

**Agenda No. 90**

**REPORT**

Accept bid of \$2,785,180 from Paul Brothers, Inc. for the Gabriel Park Play Area Improvements Project (Procurement Report - Bid No. 00001559)

CALENDAR

February 10, 2021

TO THE COUNCIL:

On November 4, 2020, Council approved Ordinance Number 190193 for Procurement Services to competitively solicit the Gabriel Park Play Area Improvements Project in accordance with PCC 5.34. The Chief Procurement Officer has advertised and received bids for Bid Number 00001559 on behalf of Portland Parks and Recreation (PP&R), with a project construction estimate of \$2,500,000. PP&R rated the project estimate confidence level as Moderate .

Bids were opened on December 22, 2020, and seven (7) bids were received. The lowest responsive bid is from Paul Brothers, Inc., thus it is recommended that their bid be accepted at the estimated lump sum quoted for a total bid amount of \$2,785,180, which is 11% over the engineer’s estimate.

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) applies to this project.

**Paul Brothers, Inc. has committed to subcontract 29.01% to COBID Certified firms** as follows:

**Introduced by**  
Mayor Ted Wheeler

**Bureau**  
Management and Finance

**Prepared by**  
Rachel Beane

**Date Prepared**  
December 28, 2020

**Requested Council Date**  
February 10, 2021

**Requested Agenda Type**  
Regular  
10 minutes requested

**Date Filed with Clerk**  
February 2, 2021

<b>Subcontractor</b>	<b>Certification</b>	<b>Area of Work</b>	<b>Ownership</b>	<b>Amount</b>
Bryan R. Green	ESB	Construction	Caucasian/Male	\$31,050
G.R. Morgan Construction	ESB	Construction	Caucasian/Female	\$67,730
Northwest Hydro Mulchers, Inc.	ESB	Mulching	Caucasian/Female	\$4,622
Nuwave Concrete, Inc	DBE/ESB	Concrete	Caucasian /Male	\$490,550
Rock & Road Construction LLC	DBE/MBE	Road Construction	African American/Male	\$55,000
Steel & Timber Construction/Fabrication LLC	ESB	Fabrication	Caucasian/Female	\$23,233
A2 Metals, LLC	DBE/WBE	Metal Fabrication	Caucasian/Female	\$135,940
<b>Total</b>				<b>\$808,125</b>

Paul Brothers, Inc. acting as the prime contractor intends to self-perform 59.11% of the work and to contract 11.88% to the following non-certified firm:

<b>Subcontractor</b>	<b>Area of Work</b>	<b>Amount</b>
Arbor Pro Tree Experts	Arborist	\$9,780
Axiom Custom Products	Supply	\$47,940
CMT Surveying and Consulting Inc.	Survey	\$12,300
Drakes Striping	Striping	\$7,955
Eastside Paving Inc	Paving	\$36,350
Five Star Electric	Electrical Contracting	\$7,058
Flexground, LLC	Coating	\$96,547
Functional Surfacing	Floor Installation	\$4,300
LM Construction of Brush Prarie	Construction	\$52,269
National Construction Rentals, Inc.	Fence Rental	\$18,155
Sequoia Stonescapes	Paver Installation	\$38,221
<b>Total</b>		<b>\$330,875</b>

Paul Brothers, Inc. is located in Boring, Oregon, and is a State COBID Certified WBE/ESB 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.

Funding for this Project is included in the FY20-21 budget through a combination of funds from the 2014 Parks Replacement Bond, PP&R System Development Charges and PP&R ADA Program – Major Maintenance funds.

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 Paul Brothers, 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 \$2,785,180 from Paul Brothers, Inc. for the Gabriel Park Play Area Improvements Project (Procurement Report – Bid No. 00001559)

**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 Gabriel Park Play Area Improvements Project for \$2,785,180.

Park improvements include deconstruction of existing pathways, picnic area and playground, and construction of a new expanded inclusive destination play area that promotes access to play for all users, new ADA-accessible picnic areas and benches, ADA-compliant pedestrian pathway improvements, renovations to existing all-user restroom for ADA compliance, vegetate onsite stormwater management basins, tree planting, and other site infrastructure improvements.

Ordinance No. 190193 was approved by City Council on November 4, 2020 authorizing the Chief Procurement Officer to issue a competitive solicitation for the Gabriel Park Play Area Improvements Project. The construction cost based on bids received is \$2,785,180.

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

The engineer's estimate for this project was \$2,500,000 and the confidence level was Moderate. Based on the proposal received, PP&R anticipates the construction contract cost to not exceed \$2,785,180 which is 11% over the engineer's estimate.

Funding for this Project is included in the FY20-21 budget through a combination of funds from the 2014 Parks Replacement Bond, PP&R System Development Charges and PP&R ADA Program – Major Maintenance funds.

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

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

PP&R and its design consultants assembled a Project Advisory Committee (PAC) of local accessibility experts, parents and caregivers of children with differing physical or developmental abilities, and neighborhood representatives. PAC was tasked with helping to guide the design, discuss challenges related to accessibility and inclusion on conventional playgrounds. Their work enabled PP&R to understand the needs of the neighborhood as a whole as they relate to play. PP&R's community engagement efforts additionally sought

public input through five PAC meetings, prior to three Open House meetings with the general public, to understand the current use of the park, solicit and discuss public feedback for design, and gain overwhelming support for the design of the play area improvements.

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 November 23, 2020. A public notice was also posted in the Daily Journal of Commerce on November 30, 2020.

Potential bidders were able to review the competitive solicitation, ask questions, provide comments and submit a bid in response to the Request for Proposal (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.

**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