

**MEETING DATE:** October 25, 2018

**TITLE:** Authorization to Award Construction Contract for the Minnehaha Creek FEMA Repair Project

**RESOLUTION NUMBER:** 18-112

**PREPARED BY:** Tiffany Schaufler

**E-MAIL:** tschaufler@minnehahacreek.org

**TELEPHONE:** 952-641-4513

**REVIEWED BY:**  Administrator       Counsel       Program Director:  
 Board Committee       Engineer       Other

**WORKSHOP ACTION:**

<input type="checkbox"/> Advance to Board mtg. Consent Agenda.	<input type="checkbox"/> Advance to Board meeting for discussion prior to action.
<input type="checkbox"/> Refer to a future workshop (date):_____	<input type="checkbox"/> Refer to taskforce or committee (date):_____
<input type="checkbox"/> Return to staff for additional work.	<input type="checkbox"/> No further action requested.
<input checked="" type="checkbox"/> <b>Other (specify): Seeking final approval on October 25, 2018.</b>	

**PURPOSE or ACTION REQUESTED:**

Authorization to award the construction contract for the Minnehaha Creek FEMA Repair Project to Sunram Construction, Inc. in the amount of \$163,844 and to establish a construction budget for the not to exceed amount of \$180,228.

**PROJECT/PROGRAM LOCATION:**

Minnehaha Creek Subwatershed within the City of Minneapolis

**PROJECT TIMELINE:**

- May-July 2018: Design Repairs
- July 2018: Approval of Final Design
- September-October: Seek Construction Bids, Select Construction Contractor
- November 2018-June 2019: Construct Repairs

**PROJECT/PROGRAM COST:**

Fund name and number: FEMA Flood Repair, 3148  
2018 Budget: \$584,940  
Expenditures to date: \$156,851  
Requested amount of funding: \$163,844

**PAST BOARD ACTION:**

- September 11, 2014: RES 14-074 – Authorization to contract with Wenck Associates to develop 2014 flood report (included performing a damage assessment on the District’s six major creeks to apply for FEMA funding)
- November 13, 2014 – Board discussion on the 2014 flood damage and FEMA process
- June 18, 2015 – FEMA funding approval update
- December 17, 2015: RES 15-101 – Acceptance of the 2014 MCWD Flood Report (included a summary of damage submitted to FEMA and maps of the damage locations)
- February 23, 2017: RES 17-016 – Authorization to Execute Grant Agreements for Minnehaha Creek Stormwater Management and Six Mile Creek - East Auburn Stormwater Enhancement Project
- February 23, 2017: RES 17-017 – Authorization to enter into a Memorandum of Understanding with the City of Minneapolis and Minneapolis Park and Recreation Board and Issue a Request for Qualifications for the Integrated Planning of the Minnehaha Creek Subwatershed in Minneapolis
- September 14, 2017: 17-059 -- Authorization to Execute a Contract for Preliminary Design for FEMA Repairs and Minnehaha Creek Corridor Planning
- April 26, 2018: 18-042 – Ordering of the Minnehaha Creek FEMA Repair Project and Authorization to execute a Design and Construction Oversight Contract for the Minnehaha Creek FEMA Repair Project
- June 28, 2018 – Board review of preliminary design plans for the Minnehaha Creek FEMA Repair Project
- July 26, 2018: RES 18-071- Approval of Design for the Minnehaha Creek FEMA Repair Project and Authorization to Solicit Bids
- August 23, 2018: RES 18-086 – Authorization to Award a Construction Contract for Site 34 of the Minnehaha Creek FEMA Project

**SUMMARY:**

In April 2018, the Board of Managers ordered the Minnehaha Creek FEMA Repair Project which will include repairing flood damage at 11 sites along Minnehaha Creek within Minneapolis. An interactive map of the 11 sites can be viewed on the MCWD Project website: <http://www.minnehahacreek.org/project/minnehaha-creek-fema-repairs>

In April 2018 the Board authorized a design and construction oversight contract with Wenck, with HKGi and Inter-Fluve as subconsultants, for the Project. In conjunction with the Minneapolis Park and Recreation Board and the City of Minneapolis, the District held two community open house meetings for the Minnehaha Creek FEMA Repair Project on April 12 and April 17, 2018. Additionally, the District held an informational community meeting on July 24, 2018 to review the design plans for the Project. At the July 26, 2018 Board Meeting, the Board approved the final designs for the Minnehaha Creek FEMA Repair Project and authorized the solicitation of bids for the Project.

The public bid process was open from October 2, 2018 through October 19, 2018. A mandatory pre-bid meeting was held on October 9, 2018. The District received five bid proposals. Sunram Construction, Inc. submitted the lowest bid. The bid is responsive and both staff and the District’s design team find Sunram Construction, Inc. to be responsible.

<b>Contractor</b>	<b>Submitted Bid</b>
Sunram Construction, Inc.	\$163,844
Blackstone Contractors, LLC	\$180,275
Veit & Company, Inc.	\$227,093
Minger Construction Company, Inc.	\$310,188
Standard Contracting, Inc.	\$394,552

The requested Board action is to award the construction contract for the Minnehaha Creek FEMA Repair Project to Sunram Construction, Inc., to authorize the District Administrator to enter into a contract for the work in the amount of 163,844, and establish a construction budget for the not to exceed amount of \$180,228. The engineer's construction estimate for the project was \$193,085.

Per the Minnesota Data Practices Act, further detail regarding the submitted bids is considered non-public data at this time. Accordingly, the bid tabulation has been provided to you under separate cover. The Open Meeting Law allows for non-public data to be discussed at open meeting as necessary for the Board to conduct its business. Therefore, if you have questions regarding the bid tabulation, they may be raised at the meeting.

## RESOLUTION

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**RESOLUTION NUMBER:** 18-112

**TITLE:** **Authorization to Award Construction Contract for the Minnehaha Creek FEMA Repair Project**

WHEREAS, the Minnehaha Creek Watershed District (MCWD) has adopted a watershed management plan (WMP) in accordance with Minnesota Statutes §103B.231; and

WHEREAS, the WMP identifies the Minnehaha Creek FEMA Repair Project (“Project”) as a capital improvement project for the purpose of stabilizing streambanks with bioengineering and hard armoring to reduce erosion and protect the stream channel and improve the ecological integrity of the stream corridor within the Minnehaha Creek subwatershed; and

WHEREAS, on April 26, 2018, the MCWD Board of Managers ordered the Minnehaha Creek FEMA Repair Project; and

WHEREAS, the Federal Emergency Management Agency (FEMA) has granted MCWD approximately \$248,576 to repair flood damage at the 11 sites identified as part of the Minnehaha Creek FEMA Repair Project; and

WHEREAS, on April 26, 2018, the MCWD Board authorized the District Administrator to execute a contract with Wenck, with HKGi and Inter-Fluve as subconsultants, for an amount not to exceed \$330,112 for design and construction oversight services for the Minnehaha Creek FEMA Repair Project; and

WHEREAS, MCWD has coordinated the Project with MPRB and the City of Minneapolis, and the MPRB and the City are supportive of the project and have individually submitted letters of support to the District for the Project; and

WHEREAS, on June 28, 2018, the MCWD Board of Managers reviewed the preliminary design plans for the Minnehaha Creek FEMA Repair Project; and

WHEREAS, a public information meeting was held in Minneapolis on July 24, 2018 to present project plans and schedule; and

WHEREAS, on July 26, 2018 the Board approved the final design for the Minnehaha Creek FEMA Repair Project and authorized the solicitation of bids; and

WHEREAS, on August 23, 2018 the Board approved a construction contract for Site 34 of the Minnehaha Creek FEMA Repair Project to S.M. Hentges & Sons in an amount not to exceed \$61,058; and

WHEREAS, the District solicited sealed bids for the work in accordance with Minnesota law and five bids were received and opened, Sunram Construction, Inc. submitted the lowest responsive bid, and is determined by the Board of Managers, on the basis of recommendations of District staff and engineer, to be a responsible bidder.

NOW, THEREFORE, BE IT RESOLVED, that the Minnehaha Creek Watershed District Board of Managers awards the contract for construction to Sunram Construction, Inc. in the amount of \$163,844

and directs that the Administrator return and otherwise administer bid bonds in accordance with the terms of the request for bids; and

BE IT FURTHER RESOLVED that the MCWD Board of Managers authorizes the Administrator to execute a construction contract for the Project in the amount of \$163,844; and

BE IT FURTHER RESOLVED that the MCWD Board of Managers establishes a project construction budget in the not-to-exceed amount of \$180,228 and authorizes the Administrator, in his judgment and on the recommendation of the construction managers, to authorize change orders obligating the District up to that amount; and

BE IT FINALLY RESOLVED that the MCWD Board of Managers authorizes the Administrator to issue a formal notice to proceed to Sunram Construction, Inc. in accordance with the terms of this resolution, on advice of counsel and after receipt of a signed contract and required bonds and insurance documentation.

Resolution Number 18-112 was moved by Manager \_\_\_\_\_, seconded by Manager \_\_\_\_\_.  
Motion to adopt the resolution \_\_\_ ayes, \_\_\_ nays, \_\_\_ abstentions. Date: \_\_\_\_\_.

\_\_\_\_\_  
Secretary Date: \_\_\_\_\_