

OREGON INTERNATIONAL PORT OF COOS BAY
Coos Bay, Oregon
REGULAR COMMISSION MEETING
6:30 p.m., Monday, August 20, 2018

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

ATTENDANCE

Commission:

David Kronsteiner, President; Eric Farm, Vice President; Brianna Hanson, Treasurer; and Bob Garcia, Secretary. Commissioner James Martin 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; Mike Dunning, Director of Maritime Operations; Krystal Moffett, Administrative Assistant; and Mike Stebbins, Port Legal Counsel.

Media & Guests:

Maera Mosieur, Port Budget Committee Member.

1. CALL MEETING TO ORDER

President Kronsteiner called the meeting to order at 6:30 p.m.

2. INTRODUCTION OF GUESTS AND PORT STAFF

3. PUBLIC COMMENT

4. CONSENT ITEMS

- A. Approval of June 18, 2018 Regular Commission Meeting Minutes
- B. Approval of July 9, 2018 Special Commission Meeting Minutes
- C. Approval of June and July Invoices
- D. Approval of June and July Contracts Awarded

Upon a motion by Commissioner Farm (second by Commissioner Hanson), the Board of Commissioners voted to approve the June 18, 2018 Regular Commission Meeting Minutes, July 9, 2018 Special Commission Meeting Minutes, June and July Invoices, and June and July Contracts Awarded. **Motion Passed.**

5. MANAGEMENT REPORTS

All Management Reports were included within the Meeting Packet.

Commissioner Garcia asked about the insurance returns received from Port insurance for damage to the dock, and where that is at in terms of subrogation. Ms. Comstock stated it is being pursued. President Kronsteiner asked Mr. Dunning about the invasive species removal on the North Spit. Mr. Dunning stated that the Port was approached by the Coos Watershed Association; they had received a federal grant allowing them to remove invasive species on lands adjacent to federal lands. They are pulling several invasive species including scotch broom and gorse. President Kronsteiner asked about the use of chemicals to remove gorse. Mr. Dunning stated the use of chemicals would be limited to spot treatments by qualified staff.

6. ACTION ITEMS/REPORTS

A. 2018Res17: Amended Declaration of Emergency and Authorization to Award for Repairs to Rail Bridge 740.84

On March 21, 2018 Federal Railroad Administration (FRA) Bridge Safety Specialist Bruce Roper reported to Port, CBR, and Stantec Consulting Services personnel that an Oregon Department of Transportation (ODOT) Track Inspector observed conditions on the Coos Bay Rail Line bridge at Milepost 740.84 that raised concerns about the structural stability of the bridge. Subsequent inspections and ongoing monitoring of the bridge led the Commission to adopt resolution 2018Res08 declaring an emergency for this bridge, and authorizing staff to solicit contractors for repairs through an informal Request for Quotes process.

Port staff has worked with the Port's Railroad Bridge Engineer to complete the repair plan engineering and construction plans and issued Request for Quotes for this work August 1. A mandatory pre-bid meeting and site visit will be held at the Project location on Tuesday, August 14 and quotes are due August 29. The Request for Quotes was posted to the Port website and notice sent to 6 contractors familiar with the type of work planned. The Request for Quotes requires completion within 90 days of notice to proceed.

Port procurement rule 4.6.4 requires contracts authorized under a declared emergency be awarded within 60 days of the declaration. Due to the nature of the emergency, efforts to complete the repair design, develop the construction plans, and develop the request for quote documents have exceeded the 60 day award limit, yet the original conditions which prompted the declaration remain. Staff requests the Commission adopt a resolution declaring the emergency to be continued, and delegating authorization to award a contract for repairs within 60 days.

Work for this project will be funded by the ODOT 2013 Lottery backed bond grant and is budgeted within the "Concrete Bridge Repairs" special fund project budget.

Commissioner Farm asked what the total cost estimate will be. Mr. Jacquot stated the construction estimate right now is just under \$600,000. Commissioner Hanson asked what the differences are between an informal and formal request for quotes process. Mr. Jacquot stated an informal process allows for a more generalized request with simplified advertising. In this case, Port staff solicited quotes from a handful of local contractors with pile driving capabilities and advertised the RFQ on the website. A formal process would require formal advertising, a formal notice of award, and formal review. Commissioner Hanson asked if the informal process was chosen to expedite the repairs. Mr. Jacquot confirmed and also stated an informal process is used when the scope is not well defined, as in this case.

Upon a motion by Commissioner Garcia (second by Commissioner Farm), the Board of Commissioners motioned to adopt Resolution 2018Res17 declaring a continuing emergency exists on the Coos Bay Rail Line bridge at Milepost 740.84, and authorizing Port staff to solicit and award a contract to conduct emergency repairs through an informal request for quotes process. **Motion Passed.**

B. Award RFP of Railroad Locomotives

Under previous Commission authorization, Port staff solicited proposals to procure up to a maximum of eight (8) General Purpose Four Axle Locomotives with an option to procure up to two (2) switching locomotives.

A Request for Proposals (RFP) for railroad locomotive power was posted on the Port's web page on July 10, 2018 with the deadline for submittals July 20, 2018. The Port received proposals from three firms, proposing a total of 27 locomotives. The proposals were evaluated in accordance with the scoring methodology in the RFP documents.

The proposal review team was comprised of Director of Port Development Fred Jacquot, Project Manager Rick Adamek, and Director of Rail Operations Patrick Kerr. The team individually reviewed and ranked each proposal on price, lead time, technical requirements, warranty and required documentation. The individual rankings for each proposal were compiled and averaged, and points assigned to each proposal in each category based on the averaged rankings.

The review team confirmed that no one proposal completely met the requirements for acquiring all 8 units, however, the review team felt select portions of two of the locomotive proposals could provide the value and meet the needed requirements. Additional discussion with the proposing firms Western Rail Inc. and Motive Power & Equipment Solutions is needed to further negotiate their proposals.

A list of locomotives was provided within the meeting packet for Commission review. The review team suggests further negotiating price and/or options of the highlighted locomotives with the respective firm.

Port procurement rule 4.5 states the Port Commission, acting in its role as the Local Contract Review Board, may award a contract for goods by competitive proposals. Port staff requests the Commission authorize Chief Executive Officer John Burns to further negotiate proposals with Western Rail Inc. and Motive Power & Equipment Solutions for the possibility of selecting locomotive(s) power.

President Kronsteiner asked about the warranties associated with the units. Mr. Kerr stated that warranties range from 90 days to one year, depending on the work performed; the Port will look to extend those warranties for a longer period as possible.

Upon a motion by Commissioner Farm (second by Commissioner Hanson), the Board of Commissioners motioned to authorize Chief Executive Officer John Burns to negotiate proposals and execute a contract with Western Rail Inc. and/or Motive Power & Equipment Solutions to furnish, deliver, assemble, and commission railroad locomotive power. **Motion Passed.**

7. OTHER

8. COMMISSION COMMENTS

9. NEXT MEETING DATE – Monday, September 17, 2018, 6:30pm.

10. ADJOURN

President Kronsteiner adjourned the meeting at 6:43 p.m. and entered into Executive Session to:

- (b) consider the dismissal or disciplining of a public officer, employee, staff member or individual agent, or hear complaints or charges brought against such a person if that person does not request an open hearing;
- (e) conduct deliberations with persons designated by the governing body to negotiate real property transactions;
- (h) consult with counsel concerning the legal rights and duties of a public body with regard to current litigation or litigation likely to be filed; and
- (j) carry on negotiations under ORS Chapter 293 with private persons or businesses regarding proposed acquisition, exchange or liquidation of public investments.