

OREGON INTERNATIONAL PORT OF COOS BAY
Coos Bay, Oregon
SPECIAL COMMISSION MEETING
3:00 p.m., Thursday, March 22, 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; 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; Amrha Wimer, Administrative Assistant; and Mike Stebbins, Port Legal Counsel.

Media & Guests:

Scott Partney, Partney Construction Company; Ryan Peery, Balfour Beatty Infrastructure Inc.

1. CALL MEETING TO ORDER

President Kronsteiner called the meeting to order at 3:00 p.m.

2. INTRODUCTION OF GUESTS AND PORT STAFF

3. PUBLIC COMMENT

4. ACTION ITEMS/REPORTS

A. Amend Authorization to Award: 2018 Timber Bridge Repairs Project

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.

Commissioner Garcia asked if Balfour Beatty submitted a surety bond. Mr. Jacquot stated Balfour Beatty did submit a surety bond; however, their bond was for \$30,000 which is compliant with the public works bond required by the Oregon Bureau of Labor and Industries but not compliant with the bid requirement.

Upon a motion by Commissioner Martin (second by Commissioner Farm), the Board of Commissioners motioned to 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. **Motion Passed.**

5. **OTHER**

6. **COMMISSION COMMENTS**

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

8. **ADJOURN**

President Kronsteiner adjourned the meeting at 3:13 pm.