



# CITY OF PORTLAND

OFFICE OF MANAGEMENT AND FINANCE

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

Christine Moody  
Chief Procurement Officer  
Procurement Services

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Portland, Oregon 97204-1912  
(503) 823-5047  
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originals

## CONSENT CALENDAR

August 22, 2012

### TO THE COUNCIL:

The Chief Procurement Officer has advertised and received bids for Bid Number 114612 for the Sidewalk Infill Projects – Package A for the Portland Bureau of Transportation with a project construction estimate of \$1,140,000. The Portland Bureau of Transportation rated the level of project estimate confidence as Moderate.

Bids were opened on July 12, 2012, and one (1) bid was received. The low bid of Brown Contracting, Inc. was deemed responsive to the requirements of the solicitation. It is recommended that the bid of Brown Contracting, Inc. be accepted at the unit price quoted in their bid for a total estimated amount of \$1,121,467.00.

The Portland Bureau of Transportation along with Procurement Services, identified fourteen (14) Divisions of Work as potential M/W/ESB subcontracting opportunities for this project, resulting in \$40,179.00 awarded to subcontractors.

The Divisions of Work identified were:

Asphalt Paving	Clearing/Grubbing/ Mowing/Brushing	Concrete Cutting	Concrete Work	Excavating
Fencing	Grading	Landscaping	Hauling Services (Trucking)	Sewer, Water & Storm Drain Work
Striping	Traffic Control Services (Includes TPDT)	Traffic Signal Installation/Removal	Utilities	

In their bid Brown Contracting, Inc. indicated their intent to self perform the following Divisions of Work:

Asphalt Paving	Clearing/Grubbing/ Mowing/Brushing	Concrete Cutting	Concrete Work	Excavating
Fencing	Sewer, Water & Storm Drain Work	Hauling Services (Trucking)	Grading	Striping

### *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.

Utilities	Traffic Control Services (Includes TDPT)			
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MWESB participation represents 100 % or \$ 40,179.00 of the estimated subcontracting dollars.

- WBE - \$ 2975.00 performing Landscaping
- ESB - \$37,204.00 performing Traffic Signal Installation/Removal

Brown Contracting, Inc. has a current City of Portland Business License and their EEO Certification is current through 12/24/12. The company is located in Eugene, Oregon, and is not a State Certified MBE/ESB Contractor. The company is currently registered as an Oregon Business with the Secretary of State.

Brown Contracting, Inc. is in Full Compliance with the Equal Benefits Program.

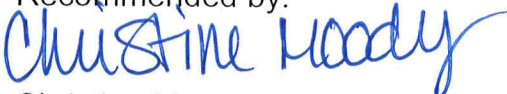
Funds are available for this project under Owner Cost Center T00327.

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:ked

Sam  
Adams  
Mayor

Tom  
Miller  
Director

July 18, 2012

## MEMORANDUM

TO: Christine Moody, Chief Procurement Officer

FROM: Steve Townsen, P.E., City Engineer *SOT/lag*

SUBJECT: **Sidewalk Infill Package A**  
**Bid No. 114612**

Attached are the bid summary and bid error reports for the above referenced project.

The apparent low bid of \$1,121,467 was received from Brown Contracting, Inc. This bid is 98.4% of the Engineer's Estimate of \$1,139,196.

Based on the corrected results of the bid and findings of Procurement staff, it is my recommendation that Brown Contracting, Inc be declared the lowest responsible and responsive bidder and that their bid be accepted.

ST: jks

### Attachments

Copy: Kelly Davis, Procurement Specialist  
Kyle Chisek, Project Manager w/attachments  
Eva Huntsinger, Engineer of Record w/attachments  
Hollie Berry, Construction Manager  
Bobby Rosenblum, Engineering Technician w/attachments  
File

# GOOD FAITH EFFORT COMPLIANCE REPORT

*✓ GFM 7/13/12*  
*BS*

Submission substantially complies with Good Faith Effort Requirements		<b>YES</b>	NO
Reviewed by:	Brenda Scott		
Date:	7-18-12		

## PROJECT INFORMATION

PROJECT NAME & BUREAU	Sidewalk Infill Projects – Package A (PBOT)
BID NUMBER	114612
PRE-BID DATE	None
BID OPEN DATE	7-12-12
BID AMOUNT	\$1,121,467
CONTRACTOR	Brown Contracting Inc

## 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
MBE	\$0	0%
WBE	\$2,975	.3%
ESB	\$37,204	3.3%
Total M/W/ESB Participation	\$40,179	Total bid – 3.6% Subcontract percentage – 100%

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

TOTAL OF ALL SUBCONTRACTS (including non-certified firms)	TOTAL MBE & WBE SUBCONTRACTS	PERCENTAGE OF M/WBE SUBCONTRACTS
\$40,179	\$2,975	7.4%

**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>	<i>n/a</i>		<i>No prebid</i>
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>	<i>n/a</i>		<i>No prebid</i>
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><i>Divisions of Work Identified by City:</i></b> Asphalt Paving; Clearing/Grubbing/Mowing/Brushing; Concrete Cutting; Concrete Work; Excavating; Fencing; Grading; Hauling Services (Trucking); Landscaping; Sewer, Water & Storm Drain Work; Striping; Traffic Control Services (Includes TPDT); Traffic Sign Installation/Removal; and Utilities.
2.	<b><i>Rationale for non-utilization of subcontractors for suggested Divisions of Work:</i></b> Self-performing.
3.	<b><i>All Divisions of Work to be used on this project:</i></b> Same as #1.
4.	<b><i>Certified Subcontractors' name, Cert Type, and Subcontract amount used on the Project:</i></b> Miller Factors (WBE Landscaping) - \$2,975; and Cartello Construction (ESB Traffic Sign Installation/Removal) - \$37,204.
5.	<b><i>Subcontractor names and subcontract amounts awarded to non-certified firms:</i></b> None.
6.	<b><i>Divisions of Work retained by Prime:</i></b> Asphalt Paving; Clearing/Grubbing/Mowing/Brushing; Concrete Cutting; Concrete Work; Excavating; Fencing; Grading; Hauling Services (Trucking); Sewer, Water & Storm Drain Work; Striping; Traffic Control Services (Includes TPDT); and Utilities.
7.	<b><i>Bids received from certified firms (not used):</i></b> Valley Growers Nursery (MBE Landscaping) - \$12,215.
8.	<b><i>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?</i></b> No.
9.	<b><i>Any special Good Faith Efforts undertaken by the Prime Contractor?</i></b> No.
10.	<b><i>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).</i></b> No other bids received.

**Notes:**

EEO Cert. Expires: 12/24/12  
COP License No.: 701667 (The Brown Emrick Company)  
CCB License No.: 114260

**Issues:** None.

**Clarifications:** None.

*Summary of Brown Contracting Inc Good Faith Efforts:*

DOW		Required M/W/ESB Contacts	# M/W/ESBs Contacted	# Bids Received	# Bids Used
98852	LANDSCAPING	5	5	2	1
96880	TRAFFIC SIGN INSTALLATION/REMOVAL	5	6	1	1
Total		10	11	3	2

**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 compliance with the GFE specifications.*

Bid No: 114612  
Project Name: Sidewalk Infill Projects - Package A  
Date Bid Opened: July 12, 2012  
Project Manager: Chisek/Mahon  
Engineers Estimate: \$1,240,000

Item No	Description	Est. Quant	SKU	Brown Contracting, Inc	
				Unit Price	Extended
1	MOBILIZATION	1	LS	\$115,000.00	\$115,000.00
2	TEMPORARY PROTECTION & DIRECTION OF TRAFFIC	1	LS	\$10,000.00	\$10,000.00
3	TEMPORARY SIGNS	128	SQFT	\$35.00	\$4,480.00
4	TEMPORARY BARRICADES, TYPE II	20	EACH	\$70.00	\$1,400.00
5	TEMPORARY PLASTIC DRUMS	100	EACH	\$80.00	\$8,000.00
6	FLAGGERS	528	HOU	\$36.00	\$19,008.00
7	TEMPORARY TYPE ORANGE PLASTIC MESH FENCE	100	FOOT	\$10.00	\$1,000.00
8	EROSION CONTROL	1	LS	\$10,000.00	\$10,000.00
9	INLET PROTECTION	58	EACH	\$150.00	\$8,700.00
10	POLLUTION CONTROL PLAN	1	LS	\$1,000.00	\$1,000.00
11	REMOVAL OF STRUCTURES & OBSTRUCTIONS	1	LS	\$20,000.00	\$20,000.00
12	CLEARING AND GRUBBING	1	LS	\$20,000.00	\$20,000.00
13	TREE ROOT REMOVAL	20	HOU	\$300.00	\$6,000.00
14	TREE TRIMMING	20	HOU	\$250.00	\$5,000.00
15	TREE REMOVAL, 12 INCH	1	EACH	\$1,500.00	\$1,500.00
16	GENERAL EXCAVATION	2182	CUYD	\$49.00	\$106,918.00
17	10 INCH PIPE, HDPE ASTM F714 SDR 26 BEDDING TYPE:D COMPLETE	51	FOOT	\$100.00	\$5,100.00
18	8 INCH PIPE, HDPE ASTM F714 SDR 26 BEDDING TYPE:D COMPLETE	4	FOOT	\$200.00	\$800.00
19	8 INCH PIPE, HDPE ASTM F714 SDR 17 BEDDING TYPE:D COMPLETE	6	FOOT	\$185.00	\$1,110.00
20	10 INCH PIPE, HDPE ASTM F714 SDR 17 BEDDING TYPE:D COMPLETE	14	FOOT	\$130.00	\$1,820.00
21	CONCRETE INLETS, TYPE G-1	2	EACH	\$2,000.00	\$4,000.00
22	CONCRETE INLETS, TYPE G-2	7	EACH	\$2,200.00	\$15,400.00
23	DRAINAGE CURBS	25	FOOT	\$25.00	\$625.00
24	ADJUSTING BOXES	77	EACH	\$150.00	\$11,550.00
25	CONNECTION TO EXISTING STRUCTURES	5	EACH	\$1,000.00	\$5,000.00
26	ADJUSTING INLETS	17	EACH	\$500.00	\$8,500.00
27	RETAINING WALL, RECONSTRUCT	40	FOOT	\$50.00	\$2,000.00
28	AGGREGATE BASE	924	TON	\$49.00	\$45,276.00
29	LEVEL 2, 1/2 INCH DENSE, MWMAC MIXTURE	244	TON	\$200.00	\$48,800.00
30	10 INCH ASPHALT CONCRETE PAVEMENT REPAIR	894	SQYD	\$34.00	\$30,396.00
32	CONCRETE CURBS, STANDARD CURB	1074	FOOT	\$28.00	\$30,072.00
33	CONCRETE CURBS, STANDARD CURB, MODIFIED	178	FOOT	\$68.00	\$12,104.00
34	CONCRETE ISLANDS	681	SQFT	\$9.00	\$6,129.00
35	CONCRETE DRIVEWAYS	16886	SQFT	\$6.00	\$101,316.00
36	CONCRETE WALKS	41820	SQFT	\$4.00	\$167,280.00
37	MONOLITHIC CURB AND SIDEWALKS	20418	SQFT	\$10.00	\$204,180.00
38	CONCRETE STAIRS	1	CUYD	\$1,500.00	\$1,500.00
39	CONCRETE DRIVEWAY CONNECTIONS	1338	SQFT	\$9.00	\$12,042.00
40	DETECTABLE WARNING SURFACE	71	SQFT	\$40.00	\$2,840.00
41	BI-DIRECTIONAL YELLOW TYPE I MARKERS	20	EACH	\$20.00	\$400.00
42	CURB MARKINGS - PAINT	76	FOOT	\$6.00	\$456.00
43	THERMOPLASTIC, NON-PROFILE, 120 MILS, EXTRUDED	180	FOOT	\$6.00	\$1,080.00
44	REMOVE EXISTING SIGNS	1	LS	\$2,000.00	\$2,000.00
45	REMOVE & REINSTALL EXISTING SIGNS	1	LS	\$1,000.00	\$1,000.00
46	SIGN SUPPORT FOOTINGS, BREAKAWAY	1	LS	\$4,000.00	\$4,000.00
47	SIGNAL POLE MOUNTS	1	LS	\$2,000.00	\$2,000.00
48	PIPE SIGN SUPPORTS	1	LS	\$15,000.00	\$15,000.00
49	TYPE "G" SIGNS IN PLACE	177	SQFT	\$30.00	\$5,310.00
50	TYPE "R" SIGNS IN PLACE	231	SQFT	\$14.00	\$3,234.00
51	TYPE "W1" SIGNS IN PLACE	12	SQFT	\$18.00	\$216.00
52	SIGNAL POLE FOOTINGS	1	LS	\$10,000.00	\$10,000.00
53	LAWN SEEDING	317	SQYD	\$5.00	\$1,585.00
54	TOPSOIL	53	CUYD	\$60.00	\$3,180.00
55	BARK MULCH	4	CUYD	\$175.00	\$700.00
56	SINGLE MAILBOX SUPPORTS	36	EACH	\$130.00	\$4,680.00
57	MULTIPLE MAILBOX SUPPORTS	7	EACH	\$250.00	\$1,750.00
58	MAILBOX CONCRETE COLLARS	43	EACH	\$50.00	\$2,150.00
59	REMOVE & REINSTALL MAILBOX SUPPORTS	43	EACH	\$160.00	\$6,880.00
Total					\$1,121,467.00
Bid Surety				Yes	BB
Contractor Board License No.					114260



Agenda No.  
**REPORT NO.**  
 Title

Accept bid of Brown Contracting, Inc. for the Sidewalk Infill Projects – Package A for \$1,121,467.00  
 (Procurement Report – Bid No. 114612)

<p>INTRODUCED BY          Commissioner/Auditor:  <b>Mayor Sam Adams</b>  <i>K. Bilmann on behalf of Mayor Adams</i></p> <p>COMMISSIONER APPROVAL</p> <p>Mayor—Finance and Administration - Adams</p> <p>Position 1/Utilities - Fritz</p> <p>Position 2/Works - Fish</p> <p>Position 3/Affairs - Saltzman</p> <p>Position 4/Safety - Leonard</p> <p>BUREAU APPROVAL</p> <p>Bureau: Procurement Services          Bureau Head: Christine Moody <i>CM</i></p> <p>Prepared by: Kelly Davis          Date Prepared: August 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>August 22, 2012</b></p> <p>City Attorney Approval</p>	<p>CLERK USE: DATE FILED <u>AUG 17 2012</u></p> <p style="text-align: right;">LaVonne Griffin-Valade          Auditor of the City of Portland</p> <p>By: <i>[Signature]</i> Deputy</p> <p>ACTION TAKEN:  <b>AUG 22 2012 ACCEPTED PREPARE CONTRACT</b></p>
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<b>AGENDA</b>
<p><b>TIME CERTAIN</b> <input type="checkbox"/></p> <p>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"/></p> <p><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	✓	
2. Fish	2. Fish	✓	
3. Saltzman	3. Saltzman	✓	
4. Leonard	4. Leonard	✓	
Adams	Adams	✓	