

Memorandum

To: Nine Mile Creek Watershed District Board of Managers
From: Barr Engineering Co.
Subject: Nine Mile Creek Restoration Project (Phase II) – Recommendation to Award Project
Date: July 11, 2018
Project: 23271132.01
c: Randy Anhorn – NMCWD Administrator

NMCWD has documented erosion along several reaches of the North Branch of Nine Mile Creek in Edina. The engineer's report completed in 2015 included assessments and concept designs for a total of 15 sub-reaches covering approximately between U.S. Highway 169 and the City boundary just upstream of I-494.

Even though much of the creek is located on public land, there are portions that have either meandered on to private property or always been on private property; therefore, access licenses are necessary to enter the private property to complete the restoration work. Negotiating and obtaining the access licenses has required a significant time investment from Administrator Anhorn, so the project was split into two phases to help move construction forward as licenses were obtained from private landowners. Phase I included reaches 1 through 11 between U.S. Highway 169 and the Soo Line Railroad crossing just north of 70th Street, and construction was completed in June 2018. Phase 2 includes reaches 12-15 from the railroad to the City boundary.

Phase II includes, but is not limited to: installation of root wads, rock vanes, live stakes, remeandering into a new channel, log vanes, bank grading, and riprap along approximately 3,100 feet of Nine Mile Creek. Phase II was advertised for bids on June 1 in the District's official publications and on Quest Construction Data Network (CDN). Barr Engineering facilitated a mandatory pre-bid meeting on June 12, 2018, which was attended by 7 contractors. During the pre-bid meeting Barr Engineering provided an overview of the project and answered questions from the contractors. Additional questions were due by June 19, 2018, and bids were opened on June 22, 2018 at Barr Engineering. Three bids were received and are summarized in Table 1.

Table 1. Summary of Bids Received for the Nine Mile Creek Restoration Project

Bidder	Total Base Bid Entered on the Bid Form ¹
Sunram Construction, Inc	\$472,612.00
Minnesota Native Landscapes	\$477,641.00
Blackstone Contractors, LLC	\$614,771.00

¹Engineer's opinion of probable cost was \$540,633.

Most of the bids were lower than the Engineer's opinion of probable cost. Because each bidder accounts for the cost of materials, labor, and equipment differently it can be difficult to make a direct comparison to the Engineer's opinion of probable cost. However, in general, it appears that the bids received for this project generally reflect current market conditions.

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The bids also contained two alternate bid items described below. The contractors were informed that the prices on the alternate bid items would not impact the base bid and that the low bid would be based solely on items included in the base bid. The alternate bid items were:

- Vegetation Maintenance Period Years 3-5 – The base bid included a vegetation maintenance and warranty period for years one and two. The bid for three additional years of maintenance was \$15,000.
- Removal and disposal of contaminated debris or soil – A Phase I environmental assessment was completed along the creek corridor. While it is not anticipated that any contamination sites will be encountered while completing the project, this bid item provides a price in the event that contaminated materials are present and much be addressed. A quantity of 100 tons of material was included in the base bid as a placeholder for a potential quantity. The unit price for this item was \$100 per ton, so the bid price was \$10,000.

Sunram Construction, Inc. was the low bidder. **Barr Engineering recommends the NMCWD Board of Managers award the project to Sunram Construction, Inc at the bid price of \$482,612, which includes the lowest base bid of \$472,612 plus the alternate bid item #2 (removal and disposal of contaminated soil) at \$100 per ton for an estimated cost of \$10,000, and authorize the Board President or Administrator to sign the notice of award, form of agreement, and notice to proceed at the appropriate points in the contracting process.**

If the Board of Managers decides to award the project the following next steps would be completed:

- An Authorized Representative signs the Notice of Award to be sent to the successful bidder
- All bidders are notified of the Board's decision
- Successful bidder provides the following information:
 - Fully executed Notice of Award
 - Three fully executed counterparts of the Form of Agreement
 - Performance and Payment Bond
 - Certificate of Insurance and all other required insurance documentation
- Barr Engineering will coordinate with the successful bidder regarding the construction schedule
- August – Issue Notice to Proceed
- Work within the creek channel will be completed by December 31, 2018.
- Final completion will be no later than June 15, 2019