.*  
*Moody Project Office*  
*2626 SW Corbett Ave*  
*Portland, OR 97201*  
*T=(503) 231-5300*  
*F=(503) 231-6692*

### Package 1 Scopes

*Demo, Earthwork, Erosion Control, Drainage, Asphalt Paving, Concrete Barrier, Fencing, Trucking, Landscaping, Street Sweeping, Temporary Signage, Saw-cutting, Traffic Control, Striping, Hazardous Soil and Water Removal, Pole Removal, Traffic Signals*

## Pre-Bid Meeting Information

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### Pre-Bid Meeting for Package 1 Miscellaneous Scopes of Work

*Stacy and Witbeck, Inc. - Moody Project Office*

**Tuesday, November 9, 2010 – 2:00pm - 3:00pm**

**Stacy and Witbeck, Inc.**  
GENERAL ENGINEERING CONTRACTORS

*SWI will be holding a non-mandatory pre-bid meeting for some of the smaller scopes of work on the SW Moody Avenue Project. Please stop by if you are interested in bidding on the following scopes of work: Landscaping, Signage, Fencing, Electrical, Illumination, Traffic Signal Modification, Brick Sidewalk and Intersection, AC Paving and Grinding and Thermoplastic Striping.*

**Stacy and Witbeck, Inc.** EXHIBIT C  
GENERAL ENGINEERING CONTRACTORS

November 9, 2010

**Re: City of Portland  
SW Moody Avenue Roadway and Track Relocation**

**Bid Date: November 30, 2010**

Dear Subcontractor:

Stacy and Witbeck, Inc. is a general engineering contractor engaged in the business of heavy civil construction. We are bidding the above referenced project as a prime contractor and are soliciting subcontractor bids from qualified DBE, WBE, MBE and ESB firms.

Stacy and Witbeck is an Affirmative Action/EEO company and is willing to assist all DBE, WBE, MBE, and ESB's to achieve our subcontracting goals. In certain cases, our company may provide technical support or bonding assistance to subcontractors who would otherwise be at a disadvantage to submit a subcontracting bid.

We have identified your company as a DBE, WBE, MBE, and/or ESB and are seeking subcontracting bids in the following areas:

- Demo
- Earthwork
- Drainage
- Erosion Control
- Asphalt Paving
- Concrete Barrier
- Fencing
- Street Sweeping
- Trucking
- Landscaping
- Saw-cutting
- Temporary Signage
- Traffic Control
- Striping
- Hazardous Soil and Water Removal
- Traffic Signals
- Pole Removal

Bid package requests can be submitted to [bfrancis@stacywitbeck.com](mailto:bfrancis@stacywitbeck.com).

Stacy and Witbeck, Inc. would appreciate a response in your interest to bid this project by circling the appropriate designation below, filling in the blank space and faxing back to our office at (503) 231-6692.

**Interested in Bidding**

**Not Interested in Bidding**

**Name of Company / Representative:** \_\_\_\_\_

We thank you for your anticipated cooperation, and if you have any questions or considerations, please do not hesitate to call.

Sincerely,

**Stacy and Witbeck, Inc.**

Bill Bruce  
Project Manager

# Stacy and Witbeck, Inc.

GENERAL ENGINEERING CONTRACTORS

**PACKAGE 1 Pre-Bid Meeting**  
**Tuesday November 9, 2010**  
**SW Moody Avenue Improvements Project Office**  
**AGENDA**

1. **INTRODUCTIONS AND OVERVIEW**
  - PACKAGE 1 Pre-Bid(\$6M Total); PACKAGE 2 Pre-Bid mid December 2010 (\$19M-\$20M)
  - Self Introductions - SWI
  - Brief Project Scope & Schedule Overview - HH
2. **SAFETY - BH**
  - Safety Manager – Brenda Santillan
  - Attachment L & M in Standard Bid Documents - Note 4 HR Safety Orientation & PPE
3. **QUALITY - BH**
  - QC Manager – Rob Cunnane
  - Successful bidder to Adhere to SWI QA/QC Plan
  - Buy America Provisions!
4. **CONTRACT DOCUMENTS – BH**
  - Plans and Specifications – 2010 CoP Standard Construction Specifications; Plans available at DJC Plan Center, OAME, and MCIP.
  - Standard Bid Documents
    - > Attachment A - Bidders' Checklist.
    - > Attachment P - Insurance Requirements
    - > Attachment O - work subject to **BOLI (Effective July 2010) and Federal Davis-Bacon Act Prevailing Wage Rates**
    - > Attachment N & Q - Workforce and Diversity Requirements
  - Bid Packages – “Scope Specific Supplement”
    - > Attachments A1, A2 & B – Bid Schedule, General Conditions, Inclusions and Exclusions, and explanation of bid package and scope of work
    - > Attachments C, D & E – Specifications, Plans, & Schedule
    - > Successful bidders must bond the project without exception
5. **COMMUNICATION - BH**
  - All Correspondence Addressed to Bill Bruce - Project Manager sent to Caruthers
  - Questions in RFI format as shown in Attachment G
6. **D/M/W/ESB – FB**
  - DBE Requirements @ 22% aspirational goal -> See Attachment E of the Standard Bid Documents.
  - Overview of D/M/W/ESB opportunities for Package 1
7. **OTHER ITEMS/QUESTIONS**
  - Contaminated Media
  - Schedule constraints/project milestones – Substantial Completion 12/31/2011
  - Site Visit – Walk Alignment Highly Recommended (self guided)
  - Open Discussion and/or Questions

**BIDS DUE: 2:00 PM, TUESDAY, NOVEMBER 30, 2010 to 403 SE Caruthers, Portland OR.**

*SW Moody Avenue Improvements – Package 1 Scopes*

X:\Job Folders\423 Moody Avenue\Subcontracting\Pre Bid\Package 1 Pre Bid Agenda.doc



Request for Proposal Evaluation  
 SW MOODY AVENUE ROADWAY & TRACK RELOCATION  
 Department of PBOT  
 Solicitation Number 111818  
 August 27, 2010

### Evaluation Summary

Criteria	Max Points	Keiwi Infrastructure	Wildish Standard Paving	Westech Construction	Stacy & Witbeck	Tri - State Construction
Project Team	25	19.57	17.86	17.43	24.43	14.43
Proposer's Capabilities	20	16.43	14.14	13.43	19.57	11.00
Project Approach, Understanding, and Cost	35	23.14	24.29	24.71	30.57	20.71
Diversity in Employment and Contracting	15	12.86	11.14	12.14	13.14	6.43
Sustainability	5	3.86	3.00	4.14	4.43	3.43
Total	100	75.86	70.43	71.86	92.14	56.00



## **Perrie, Michael**

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**From:** Armes, Chris  
**Sent:** Tuesday, November 30, 2010 8:01 AM  
**To:** Perrie, Michael  
**Cc:** Senechal Biggs, Jean  
**Subject:** FW: Scan from Moody network copier  
**Attachments:** Scan001.PDF

Michael,

Based on what is in the General Conditions (103.01.g on page 31) I am assuming that you will need a schedule, GMP price and the contracting plan for your report to Council. The schedule is attached, the GMP for both packages is \$27,814,675 and you have the contracting and supplier outreach plan.

If you need the detailed spreadsheet or additional information please let me know.

Thanks  
Chris

Chris Armes  
Project Manager  
Portland Office of Transportation  
1120 SW 5th Ave Room 800  
Portland, OR 97204

503 823-7051 desk

Agenda No.  
**REPORT NO.**  
 Title

Accept ~~Guaranteed~~ Maximum Price of \$ 27,814,675.00 from Stacy and Witbeck, Inc. for the construction of the SW Moody Avenue Roadway and Track Relocation Project (Procurement Report - RFP Number 111818)

INTRODUCED BY Commissioner/Auditor: <b>Mayor</b>	CLERK USE: DATE FILED <u>DEC 10 2010</u>
<b>COMMISSIONER APPROVAL</b> Mayor—Finance and Administration - Adams <i>[Signature]</i> Position 1/Utilities - Fritz Position 2/Works - Fish Position 3/Affairs - Saltzman Position 4/Safety - Leonard	LaVonne Griffin-Valade Auditor of the City of Portland  By: <i>[Signature]</i> Deputy
<b>BUREAU APPROVAL</b> Bureau: Procurement Services Bureau Head: Christine Moody <i>CM</i>	<b>ACTION TAKEN:</b> <b>DEC 15 2010 ACCEPTED PREPARE CONTRACT</b>
Prepared by: Michael Perrie Date Prepared: December 8, 2010	
<b>Financial Impact Statement</b> Completed <input checked="" type="checkbox"/> Amends Budget <input type="checkbox"/> Not Required <input type="checkbox"/>	
Council Meeting Date <b>December 15, 2010</b>	
<b>City Attorney Approval</b>	

<b>AGENDA</b>
<b>TIME CERTAIN</b> <input type="checkbox"/> <b>Start time:</b> _____  <b>Total amount of time needed:</b> _____ (for presentation, testimony and discussion)
<b>CONSENT</b> <input type="checkbox"/>
<b>REGULAR</b> <input checked="" type="checkbox"/> <b>Total amount of time needed: 5 minutes</b> (for presentation, testimony and discussion)

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	✓	