

OREGON INTERNATIONAL PORT OF COOS BAY
Coos Bay, Oregon
REGULAR COMMISSION MEETING
3:00 p.m., Tuesday, April 20, 2021

Port Commission Chambers, 125 Central Avenue, Suite 230, Coos Bay, Oregon 97420

ATTENDANCE

Commission:

David Kronsteiner, President; Eric Farm, Vice President; Brianna Hanson, Treasurer; Bob Garcia, Secretary; and Kyle Stevens, Commissioner.

Staff:

John Burns, Chief Executive Officer; Lanelle Comstock, Chief Administrative Officer; Brandon Collura, Charleston Harbormaster; Margaret Barber, Director of External Affairs and Business Development; Rick Adamek, Project Manager; Rich Lopez, General Manager, Coos Bay Rail Line; Krystal Moffett, Administrative Assistant; and Mike Stebbins, Port Legal Counsel.

Media & Guests:

None Present.

1. CALL MEETING TO ORDER

President Kronsteiner called the meeting to order at 3:02 p.m.

2. INTRODUCTION OF GUESTS AND PORT STAFF

3. SEATING AND APPOINTMENT OF NEW COMMISSIONER

President Kronsteiner welcomed new Commissioner Kyle Stevens to the Board. Mr. Stevens is a fourth-generation resident of Coos County.

4. APPOINT COMMISSIONER TO CCURA

President Kronsteiner stated action on this item will be delayed until the next meeting.

5. PUBLIC COMMENT

6. CONSENT ITEMS

- A. Approval of February 16, 2021 Regular Commission Meeting Minutes
- B. Approval of February and March Invoices
- C. Approval of February and March Contracts Awarded
- D. Approval of Leases

Upon a motion by Commissioner Farm (second by Commissioner Garcia), the Board of Commissioners voted to approve the February 16, 2021 Regular Commission Meeting Minutes, February and March Invoices, February and March Contracts Awarded, and Leases. **Motion Passed.**

7. **MANAGEMENT REPORTS**

All Management Reports were included within the Meeting Packet.

8. **ACTION ITEMS/REPORTS**

A. **CBRL Bridge Rehabilitation Project Request to Solicit Invitations to Bid**

On July 18, 2018, the Port submitted an application to the US Department of Transportation for the Better Utilizing Investments to Leverage Development (BUILD) grant program. In December of 2018, the Port was awarded a grant in the amount of \$20 million for the CBRL Bridge Rehabilitation Project. Work on the National Environmental Protection Act (NEPA) requirements started in the summer of 2019, and the final grant agreement was executed with the US Maritime Administration on September 24, 2020. On November 2, 2020, the Port executed a grant agreement with the Oregon Department of Transportation for the grant match of \$5 million. The total project cost is \$25 million.

After analyzing each major phase of the project, Port staff determined the best path forward is to contract each phase separately: steel swing span bridges, Vaughn Viaduct bridge, Wildcat Creek bridges, Coal Bank Slough bridge and North Bend swing span bridge generator and power control system. The generator and power control system will be a separate contract due to the specialty nature of the work. The first ITB solicitation will be for Vaughn Viaduct, followed by Coal Bank Slough, swing span bridges, North Bend generator and power control system and Wildcat Creek bridges.

Port procurement rule 2.8.1(E) requires the Port Commission, acting in its capacity as the Local Contract Review Board, authorize solicitations and awards of contracts in excess of \$150,000. Port staff intends to open the ITB period following the completion of bid documents and legal review. Upon closing the ITB period, Port staff will review the bids and make a recommendation for award to the Commission at the next regularly scheduled Board of Commissioners meeting.

Upon a motion by Commissioner Farm (second by Commissioner Hanson), the Board of Commissioners motioned to authorize Port staff to solicit Invitations to Bid for five separate construction contracts for the CBRL Bridge Rehabilitation Project. **Motion Passed.**

B. **Authorization to Negotiate and Execute a Contract for Repairs to North Bend Swing Span Bridge**

In December of 2020, the Port Commission authorized Port staff to issue a Request for Proposals for the replacement of six deteriorated posts on spans 6 and 7 of the North Bend swing span bridge.

An Invitation to Bid (ITB) for the Coos Bay Rail Line post repairs was solicited on February 16, 2021 and bids were due by 4:00 pm on March 31, 2021. Two bids were received and read aloud shortly after 4:00 pm on March 31, 2021. The submitted bid results are listed in the table below:

Firm Name	Total Price
Koppers Railroad Structures Inc.	\$730,200.00
Partney Construction	\$804,300.00

Both proposals are being reviewed for responsiveness to the ITB. A copy of the proposals was available for Commission review.

Koppers is the national rail bridge repair company who completed the last emergency repairs to the North Bend swing span bridge in 2018. The proposed bid includes the full replacement of six posts on spans 6 and 7.

Port procurement rule 4.5 states the Port Commission, acting in its role as the Local Contract Review Board, may award a contract for services by competitive sealed bids. Port staff requests the Commission authorize execution of a contract with Koppers Railroad Structures Inc. for the replacement of six severely deteriorated posts on the North Bend swing span bridge, for the total price of \$730,200.00, pending final review and acceptance of the bid.

The replacement of the six posts will be funded through the application of 2021 State of Oregon Short Line Railroad tax credits (1/3 of costs) and the Ports General Fund.

Commissioner Garcia asked whether there were any grant funds available for this repair, rather than the General Fund. Rick Adamek stated the BUILD grant money will be all spent on other required repairs, and the concern of the engineers is that these posts may not last until grant money is available. Repairs need to be done now. John Burns stated the Port has nearly exhausted all available grant funding for projects such as this, with the exception of the BUILD grant.

Commissioner Hanson asked whether evaluations were on a pure cost basis. Mr. Adamek stated that other factors were considered, such as construction schedule and past work experience. The two bidders who provided quotes were both very qualified.

Upon a motion by Commissioner Farm (second by Commissioner Garcia), the Board of Commissioners motioned to authorize Chief Executive Officer John Burns to negotiate and execute a contract with Koppers Railroad Structures Inc. for the replacement of six severely deteriorated posts on spans 6 and 7 of the North Bend swing span bridge in the amount of \$730,200.00. **Motion Passed.**

9. **OTHER**

10. **COMMISSION COMMENTS**

11. **NEXT MEETING DATE** – Tuesday, May 18, 2021, 3:00 p.m.

12. **ADJOURN**

President Kronsteiner adjourned the meeting at 3:18 p.m. and entered into Executive Session to:

- (e) conduct deliberations with persons designated by the governing body to negotiate real property transactions;
- (g) consider preliminary negotiations involving matters of trade or commerce in which the governing body is in competition with governing bodies in other states or nations;
- (h) consult with counsel concerning the legal rights and duties of a public body with regard to current litigation or litigation likely to be filed;
- (i) review and evaluate the job performance of a chief executive officer, other officers, employees and staff, if the person whose performance is being reviewed and evaluated does not request an open hearing; and
- (j) carry on negotiations under ORS Chapter 293 with private persons or businesses regarding proposed acquisition, exchange or liquidation of public investments.