

W. H. C.

AGENDA COVER MEMORANDUM

Agenda Date: July 28, 2004  
TO: Board of County Commissioners  
DEPARTMENT: Management Services  
PRESENTED BY: David Suchart, Director  
SUBJECT: IN THE MATTER OF AWARD OF BID LCP 2004-1 FOR A  
CONSTRUCTION CONTRACT FOR LANE COUNTY  
COURTHOUSE PLAZA RENOVATION IN THE AMOUNT OF  
\$982,382

1. Proposed Motion:

MOVE TO ACCEPT BID LCP 2004-1 FOR A CONSTRUCTION CONTRACT FOR A  
CONSTRUCTION CONTRACT FOR LANE COUNTY COURTHOUSE PLAZA  
RENOVATION IN THE AMOUNT OF \$982,382.

2. Issue/Problem:

The Wayne Morse Foundation approached the County about the placement of a statue of Wayne Morse on the plaza in front of the Courthouse. In order to raise money stone plaques with donor's names would also be placed on the plaza. At the same time the County had a surface replacement and ADA upgrade for the plaza in its CIP. The two were combined for a bid that went out in 2000, which was not accepted. In 2002 a bond measure was placed before the voters to change the front of the Courthouse. This measure failed. This item is a combination of the Wayne Morse statue and plaques, a lowering of the grade of the plaza only and an ADA upgrade.

3. Discussion:

3.1 Background

Bid documents were prepared with a bid opening of May 20, 2004. Legal Notices for the construction contract for the Lane County Courthouse Plaza Renovation were prepared and advertised in the Register-Guard on April 26, 2004, the Daily Journal of Commerce on April 26, 2004 and The Skanner on April 28, 2004. In response to the Invitation for Bid, five 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 WBGS Architects and Planners, for conformance to bid specifications and requirements. The bid submitted by John Hyland Construction, was determined to best meet the bid specifications and had the lowest price.

Since the project was over budget Management Services staff, the Architects and John Hyland Construction met to evaluate getting the project in budget at the same time maintaining the integrity of the project. This was accomplished within \$66,323.

The Facilities Subcommittee reviewed the project and approved moving \$123,826 into the project to meet the new project cost and provide contingency.

### 3.3 Alternatives/Options

- a. Accept the bid from John Hyland Construction and award contract with Change Order 1 to reduce the amount of the contract to meet the budget.
- b. Reject bids

### 3.4 Recommendation

It is recommended that award of bid LCP 2004-1 be made to the low responsive bidder, John Hyland Construction based on conformance to bid specifications and the lowest price; a contract and change order to be signed by the vendor; and the County Administrator be authorized to execute the contract and change order.

### 4. Implementation/Follow-Up

Following approval of the bid award, a contract and change order 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.

John Hyland Construction, Management Services staff and the Wayne Morse Foundation will continue to work together to include the foundations piece in the project.

**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 2004-1 FOR THE LANE  
COUNTY COURTHOUSE PLAZA  
RENOVATION CONSTRUCTION  
CONTRACT**

**WHEREAS**, at the duly authorized time and place on May 20, 2004, David Suchart, Director of Management Services, under authority of Lane Manual Chapter 21, opened bids on the following:

**2004-1 FOR THE LANE COUNTY COURTHOUSE PLAZA RENOVATION**

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

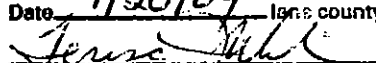
**ORDERED** that the low responsive bidder, John Hyland Construction, be awarded a contract; that a construction contract be executed for the base bid amount of \$982,382 along with change Order #1 in the amount of <\$282,336> in accordance with bid specifications; and that the County Administrator be authorized to sign the contract and change order.

**DATED this 28th day of July, 2004**

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Bobby Green, Chair  
Lane County Board of Commissioners

IN THE MATTER OF AWARD OF BID LCP 2004-1 FOR THE LANE COUNTY  
COURTHOUSE PLAZA RENOVATION

APPROVED AS TO FORM  
Date 7/20/04 Lane County  
  
OFFICE OF LEGAL COUNSEL

### **BID OPENING RE-CAP SHEET**

Firm	Bid Sec	Addenda 1	Base Bid	Alt #1	Alt #2	Alt #3	Alt #4	Alt #5	Time of Completion
Brown Contracting	x	x	1,098,000	<45,000>	<13,839>	<52,811>	<14,429>	<1991>	264
Gale M Roberts	x	x	1,093,416	<74,603>	<16,875>	<75,962>	<38,114>	<3335>	120
John Hyland Construction	x	x	982,382	<76,087>	<12,791>	<68,746>	<29,660>	<4243>	121
McKenzie Commercial	x	x	1,337,000	<62,700>	<17,000>	<60,000>	<27,000>	<7000>	120
Two G Construction	x	x	1,020,298	<41,721>	<13,219>	<61,836>	<39,858>	<3900>	150

## SECTION 00410

## BID FORM

## THE PROJECT AND THE PARTIES

## 1.01 TO:

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

## 1.02 FOR THE FOLLOWING PROJECT:

- A. Lane County Courthouse Plaza Renovation
1. Including the Wayne Morse Foundation Free Speech Area

## 1.03 CONTRACT NUMBER 2004-01

## 1.04 DATE:

- A. Bid Closing Date and Time: Thursday, May 20, 2004 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 John Hyland Const., Inc.
1. Address P.O. Box 7867
  2. City, State, Zip Eugene, OR 97401
  3. Phone 541-726-8081
  4. Fax 541-741-0896
- 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. Nine hundred Eighty Two thousand  
Three hundred Eighty Two dollars  
 (\$ 982,382 ), 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

Lane County Courthouse Plaza Renovation

4/24/04

BID FORM  
 00410 - 1 of 4

which work may added or from which work may be deleted for the sums stated in Alternate Bids.

**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 renovation of the exterior plaza around the Lane County Courthouse including associated site work, located at 125 East 8th Avenue, in Eugene, Oregon for the Lane County Department of Management Services including all landscape, site utilities, and electrical service.

**1.12 CONTRACT TIME OF COMPLETION**

- A. The undersigned agrees, if awarded the contract, to substantially complete the work within 121 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 5/14/04.
- 2. Addendum # \_\_\_\_\_ Dated \_\_\_\_\_.
- 3. Addendum # \_\_\_\_\_ Dated \_\_\_\_\_.
- 4. Addendum # \_\_\_\_\_ Dated \_\_\_\_\_.

**1.14 RESIDENT BIDDER**

- A. The undersigned certifies that they are X / 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. 46071 Expiration Date 7/11/04

Lane County Courthouse Plaza Renovation

**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 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: Liberty Mutual Insurance Company
  2. Address: 10900 NE 4th Suite 1020
  3. City/State: Bellevue, WA 98004-9646
- D. Agent Name/Phone: Steve Jaramillo - 425-688-0235

**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.

### 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. The following Supplements are attached to this Bid Form and are considered an integral part of this Bid Form:
1. **Document 00432 - Supplement B - Unit Prices:** Include a listing of unit prices specifically requested by the Contract Documents as described in Section 01270.
  2. **Document 00433 - Supplement C - Alternatives:** Include the cost variations to the Bid Sum applicable to the Work as described in Section 01230.
  3. **Document 00435 - Supplement E - Cost Breakdown** identifies the Bid Sum segmented into portions as requested.
- B. 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: John Hyland Const., Inc.
- B. Address of Firm: P.O. Box 7867
- C. City, State, Zip Code: Eugene, OR 97401
- D. By: [Signature] (if bid is by a partnership, then one of the partners must sign the bid)
- E. Type or Print Name: John Hyland, President
- F. If Corporation, Attest: [Signature] (Signed by Secretary of the Corporation)
- G. Type or Print Name: Mike Kehoe
- H. Subscribed and sworn to before me on the 20 day of May, 2004 (year)
- I. \_\_\_\_\_
- J. [Signature]
- K. Notary Public for the State of Oregon. My commission expires: March 9, 2005

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



**SECTION 00411**

**BID SECURITY FORM**

**PART 1 GENERAL**

**1.01 FORM OF BID SECURITY**

- A. Bid guarantee as called for in Instructions to Bidders, Section 00100, shall be executed on AIA DOCUMENT A-310 - BID BOND. A copy of this Form is bound in the Appendix Section of this Project Manual.

**PART 2 PRODUCTS - NOT USED**

**PART 3 EXECUTION - NOT USED**

**END OF SECTION**

**SECTION 00432**

**SUPPLEMENT B - LIST OF UNIT PRICES**

**PARTICULARS**

**1.01** The following is the list of Unit Prices, as described in Section 01270, referenced in the bid submitted by:

**1.02** (Bidder) John Hyland Const., Inc.

**1.03** TO (Owner): **Lane County Department of Management Services**

**1.04** Project: **Lane County Courthouse Plaza Renovation**

**1.05** Dated 5/20/04 and which is an integral part of the Bid Form.

**1.06** The following are Unit Prices for specific portions of the Work as listed, and are applicable to authorized variations from the Contract Documents.

**UNIT PRICE LIST**

**2.01 ITEM DESCRIPTION, UNIT QUANTITY, UNIT VALUE**

- A. Item #01 - General over-excavation and disposal off site of existing unstable subgrade, and placement and compaction in place of Granular Fill – per 1 cubic yard – \$ 26.36

## SECTION 00433

## SUPPLEMENT C - LIST OF ALTERNATIVES

## ALTERNATES

- 1.01 Project: Lane County Courthouse Plaza Renovation # 2004-01
- 1.02 The Undersigned proposes to Add To, or Deduct From, the Base Bid indicated Section 00410, the items of work relating to the following Alternates as described in Section 01230.
- 1.03 The Undersigned agrees, if awarded the Contract, to substantially complete all of the following Alternates on or before the dates specified in the Contract.
- 1.04 ALTERNATE #1: DELETE SCOPE OF WORK PERTAINING TO CONSTRUCTION OF NEW SOUTH RAMP AND ASSOCIATED LANDSCAPE AREAS. EXISTING RAMP TO REMAIN.
- A. Add/Deduct Seventy Six thousand \$ -76,087<sup>00</sup>  
 1. (Words) Eighty Seven Dollars (Figures)
- 1.05 ALTERNATE #2: DELETE SCOPE OF WORK PERTAINING TO CONSTRUCTION OF NEW CONCRETE SLAB AND UNDERSLAB SHEET ELASTOMERIC WATERPROOFING OVER EXISTING BASEMENT AREA, EAST OF SOUTH RAMP. EXISTING SLAB TO REMAIN.
- A. Add/Deduct Twelve thousand Seven hundred \$ -12,791<sup>00</sup>  
 1. (Words) Ninety One Dollars (Figures)
- 1.06 ALTERNATE #3: DELETE NEW PLAZA CANOPY AND (3) CAST-IN-PLACE CONCRETE BENCHES; REPLACE CONCRETE CANOPY BASES AND BENCHES WITH (5) BOLLARDS PLACED EQUIDISTANT BETWEEN AND IN ALIGN WITH NEW BOLLARDS NORTH AND SOUTH OF CANOPY LOCATION
- A. Add/Deduct Fifty Eight thousand Seven \$ -68,746<sup>00</sup>  
 1. (Words) hundred forty Six Dollars (Figures)
- 1.07 ALTERNATE #4: DELETE ALL PRE-CAST-CONCRETE WALL CAPS AND BENCH TOPS; PROVIDE CAST-IN-PLACE CONCRETE TO MATCH PROFILE OF EACH ELEMENT
- A. Add/Deduct Twenty Nine thousand Six \$ 29,660<sup>00</sup>  
 1. (Words) hundred Sixty Dollars (Figures)
- 1.08 ALTERNATE #5: DELETE (4) CAST-IN-PLACE CONCRETE BENCHES WITH PRE-CAST-CONCRETE TOPS.
- A. Add/Deduct four thousand three hundred \$ -4,243<sup>00</sup>  
 1. (Words) forty three dollars (Figures)
- 1.09 It is understood that the Base Bid may be adjusted for any alternates listed here, in determining the amount of the Contract. Any or all of such alternates may be accepted or reinstated by the Owner at any time within 60 days from the date of the Contract Award by the Owner, at the respective amounts named herein.

END OF SUPPLEMENT C

## SECTION 00435

## SUPPLEMENT E - COST BREAKDOWN

## PARTICULARS

1.01 The following is a Cost Breakdown of Key Project Elements referenced in the bid submitted by:

1.02 (Bidder) John Hyland Const., Inc.

1.03 TO (Owner): Lane County Department of Public Works

1.04 Dated 5/20/04 and which is an integral part of the Bid Form.

## KEY PROJECT ITEM DESCRIPTIONS

## 2.01 Item #1: Bike Parking Area

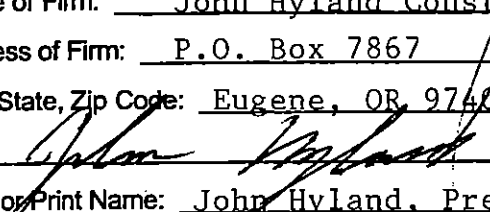
- A. Description: All work shown on the drawing A302 related to the new Bike Parking Area, and the work described in the associated specifications.
- B. General Requirements, Overhead, and Profit Included.
- C. Value: \$ 31,600<sup>00</sup>

## 2.02 Item #2: Donor Plaque and Paver Installation

- A. Description: All work shown on the drawings and specifications for the installation of the Engraved Stone Pavers, Section 02785, and the Engraved Granite Donor Plaques, Section 04851.
- B. General Requirements, Overhead, and Profit Included.
- C. Value: \$ 8,100<sup>00</sup>

2.03 This information is being collected for the Owner's internal accounting purposes only, and will not be used as the basis for determining the award of this contract.

## 2.04 FORM SIGNATURE(S)

- A. Name of Firm: John Hyland Const., Inc.
- B. Address of Firm: P.O. Box 7867
- C. City, State, Zip Code: Eugene, OR, 97401
- D. By: 
- E. Type or Print Name: John Hyland, President

END OF SUPPLEMENT E