



MEMORANDUM

Comfort Lake-Forest Lake Watershed District

Date: October 4, 2023
To: CLFLWD Board of Managers
From: Mike Kinney, District Administrator
Subject: Moody Capstone Contract Award



Background/Discussion

The purpose of this agenda item is to consider the contract award for the following elements of the Moody Lake Capstone Project: Round Barn Soil Excavation, Moody Park Improvements, and South Moody Wetland Dredging. At its September 14, 2023 meeting, the Board approved 90 percent plans for the project elements and directed that final plans be prepared and that bids be solicited to construct the project.

This recommended contract award includes three of the four components that constitute this project:

1. Round Barn Soil Excavation: There are two adjacent areas near the Round Barn which appear to be a past manure dumping site when the site was an active farmstead. Elevated phosphorus levels have been detected in the soils in these areas. Removing these soils will prevent phosphorus from leaching out of the soils and into the lake.
2. Moody Park Improvements: This entails soil decompaction, rain garden installation, and erosion prevention measures.
3. South Moody Wetland Dredging: This component entails soil excavation within a cattail wetland on private land south of Moody Lake Park. Historically, manure would have likely been dumped into this wetland when the nearby barn was still being used to house farm animals. Similar to the Round Barn Soil Excavation, this excavation will remove approximately the top 2 feet of soil and deposit it at the designated soil disposal site across Lofton Avenue.

The fourth project component is Field Gully Repair, and that task will be contracted separately. More information on these project components can be found in the Feasibility Study, which was presented at the March 9, 2023 regular board meeting. Note that the Lofton Avenue Ditch Checks component that was evaluated in the project feasibility study is not recommended to proceed at this time, but will be evaluated after completion of the other project elements.

The US Army Corps of Engineers wetland permitting and Wetland Conservation Act permitting are complete. The DNR public waters permit is in-progress and expected mid-October, after



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the 30-day public comment period has expired. All landowner agreements and easements have been executed.

The engineer's recommendation for award is attached. Seven bids were received, and Dimke Excavating was the low bidder with a total bid of \$167,843.10.

Recommended Action

Proposed Motion: Manager _____ moves to adopt resolution 23-10-01. Seconded by Manager _____.

Attached:

Engineer's Award Recommendation Memo, Resolution 23-10-01

**COMFORT LAKE-FOREST LAKE WATERSHED DISTRICT
BOARD OF MANAGERS**

RESOLUTION 23-10-01

**AWARDING CONTRACT for the
MOODY LAKE CAPSTONE PROJECT**

Manager _____ offered the following resolution and moved its adoption, seconded by Manager _____:

WHEREAS the District has adopted a watershed management plan (WMP) in accordance with Minnesota Statutes §103B.231, which, in project 5-221-B, indicates the District will implement water quality protection measures as identified in the Moody Lake Diagnostic Study (hereafter the "Project");

WHEREAS the Project will entail up to five project elements including 1) Field Gully Repair, 2) Lofton Avenue Ditch Checks, 3) Round Barn Soil Excavation, 4) Moody Park Improvements, and 5) South Moody Wetland Dredging

WHEREAS a feasibility report prepared by the District engineer, dated February 28, 2023, finds that the Project will reduce phosphorus loading into Forest Lake by about 64 pounds per year and achieve additional benefits such as total suspended solids reductions;

WHEREAS the District applied for and has been awarded a Clean Water Fund grant from the State of Minnesota, in the amount of \$239,500, for the Project;

WHEREAS on March 9, 2023, in accordance with Minnesota Statutes §103B.251, subdivision 3, the District Board of Managers ("Board") adopted Resolutions 23-03-01a and 23-03-01b establishing the project, and the District engineer subsequently prepared 90 percent construction plans consistent with the concept design and the grant work plan;

WHEREAS on September 14, 2023, the Board approved the engineer's 90 percent construction plans and directed that final plans be prepared and sealed bids be solicited for the following Project elements: Round Barn Soil Excavation, Moody Park Improvements, and South Moody Wetland Dredging;

WHEREAS the District duly advertised and solicited bids for Project construction, consisting of a base bid and three add alternates, and 7 bids were submitted and reviewed by the District engineer;

WHEREAS in a memorandum dated October 4, 2023, the District engineer finds that the bid of Dimke Excavating in the total amount of \$167,843.10 is the low bid, that the bid is responsive, and that Dimke Excavating is a responsible contractor, and recommends the award to Dimke Excavating;

WHEREAS the Board adopts the findings and recommendations of the District engineer;

THEREFORE BE IT RESOLVED as follows:

- a. Dimke Excavating is awarded the contract for the Moody Lake Capstone Project, consisting of the base bid and the three add alternates, for the price of \$167,843.10;
- b. The District administrator is authorized to sign and transmit the notice of award, sign the construction agreement, and issue the notice to proceed on advice of counsel and when all prerequisites for issuance have been met by the contractor; and
- c. The District administrator is authorized, in his discretion and on advice of counsel and the Board President, to sign task orders increasing the contract price in an aggregate net amount not to exceed 15%.

The question was on the adoption of the above resolution and there were ____ ayes and ____ nays as follows:

Manager	Aye	Nay	Absent	Abstain
Stephen Schmaltz				
Christopher Loth				
Dave Bakke				
Jackie Anderson				
Doug Toavs				

The President declared the resolution adopted.

Dated: October 12, 2023

Dave Bakke, Secretary

* * * * *

I, Dave Bakke, Secretary of the Comfort Lake-Forest Lake Watershed District Board of Managers, do hereby certify that the above resolution is a true and correct transcription of an action of the Board taken on the date above indicated.

IN TESTIMONY WHEREOF, I have hereunto set my hand this _____ day of _____ 2023.

Dave Bakke, Secretary

Project Name	Moody Lake Capstone Project	Date	10/04/2023
To / Contact info	CLFLWD Board of Managers		
Cc / Contact info	Mike Kinney, CLFLWD Administrator Blayne Eineichner, CLFLWD Project Manager		
From / Contact info	Greg Graske, District Engineer - EOR Kyle Crawford, PE - EOR		
Regarding	Recommendation for Award of Project		

The purpose of this memorandum is to provide a recommendation for selecting a Contractor to construct the Moody Lake Capstone Project.

Bid Summary

The Request for Bids was posted on QuestCDN on September 15, 2023 and within local newspapers over the following week. Bids were due on October 3, 2023 at 2:00pm with a formal bid opening at the same time via Zoom; contractors were invited to attend virtually.

For us to formulate our recommendation, we compared the Base Bid and Total Bid values for each of the contractors. There were three (3) Add Alternates for additional landscaping inputs for this project.

A total of 7 bids were received and the overall low bidder was Dimke Excavating, with a Base Bid of \$153,074.80 and a Total Bid of \$167,843.10. Review of the submitted bid packages and relevant project experience was performed by Emmons & Olivier Resources, Inc. (EOR). After review of Dimke Excavating's initial bid package was completed, the bid package was determined to be fully responsive. All required bid documents were provided, and no additional documentation is necessary at this time.

COMPANY	BID SECURITY INCLUDED	REQUIRED BID DOCUMENTS	BASE BID	ADD ALTERNATE 1	ADD ALTERNATE 2	ADD ALTERNATE 3	TOTAL BID
Dimke Excavating	✓	✓	\$153,074.80	\$160.00	\$1,923.10	\$12,685.20	\$167,843.10
Peterson Companies	✓	✓	\$157,361.68	\$514.80	\$7,783.05	\$21,316.26	\$186,975.79
New Look Contracting	✓	✓	\$178,203.00	\$750.00	\$3,272.00	\$13,720.50	\$195,945.50
Winberg Companies	✓	✓	\$188,320.65	\$108.12	\$4,177.80	\$11,125.32	\$203,731.89
US SiteWork	✓	✓	\$225,093.10	\$153.00	\$2,773.00	\$11,945.40	\$239,964.50
<i>Engineer's Estimate</i>	<i>N/A</i>	<i>N/A</i>	<i>\$235,006.97</i>	<i>\$500.00</i>	<i>\$2,280.00</i>	<i>\$9,750.00</i>	<i>\$247,536.97</i>
Shoreline Landscaping & Contracting	✓	✓	\$239,989.00	\$75.00	\$4,368.00	\$14,112.00	\$258,544.00
Dresel Contracting	✓	✓	\$220,251.22	\$997.20	\$12,580.36	\$36,725.40	\$270,554.18

Recommendation

Dimke Excavating is a reputable area contractor that has completed multiple projects for EOR and area Watershed Districts in recent years. Following our review of their project experience and bid package, we are recommending approval of the Total Bid and award of the contract to the low responsive bidder, Dimke Excavating, in the amount of **\$167,843.10**.

After discussion with District staff, it is recommended the Board authorize the District Administrator to execute change orders, if necessary, in an amount not to exceed (in total) 15% of the construction contract to prevent extra construction delays or costs. This requested amount is greater than the typical 5% or 10% for multiple reasons:

1. The project construction cost of \$167,843.10 is significantly lower than the \$215,000 Clean Water Fund grant amount awarded for this project. This gap may provide some flexibility for the District to work directly with the Contractor to purchase and install additional native vegetation inputs to the project locations under this contract while also accounting for any unforeseen construction cost increases.
2. Because of the lower overall construction cost, 5% or 10% would represent relatively small contract adjustments (\$8,400 - \$16,800) and may limit District staff's ability to negotiate with the contractor in a timely manner.