



CITY OF PORTLAND

OFFICE OF MANAGEMENT AND FINANCE

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

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

July 21, 2010

TO THE COUNCIL:

The Chief Procurement Officer has advertised and received bids for Bid Number 111816 for SW Yamhill St, from SW 10th Ave to SW 11th Ave Sewer Replacement for the Bureau of Environmental Services, with a project construction estimate of \$1,207,000.00. The Bureau of Environmental Services rated the level of project estimate confidence as Optimal

Bids were opened on June 17, 2010, and three (3) bids were received. The low bid of Moore Excavation, Inc. was deemed responsive to the requirements of the solicitation and it is recommended that the bid of Moore Excavation, Inc. be accepted at the unit price quoted in their bid for a total estimated amount of \$741,689.00.

The Bureau of Environmental Services along with Procurement Services, identified six (6) Divisions of Work as potential M/W/ESB subcontracting opportunities for this project, resulting in \$223,240.00 awarded to subcontractors.

The Divisions of Work identified were:

| | | | |
|---------------------------------|-----------------|--|-----------------------------|
| Concrete Work | Drilling/Boring | Excavating | Hauling Services (Trucking) |
| Sewer, Water & Storm Drain Work | | Traffic Control Services (includes TPDT) | |

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

| | | | |
|---------------|------------|-----------------------------|---------------------------------|
| Concrete Work | Excavating | Hauling Services (Trucking) | Sewer, Water & Storm Drain Work |
|---------------|------------|-----------------------------|---------------------------------|

MWESB participation represents 100 % or \$ 223,240.00 of the estimated subcontracting dollars.

- MBE - \$ 223,240.00 performing Drilling/Boring and Traffic Control Services (includes TPDT).

An Equal Opportunity Employer

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

Moore Excavation, Inc. has a current City of Portland Business License and their EEO Certification is current through November 30, 2010. The company is located in Portland, Oregon, and is not a State Certified M/W/ESB Contractor.

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

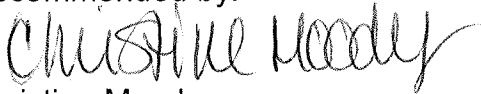
Funds are available for this project under Owner Cost Object E10024.

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

It is also recommended that a two (2) year Maintenance/Warranty Bond for 20% of the final contract amount be furnished by the Contractor before final payment is released.

The bid sureties of the remaining bidders should be returned immediately in compliance with Section 5.34.410D of the City Code.

Recommended by:



Christine Moody
Chief Procurement Officer

CM:kbm

BUREAU OF ENVIRONMENTAL SERVICES
MEMORANDUM
Engineering Services

DATE: June 23, 2010

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

FROM: Don Poletski, Construction Project Mgr. *DP 06/23/10*
Joe Dvorak, Design Project Mgr. *JD 06/23/10*

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

SUBJECT: Awarding Contract for: SW Yamhill Street Sewer Replacement
Bid No. 111816, Project No. E10024



We have reviewed the bids for this project.

The proposal from Moore Excavation, Inc. shows a bid amount of \$741,689.00, which is 38.93% under the Engineer's Estimate of \$1,214,500.00 and is the apparent low bid.

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

Please contact me at 503-823-2986 if you have any questions.

cc: Mark Braun
Blair Bean
Josh Nault
Jaime De La Garza
Scott Gibson
Bill Ryan
Dave Nunamaker
Susan Wheaton
Materials Testing Laboratory
BES File w/sup.docs

Attachment: Bid Tabs

DP/kmf

**GOOD FAITH EFFORT
COMPLIANCE REPORT**

BK
YES NO

| | | |
|---|-------------|---------------|
| Submission substantially complies with Good Faith Effort Requirements | | YES NO |
| Reviewed by: | Brenda Kern | |
| Date: | 6-24-10 | |

PROJECT INFORMATION

| | |
|----------------------------------|--|
| PROJECT NAME & BUREAU | SW Yamhill St from SW 10 th – 11 th Sewer Replacement(BES) |
| BID NUMBER | 111816 |
| PRE-BID DATE | 5-11-10 |
| BID OPEN DATE | 6-17-10 |
| BID AMOUNT | \$741,689 |
| CONTRACTOR | Moore Excavation Inc |

AT BID SUBMISSION

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

MWESB PARTICIPATION – Total Bid

| PARTICIPATION TYPE | TOTAL \$ | PERCENTAGE OF TOTAL BID AMOUNT |
|----------------------------------|------------------|--|
| MBE | \$223,240 | 30.1% |
| WBE | \$0 | % |
| ESB | \$0 | % |
| Total MWESB Participation | \$223,240 | Total bid – 30.1% Subcontract percentage – 100% |

MWBE PARTICIPATION – Subcontracting (35% Aspirational goal)

| TOTAL OF ALL SUBCONTRACTS (including non-certified firms) | TOTAL MBE & WBE SUBCONTRACTS | PERCENTAGE OF MWBE SUBCONTRACTS |
|--|------------------------------|---------------------------------|
| \$223,240 | \$223,240 | 100% |

GOOD FAITH DOCUMENTATION (24 HOURS AFTER BID OPENING)

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

GOOD FAITH EFFORT ANALYSIS

| | |
|-----|---|
| 1. | Divisions of Work Identified by City: Concrete work; Drilling/Boring; Excavating; Hauling Services (Trucking); Sewer, Water & Storm Drain Work; Traffic Control Services (includes TPDT); |
| 2. | Rationale for non-utilization of subcontractors for suggested Divisions of Work: Self-performing |
| 3. | All Divisions of Work to be used on this project: Same as #1 |
| 4. | Certified Subcontractors' name, Cert Type, and Subcontract amount used on the Project: Mama Jo's Traffic Control (MBE) - \$31,000; Gonzales Boring & Tunneling (MBE) - \$192,240. |
| 5. | Subcontractor names and subcontract amounts awarded to non-certified firms: none |
| 6. | Divisions of Work retained by Prime: Concrete work; Excavating; Hauling Services (Trucking); Sewer, Water & Storm Drain Work; |
| 7. | Bids received from certified firms (not used): COAT Flagging (MBE) - \$32,250; C's Traffic Consulting LLC (WBE) - \$40.50hr +\$320/supervisor; HK Flagging (WBE) - \$41.50hr; Kim Bell Flagging (WBE) - \$42.50hr; Kurahashi & Assoc Co (MBE) - \$42.90hr; Portland Flagging (MBE) - \$31,650. |
| 8. | Check Compliance file for prime contractor. Are there any contract compliance issues in the prime's Compliance file (last 3 years) that should be noted for the Purchasing Agent's Report to Council? No. |
| 9. | Any special Good Faith Efforts undertaken by the Prime Contractor? Yes. Prime contacted more than the required number of MWESB firms in each DOW; plus they solicited to MWESB's in potential DOW's that may be added. |
| 10. | List of other prime bids received: Note any special Good Faith Efforts taken by the Prime Contractor and if good faith effort documentation submitted (Forms 1/2). K&R Plumbing - \$892,093 (Form 1-2); James W. Fowler - \$1,132,710 (Form 1). |

NOTES:

EEO cert: 11/30/10
COP Lic: 171604
CCB Lic: 28397 Active

Clarifications: (Spoke to:)

- 1. none

Issues: none

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

- Bids Solicited – 17 in 2 DOW's
 - Bids Received – 8 in 2 DOW's
 - MWESB Bids Used - 2 in 2 DOW's
 - OBE Bids Used - 0 in 0 DOW's
- (MWESB firms contacted for potential DOW's not included in these numbers)

Comparatively, the next low bidder...did not list their dollar amounts but used all MWESB's (concrete cutting, trucking and flagging).

Level of effort:

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

Cc: Loretta Young – \$500k and above
Susan Wheaton – BES reports

Bid No: 111816

Project Name: SW YAMHILL ST FROM SW 10th AVE TO SW 11th AVE SEWER REPLACEMENT

Date Bid Opened: 6/17/2010

Project Manager: Joe Dvorak

Engineers Estimate: \$1,200,000.00

| Item No | Description | Est. Quant | SKU | Spec Reference | MOORE EXCAVATION INC | | K&R PLUMBING & CONST CO | | JAMES W FOWLER CO | |
|--------------|-----------------------------------|------------|-----|----------------|----------------------|---------------------|-------------------------|---------------------|-------------------|---------------------|
| | | | | | Unit Price | Extended | Unit Price | Extended | Unit Price | Extended |
| | TEMPORARY PROTECTION & | | | | | | | | | |
| 1 | DIRECTION OF TRAFFIC | 1 | LS | 0225 | \$23,000.00 | \$23,000.00 | \$40,000.00 | \$40,000.00 | \$35,000.00 | \$35,000.00 |
| 2 | FLAGGERS | 750 | HR | 0225 | \$42.00 | \$31,500.00 | \$55.00 | \$41,250.00 | \$44.00 | \$33,000.00 |
| 3 | EROSION CONTROL | 1 | LS | 0280 | \$15,000.00 | \$15,000.00 | \$3,000.00 | \$3,000.00 | \$20,000.00 | \$20,000.00 |
| 4 | INLET PROTECTION | 10 | EA | 0280 | \$150.00 | \$1,500.00 | \$200.00 | \$2,000.00 | \$100.00 | \$1,000.00 |
| 5 | TRENCH EXCAVATION, COMMON | 85 | CY | 0405 | \$27.00 | \$2,295.00 | \$200.00 | \$17,000.00 | \$40.00 | \$3,400.00 |
| 6 | TRENCH BACKFILL, CLASS B | 25 | CY | 0405 | \$50.00 | \$1,250.00 | \$120.00 | \$3,000.00 | \$40.00 | \$1,000.00 |
| 7 | OWNER DIRECTED POTHOLING | 12 | EA | 0405 | \$250.00 | \$3,000.00 | \$2,000.00 | \$24,000.00 | \$2,000.00 | \$24,000.00 |
| 8 | TRENCHLESS, 6" SERVICE LATERAL | 212 | LF | 0406 | \$1,000.00 | \$212,000.00 | \$300.00 | \$63,600.00 | \$815.00 | \$172,780.00 |
| 9 | TV PIPE MAINLINE INSPECTION | 606 | LF | 0445 | \$2.00 | \$1,212.00 | \$8.00 | \$4,848.00 | \$3.00 | \$1,818.00 |
| 10 | TV LATERAL INSPECTION | 8 | EA | 0445 | \$500.00 | \$4,000.00 | \$1,000.00 | \$8,000.00 | \$400.00 | \$3,200.00 |
| | OWNER-DIRECTED VACTOR | | | | | | | | | |
| 11 | LATERAL POTHOLE | 8 | EA | 0445 | \$300.00 | \$2,400.00 | \$2,000.00 | \$16,000.00 | \$3,800.00 | \$30,400.00 |
| | OWNER-DIRECTED EXPLORATORY | | | | | | | | | |
| 12 | LATERAL INVESTIGATION | 8 | EA | 0445 | \$300.00 | \$2,400.00 | \$3,000.00 | \$24,000.00 | \$3,600.00 | \$28,800.00 |
| | 6" PIPE PVC ASTM D3034 SDR 35 | | | | | | | | | |
| 13 | BEDDING TYPE: D | 19 | LF | 0445 | \$450.00 | \$8,550.00 | \$50.00 | \$950.00 | \$815.00 | \$15,485.00 |
| | 10" PIPE PVC ASTM D3034 SDR 35 | | | | | | | | | |
| 14 | BEDDING TYPE: D | 5 | LF | 0445 | \$220.00 | \$1,100.00 | \$50.00 | \$250.00 | \$150.00 | \$750.00 |
| | 12" PIPE PVC ASTM D3034 SDR 35 | | | | | | | | | |
| 15 | BEDDING TYPE: D | 10 | LF | 0445 | \$230.00 | \$2,300.00 | \$50.00 | \$500.00 | \$200.00 | \$2,000.00 |
| 16 | FIELD FABRICATED CONNECTION | 8 | EA | 0445 | \$400.00 | \$3,200.00 | \$15,000.00 | \$120,000.00 | \$800.00 | \$6,400.00 |
| | CONCRETE MANHOLES, 48 INCH, | | | | | | | | | |
| 17 | 0-8 FT DEPTH | 2 | EA | 0470 | \$7,000.00 | \$14,000.00 | \$10,000.00 | \$20,000.00 | \$6,000.00 | \$12,000.00 |
| | CONCRETE MANHOLES, 48 INCH, | | | | | | | | | |
| 18 | DEEPER THAN 8 FT | 15 | LF | 0470 | \$180.00 | \$2,700.00 | \$300.00 | \$4,500.00 | \$150.00 | \$2,250.00 |
| | INSIDE DROP ASSEMBLY, 10 INCH, 0- | | | | | | | | | |
| 19 | 8 FEET DEPTH | 1 | EA | 0470 | \$1,000.00 | \$1,000.00 | \$2,000.00 | \$2,000.00 | \$4,000.00 | \$4,000.00 |
| 20 | DIVERSION OF FLOW | 1 | LS | 0490 | \$40,000.00 | \$40,000.00 | \$5,000.00 | \$5,000.00 | \$150,000.00 | \$150,000.00 |
| | CONNECTION TO EXISTING | | | | | | | | | |
| 21 | STRUCTURES | 2 | EA | 0490 | \$3,000.00 | \$6,000.00 | \$15,000.00 | \$30,000.00 | \$5,000.00 | \$10,000.00 |
| | CLSM FOR ABANDONED | | | | | | | | | |
| 22 | STRUCTURES AND BACKFILL | 232 | CY | 0490 | \$120.00 | \$27,840.00 | \$200.00 | \$46,400.00 | \$150.00 | \$34,800.00 |
| 23 | RECONSTRUCT MANHOLE BASE | 1 | EA | 0490 | \$5,000.00 | \$5,000.00 | \$2,000.00 | \$2,000.00 | \$4,000.00 | \$4,000.00 |
| | TRENCH RESURFACING, | | | | | | | | | |
| 24 | TEMPORARY, MHMAC, 2" THICK | 101 | SY | 0495 | \$22.00 | \$2,222.00 | \$35.00 | \$3,535.00 | \$29.00 | \$2,929.00 |
| | TRENCH RESURFACING W/O BASE, | | | | | | | | | |
| 25 | MHMAC, 8" THICK | 141 | SY | 0495 | \$120.00 | \$16,920.00 | \$130.00 | \$18,330.00 | \$100.00 | \$14,100.00 |
| 26 | AGGREGATE BASE | 34 | CY | 0640 | \$100.00 | \$3,400.00 | \$120.00 | \$4,080.00 | \$42.00 | \$1,428.00 |
| 27 | CONCRETE CURB & GUTTER | 10 | LF | 0759 | \$70.00 | \$700.00 | \$85.00 | \$850.00 | \$117.00 | \$1,170.00 |
| 28 | BRICK PAVERS | 1 | LS | 0760 | \$10,000.00 | \$10,000.00 | \$12,000.00 | \$12,000.00 | \$20,000.00 | \$20,000.00 |
| Total | | | | | | \$444,489.00 | | \$517,093.00 | | \$635,710.00 |

Bid No: 111816
 Project Name: SW YAMHILL ST FROM SW 10th AVE TO SW 11th AVE SEWER REPLACEMENT
 Date Bid Opened: 6/17/2010
 Project Manager: Joe Dvorak
 Engineers Estimate: \$1,200,000.00

| Item No | Description | Est. Quant | SKU | Spec Reference | MOORE EXCAVATION INC | | K&R PLUMBING & CONST CO | | JAMES W FOWLER CO | |
|------------------------------------|--|--------------------|------|----------------|----------------------|---------------------|-------------------------|---------------------|-------------------|-----------------------|
| | | | | | Unit Price | Extended | Unit Price | Extended | Unit Price | Extended |
| APPROVED METHOD 1 | | | | | | | | | | |
| NO. | ITEMS OF WORK AND MATERIALS | ESTIMATED QUANTITY | UNIT | SPEC REFERENCE | UNIT PRICE | TOTAL AMOUNT | UNIT PRICE | TOTAL AMOUNT | UNIT PRICE | TOTAL AMOUNT |
| 1 | MOBILIZATION | 1 | LS | 0210 | \$0.00 | \$0.00 | \$0.00 | \$0.00 | \$0.00 | \$0.00 |
| 2 | HOR DIRECTIONAL DRILLING, HDPE, ASTM F714, DR 17, 14" PIPE | 360 | LF | 0407 | \$0.00 | \$0.00 | \$0.00 | \$0.00 | \$0.00 | \$0.00 |
| APPROVED METHOD 1 BID | | | | | | <u>N/A</u> | | <u>N/A</u> | | <u>N/A</u> |
| TOTAL BASE + APPROVED METHOD 1 BID | | | | | | <u>N/A</u> | | <u>N/A</u> | | <u>N/A</u> |
| APPROVED METHOD 2 | | | | | | | | | | |
| NO. | ITEMS OF WORK AND MATERIALS | ESTIMATED QUANTITY | UNIT | SPEC REFERENCE | UNIT PRICE | TOTAL AMOUNT | UNIT PRICE | TOTAL AMOUNT | UNIT PRICE | TOTAL AMOUNT |
| 1 | MOBILIZATION | 1 | LS | 0210 | \$0.00 | \$0.00 | \$0.00 | \$0.00 | \$0.00 | \$0.00 |
| 2 | BORING AND JACKING, 12" ID Pipe | 360 | LF | 0406 | \$0.00 | \$0.00 | \$0.00 | \$0.00 | \$0.00 | \$0.00 |
| APPROVED METHOD 2 BID | | | | | | <u>N/A</u> | | <u>N/A</u> | | <u>N/A</u> |
| TOTAL BASE + APPROVED METHOD 2 BID | | | | | | <u>N/A</u> | | <u>N/A</u> | | <u>N/A</u> |
| APPROVED METHOD 3 | | | | | | | | | | |
| NO. | ITEMS OF WORK AND MATERIALS | ESTIMATED QUANTITY | UNIT | SPEC REFERENCE | UNIT PRICE | TOTAL AMOUNT | UNIT PRICE | TOTAL AMOUNT | UNIT PRICE | TOTAL AMOUNT |
| 1 | MOBILIZATION | 1 | LS | 0210 | \$74,000.00 | \$74,000.00 | \$150,000.00 | \$150,000.00 | \$110,000.00 | \$110,000.00 |
| 2 | PILOT TUBE MICROTUNNELING, 12" ID PIPE | 360 | LF | 0409 | \$620.00 | \$223,200.00 | \$625.00 | \$225,000.00 | \$1,075.00 | \$387,000.00 |
| APPROVED METHOD 3 BID | | | | | | <u>\$297,200.00</u> | | <u>\$375,000.00</u> | | <u>\$497,000.00</u> |
| TOTAL BASE + APPROVED METHOD 3 BID | | | | | | <u>\$741,689.00</u> | | <u>\$892,093.00</u> | | <u>\$1,132,710.00</u> |

| | | | | | | |
|------------------------------|-----|-------|-----|------|-----|-------|
| Bid Surety | Yes | BB | Yes | BB | Yes | BB |
| Contractor Board License No. | | 28397 | | 3294 | | 63701 |

Agenda No.
REPORT NO.
 Title

Accept bid of Moore Excavation, Inc. for the SW Yamhill St., from SW 10th Ave to SW 11th Ave Sewer Replacement Project for \$741,689.00. (Procurement Report-Bid No. 111816)

| | |
|---|--|
| <p>INTRODUCED BY Commissioner/Auditor: Mayor Sam Adams <i>K. Dillmann on behalf of Mayor Adams</i></p> <p>COMMISSIONER APPROVAL</p> <p>Mayor—Finance and Administration - Adams</p> <p>Position 1/Utilities - Fritz</p> <p>Position 2/Works - Fish</p> <p>Position 3/Affairs - Saltzman</p> <p>Position 4/Safety - Leonard</p> <p>BUREAU APPROVAL Bureau: Procurement Services Bureau Head: Christine Moody</p> <p>Prepared by: Kathleen Brenes-Morua Date Prepared: July 7, 2010</p> <p>Financial Impact Statement Completed <input checked="" type="checkbox"/> Amends Budget <input type="checkbox"/> Not Required <input type="checkbox"/></p> <p>Council Meeting Date July 21, 2010</p> <p>City Attorney Approval</p> | <p>CLERK USE: DATE FILED <u>JUL 16 2010</u></p> <p style="text-align: right;"><i>LaVonne Griffin-Valade</i> LaVonne Griffin-Valade Auditor of the City of Portland</p> <p>By: <i>[Signature]</i> Deputy</p> <p>ACTION TAKEN: JUL 21 2010 ACCEPTED PREPARE CONTRACT</p> |
|---|--|

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

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