

## Agenda No. 87

### REPORT

Accept bid of \$1,921,557 from Just Bucket Excavating, Inc. for the Connected Cully Project (Procurement Report - Bid No. 00001505)

#### CALENDAR

February 10, 2021

#### TO THE COUNCIL:

On July 8, 2020, Council approved Ordinance Number 190030 for Procurement Services to competitively solicit the Connected Cully Project in accordance with PCC 5.34. The Chief Procurement Officer has advertised and received bids for Bid Number 00001505 on behalf of the Portland Bureau of Transportation (PBOT), with a project construction estimate of \$2,710,419. PBOT rated the project estimate confidence level as Moderate.

Bids were opened on November 5, 2020, and nine (9) bids were received. The lowest responsive bid is from Just Bucket Excavating, Inc., thus it is recommended that their bid be accepted at the estimated unit prices quoted for a total bid amount of \$1,921,557, which is 30.19% under the engineer's estimate.

On March 30, 2016, Council approved Ordinance Number 187654 to execute an Intergovernmental Agreement with the Oregon Department of Transportation for the Connected Cully Project. This is a federal-aid transportation project. The Project is funded and programmed as part of the 2016-2018 State Transportation Improvement Program (STIP) cycle. Under ODOT's certification, this project will be reviewed and audited by ODOT for federal-aid project compliance.

#### Introduced by

Mayor Ted Wheeler

#### Bureau

Management and Finance

#### Prepared by

Rachel Beane

#### Date Prepared

December 24, 2020

#### Requested Council Date

February 10, 2021

#### Requested Agenda Type

Regular  
10 minutes  
requested

#### Date Filed with Clerk

February 2, 2021

Part of the certification is that ODOT shall administer on behalf of the City, ODOT's Disadvantaged Business Enterprise (DBE), Equal Employment Opportunity, and On-The-Job Training (OJT) programs. As such, ODOT establishes the minimum DBE goals for each federal-aid project in compliance with 49 CFR 26. The criteria used in assigning project goals includes project location, size, duration, dollar value and the availability of DBE firms that can perform identified subcontracting opportunities. This project has a 12% DBE goal. ODOT deemed Just Bucket Excavating, Inc. to be responsive to the DBE requirement. State based certifications other than DBE are not reported in Federal Aid projects. **The DBE participation for this project is 42.07%** as follows:

<b>Contractor</b>	<b>Certification</b>	<b>Area of Work</b>	<b>Ownership</b>	<b>Amount</b>
Just Bucket Excavating, Inc.	DBE	PRIME - Excavating, Erosion Control, Pollution Control, Traffic Control, Contaminated Disposal, Structures & Obstructions, and Clearing & Grubbing	African American/Male	\$727,056
Egami Construction	DBE	SUB - Signage	Asian Pacific/Female	\$81,342.00
<b>Total</b>				<b>\$808,398.00</b>

Just Bucket Excavating, Inc. is located in Albany, Oregon, and is a State COBID Certified Contractor. They have a current City of Portland Business Tax Registration and are in full compliance with all of the City's contracting requirements.

Portland Bureau of Transportation has funds budgeted in FY 2020 and proposed FY 2021 for construction, inspection and management of the project.

It is recommended that a Performance Bond and Payment Bond each at 100% of the contract amount be furnished by the Contractor. 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.

The bid sureties of the remaining bidders should be returned immediately in compliance with Section 5.34.410D of the City Code.

Procurement Services recommends that Council accept this Report and authorize the Chief Procurement Officer to execute the contract with Just Bucket Excavating, Inc.

Recommended by:

Kathleen Brenes-Morua

Interim Chief Procurement Officer

KBM: rab

Action taken:

Four Fifths Agenda	Commissioners voted as follows:		
		YEAS	NAYS
1. Rubio	1. Rubio		
2. Ryan	2. Ryan		
3. Hardesty	3. Hardesty		
4. Mapps	4. Mapps		
Wheeler	Wheeler		

## IMPACT STATEMENT

**Legislation title:** Accept bid of \$1,921,557 from Just Bucket Excavating, Inc. for the Connected Cully Project (Procurement Report – Bid No. 00001505)

**Contact name:** Kathleen Brenes-Morua, Interim Chief Procurement Officer

**Contact phone:** (503) 823-2506

**Presenter name:** Kathleen Brenes-Morua, Interim Chief Procurement Officer

### **Purpose of proposed legislation and background information:**

The purpose of this legislation is to authorize the Chief Procurement Officer to execute a construction contract for the Connected Cully Project for \$1,921,557.

The Connected Cully Project will provide accessible sidewalk, driveway connections, curb ramps and pedestrian crossing improvements, where needed, on NE Killingsworth Street and NE Prescott Street between NE 42nd Avenue and NE 60th Avenue.

Ordinance No. 190030 was approved by City Council on July 8, 2020 authorizing the Chief Procurement Officer to issue a competitive solicitation for the Connected Cully Project. The construction cost based on bids received is \$1,921,557.

### **Financial and budgetary impacts:**

The engineer's estimate for this project was \$2,710,419 and the confidence level was Moderate. Based on the proposal received, PBOT anticipates the construction contract cost to not exceed \$1,921,557 which is 30.19% under the engineer's estimate.

The Bureau of Transportation has funds budgeted in FY 2020 and proposed funds in FY 2021 for construction, inspection and management of the project.

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

### **Community impacts and community involvement:**

The Connected Cully Project comes directly from the 2012 Cully Main Street and Local Street Plan. The public involvement efforts related to the development of this plan included stakeholder advisory committee, organized community walks, two open houses, and widespread multi-lingual notification to property owners, residents and other parties as well as events and activities engaging youth, non-English speaking residents and seniors.

Additional outreach conducted during the design engineering phase included direct meetings with adjacent property owners, presentations to the Cully Neighborhood Association and tabling at local community events and other area project open houses.

The construction contracting community, including contractors certified with the State of Oregon as minority, women, and emerging small businesses became involved when the Chief Procurement Officer advertised and publicly noticed the project on the City’s Online Procurement System on October 7, 2020. A public notice was also posted in the Daily Journal of Commerce on October 9, 2020.

Potential bidders were able to review the competitive solicitation, ask questions, provide comments and submit a bid in response to the Invitation to Bid (ITB). 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.

**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