



# CITY OF PORTLAND

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

Sam Adams, Mayor  
Jack D. Graham, Chief Administrative Officer  
Bryant Enge, Director, Bureau of Internal Business Services

Christine Moody  
Chief Procurement Officer  
Procurement Services  
Portland, Oregon 97204-1912  
(503) 823-5047  
FAX (503) 823-6865  
TTY (503) 823-6868

## CONSENT CALENDAR

June 20, 2012

originals

### TO THE COUNCIL:

The Chief Procurement Officer has advertised and received bids for Bid Number 114132 for The Portland Building Penthouse Stucco and 14<sup>th</sup> Floor Roof Replacement for the Bureau of Internal Business Services – Facilities Services, with a project construction estimate of \$ 800,000. The Bureau of Internal Business Services – Facilities Services rated the level of confidence in the project estimate as High.

Bids were opened on May 1, 2012, and three (3) bids were received. The low bid of Cedar Mill Construction Company, LLC was deemed responsive to the requirements of the solicitation. Therefore, it is recommended that the bid of Cedar Mill Construction Company, LLC be accepted at the lump sum quoted in their bid for a total not-to-exceed amount of \$ 756,800.00.

The Bureau of Internal Business Services – Facilities Services along with Procurement Services, identified six (6) Divisions of Work as potential M/W/ESB subcontracting opportunities for this project, resulting in \$555,912.00 awarded to subcontractors.

The Divisions of Work identified were:

Demolition	Drywall/Sheetrock	Insulation
Painting/Wallpapering	Roofing	Waterproofing

In their bid Cedar Mill Construction Company, LLC, indicated their intent to self perform the following divisions of work:

Carpentry	Demolition	HVAC		
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MWESB participation represents 10.7 % or \$ 59,307.00 of the estimated subcontracting dollars.

- WBE - \$ 53,878.00 performing Metal Fabrication.
- ESB - \$ 5,429.00 performing Painting/Wallpapering.

Cedar Mill Construction Company, LLC has a current City of Portland Business License and their EEO Certification is current through May 23, 2014. The company is located in Tualatin, OR, and is not a State Certified M/W/ESB Contractor.

*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.*

Cedar Mill Construction Company, LLC is in Full Compliance with the Equal Benefits Program.

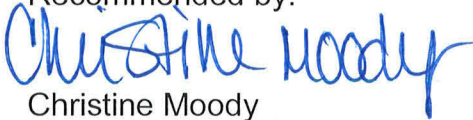
Funds are available for this project under Owner Cost Center 9MFFA0000096.

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:jab



# CITY OF PORTLAND

OFFICE OF MANAGEMENT AND FINANCE

Sam Adams, Mayor  
Jack D. Graham, Chief Administrative Officer  
1120 SW Fifth Ave., Suite 1250  
Portland, Oregon 97204-1912  
(503) 823-5288  
FAX (503) 823-5384  
TTY (503) 823-6868

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## MEMORANDUM

**DATE:** May 10, 2012

**TO:** Jeff Blade, Procurement

**FROM:** Dale Cook

**SUBJECT:** Bid #114132  
The Portland Building Penthouse Stucco and 14<sup>th</sup> Floor Roof Replacement

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The bids have been reviewed by OMF/BIBS/Facilities Services and it is recommended that a contract be entered into with **Cedar Mill Construction Company** for **\$756,800** as the bidder submitting the lowest, responsive, responsible bid.

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**GOOD FAITH EFFORT  
COMPLIANCE REPORT**

RAM 5/15/12  
BBS

<i>Submission substantially complies with Good Faith Effort Requirements</i>		<b>YES</b> NO
<b>Reviewed by:</b>	Brenda Scott	
<b>Date:</b>	5-7-12	

**PROJECT INFORMATION**

<b>PROJECT NAME &amp; BUREAU</b>	TPB Penthouse Stucco & 14 <sup>th</sup> Floor Roof Replacement (FAC)
<b>BID NUMBER</b>	114132
<b>PRE-BID DATE</b>	4-6-12 and 3-29-12 (2 pre-bids were held)
<b>BID OPEN DATE</b>	5-1-12
<b>BID AMOUNT</b>	\$756,800
<b>CONTRACTOR</b>	Cedar Mill Construction Company

**AT BID SUBMISSION**

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

**M/W/ESB PARTICIPATION – Total Bid**

PARTICIPATION TYPE	TOTAL \$	PERCENTAGE OF TOTAL BID AMOUNT
<b>MBE</b>	<b>\$0</b>	<b>0%</b>
<b>WBE</b>	<b>\$53,878</b>	<b>7.1%</b>
<b>ESB</b>	<b>\$5,429</b>	<b>.7%</b>
<b>Total M/W/ESB Participation</b>	<b>\$59,307</b>	<b>Total bid – 7.8% Subcontract percentage – 10.7%</b>

**M/WBE PARTICIPATION – Subcontracting (35% Aspirational goal)**

TOTAL OF ALL SUBCONTRACTS (including non-certified firms)	TOTAL MBE & WBE SUBCONTRACTS	PERCENTAGE OF M/WBE SUBCONTRACTS
<b>\$555,912</b>	<b>\$53,878</b>	<b>9.7%</b>

**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>	<b>X</b>		
2.	<i>Did contractor explain why identified divisions of work (DOW) were not included for subcontracting? (See Form 1)</i>	<b>X</b>		
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>	<b>X</b>		
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>		<b>X</b>	
5.	<i>Were M/W/ESB firms contacted at least seven (7) calendar days before the bid opening?(Form 2)</i>	<b>X</b>		
6.	<i>Is a copy of the letter or fax sent to potential M/W/ESB subs included in Good Faith documentation?</i>	<b>X</b>		
7.	<i>Did prime provide a completed M/W/ESB Contact/Bids Received Log (Form 2)?</i>	<b>X</b>		

**GOOD FAITH EFFORT ANALYSIS**

1.	<b>Divisions of Work Identified by City:</b> Demolition; Drywall/Sheetrock; Insulation; Painting/Wallpapering; Roofing; and Waterproofing.
2.	<b>Rationale for non-utilization of subcontractors for suggested Divisions of Work:</b> Self-performing.
3.	<b>All Divisions of Work to be used on this project:</b> Same as #1 plus Missed Opportunities – Carpentry; Crane Service; Electrical; Metal Fabrication; Plumbing; and HVAC.
4.	<b>Certified Subcontractors' name, Cert Type, and Subcontract amount used on the Project:</b> McBride Sheet Metal (WBE Metal Fab) - \$53,878; and Painting Oregon (ESB Painting/Wallpapering) - \$5,429.
5.	<b>Subcontractor names and subcontract amounts awarded to non-certified firms:</b> Snyder Roofing - \$301,285; Cascade Mechanical (Plumbing) - \$8,570; Conduit Electric (Electrical) - \$5,250; Ness & Campbell Crane (Crane Service) - \$32,500; and Performance Contracting Inc (Insulation, Stucco, Waterproofing, Drywall/Sheetrock) - \$149,000.
6.	<b>Divisions of Work retained by Prime:</b> Carpentry; Demolition; and missed opportunity – HVAC.
7.	<b>Bids received from certified firms (not used):</b> The Rodriguez Corporation (MBE) - \$30,000.
8.	<b>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?</b> No.
9.	<b>Any special Good Faith Efforts undertaken by the Prime Contractor?</b> Yes, prime contacted more than the required number of MWESB's in some DOW's as well as solicited many missed opportunity DOW.
10.	<b>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).</b> Payne Construction Inc - \$868,878 (Form 1); and SD Deacon Corp of Oregon - \$867,000 (Form 1).

**Notes:**

EEO Cert. Expires: 5/31/12

COP License No.: 645154

CCB License No.: 131345

**Issues:**

1. *Form 2 – Painting – only 6 firms contacted in this DOW rather than the 7 required (5+2 pre-bid attendees). Upon review it seems clear that what happened was this.*
  - a. *No MWESB's attended the first pre-bid. That same day, 5 MWESB firms were solicited for painting as required.*
  - b. *Then another pre-bid was held on 4-6-12, where 2 MWESB painting firms attended. So they contacted the 2 MWESB pre-bid attendees.*
  - c. *The problem was that one of those 2<sup>nd</sup> pre-bid MWESB attendees was one of the first group of 5 MWESB's already contacted. So they duplicated contacting the same firm, The Rodriguez Corp.*

**Clarifications: (spoke to Jesse 5-10-12)**

1. *They stated that what I surmised above is exactly what happened.*
2. *Who is doing the HVAC? Form 2 shows they did GFE for this DOW.*
  - a. *They didn't get any bids so will be self-performing. Not an issue as this is not an identified DOW.*
3. *Need price for The Rodriguez Corporation waterproofing and painting?*
  - a. *\$30,000*

1) *Summary of Cedar Mill Construction Company Good Faith Efforts:*

DOW		Required M/W/ESB Contacts	# M/W/ESBs Contacted	# Bids Received	# Bids Used
91075	DRYWALL/SHEETROCK	5	7	0	0
91438	ELECTRICAL	0	7	0	0
91036	HVAC	0	6	0	0
91453	INSULATION	5	5	0	0
91458	METAL FABRICATION	0	7	1	1
91461	PAINTING/WALLPAPERING	7	6	2	1
91468	PLUMBING	0	7	0	0
91473	ROOFING	5	7	0	0
96894	WATERPROOFING	5	6	1	0
<b>Total</b>		<b>27</b>	<b>58</b>	<b>4</b>	<b>2</b>

**Level of Effort:**

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

***Recommendation:***

*Approval. The contractor is in substantial compliance with the GFE specifications.*

# TABULATION OF BIDS

CITY OF PORTLAND  
PROCUREMENT SERVICES

**Project: TPB Penthouse Stucco & 14<sup>th</sup> Floor Roof Replacement**  
**Bid Opening: 5/1/12**

<b>Bid Number: 114132</b> <b>Bureau: Facilities</b> <b>Estimate: \$700,000.00</b>			
<b>Bidder's Name</b>	<b>Lump Sum Bid Amount</b>	<b>Bid Surety</b>	<b>OCCB License Number</b>
Cedar Mill Construction Company, LLC	\$756,800.00	Y	131345
S.D. Deacon Corp of Oregon	\$867,000.00	Y	134328
Payne Construction, Inc.	\$868,878.00	Y	38215

Buyer: Jeff Blade



Bid No: 114132									
Project Name: TPB Penthouse Stucco & 14th Floor Roof Replacement									
Date Bid Opened: 5/1/12									
Project Manager: Dale Cook									
Engineers Estimate: \$700,000.00									
Item		Est.		Cedar Mill Construction Company, LLC		S.D. Deacon Corp of Oregon		Payne Construction, Inc.	
No	Description	Quant	SKU	Unit Price	Extended	Unit Price	Extended	Unit Price	Extended
1	Concrete Pavers: Wausau Tile's Terra System One, Terra Paver, Type I, exposed aggregate, 24 inches x 24 inches x 2 inches. Color to match existing. Include Concrete Paver Supports: Wausau Tile's Terra-Tabs, 3/8 inch thick.	1	Each	\$156.00	\$156.00	\$68.50	\$68.50	\$180.00	\$180.00
2	Insulation: Dow Styrofoam 60 psi PlazaMate. Match existing thickness.	1	Square Foot	\$6.85	\$6.85	\$3.75	\$3.75	\$9.13	\$9.13
3	Stud Framing: Replacement of 10'-0" long 4" metal stud. Base bid: Include 10 studs. Refer to Section: 09 01 29	1	Each	\$100.00	\$100.00	\$231.00	\$231.00	\$123.00	\$123.00
4	Stud Track: Replacement of 2'-0" long 4" metal stud track. Base bid: Include (20) 2'-0" lengths. Refer to Section: 09 01 29	1	Each	\$100.00	\$100.00	\$231.00	\$231.00	\$93.80	\$93.80
5	Stud Framing: Replacement of 10'-0" long 6" metal stud. Base bid: Include 5 studs. Refer to Section: 09 01 29	1	Each	\$150.00	\$150.00	\$231.00	\$231.00	\$103.00	\$103.00
6	Stud Track: Replacement of 2'-0" long 6" metal stud track. Base bid: Include (10) 2'-0" lengths. Refer to Section: 09 01 29	1	Each	\$150.00	\$150.00	\$231.00	\$231.00	\$83.00	\$83.00
Total					\$662.85		\$996.25		\$591.93
Bid Surety				Yes	BB	Yes	BB	Yes	BB
Contractor Board License No.					131345		134328		38215
Alternate #1 - In lieu of acrylic stucco finish, provide modified waterbased acrylate at penthouse stucco walls in the event acrylic stucco finish cannot be made to match the colors and texture of the existing stucco. Reference Section 01 23					\$8,450.00		\$12,600.00		\$4,950.00

Agenda No.  
**REPORT NO.**  
Title

Accept bid of Cedar Mill Construction Company, LLC for The Portland Building Penthouse Stucco and 14<sup>th</sup> Floor Roof Replacement for \$756,800.00 (Procurement Report - Bid No. 114132)

<p><b>INTRODUCED BY</b> Commissioner/Auditor: <b>Mayor Sam Adams</b></p>	<p>CLERK USE: DATE FILED <u>JUN 15 2012</u></p>
<p><b>COMMISSIONER APPROVAL</b> <i>Call for Mayor Adams</i> Mayor - Finance and Administration - Adams</p>	<p align="center">LaVonne Griffin-Valade Auditor of the City of Portland</p>
Position 1/Utilities - Fritz	<p>By: <u><i>[Signature]</i></u> Deputy</p>
Position 2/Works - Fish	
Position 3/Affairs - Saltzman	
Position 4/Safety - Leonard	
<p><b>BUREAU APPROVAL</b> Bureau: Procurement Services Bureau Head: Christine Moody <i>CM</i></p>	<p><b>ACTION TAKEN:</b> <b>JUN 20 2012 ACCEPTED PREPARE CONTRACT</b></p>
<p>Prepared by: Jeff Blade Date Prepared: June 13, 2012</p>	
<p>Financial Impact &amp; Public Involvement Statement Completed <input checked="" type="checkbox"/> Amends Budget <input type="checkbox"/></p>	
<p>Council Meeting Date <b>June 20, 2012</b></p>	
<p><b>City Attorney Approval</b></p>	

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

FOUR-FIFTHS AGENDA	COMMISSIONERS VOTED AS FOLLOWS:		
		YEAS	NAYS
1. Fritz	1. Fritz	<input checked="" type="checkbox"/>	
2. Fish	2. Fish	<input checked="" type="checkbox"/>	
3. Saltzman	3. Saltzman	<input checked="" type="checkbox"/>	
4. Leonard	4. Leonard	<input checked="" type="checkbox"/>	
Adams	Adams	<input checked="" type="checkbox"/>	