SPECIAL PROCUREMENT REQUEST FOR APPROVAL

To: City Council, Local Contract Review Board

From: Don Robertson, Director, Ashland Parks and Recreation

Date: 5-6-14

Subject: REQUEST FOR APPROVAL OF A SPECIAL PROCUREMENT

In accordance with ORS279B.085, this request for approval of a Special Procurement is being presented to the City Council for approval. This written request for approval describes the proposed contracting procedure and the goods or services or the class of goods or services to be acquired through the special procurement and the circumstances that justify the use of a special procurement under the standards set forth ORS 279B.085(4).

1. Requesting Department Name: Ashland Parks and Recreation

2. Department Contact Name: Rachel Dials, Recreation Superintendent

3. Type of Request: Class Special Procurement, Contract-specific Special Procurement


5. Total Estimated Cost: $16,230.00


Supplies and/or Services or class of Supplies and/or Services to be acquired:
Construction project management and construction inspection, design consultation during construction. The Parks Department, along with Water and Electric Departments, has completed the Calle Guanajuato Project as of Friday May 3, 2014. The Parks and Recreation Department worked with OBEC on all phases of the project, including survey work and engineering, project management and construction inspection. The project was expected to be completed on April 1, 2014 but because of unforeseen obstacles encountered during excavation operations, the project was not completed until Friday May 3, 2014 adding extra inspection and project management hours.

7. Background and Proposed Contracting Procedure: Provide a description of what has been done in the past and the proposed procedure. The Agency may, but is not required to, also include the following types of documents: Notice/Advertising, Solicitation(s), Bid/Proposal Forms(s), Contract Form(s), and any other documents or forms to be used in the proposed contracting procedure. Attach additional sheets as needed.

Background: Utilization of project management is a practice for bigger projects within the department that staff does not have the expertise to manage.
Proposed procedure:
Directly award public contract to OBEC as the project has been 99% completed with OBEC as the project manager and construction inspectors.

8. Justification for use of Special Procurement: Describe the circumstances that justify the use of a Special Procurement. Attach relevant documentation.

All phases of contracts were awarded by direct appointment. Seeking an exemption for the competitive bid process because OBEC has seen the project through all stages of completion.

9. Findings to Satisfy the Required Standards: This proposed special procurement:

   ___ X ___ (a) will be unlikely to encourage favoritism in the awarding of public contracts or to substantially diminish competition for public contracts because:

   (Please provide specific information that demonstrates how the proposed Special Procurement meets this requirement.); and

   ___ X ___ (b)(i) will result in substantial cost savings to the contracting agency or to the public because:

   (Please provide the total estimate cost savings to be gained and the rationale for determining the cost savings); or

   ________ (b)(ii) will otherwise substantially promote the public interest in a manner that could not practicably be realized by complying with the requirements of ORS 279B.055, 279B.060, 279B.065, or 279B.070, or any rules adopted thereunder because:

   (Please provide specific information that demonstrates how the proposed Special Procurement meets this requirement.)
Public Notice:

Pursuant to ORS 279B.085(5) and OAR 137-047-0285(2), a Contracting Agency shall give public notice of the Contract Review Authority's approval of a Special Procurement in the same manner as a public notice of competitive sealed Bids under ORS 279B.055(4) and OAR 137-047-0300. The public notice shall describe the Goods or Services or class of Goods or Services to be acquired through the Special Procurement and shall give such public notice of the approval of a Special Procurement at least seven (7) Days before Award of the Contract.

After the Special Procurement has been approved by the City Council, the following public notice will be posted on the City’s website to allow for the seven (7) day protest period.

Date Public Notice first appeared on www.ashland.or.us – May 7, 2014

PUBLIC NOTICE
Approval of a Special Procurement

First date of publication: May 7, 2014

A request for approval of a Special Procurement was presented to and approved by the City Council, acting as the Local Contract Review Board, on May 6, 2014.

This is a Contract-specific special procurement” to directly award a contract to OBEC for the Final Construction Phase of the Calle Guanajuato for construction inspection and final project management. April 1, 2014-May 30, 2014.

The final cost and amount budgeted is $16,682.00

It has been determined based on written findings that the Special Procurement will be unlikely to encourage favoritism in the awarding of public contracts or to substantially diminish competition for public contracts, and result in substantial cost savings or substantially promote the public interest in a manner that could not be realized by complying with the requirements that are applicable in ORS 279B.055, 279B.060, 279B.065, or 279B.070.

An affected person may protest the request for approval of a Special Procurement in accordance with ORS 279B.400 and OAR 137-047-0300. A written protest shall be delivered to the following address: City of Ashland, Ashland Parks and Recreation, Rachel Dials, 340 S. Pioneer St. Ashland, OR 97520 The seven (7) protest period will expire at 5:00pm on May 13, 2014.

This public notice is being published on the City’s Internet World Wide Web site at least seven days prior to the award of a public contract resulting from this request for approval of a Special Procurement.
ADDITIONAL CONSTRUCTION ENGINEERING (CE) & CONTRACT ADMINISTRATION (CA)  
CALLE GUANAJUATO RESURFACING PROJECT  
CITY OF ASHLAND PARKS  
STATEMENT OF WORK (SOW)

The purpose of this WOC is to add additional scope of work as necessary tasks related to Construction Engineering (CE) and Contract Administration (CA) for the Calle Guanajuato Resurfacing Project (the “Project”). The additional scope of work is necessary due to the increase in construction work which resulted from unforeseen obstacles encountered during excavation operations, as well as work added to the contract during construction.

This agreement for additional work does not delete, revise, or replace the tasks or requirements for previous phases of the Project unless otherwise specifically provided in this Contract. Consultant shall provide Construction Engineering (CE) services and Contract Administration (CA) necessary to meet the following requirements:

Additional CE and CA work tasks include the following:
- Additional Construction Project Management
- Additional Inspection of demolition and construction activities

TASK 1 – ADDITIONAL CONSTRUCTION PROJECT MANAGEMENT & COORDINATION

The Scope of this task remains as stated in the original Scope of work as follows:

Consultant shall perform the following services as part of Task 1, Construction Project Management and Coordination. The major objective of this Task is to establish the lines of communication, and set forth the priorities between the City of Ashland Parks Department and the Consultant. As the work progresses, the Consultant shall keep the City informed of the Project work progress and aware of changes affecting the Project including schedule and related costs. Consultant shall prepare and provide monthly Project invoice with progress reports to the City of Ashland Parks Department.

Consultant shall:
- Immediately after receipt of the NTP, schedule and conduct a preconstruction conference in order to discuss with the Construction Contractor (CC) and City of Ashland Parks Department the construction schedule, utility involvement, required documentation submittals, materials testing, surveying, and other items relevant to the construction of the Project.
- Prepare an agenda for the preconstruction meeting.
- Prepare and distribute minutes for the meeting within five (5) business days after the meeting.

Up to five (5) Project team meetings may be held with the CC and the City of Ashland Parks Department to discuss the Project schedule and other outstanding issues for the Project. Consultant’s resident inspector must attend these meetings. Consultant’s Project Manager (PM) shall attend one (1) meeting per month up to five (5) meetings.
Task 1 - Deliverables:
Consultant shall:

♦ Develop agenda for the preconstruction meeting and distribute to City of Ashland Parks Department and CC.
  Schedule: Three (3) business days prior to the meeting.

♦ Prepare minutes to document the meeting to the CC and City of Ashland Parks Department.
  Schedule: Within five (5) business days after the meeting.

♦ Prepare minutes to document up to five (5) progress conferences with the CC, and City of Ashland Parks Department staff.
  Schedule: Within five (5) business days after the meeting.

♦ Provide monthly progress reports with invoices to the City of Ashland Parks Department.
  Schedule: Monthly in the normal billing cycle.

Task 3 - ADDITIONAL CONSTRUCTION ENGINEERING AND INSPECTION

Consultant shall perform additional engineering and inspection required to ensure conformance of the Project with the plans and specifications for the Project. The engineering and inspection must take place concurrently with the CC’s operations. For budgeting purposes, it is assumed that the additional construction will be limited to 5 weeks and that OBEC’s inspector will be needed for an additional 24 hours per week for 5 weeks. The general order and nature of inspection will be as follows:

Consultant shall:

• Inspect erosion and sediment control measures.
• Inspect removal of existing structures and obstructions and miscellaneous items.
• Inspect Underground and above ground utility installation.
• Inspect surfacing removal.
• Inspect structure installation.
• Inspect wearing surface installation.
• Inspect electrical system material and placement.
• Inspect water main replacement.
• Inspect planting and irrigation installation.

Task 3 - Deliverables:
Consultant shall provide:

♦ General daily progress reports.
♦ Photos (as necessary)
♦ Field notes, measurements, and general documentation.
  Schedule: As requested.