



# 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

1120 S.W. Fifth Avenue, Rm. 750  
Portland, Oregon 97204-1912  
(503) 823-5047  
FAX (503) 823-6865  
TTY (503) 823-6868

*Originals*

### CONSENT CALENDAR

May 2, 2012

#### TO THE COUNCIL:

The Chief Procurement Officer has advertised and received bids for Bid Number 114078 for the Columbia Boulevard Wastewater Treatment Plant Digester Mixing Upgrade project for the Bureau of Environmental Services, with a construction cost estimate of \$6,800,000.00. The Bureau of Environmental Services rated the level of confidence in the project estimate as Optimal.

Bids were opened on March 29, 2012, and five (5) bids were received. The low bid of Stellar J. Corporation was deemed responsive to the requirements of the solicitation. It is recommended that the bid of Stellar J. Corporation be accepted at the lump sum quoted in their bid for a total estimated amount of \$5,831,600.00.

The Bureau of Environmental Services along with Procurement Services, identified three (3) Divisions of Work as potential M/W/ESB subcontracting opportunities for this project, resulting in \$3,007,000.00 awarded to subcontractors.

The Divisions of Work identified were:

Asbestos Removal	Drywall/Sheetrock	Painting/Wallpapering
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In their bid, Stellar J. Corporation indicated MWESB participation to be 46.7% or \$1,404,500.00 of the estimated subcontracting dollars:

- MBE - \$161,500.00 performing Hauling Services (Trucking) and Painting/Wallpapering.
- WBE - \$433,000.00 performing HVAC.
- ESB - \$810,000.00 performing Concrete Pumping, Electrical, Irrigation, and Landscaping.

Stellar J. Corporation has a current City of Portland Business License and their EEO Certification is current through August 2, 2013. The company is located in Woodland, Washington, and is not a State Certified MWESB Contractor.

Stellar J. Corporation is in Full Compliance with the Equal Benefits Program.

Funds are available for this project under Owner Cost Center E08944.

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*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.*

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  
M E M O R A N D U M  
ENGINEERING SERVICES DIVISION

**DATE:** March 30, 2012

**TO:** Kathleen Brenes-Morua, Procurement Services

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

**FROM:** David Hammond, Construction Project Manager  
James Brown, Design Project Manager



**RE:** Bid No. 114078  
Project No. E08944

**SUBJECT:** CBWTP Digester Mixing Upgrade  
Contract Award Recommendation

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We have reviewed the bids for this project.

The proposal from Stellar J Corp. shows a bid amount of \$5,831,600, which is 14.2% under the Engineer's Estimate of \$6,800,000 and is the apparent low bid.

We therefore recommend that Procurement Services accept the proposal from Stellar J Corp., 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 503-823-9686, if you have any questions.

cc: Scott Gibson  
Garry Ott  
Paul Suto  
James Brown  
Mike Lombardi  
Tim Knighton  
Bill Ryan  
Dave Nunamaker  
Jaime de la Garza  
Neil Bruesch  
Neil Choate  
Const. File w/sup.docs

cc: Susan Wheaton  
TRIM Folder 54.0

Attachment: Bid Tabs  
drh/tkk

# GOOD FAITH EFFORT COMPLIANCE REPORT

BS  
KRM

Submission substantially complies with Good Faith Effort Requirements		<b>YES</b> NO
Reviewed by:	Brenda Scott	
Date:	4-4-12	

## PROJECT INFORMATION

<b>PROJECT NAME &amp; BUREAU</b>	CBWTP Digester Mixing Upgrade (BES)
<b>BID NUMBER</b>	114078
<b>PRE-BID DATE</b>	3-7-12
<b>BID OPEN DATE</b>	3-29-12
<b>BID AMOUNT</b>	\$5,831,600
<b>CONTRACTOR</b>	Stellar J Corporation

## 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>\$161,500</b>	<b>2.8%</b>
<b>WBE</b>	<b>\$433,000</b>	<b>7.4%</b>
<b>ESB</b>	<b>\$810,000</b>	<b>13.9%</b>
<b>Total M/W/ESB Participation</b>	<b>\$1,404,500</b>	<b>Total bid – 24.1% Subcontract percentage – 46.7%</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>\$3,007,000</b>	<b>\$594,500</b>	<b>19.8%</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> Asbestos Removal; Drywall/Sheetrock; and Painting/Wallpapering.
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 - Concrete Pumping; Concrete Cutting; Electrical; Floor Coverings; Hauling Services (Trucking); HVAC; Irrigation; Roofing and Metal Fabrication.
4.	<b>Certified Subcontractors' name, Cert Type, and Subcontract amount used on the Project:</b> Fine Painting & Allied Services Inc (MBE Painting/Wallpapering) - \$159,000; H&F Concrete Pumping (ESB Concrete Pumping) - \$2,000; Camp Creek Electric (ESB Electrical) - \$718,000; Salt & Pepper Construction (MBE Trucking) - \$2,500; General Sheet Metal Works Inc (WBE HVAC) - \$433,000; and Envirosapes Northwest Inc (ESB Irrigation, Landscaping) - \$90,000.
5.	<b>Subcontractor names and subcontract amounts awarded to non-certified firms:</b> IRS Environmental of Portland Inc (Asbestos Removal) - \$7,000; Billings & Cronn Co (Drywall/Sheetrock) - \$12,500; Taurus Power & Controls Inc (Instrumentation) - \$340,000; Instafab Company Inc (Metal Fabrication) - \$480,000; Snyder Roofing (Roofing) - \$750,000; and A-Line Concrete Cutting (Concrete Cutting) - \$13,000.
6.	<b>Divisions of Work retained by Prime:</b> Floorcoverings.
7.	<b>Bids received from certified firms (not used):</b> Bryan R Green Construction and Plumbing (ESB Drywall/Sheetrock) - \$17,693; The Rodriguez Corporation (MBE Painting/Wallpapering) - \$133,425; Brothers Concrete Cutting (MBE Concrete Cutting) - \$32,094; B&K Sheetmetal (ESB Roofing) - \$113,300; Ann Phelps Trucking LLC (ESB Trucking) - \$4,000; Kohling Construction LLC (ESB Trucking) - \$5,000; and Miller Factors (WBE Irrigation/Landscaping) - \$240,464.
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. They also solicited and contracted with MWESB's in several Missed Opportunity DOW's.
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> James W Fowler - \$6,180,000 (Form 1); McClure & Sons Inc - \$6,227,965 (Form 1); Prospect Construction - \$6,277,510 (no forms); and MKB Constructors - \$6,727,136 (no forms).

**Notes:**

EEO Cert. Expires: 8/2/13  
COP License No.: 657473  
CCB License No.: 127903

**Issues:** None

**Clarifications (spoke to Ivan Hooper 4-5-12):**

1. Form 2 - The Rodriguez Corporation (MBE) bid (painting/wallpaper) was only \$133,425 but Fine Painting (MBE) was selected for \$159,000?
  - a. Fine Painting's (MBE) base bid was only \$109,000, while \$133,425 was The Rodriguez Corporation's (MBE) base bid. The additional \$50,000 was the allowance to paint the lid.
2. Form 2 - Brothers Concrete Cutting (MBE) submitted a bid and it shows that it wasn't accepted due to price but a firm was not listed on Form 1 for Concrete Cutting?
  - a. This was an omission, A-Line Concrete Cutting is doing the work for \$13,000. This is not an issue as it was not an identified DOW.
3. Form 2 – B&K Sheetmetal (ESB) submitted a bid and it shows that it wasn't accepted due to scope but a firm was not listed on Form 1 for Roofing?
  - a. This was an omission, Snyder Roofing is performing the work for \$750,000. This is not an issue as it was not an identified DOW.
4. Form 2 – There were 9 firms solicited for Missed Opportunity – Floor Coverings, but a firm was not listed on Form 1.
  - a. They received no MWESB bids so are self-performing.

*Summary of Stellar J Corporation's Good Faith Efforts:*

DOW		Required M/W/ESB Contacts	# M/W/ESBs Contacted	# Bids Received	# Bids Used
91038	ASBESTOS REMOVAL	1 (only 1 on website)	1	0	0
91382	CONCRETE CUTTING	0	5	2	0
92519	CONCRETE PUMPING	0	1	1	1
91075	DRYWALL/SHEETROCK	5	7	1	0
91438	ELECTRICAL	0	1	1	1
91444	FLOOR COVERINGS	0	9	0	0
96239	HAULING SERVICES (TRUCKING)	0	4	3	1
91036	HVAC	0	1	1	1
91227	IRRIGATION	0	2	2	1
98852	LANDSCAPING	0	2	2	1
91458	METAL FABRICATION	0	1	1	1
91461	PAINTING/WALLPAPERING	8	9	2	1
91473	ROOFING	0	9	1	0
Total		14	52	17	8

**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: 114078  
 Project Name: CBWTP DIGESTER MIXING UPGRADE  
 Date Bid Opened: 3/29/2012  
 Project Manager: Keith Holland  
 Engineers Estimate: \$6,800,000.00

Item No	Description	Est. Quant	Unit	Stellar J Corporation		James W Fowler Co.		McClure & Sons, Inc.		Prospect Construction, Inc.		MKB Constructors		
				Unit Price	Extended	Unit Price	Extended	Unit Price	Extended	Unit Price	Extended	Unit Price	Extended	
1	Base Bid - Indicate by circling one of the two named manufacturers which mixer manufacturer will be providing the services and equipment specified in Specification Section 11580.	1	LS	\$5,681,600.00	\$5,681,600.00	\$6,030,000.00	\$6,030,000.00	\$6,077,965.00	\$6,077,965.00	\$6,127,510.00	\$6,127,510.00	\$6,577,136.00	\$6,577,136.00	
2	Contract Allowance for Owner- Requested Coating and Concrete Repair	1	LS	\$50,000.00	\$50,000.00	\$50,000.00	\$50,000.00	\$50,000.00	\$50,000.00	\$50,000.00	\$50,000.00	\$50,000.00	\$50,000.00	
3	Contract Allowance for Cover Steel	1	LS	\$50,000.00	\$50,000.00	\$50,000.00	\$50,000.00	\$50,000.00	\$50,000.00	\$50,000.00	\$50,000.00	\$50,000.00	\$50,000.00	
4	Repair to Address Wear	1	LS	\$50,000.00	\$50,000.00	\$50,000.00	\$50,000.00	\$50,000.00	\$50,000.00	\$50,000.00	\$50,000.00	\$50,000.00	\$50,000.00	
4	Contract Allowance for Cover Modifications to Address Resonance	1	LS	\$50,000.00	\$50,000.00	\$50,000.00	\$50,000.00	\$50,000.00	\$50,000.00	\$50,000.00	\$50,000.00	\$50,000.00	\$50,000.00	
	Manufacturer A-Westech or B-Ovivo				B-Ovivo USA		B-Ovivo USA		B-Ovivo USA		B-Ovivo USA		A-Westech	
	Total				\$5,831,600.00		\$6,180,000.00		\$6,227,965.00		\$6,277,510.00		\$6,727,136.00	
	Bid Surety				Yes	BB	Yes	BB	Yes	BB	Yes	BB	Yes	BB
	Contractor Board License No.				127903		63701		71127		163289		190035	



Agenda No.  
**REPORT NO.**  
 Title

Accept bid of Stellar J. Corporation for the Columbia Boulevard Wastewater Treatment Plant Digester Mixing Upgrade Project for \$5,831,600.00 (Procurement Report - Bid No. 114078)

<p><b>INTRODUCED BY</b>          Commissioner/Auditor:  <b>Mayor Sam Adams</b>  <i>K. Allmann on behalf of Mayor Adams</i></p> <p><b>COMMISSIONER APPROVAL</b></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><b>BUREAU APPROVAL</b></p> <p>Bureau: Procurement Services          Bureau Head: Christine Moody <i>CM</i></p> <p>Prepared by: Kathleen Brenes-Morua          Date Prepared: April 23, 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>May 2, 2012</b></p> <p><b>City Attorney Approval</b></p>	<p>CLERK USE: DATE FILED <u>APR 27 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><b>ACTION TAKEN:</b></p> <p><b>MAY 02 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 <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"/>	