


[Home](#) / [Council Documents](#)

581-2023

Report

Authorize Price Agreements with Iron Horse Excavation, LLC dba Oxbow Construction, James W Fowler Co., and Interlaken, Inc. for on-call construction services for the Urgent Rehabilitation of Sanitary and Storm Sewers Project for \$3 million per agreement (Procurement Report - RFP 00002074)

Accepted

TO THE COUNCIL:

On June 15, 2022, Council approved Ordinance Number 190881 for Procurement Services to competitively solicit the Price Agreements for Urgent Rehabilitation of Sanitary and Storm Sewers (PAURSS) Project in accordance with PCC 5.34. The Chief Procurement Officer has advertised and received proposals for RFP Number 00002074 on behalf the Bureau of Environmental Services (BES) with the cumulative annual cost not to exceed \$9,000,000 per year over a three-year period. BES rated the project estimate confidence level as High.

Price Agreements for on-call construction services are intended to be used for projects whose specific scope and budget are not pre-determined. Work performed under these Price Agreements will be authorized via written task orders when projects are identified. The City's equity in contracting aspirational goal of 20% of the hard construction costs for subcontractor and supplier utilization of firms certified by the State's Certification Office for Business Inclusion and Diversity (COBID) will apply to each individual task order, and the contractors awarded these Price Agreements have committed to make good faith efforts to achieve the utilization goal. Each task order will be negotiated to subcontract with COBID certified enterprises to the maximum extent possible.

Iron Horse Excavation, LLC dba Oxbow Construction is located in Troutdale, Oregon, and is a State COBID Certified DBE/WBE Contractor and is a Caucasian/female owned firm. They have a current City of Portland Business Tax Registration and are in full compliance with all of the City's contracting requirements.

James W Fowler Co. is located in Dallas, Oregon, and is not a State COBID Certified Contractor and is a Caucasian/male owned firm. They have a

Introduced by

[Mayor Ted Wheeler](#)

Bureau

[Management and Finance;](#)
[Revenue and Financial Services](#)

Contact

Biko Taylor

Chief Procurement Officer

 ✉ biko.taylor@portlandoregon.gov

 📞 [503-823-1095](tel:503-823-1095)

Mahn Saechao

 Construction, Senior
 Procurement Specialist

 ✉ Mahn.Saechao@portlandoregon.gov

 📞 [503-823-8323](tel:503-823-8323)

Requested Agenda Type

Regular

Date and Time Information

Requested Council Date

July 12, 2023

Time Requested

15 minutes

current City of Portland Business Tax Registration and are in full compliance with all of the City's contracting requirements.

Interlaken, Inc. is located in Fairview, Oregon, and is a State COBID Certified WBE Contractor and is a Caucasian/female owned firm. They have a current City of Portland Business Tax Registration and are in full compliance with all of the City's contracting requirements.

Work performed under the Price Agreements will be funded by the Sewer System Operating Fund.

Performance Bonds and Payment Bonds are required for task orders with a value of \$150,000 and above. Further, 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.

Procurement Services recommends that Council accept this Report and authorize the Chief Procurement Officer to execute Price Agreements with Iron Horse Excavation, LLC dba Oxbow Construction, James W Fowler Co., and Interlaken, Inc.

Recommended by:

Biko Taylor

Chief Procurement Officer

BT: mss

Impact Statement

Purpose of Proposed Legislation and Background Information

The purpose of this legislation is to authorize the Chief Procurement Officer to execute three (3) Price Agreements for Urgent Rehabilitation of Sanitary and Storm Sewers (PAURSS) Project for Iron Horse Excavation, LLC dba Oxbow Construction, James W Fowler Co., and Interlaken, Inc. for \$3,000,000 per Price Agreement.

The PAURSS project allows BES to respond to urgent sewer repair needs for intermediate size projects in an expedited manner. PAURSS projects address BES assets that are deemed in need of urgent repair, modification and/or rehabilitation to prevent the condition from deteriorating to the point the project becomes an emergency need. Proactively addressing urgent sewer repair projects before they become Emergency projects improves service to the community, protects public health, safety, the environment, and vital adjacent utility systems while maximizing the benefit of available funds by addressing deficiencies before they become an emergency repair.

Ordinance No. 190881 was approved by City Council on June 15, 2022, authorizing the Chief Procurement Officer to issue a competitive solicitation for the PAURSS Project. The construction cost based on bids received is \$3,000,000 per Price Agreement.

Financial and Budgetary Impacts

Work performed under the Price Agreements will be funded from each individual budget CIP project when the project is established.

The purposed legislation will not create, eliminate or re-classify any positions now or in the future.

Community Impacts and Community Involvement

The contracting community was notified of the upcoming opportunity when the project was presented at the Fair Contracting Forum on June 16, 2022 and again when the project was published in the Daily Journal of Commerce on March 13, 2023.

Potential bidders were able to review the competitive solicitation, ask questions, provide comments and submit a bid in response to the Request for Proposals (RFP). Proposals received resulted in the award of the construction contract. Procurement Services managed the procurement process. No protests were received.

No known persons or groups will be testifying.

No future public involvement is anticipated or necessary for this request.

100% Renewable Goal

This action neither increases nor decreases the City's total energy use.

This action neither increases nor decreases the City's renewable energy use.

Budget Office Financial Impact Analysis

This ordinance authorizes price agreements for on-call construction services with three companies at \$3 million apiece. These agreements would establish contracts that would allow the bureau to expedite sewer repair needs for intermediate size projects. Any amount spent on the contract will be funded from existing appropriations.

Agenda Items

581 Regular Agenda in [July 12-13, 2023 Council Agenda](https://www.portland.gov/council/agenda/2023/7/12)
(<https://www.portland.gov/council/agenda/2023/7/12>)

Accepted - Prepare Contract

Motion to accept the report: Moved by Mapps and seconded by Gonzalez.

Commissioner Rene Gonzalez Yea

Commissioner Mingus Mapps Yea

Commissioner Carmen Rubio Yea

Commissioner Dan Ryan Yea

Mayor Ted Wheeler Yea