

W-10-C.

AGENDA COVER MEMORANDUM

Agenda Date: October 1, 2003  
TO: Board of County Commissioners  
DEPARTMENT: Management Services  
PRESENTED BY: David Suchart, Director  
SUBJECT: IN THE MATTER OF AWARD OF BID LCP 2003-06 FOR A  
CONSTRUCTION CONTRACT FOR LANE COUNTY SHERIFF'S  
OFFICE DISPATCH REMODEL IN THE AMOUNT OF \$216,800

1. Proposed Motion:

MOVE TO ACCEPT BID LCP 2003-06 FOR A CONSTRUCTION CONTRACT FOR  
LANE COUNTY SHERIFF'S OFFICE DISPATCH REMODEL IN THE AMOUNT OF  
\$216,800

2. Issue/Problem:

As a result of changes in the AIRS law enforcement system and the  
requirement to upgrade the associated technology the Sheriff's Office  
requested a remodel of the Dispatch Center to more efficiently operate.  
Funding for this project is discussed in a companion agenda item.

3. Discussion:

3.1 Background

Bid documents were prepared with a bid opening of August 26, 2003. Those  
bids were rejected due to a discrepancy in the specifications. A re-bid for the  
construction contract for the Dispatch Remodel was prepared and advertised  
in the Register-Guard on September 8, 2003, and Daily Journal of Commerce  
on September 8, 2003 and The Skanner on September 11, 2003. In  
response to the Invitation for Bid, four bids were received, as listed on the  
Bid Opening Recap Sheet. All bidders provided the First Tier Subcontractor  
Disclosure Forms.

### 3.2 Analysis

All bids were evaluated by Management Services, and by WBGGS Architects and Planners, for conformance to bid specifications and requirements. The bid submitted by McKenzie-Commercial, was determined to best meet the bid specifications and had the lowest price.

### 3.3 Alternatives/Options

- a. Accept the bid from McKenzie-Commercial and award contract
- b. Reject bids

### 3.4 Recommendation

It is recommended that award of bid LCP 2003-06 be made to the low responsive bidder, McKenzie-Commercial based on conformance to bid specifications and the lowest price; a contract be signed by the vendor; and the County Administrator be authorized to execute the contract.

### 4. Implementation/Follow-Up

Following approval of the bid award , a contract will be signed by the vendor and delivered to the County Administrator for execution. A pre-construction meeting with the contractor will also be initiated.

### 5. Attachments:

- Board Order
- Bidders Proposal
- Bid Opening Recap Sheet

IN THE BOARD OF COMMISSIONERS OF LANE COUNTY, OREGON

ORDER NO.

IN THE MATTER OF AWARD OF  
BID LCP 2003-06 FOR THE  
LANE COUNTY SHERIFF'S  
OFFICE DISPATCH REMODEL  
CONSTRUCTION CONTRACT

**WHEREAS**, at the duly authorized time and place on September 16, 2003, David Suchart, Director of Management Services, under authority of Lane Manual Chapter 21, opened bids on the following:

**2003-06 FOR THE LANE COUNTY SHERIFF'S OFFICE DISPATCH REMODEL  
CONSTRUCTION CONTRACT**

**WHEREAS**, all bids were evaluated by Management Services and WBGS Architects and Planners for conformance to bid specifications; it is hereby

**ORDERED** that the low responsive bidder, McKenzie-Commercial, be awarded a contract; that a construction contract be executed for the base bid amount of \$216,800 in accordance with bid specifications; and that the County Administrator be authorized to sign the contract.

**DATED** this \_\_\_\_ day of \_\_\_\_\_, 2003

\_\_\_\_\_  
Peter Sorenson, Chair  
Lane County Board of Commissioners

APPROVED AS TO FORM

date 9/22/03 Lane County  
J. Haidlaw  
OFFICE OF LEGAL COUNSEL

IN THE MATTER OF AWARD OF BID LCP 2003-06 FOR THE LANE COUNTY  
SHERIFF'S OFFICE DISPATCH REMODEL CONSTRUCTION CONTRACT

SECTION 00410

BID FORM

THE PROJECT AND THE PARTIES

1.01 TO:

- A. Owner
  1. Lane County
  2. Management Services Department
  3. 125 East 8th Avenue
  4. Eugene, OR 97401

1.02 FOR THE FOLLOWING PROJECT:

- A. Sheriff's Office Dispatch Remodel

1.03 CONTRACT NUMBER #03/04-06

1.04 DATE:

- A. Bid Closing Date and Time: Tuesday, September 16, 2003, at 3:00 p.m.
- B. Bids will be opened publicly, immediately following the bid closing time

1.05 DELIVER BIDS TO

- A. Mr: David Suchart, Management Services Director, Lane County Department of Management Services, Public Service Building, 125 East 8th Avenue, Eugene, OR 97401

1.06 PLACE OF BID OPENING

- A. Lane County Department of Management Services, 125 East 8th Avenue, Eugene, OR 97401.

1.07 SUBMITTED BY: (Bidder to enter name and address)

- A. Bidder's Full Name MCKENZIE COMMERCIAL CONTRACTORS, LLC
  1. Address 865 W. SPENCER AVE.
  2. City, State, Zip EUGENE, OR 97402
  3. Phone 343-7143
  4. Fax 343-3206
- B. Type of Organization (check one of the following and insert information requested):
  1.  a. A Corporation organized and existing under the laws of the State of OREGON
  2.  b. A partnership registered under the laws of the State of \_\_\_\_\_
  3.  c. An individual doing business under an assumed name and registered under the laws of the State of \_\_\_\_\_

1.08 BASE BID

- A. Having examined the site and being familiar with the conditions affecting the work, we the undersigned, hereby proposes to furnish all material and labor and perform all work hereinafter indicated in strict accordance with drawings and specifications prepared by WBGS Architecture & Planning PC, for the Lump Sum price indicated below.
  1. TWO HUNDRED SIXTYEY THOUSND EIGHT HUNDRED dollars (\$ 216,800 ), in lawful money of the United States of America.
- B. Base Bid work is for all of the work shown on drawings or described in the specifications, to which work may added or from which work may be deleted for the sums stated in Alternate Bids.

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**1.09 OVERHEAD & PROFIT**

A. The above bid prices include all fees, taxes, profit, overhead and similar items.

**1.10 The undersigned agrees to be bound by the following documents:**

- A. Bid Solicitation
- B. Instructions to Bidders
- C. Bid Bond
- D. First-Tier Subcontractor Disclosure Form
- E. Contractor's Drug Testing Program
- F. Agreement
- G. Performance Bond
- H. General Conditions
- I. Supplementary General Conditions
- J. Drawings and Specifications
- K. Addenda

**1.11 SUMMARY OF THE WORK**

A. The project consists of the general construction services for the Sheriff's Dispatch Remodel, located at the Lane County Courthouse, 125 East 8th Avenue, Eugene, OR for the Department of Management Services, including all mechanical, plumbing, and electrical service.

**1.12 CONTRACT TIME OF COMPLETION**

A. The undersigned agrees, if awarded the contract, to substantially complete the work within 90 consecutive calendar days following receipt of the official Notice To Proceed letter. (Bidder to enter number of days.)

**1.13 ADDENDA**

A. The undersigned acknowledges that the following Addenda have been received during the bid period. The modifications to the Bid Documents noted below have been considered and all costs are included in the Bid Sum.

- 1. Addendum # 1 Dated 9-8-03
- 2. Addendum # \_\_\_\_\_ Dated \_\_\_\_\_

**1.14 RESIDENT BIDDER**

A. The undersigned certifies that they are  are not \_\_\_\_\_ (check one) a RESIDENT BIDDER of the State of Oregon, as defined in ORS 279.029.

**1.15 CONSTRUCTION CONTRACTORS BOARD**

A. The Undersigned certifies that they are in compliance with requirements for construction contractors or landscape contractors and are registered and bonded with the Construction Contractors Board or licensed by the Landscape Contractors Board as follows:

- 1. Registration No. 45539 Expiration Date 7-21-05

**1.16 BID SECURITY**

A. Accompanying herewith is Bid Security Payable to Lane County Department of Management Services, which is not less than ten (10) percent of the total amount of the Base Bid, plus

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additive Alternates if any.

**1.17 CONTRACT & BOND**

- A. The undersigned agrees, if awarded the contract, to execute and deliver to the Owner within Ten (10) days after receiving the contract forms an Agreement and a satisfactory Performance and Labor and Material Payment Bond in an amount equal to one hundred (100) percent of the contract sum, and to deliver to the Owner the required Certificates of Insurance.
- B. The surety requested to issue the Performance and Payment Bond will be:
- C. Name and address of Surety Company:
1. Name: VC SURETY
  2. Address: 96 WARD AVENUE, 79 CROFTONVILLE CT. - EUGENE
  3. City/State: EUGENE, OR 97401
- D. Agent Name/Phone: BOB WILSON - 541-687-1117

**1.18 NON-COLLUSION**

- A. The undersigned certifies that:
1. This bid has been arrived at independently and is being submitted without collusion with any other vendor of materials, supplies, equipment or services to limit independent bidding or competition, and
  2. The contents of this bid have not been communicated by the undersigned or its employees or agents to any person not an employee or agent of the undersigned or its surety on any bond furnished with the bid, and will not be communicated to such person prior to the official opening of the bid.

**1.19 BID SECURITY FORFEITURE**

- A. The Undersigned further agrees that the Bid Security accompanying this bid is left in escrow with the Owner; that the amount thereof is the measure of liquidated damages which the Owner will sustain by the failure of the undersigned to execute and deliver the above named Agreement, Performance and Payment Bond, and Insurance Certificate, and that if the undersigned defaults in either executing the Agreement or providing a Performance and Payment Bond, or an Insurance Certificate, within ten (10) days after receiving the contract forms, then the full value of the Bid Security may become the property of the Owner at the Owner's option; but if the bid is not accepted within sixty (60) days of the time set for the opening of bids or if the undersigned executes and timely delivers said Agreement and Performance and Payment Bond, and the Insurance Certificate, the Bid Security shall be returned.

**1.20 OWNER'S RIGHTS**

- A. The Owner reserves the right to reject any or all bids and waive all informalities in the bids or procedures.

**1.21 WAGE RATES**

- A. The Undersigned agrees, if awarded a contract, that they will comply with the provisions of ORS 279.350 or 40 U.S.C 276a as applicable, pertaining to the payment of the prevailing rates of wage.

**1.22 NON-DISCRIMINATION CERTIFICATION**

- A. The Undersigned certifies that they have not discriminated against minority, women, or small business enterprises in obtaining any required subcontract.

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1.23 LIQUIDATED DAMAGES

- A. The Undersigned acknowledges the liquidated damages provision included in the Supplementary General Conditions attached in the Project Manual.

1.24 BIDDERS CERTIFICATION

- A. By signing below Bidder hereby certifies that s/he:
  1. Is an equal opportunity employer, and has not discriminated against any minority, women, or emerging small business enterprise in obtaining any required subcontracts;
  2. Has an employee drug-testing program in place; and
  3. That to the best of the Bidder's knowledge s/he is in compliance with all Oregon tax laws described in ORS 305.380(4).

1.25 BID FORM SUPPLEMENTS

- A. We agree to submit the following Supplements to Bid Forms within 2 hours after submission of this bid for additional bid information:
  1. Section 00350 - FIRST TIER SUBCONTRACTOR DISCLOSURE FORM (submitted after the bid form as directed in the Instructions to Bidders 00200 and Supplementary Instructions to Bidders 00201)

1.26 BID FORM SIGNATURE(S)

- A. Name of Firm: McKENZIE COMMERCIAL CONTRACTORS, LLC
- B. Address of Firm: 965 W. SECOND AVE.
- C. City, State, Zip Code: BEAVERTON, OR 97008
- D. By: Lanny King V.P. (if bid is by a partnership, then one of the partners must sign the bid)
- E. Type or Print Name: LANNY KING V.P.
- F. If Corporation, Attest: Karla A. Ross (Signed by Secretary of the Corporation)
- G. Type or Print Name: Karla A. Ross
- H. Subscribed and sworn to before me on the 16<sup>th</sup> day of September, 2003 (year)
- I. \_\_\_\_\_
- J. Diane Hammack
- K. Notary Public for the State of Oregon. My commission expires: 9-25-2006

1.27 If the Bid is a joint venture or partnership, add additional forms of execution for each member of the joint venture in the appropriate form or forms as above.

END OF BID FORM



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## BID OPENING RE-CAP SHEET

Firm	Base Bid	TOC	Bid Sec	Add #1	1st Tier Subs	Value
Coberg Commercial	\$263,646	90 days			FM Sheet Metal	\$36,975
					Hatfield Ceiling & Accoustics	\$19,106
					Eugene Electric	\$124,800
Monis Fikely CO	\$219,180	90 days			Hatfield Ceiling & Accoustics	\$19,106
					FM Sheet Metal	\$36,975
					Barry Electric	\$106,968
McKenzie-Commercial	\$216,800	90 days	x	x	Hatfield Ceiling & Accoustics	\$19,106
					Rubensteins Contract Carpet	\$10,118
					FM Sheet Metal	\$36,975
					Barry Electric	\$105,000
2-c Construction	\$269,800	75 days			Hatfield Ceiling & Accoustics	\$19,106
					FM Sheet Metal	\$36,975
					Barry Electric	\$106,968