



M E M O R A N D U M

TO: Interested Parties
FROM: David Kronsteiner, President
DATE: March 21, 2018
SUBJECT: Port of Coos Bay Special Commission Meeting Notice

The **Board of Commissioners** of the Oregon International Port of Coos Bay will hold a Special Commission Meeting at **3:00 p.m., Thursday, March 22, 2018**, in the Port Commission Chambers, located at 125 West Central Avenue, Suite 230, Coos Bay, Oregon 97420.

The Commissioners and guests may either attend in person or via telephone conference call:

Conference Call Line: (866) 906-7447
Participant Access Code: 3594640#

DK: lc

**OREGON INTERNATIONAL PORT OF COOS BAY
SPECIAL COMMISSION MEETING
3:00 p.m., Thursday, March 22, 2018**
Port Commission Chambers, 125 West Central Avenue, Suite 230, Coos Bay, Oregon 97420

T E N T A T I V E A G E N D A

- 1. CALL MEETING TO ORDER**

- 2. INTRODUCTION OF GUESTS AND PORT STAFF**

- 3. PUBLIC COMMENT**

- 4. ACTION ITEMS**
 - A. Amend Authorization to Award: 2018 Timber Bridge Repairs Project Fred Jacquot

- 5. OTHER**

- 6. COMMISSION COMMENTS**

- 7. NEXT MEETING DATE** – Monday, April 16, 2018, 6:30pm

- 8. ADJOURN**

OREGON INTERNATIONAL PORT OF COOS BAY

ACTION/DECISION REQUEST

DATE: March 22, 2018

PROJECT TITLE: Amended Authorization to Award the Contract for the Coos Bay Rail Line 2018 Timber Bridge Repairs Project.

ACTION REQUESTED: Adoption of resolution 2018res07 accepting bids and granting authorization for Chief Executive Officer John Burns to award the contract for the Coos Bay Rail Line 2018 Timber Bridge Repairs Project.

BACKGROUND:

Under previous Commission authorization, Port staff solicited bids for the Coos Bay Rail Line 2018 Timber Bridge Repairs Project. The project will make repairs and improvements on 37 timber bridges along the full length of the line. Work will include the replacement of caps, stringers, ties, and other structural repairs on the identified bridges. The work selected for this project are repairs identified as priority 2 (repair as soon as possible) in the 2016 Bridge Inspection reports. Work for this project will be funded by the 2013 Oregon DOT Lottery Bond Grant.

An Invitation to Bid for the Project was issued February 16, 2018, and a non-mandatory site visit held February 27. Staff received six bids by the March 14, 2018 4:00 pm due date. All bids were opened, and the results made available to all bidders and posted to the Port's website. The initial bid results are listed in the table below:

Firm Name	Total Price
Balfour Beatty	\$1,335,970.00
Hamilton Construction	\$2,643,320.00
Koppers Railroad Structures	\$2,195,535.00
LRL Construction	\$1,720,492.00
Scott Partney Construction	\$2,005,386.00
Railworks Track Systems	\$3,776,500.00

Staff estimate for the overall project cost was \$1,772,740.00.

At the March 19, 2018 regular Commission meeting, Staff reported that all bids had been reviewed for responsiveness, and Balfour Beatty Infrastructure, Inc. had been determined to be the lowest, responsive and responsible bidder. Based on that report and Staff's recommendation, the Commission authorized negotiation and execution of a contract with Balfour Beatty. Prior to issuing Notice of Intent to Award, staff realized Balfour Beatty's bid should have been rejected as

non-responsive because Balfour Beatty's Commercial Contractors License surety did not meet the \$75,000 requirement set out in paragraph 3.1 on page 2 of the Instructions to Bidders section of the Solicitation Documents. That paragraph clearly states:

"A bid for this Project may not be received or considered by Port unless BIDDER is licensed by the Construction Contractors Board and has the required surety bond."

Based on the language in the cited paragraph, Port staff believes the bid submitted by Balfour Beatty Infrastructure, Inc. must be rejected.

The next lowest bid for the project was submitted by LRL Construction Co., with ARG Transportation Services listed as their first-tier subcontractor. Additionally, LRL identified a repair project completed on one timber bridge structure for Montana Rail Link in 2010 for their experience and provided resumes for David Cook with Union Pacific and Duke Rodley with ARG Transportation Services as their project management personnel. Staff has determined the information provided does not sufficiently demonstrate the experience or qualifications necessary to complete the Project, and staff believes it is in the Public's Interest to reject LRL Construction Co.'s bid as allowed by Oregon Administrative Rule OAR 137-049-0440 (1)(a).

Staff has also determined the bid submitted by RailWorks Track Systems is non-responsive because there was no information provided concerning experience with timber bridge structures, no resumes for project management personnel provided, and no force account rates provided as required in the Solicitation Documents.

All other bids have been completely reviewed and found responsive and responsible.

The bid submitted by Scott Partney Construction is the lowest responsive and responsible bid submitted for this project. Staff recommends the Commission authorize award of the contract for the Coos Bay Rail Line 2018 Timber Bridge Repairs Project to Scott Partney Construction Co.

RECOMMENDED MOTION:

Approve Resolution No. 2018res07 and to award the Coos Bay Rail Line 2018 Timber Bridge Repairs Project to Scott Partney Construction Co. for the total price of \$2,005,386.00 with signature authority for Chief Executive Officer John Burns to execute the contract.

RESOLUTION 2018Res07

A RESOLUTION OF THE BOARD OF COMMISSIONERS OF THE OREGON INTERNATIONAL PORT OF COOS BAY ACTING IN ITS CAPACITY AS ITS OWN LOCAL CONTRACT REVIEW BOARD

ACCEPTING BIDS FOR THE COOS BAY RAIL LINE 2018 TIMBER BRIDGE REPAIRS PROJECT AND AUTHORIZING AWARD

WHEREAS the Board of Commissioners of the Oregon International Port of Coos Bay (hereinafter “Port”), pursuant to ORS 279A.060 is the Local Contract Review Board (hereinafter LCRB) for the Oregon International Port of Coos Bay; and

WHEREAS the LCRB on June 16, 2005 adopted Permanent Public Contracting Rules and Rules of Procedure for Public Contracting for the Oregon International Port of Coos Bay; and

WHEREAS on March 14, 2018, the Oregon International Port of Coos Bay (“Port”) received bids for the Oregon International Port of Coos Bay Coos Bay Rail Line 2018 Timber Bridge Repairs Project; and

WHEREAS Balfour Beatty Infrastructure, Inc., Hamilton Construction Co., Koppers Railroad Structures Inc., LRL Construction Co., Scott Partney Construction, Inc., and RailWorks Track Systems, Inc. all submitted bids for the project; and

WHEREAS the bid submitted by Balfour Beatty Infrastructure, Inc., and the bid submitted by RailWorks Track Systems, Inc. have been rejected as non-responsive, and the bid submitted by LRL Construction Co. has been rejected in the Public’s Interest; and

WHEREAS the bid submitted by Scott Partney Construction, Inc., has been determined the lowest responsive and responsible bid; and

WHEREAS the Port Commission for the Oregon International Port of Coos Bay desires to accept the bid of Scott Partney Construction as the low bid for the Coos Bay Rail Line 2018 Timber Bridge Repairs project.

NOW, THEREFORE, BE IT RESOLVED AS FOLLOWS:

1. The recitals above are true and accurate and are incorporated herein by this reference.
2. The Oregon International Port of Coos Bay accepts the bids submitted for the project on March 14, 2018 by Hamilton Construction Co., Koppers Railroad Structures Inc., and Scott Partney Construction, Inc. The Port rejects the bids submitted by Balfour Beatty Infrastructure, Inc., and RailWorks Track Systems, Inc. as being non-responsive. The Port rejects the bid submitted by LRL Construction Co. in the Public’s Interest.
3. The bid submitted by Scott Partney Construction, Inc. is accepted by the Port as the lowest responsive and responsible bid for the entire project.
4. The Port shall issue a Notice of Intent to Award the contract for the 2018 Timber Bridge Repairs Project to Scott Partney Construction, Inc.
5. That John Burns, Chief Executive Officer of the Oregon International Port of Coos Bay is

authorized to sign the contract with Scott Partney Construction Inc. for the 2018 Timber Bridge Repairs Project, as the “Designated Representative” of the Port, after Scott Partney Construction Inc. has satisfied all conditions precedent to the final award of the contract and (a) either the period for filing a protest to the Award of the contract has expired or (b) the CEO has resolved all timely-filed protests of contract award decisions and other matters as required by applicable LCRB rules.

APPROVED and ADOPTED by the Board of Commissioners of the Oregon International Port of Coos Bay this 22nd day of March 2018.

David Kronsteiner, President

Brianna Hanson, Treasurer