



# LANE COUNTY

HUMAN RESOURCES DIVISION / 125 East 8th Ave. / Eugene, OR 97401  
Phone: (541) 682-3665/ Fax: (541) 682-4290

W. G. C. L.

## AGENDA COVER MEMORANDUM

**AGENDA DATE:** February 8, 2006

**PRESENTED TO:** Board of County Commissioners

**PRESENTED BY:** David Suchart, Director, Management Services

**AGENDA TITLE:** **IN THE MATTER OF AWARD OF BID LCP 2005-12 FOR A CONSTRUCTION CONTRACT FOR THE NEW NORTH SALLY PORT ADDITION AND MINOR INTERIOR REMODEL WORK AT THE LANE COUNTY ADULT CORRECTIONS FACILITY IN THE AMOUNT OF \$315,100.**

### I. MOTION

**MOVE APPROVAL OF ORDER 06 --**, TO ACCEPT BID LCP 2005-12 FOR A CONSTRUCTION CONTRACT FOR THE NEW NORTH SALLY PORT ADDITION AND MINOR INTERIOR REMODEL WORK AT THE LANE COUNTY ADULT CORRECTIONS FACILITY IN THE AMOUNT OF \$315,100 .

### II. ISSUE

The opening of the Sherman Center at the Lane County Adult Corrections facility requires that further remodeling be completed to maximize efficiency in the intake/release process.

### III. DISCUSSION

#### A. Background

Bid documents were prepared with a bid opening of December 15, 2005. Legal Notices for the construction contract for the Lane County Adult Corrections New North Sally Port Addition were prepared and advertised in the Register-Guard and the Daily Journal of Commerce on November 18, 2005. 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.

In last year's CIP the old Psych Hospital portion of the jail was converted to the Sherman Center to more efficiently deal with the intake/release of prisoners. The Board authorized limited expenditures for the Center only and requested that the Sheriff's Office come back in the next fiscal year to request funding for the second

phase depending on the department's budget status. In an agreement with the Facilities Sub-Committee lapse in the Sheriff's Office budget beyond the 2% would go towards funding the second phase and towards additional funding for the Public Health Building. The department lapse approximately \$600,000 above the 2%. The Sheriff's Office will be responsible for all amounts above the projected \$300,000 lapse. Their existing FY 05-06 budget has funding available for this additional cost.

**B. Analysis**

1. All bids were evaluated by Management Services, and by WBSG Architecture and Planning PC, for conformance to bid specifications and requirements. The bid submitted by 2G Inc., dba 2G Construction, was determined to best meet the bid specifications and had the lowest price.

**C. Alternatives/Options**

1. Accept the bid from 2G Inc., dba 2G Construction, and award.
2. Reject bids

**D. Recommendation**

It is recommended that award of bid LCP 2005-12 be made to the low responsive bidder, 2G Inc., dba 2G Construction, based on conformance to bid specifications and the lowest price; a contract to be signed by the vendor; and the County Administrator be authorized to execute the contract.

**IV. IMPLEMENTATION/FOLLOW-UP**

Following Board action, 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.

**V. ATTACHMENT**

Board Order  
Bidders Proposal  
Bid Opening Recap Sheet

**IN THE BOARD OF COUNTY COMMISSIONERS OF LANE COUNTY, OREGON**

**RESOLUTION AND  
ORDER 06-** ) **IN THE MATTER OF**  
) **AWARD OF BID LCP 2005-12 FOR A**  
) **CONSTRUCTION CONTRACT FOR THE**  
) **NEW NORTH SALLY PORT ADDITION**  
) **AND MINOR INTERIOR REMODEL**  
) **WORK AT THE LANE COUNTY ADULT**  
**CORRECTIONS FACILITY IN THE**  
**AMOUNT OF \$315,100.**

**WHEREAS**, at the duly authorized time and place on December 15, 2005, David Suchart, Director of Management Services, under authority of Lane Manual Chapter 21, opened bids on the following:

**2005-12 FOR THE NEW NORTH SALLY PORT ADDITION AND MINOR INTERIOR REMODEL WORK AT THE LANE COUNTY ADULT CORRECTIONS FACILITY; and**

**WHEREAS**, all bids were evaluated by Management Services and WBGs Architecture and Planning PC for conformance to bid specifications; now, therefore,

**IT IS HEREBY RESOLVED AND ORDERED**, that the low responsive bidder, 2G Inc., dba 2G Construction, be awarded a contract; that a construction contract be executed for the base bid amount of \$315,100 in accordance with bid specifications; and that the County Administrator be authorized to sign the contract.

Dated this \_\_\_\_\_ day of \_\_\_\_\_, 2006.

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Bill Dwyer, Chair  
Board of County Commissioners

APPROVED AS TO FORM

Date 1-23-06 this county

  
OFFICE OF LEGAL COUNSEL

## SECTION 00410

## BID FORM

## THE PROJECT AND THE PARTIES

## 1.01 TO:

- A. Owner
1. Lane County
  2. 125 East 8th Avenue, Eugene, OR 97401

## 1.02 FOR THE FOLLOWING PROJECT:

- A. Lane County LCAC North Sally Port

## 1.03 CONTRACT NUMBER #LCP 2005-12

## 1.04 DATE:

- A. Bid Closing Date and Time: Thursday, December 15, 2005 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 2G Inc., dba 2G Construction
1. Address PO Box 11735
  2. City, State, Zip Eugene, OR 97440
  3. Phone 541-689-3850
  4. Fax 541-689-3915
- 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. ~~Three Hundred Sixty Thousand Fifteen~~  
Three Hundred Fifteen Thousand One Hundred dollars  
(\$ 315,100.00), 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.

## 1.09 OVERHEAD &amp; PROFIT

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BID FORM  
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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 new North Sally Port addition, and minor interior remodel work, at the Lane County Adult Corrections Facility, including associated site work, and all mechanical, plumbing, electrical services, located at 101 West 5th Avenue, in Eugene, OR for the Management Services Department.

1.12 CONTRACT TIME OF COMPLETION

A. The undersigned agrees, if awarded the contract, to substantially complete the work within 135 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 12/09/05
  - 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. 40559 Expiration Date 4/17/06

1.16 BID SECURITY

A. Accompanying herewith is Bid Security Payable to Lane County Department of Management

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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 Co
  2. Address: 10900 NE 4th St., Suite 1020
  3. City/State: Bellevue, WA 98004
- D. Agent Name/Phone: Willis 541-687-2222

#### 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 es 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

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- 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**

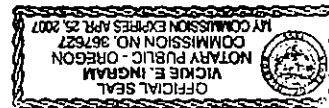
- A. The following Supplements are attached to this Bid Form and are considered an integral part of this Bid Form:
  1. Document 00433 - Supplement C - Alternatives: Include the cost variations to the Bid Sum applicable to the Work as described in Section 01230.
- B. We agree to submit the following 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: 2G Inc., dba 2G Construction
- B. Address of Firm: PO Box 11735
- C. City, State, Zip Code: Eugene, OR 97440
- D. By: *Frederick J. Viscardi, Jr.* (if bid is by a partnership, then one of the partners must sign the bid)
- E. Type or Print Name: Frederick J. Viscardi, Jr., President
- F. If Corporation, Attest: *Stefani A. Myers* (Signed by Secretary of the Corporation)
- G. Type or Print Name: Stefani A. Myers
- H. Subscribed and sworn to before me on the 15 day of December, 2005 (year)
- I. *Vickie E. Ingram*
- J. Vickie E. Ingram
- K. Notary Public for the State of Oregon. My commission expires: 4/25/07

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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Document A310

# Bid Bond

KNOW ALL MEN BY THESE PRESENTS, that we

2G, Inc. DBA: 2G Construction (Here insert full name and address or legal title of Contractor)

PO Box 11735, Eugene, OR 97440

as Principal, hereinafter called the Principal, and

Liberty Mutual Insurance Company (Here insert full name and address or legal title of Surety)

Westlake Tower, Seattle, WA 98101

a corporation duly organized under the laws of the State of Massachusetts

as Surety, hereinafter called the Surety, are held and firmly bound unto

Lane County, Director of Management Services (Here insert full name and address or legal title of Owner)

125 East 9th Avenue, Eugene, OR 97401

as Obligee, hereinafter called the Obligee, in the sum of

Ten Percent of the Amount Bid - - - - -

Dollars (\$10% . . . . .),

for the payment of which sum well and truly to be made, the said Principal and the said Surety, bind ourselves, our heirs, executors, administrators, successors and assigns, jointly and severally, firmly by these presents.

WHEREAS, the Principal has submitted a bid for Lane County LCAC North Sully Port

(Here insert full name, address and description of project)

NOW, THEREFORE, if the Obligee shall accept the bid of the Principal and the Principal shall enter into a Contract with the Obligee in accordance with the terms of such bid, and give such bond or bonds as may be specified in the bidding or Contract Documents with good and sufficient surety for the faithful performance of such Contract and for the prompt payment of labor and material furnished in the prosecution thereof, or in the event of the failure of the Principal to enter such Contract and give such bond or bonds, if the Principal shall pay to the Obligee the difference not to exceed the penalty hereof between the amount specified in said bid and such larger amount for which the Obligee may in good faith contract with another party to perform the Work covered by said bid, then this obligation shall be null and void, otherwise to remain in full force and effect.

Signed and sealed this 15 day of December 2005

*Stephanie A. Meyers*  
(Witness)

2G, Inc. DBA: 2G Construction  
(Principal) (Seal)  
*James J. [Signature]*  
(Title) PRESIDENT

*Karen Wells*  
(Witness)

Liberty Mutual Insurance Company  
(Surety) (Seal)  
*Debbie Schluckebier*  
(Title) Attorney-in-Fact



Liberty Mutual Surety Bond Number \_\_\_\_\_

**NOTICE FROM SURETY REQUIRED BY  
TERRORISM RISK INSURANCE ACT OF 2002**

In accordance with the Terrorism Risk Insurance Act of 2002 (referred to hereinafter as the "Act"); this disclosure notice is provided for surety bonds on which one or more of the following companies is the issuing surety: Liberty Mutual Insurance Company; Liberty Mutual Fire Insurance Company; LM Insurance Corporation; The First Liberty Insurance Corporation; Liberty Insurance Corporation; Employers Insurance Company of Wausau (formerly "EMPLOYERS INSURANCE OF WAUSAU A Mutual Company"); Peerless Insurance Company; and any other company that is a part of or added to the Liberty Mutual Group for which surety business is underwritten by Liberty Mutual Surety (referred to collectively hereinafter as the "Issuing Sureties").

**NOTICE FORMS PART OF BOND**

This notice forms part of surety bonds issued by any one or more of the Issuing Sureties.

**DISCLOSURE OF PREMIUM**

The premium attributable to any bond coverage for "acts of terrorism" as defined in Section 102(1) of the Act is Zero Dollars (\$0.00).

**DISCLOSURE OF FEDERAL PARTICIPATION  
IN PAYMENT OF TERRORISM LOSSES**

The United States will reimburse the Issuing Sureties for ninety percent (90%) of any covered losses from terrorist acts certified under the Act exceeding the applicable surety deductible.

LMIC-6539

11/15/04

THIS POWER OF ATTORNEY IS NOT VALID UNLESS IT IS PRINTED ON RED BACKGROUND.

This Power of Attorney limits the acts of those named herein, and they have no authority to bind the Company except in the manner and to the extent herein stated.

LIBERTY MUTUAL INSURANCE COMPANY  
BOSTON, MASSACHUSETTS  
POWER OF ATTORNEY

KNOW ALL PERSONS BY THESE PRESENTS: That Liberty Mutual Insurance Company (the "Company"), a Massachusetts stock insurance company, pursuant to and by authority of the By-law and Authorization hereinafter set forth, does hereby name, constitute and appoint **STEVEN J. HANSON, MARGARET HUFFMAN, BEVERLEY VERBANIC, DEBBIE SCHLUCKEBIER, ALL OF THE CITY OF EUGENE, STATE OF OREGON**.....

..... each individually if there be more than one named, its true and lawful attorney-in-fact to make, execute, seal, acknowledge and deliver, for and on its behalf as surety and as its act and deed, any and all undertakings, bonds, recognizances and other surety obligations in the penal sum not exceeding ONE HUNDRED MILLION AND 00/100..... DOLLARS (\$ 100,000,000.00.....) each, and the execution of such undertakings, bonds, recognizances and other surety obligations, in pursuance of these presents, shall be as binding upon the Company as if they had been duly signed by the president and attested by the secretary of the Company in their own proper persons.

That this power is made and executed pursuant to and by authority of the following By-law and Authorization:

ARTICLE XIII - Execution of Contracts: Section 5. Surety Bonds and Undertakings.  
Any officer of the Company authorized for that purpose in writing by the chairman or the president, and subject to such limitations as the chairman or the president may prescribe, shall appoint such attorneys-in-fact, as may be necessary to act in behalf of the Company to make, execute, seal, acknowledge and deliver as surety any and all undertakings, bonds, recognizances and other surety obligations. Such attorneys-in-fact, subject to the limitations set forth in their respective powers of attorney, shall have full power to bind the Company by their signature and execution of any such instruments and to attach thereto the seal of the Company. When so executed such instruments shall be as binding as if signed by the president and attested by the secretary.

By the following instrument the chairman or the president has authorized the officer or other official named therein to appoint attorneys-in-fact:

Pursuant to Article XIII, Section 5 of the By-Laws, Garnet W. Elliott, Assistant Secretary of Liberty Mutual Insurance Company, is hereby authorized to appoint such attorneys-in-fact as may be necessary to act in behalf of the Company to make, execute, seal, acknowledge and deliver as surety any and all undertakings, bonds, recognizances and other surety obligations.

That the By-law and the Authorization set forth above are true copies thereof and are now in full force and effect.

IN WITNESS WHEREOF, this Power of Attorney has been subscribed by an authorized officer or official of the Company and the corporate seal of Liberty Mutual Insurance Company has been affixed thereto in Plymouth Meeting, Pennsylvania this 6th day of October, 2005.

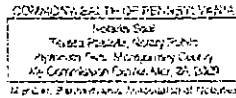
LIBERTY MUTUAL INSURANCE COMPANY

By Garnet W. Elliott  
Garnet W. Elliott, Assistant Secretary

COMMONWEALTH OF PENNSYLVANIA ss  
COUNTY OF MONTGOMERY

On this 6th day of October, 2005, before me, a Notary Public, personally came Garnet W. Elliott, to me known, and acknowledged that he is an Assistant Secretary of Liberty Mutual Insurance Company; that he knows the seal of said corporation; and that he executed the above Power of Attorney and affixed the corporate seal of Liberty Mutual Insurance Company thereto with the authority and at the direction of said corporation.

IN TESTIMONY WHEREOF, I have hereunto subscribed my name and affixed my notarial seal at Plymouth Meeting, Pennsylvania, on the day and year first above written.



By Teresa Pastella  
Teresa Pastella, Notary Public

CERTIFICATE

I, the undersigned, Assistant Secretary of Liberty Mutual Insurance Company, do hereby certify that the original power of attorney of which the foregoing is a full, true and correct copy, is in full force and effect on the date of this certificate; and I do further certify that the officer or official who executed the said power of attorney is an Assistant Secretary specially authorized by the chairman or the president to appoint attorneys-in-fact as provided in Article XIII, Section 5 of the By-laws of Liberty Mutual Insurance Company.

This certificate and the above power of attorney may be signed by facsimile or mechanically reproduced signatures under and by authority of the following vote of the board of directors of Liberty Mutual Insurance Company at a meeting duly called and held on the 12th day of March, 1980.

VOTED that the facsimile or mechanically reproduced signature of any assistant secretary of the company, whenever appearing upon a certified copy of any power of attorney issued by the company in connection with surety bonds, shall be valid and binding upon the company with the same force and effect as though manually affixed.

IN TESTIMONY WHEREOF, I have hereunto subscribed my name and affixed the corporate seal of the said company, this 15TH day of DECEMBER, 2005

By David M. Carey  
David M. Carey, Assistant Secretary

Not valid for mortgage, note, loan, letter of credit, bank deposit, currency rate, interest rate or residual value guarantees.

To confirm the validity of this Power of Attorney call 1-811-442-8241 between 9am and 4:30pm EST on any business day

## Lane County Adult Corrections, North Sally Port Project

Deliver Bids to: Mr. David Suchart, Director of Management Services  
 Lane County, Dept. of Management Services  
 125 East 8th Avenue Eugene, OR 97401

Bid Closing: 3:00 PM, Thursday, December 15, 2005

Architect's Number 0502.08

Name of Firm	Bid Security	Addenda 1	Base Bid
2G Construction	✓	✓	35,100
McKenzie Commercial	✓	✓	317,500
Morris P. Kielty	✓	✓	356,760
Essex Construction	✓	✓	345,000

135 DAYS  
 240 DAYS  
 270 DAYS  
 105 DAYS  
 92 DAYS

WBG Architecture & Planning PC