

OREGON INTERNATIONAL PORT OF COOS BAY
Coos Bay, Oregon
SPECIAL COMMISSION MEETING
1:00 p.m., Monday, July 9, 2018

Port Commission Chambers, 125 Central Avenue, Suite 230, Coos Bay, Oregon 97420

ATTENDANCE

Commission:

David Kronsteiner, President; Eric Farm, Vice President; Bob Garcia, Secretary; and James Martin, Commissioner. Brianna Hanson was excused.

Staff:

John Burns, Chief Executive Officer; Fred Jacquot, Director of Port Development; Lanelle Comstock, Director of Administrative Services; Patrick Kerr, Director of Rail Operations; Krystal Moffett, Administrative Assistant; and Jim Coffey, Port Legal Counsel.

Media & Guests:

Richard Dybevik, Roseburg Forest Products; Lisa Ekelund, Motive Power Technical Services; and Frank Williams, Coos Community Media.

1. CALL MEETING TO ORDER

President Kronsteiner called the meeting to order at 1:00 p.m.

2. INTRODUCTION OF GUESTS AND PORT STAFF

3. PUBLIC COMMENT

4. ACTION ITEMS

A. Request to Solicit RFP for Railroad Locomotives

Port staff is preparing to solicit a request for proposals to purchase up to eight (8) locomotives. Port procurement rule 2.8.1(E) requires the Commission, acting in its capacity as the Local Contract Review Board, to authorize solicitations and awards of contracts in excess of \$150,000. Port staff intends to open the Request for Proposals period as soon as possible after completion of the bid documents and legal review. Upon closing the Request for Proposals period, Port staff intends to review the proposals and make a recommendation to the Commission as the Local Contract Review Board at the next regularly scheduled Board of Commissioners meeting after bid opening. Port staff requests the Commission authorize proceeding with the intended request for proposals.

The purchase of the locomotives will be financed with the 2013 ODOT grant.

Upon a motion by Commissioner Farm (second by Commissioner Garcia), the Board of Commissioners motioned to authorize Port staff to issue a Request for Proposals for the purchase of up to eight (8) Railroad Locomotives. **Motion Passed.**

B. 2018Res16: Authorization to Award an Emergency Contract to Complete Repairs to the Coos Bay Swing Span Bridge

On Friday, April 13th, the Coos Bay Swing Span Railroad Bridge experienced a structural failure in the center columns in the swingspan east and west trusses and has been out of service to freight rail traffic since. Port staff worked with the Port's bridge engineer, Stantec Consulting Services, to develop a plan for emergency repairs to return the bridge to freight rail service as quickly and safely as possible. The initial plan anticipated stabilizing the cantilevered truss sections to remove load from the failed center section; demolishing the failed members from the center section; and replacing the failed members in kind with Port supplied fabricated components.

The Port Commission, acting in its capacity as the Local Contract Review Board, adopted resolution 2018Res10 at the regular May 2018 Commission meeting declaring an emergency and authorizing Port staff to solicit quotes from contractors to conduct repairs. Staff issued a request for quotes to contractors on June 4, requiring that prime contractors register their intent to quote by June 7, and attend a mandatory project site visit on June 12. Four contractors registered as prime, and 3 attended the June 12 project site visit.

During the June 12 site visit, Port staff and Stantec personnel reviewed the known job conditions and expected requirements with the attending contractors and subcontractors. Comments from contractors to Stantec and Port personnel during the site visit and questions raised subsequently have led staff to conclude that there is not enough information known about the required repairs or the methods to conduct repairs for contractors to provide reasonably accurate or comparable responses to the request for quotes. In order to resolve this uncertainty it is necessary to have contractor input to complete the repair plans, and to conduct onsite explorations to develop a safe demolition and jacking plan.

Port staff rescinded the issued request for quotes on June 28, 2018. Port staff then contacted the registered prime contractors that attended the project site visit and requested information concerning qualifications, ability to provide insurance for the project, ability to provide performance bonding for the project, and hourly rates for personnel and equipment likely to be used on the project. Responses were requested by end of business July 5, 2018, and the Port received a response from Legacy Contracting, Inc, and Koppers Railroad Structures, Inc.

Port and Stantec personnel reviewed the submittals provided by each contractor. Each contractor responded to all elements of the Request for Contractor Information, provided documentation as resident and licensed Oregon bidders, and demonstrated sufficient insurance and bonding capability to perform the work. Each team also provided 6 examples of prior project experience they felt was comparable to the work planned for the Emergency Repairs Project.

Legacy's offered project experience covered highway bridges and marine construction projects ranging in value from \$549,000 to \$27,923,000 and in duration from 3 months to 36 months. While several of the project listed included the removal of truss sections and other steel bridges, none of the projects included the rehabilitation or construction of steel truss sections.

Koppers' offered project experience were all railroad structures, ranging in value from \$480,000 to \$3,400,000 and in duration from 1 month to 11 months. Koppers' listed projects included strengthening of three swingspan bridges, one eyebar replacement project, one eyebar truss strengthening project, and various repairs to the swingspan and truss bridges on the Coos Bay Rail Line in 2013, including repairs to the Coos Bay Swingspan bridge.

Because of the critical nature of the Coos Bay Swingspan bridge to the Coos Bay Rail Line, the uncertain current conditions present in the swingspan section of that bridge, and the regulatory and safety related requirements of railroad bridge construction projects, Port staff and Stantec Consulting services feel that experience is the most significant contractor requirement for this project. After discussing the merits of each contractor's submittal, Port staff has determined that Koppers is the best qualified contractor available to complete the Coos Bay Swingspan Bridge Emergency Repairs project. Staff recommends the Commission authorize staff to negotiate a time and materials emergency contract with Koppers Railroad Structures, Inc.

Port Procurement Rule Sections 4.6 and 8.3 allows the Port Board of Commissioners, acting in its role as the Local Contract Review Board, to declare the existence of an emergency and authorize entry into emergency public improvement contracts in amounts exceeding \$200,000.00.

Commissioner Garcia asked about the time and materials nature of this contract, concerning an expectation of reasonable cost. Mr. Jacquot stated that one of the initial goals would be to establish an expected schedule and a guaranteed maximum price.

President Kronsteiner stated that his company has been contacted by some of those participating in this project, so he will be recusing himself from the vote on this motion.

Upon a motion by Commissioner Farm (second by Commissioner Garcia), the Board of Commissioners motioned to adopt Resolution 2018Res16 authorizing the negotiation and execution of a time and materials emergency repairs contract with Koppers Railroad Structures, Inc. to return the Coos Bay Swing Span bridge to freight rail service. **Motion Passed.**

5. **OTHER**

6. **COMMISSION COMMENTS**

7. **NEXT MEETING DATE** – Monday, August 20, 2018, 6:30 p.m.

8. **ADJOURN**

President Kronsteiner adjourned the meeting at 1:10 p.m.