

IMPACT STATEMENT

Legislation title: *Authorize contracts as required with two technical and expert service firms for on-call pavement testing & analysis of City Streets using a falling weight deflectometer in support of the Portland Bureau of Transportation. (Ordinance)

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Presenter name: Todd Liles, Engineering Services Construction Manager

Purpose of proposed legislation and background information:

Transportation project needs generally include work with short deadlines, scopes that may need to be developed quickly and/or requiring expertise or equipment currently unavailable in-house for PBOT. These as-needed services are referred to as “on-call services.” Work performed under any resulting contract(s) must be authorized via a written task order signed by both the City and successful Proposer with negotiated scope & cost agreed to prior to execution.

One of the primary purposes for establishing on-call contracts is to save time and money for the City, due to the fact that multiple solicitations for the same type of work adds an unnecessary expense. In addition, procuring services in this on-call manner saves the consulting firms the cost of developing and submitting multiple proposals.

The On-Call Pavement Testing Services RFP (TRN 123) are for Capital Improvement or Road Rehabilitation projects which may not yet have been developed, and which may include funding sources that have not yet been either identified or appropriated. PBOT incorporates pavement testing as part of the Pavement Management System to:

- 1) Validate proposed asphalt thickness pavement design;
- 2) Determine the existing roadway thickness of materials by coring and;
- 3) Seek out structural pavement failures not detectable by other means.

PBOT prepares for pavement testing a year in advance of potential projects because it can take up to 6 months to produce a pavement design report using deflection data. For this reason, PBOT uses the Pavement Management System to have a list of projects to choose from a year in advance and ready to test. This allows PBOT to initiate design of capital and contract paving projects as soon as funding is identified.

Financial and budgetary impacts:

The not-to-exceed total dollar amount for the 2 contracts over the next three years is \$1,000,000 (\$500k each). Contract expenses are funded within the Pavement Management budget of Engineering Services. Task Orders will only be authorized when budgeted funds have been identified for expenditure on testing in support of future planned contract paving work.

Negative impacts if not approved:

1. The remaining tasks currently on-hold for the 2014 expired contract would require a further contract extension authorization by Council to complete that work. Contract authority that remains totals \$6,711.75 for PSI, Inc. and \$8,454.88 for GeoDesign. Final deliverable includes incorporating agency review comments and producing final pavement design reports.
2. PBOT will not have the necessary on-call contracts available for required pavement testing resulting in contract paving projects potentially delayed a year until testing is performed.
3. Small businesses, including M/W/ESB prime and subcontractors, would not be deployed for PBOT transportation projects.

Community impacts and community involvement:

The primary contact for public involvement was Richard Gray, PBOT Senior Management Analyst, 503-823-5250, richard.gray@portlandoregon.gov.

For RFP# TRN-123, PBOT conducted an extensive outreach effort and with the help of Procurement Services, including Tiffani Penson the MEP coordinator, a number of organizations were identified. Specifically, PBOT conducted the following outreach:

- Researched the states OMWESB state-certified web site for potential M/W/ESB firms that may perform this type of work. PSI inc. is the only firm listed and is an ESB;
- Posted the solicitation on the City's Online Procurement Center;
- Sent communication of solicitation to OAME (Oregon Assn. of Minority Entrepreneurs), NAMCO (National Assoc. of Minority Contractors) and BDI (Business Diversity Institute);
- Posted the solicitation on the Lateral Agile Partnership (LAPs) website;
- Published the solicitation in the Daily Journal of Commerce;
- Checked with ODOT and WSDOT for candidates but they use their own forces, and;
- Inquired with the Oregon Asphalt Paving Association about potential service providers.

For this solicitation, PBOT had one selection committee made up of five members including one member of the public – a Minority Evaluation Program (MEP) representative to evaluate proposals.

M/W/ESB Participation

Two firms proposed and both have been selected. As you can see in the attached Exhibit-B, the table at the top (proposed new contract), PSI is a certified ESB, and along with their subcontractors result in total estimated utilization of 77.5%. GeoDesign proposes a utilization of an estimated 18%. Total contract utilization, if fully implemented to the maximum contract amount would result in approximately 47.7% combined M/W/ESB utilization.

The table at the bottom shows the expired 2014 contract for these same firms. Total MWESB participation has achieved a combined 56%.

Not all subcontractors are needed on every roadway test. Without identifying specific roadway sections, it is difficult for the proposers to identify for certain which subcontractor(s) will be used. However, based on the solicitation information, they are able to identify the subcontractors they may use if projects are developed.

Again, it is important to note that for on-call contracts, the City requests services as the need arises, therefore, there is no guarantee of work assigned nor that the total dollar limit of any contract will be reached. Additionally, the prime contractors are not guaranteeing work to the subcontractors listed on the PTE Disclosure Forms, as they are providing information for projects that do not yet exist.

Budgetary Impact Worksheet

Does this action change appropriations?

- YES: Please complete the information below.
- NO: Skip this section

Fund	Fund Center	Commitment Item	Functional Area	Funded Program	Grant	Sponsored Program	Amount

KK 2-12-15

