

MEMORANDUM

TO: Programs, Projects, and Operations Subcommittee
FROM: Eric Williams, Natural Resources Planner
DATE: November 8, 2019
SUBJECT: Elkhorn River Improvement Project 2019 Repairs

Each year, an assessment is collected from property owners benefitted by the Elkhorn River Improvement Project Area (IPA), with the total collected amount of \$20,000 annually. The purpose of the IPA is to have funds available for bank stabilization repairs when necessary. During the flooding in March 2019, erosion occurred in five (5) locations with the IPA. The District contracted FYRA Engineering to assess the damage, design stabilization, and carry out bidding for construction of the repair work.

On October 30, 2019, the P-MRNRD opened bids for the Elkhorn River IPA 2019 Repairs. Four (4) bids were received, they are summarized in the attached bid tab. The low bidder was Niewohner Construction, Inc. who has successfully completed work for the District in the past. Attached is the engineer's bid recommendation letter.

- **Management recommends that the Subcommittee recommend to the Board of Directors that the General Manager be authorized to execute a contract with Niewohner Construction, Inc. in the amount of \$850,696.00 for the construction of the Elkhorn River IPA 2019 Repairs project, subject to changes deemed necessary by the General Manager and approved as to form by District Legal Counsel.**



November 5, 2019

Eric Williams
Papio-Missouri River NRD
8901 S. 154th Street
Omaha, NE 68138

Re: Elkhorn River IPA 2019 Repairs – Bid Recommendation

Dear Eric:

The bid opening for the above-referenced project was held at the P-MRNRD on October 30, 2019. Four bids were received for the project. The results of the bids are attached to this letter in the form of a bid tabulation sheet. The low bid of \$850,696 was received from Niewohner Construction, of Onawa, IA and was slightly below the engineer's estimate of \$874,356.

The engineer's estimate considered the local post-flood bidding climate, which has seen a drastic increase in rock riprap prices since the repair work from the March 2019 flood began. This is due to an increase in demand for the rock and the reduced availability. Within the timeframe that was designated for this project, local quarries do not have rock available and all the contractors that bid the project were planning on getting rock riprap from South Dakota. This increased unit bid prices normally seen around \$60/tn to between \$87/tn and \$95/tn for this project. Inquiries to other local agencies currently bidding projects also confirmed they are receiving bid prices within this range.

After a review of the bids, the unit prices appear to be reasonable in the current bidding climate. There is some variation of unit prices from the engineer's estimate, but nothing that raised any red flags. Mobilization was lower than anticipated, but Niewohner attended the pre-bid meeting and is fully aware of everything to be covered under this bid item. Embankment hauled from off-site was difficult to estimate because the source and haul distance was unknown. Jim Niewohner was contacted and indicated the source of this material was identified by their subcontractor, Wenninghoff, who was able to locate a local borrow pit of sandy material within a few miles of the site. Niewohner had the lowest unit bid for off-site embankment, even though it was higher than the engineer's estimate, seems to be a reasonable price.

Niewohner Construction was the contractor for the Elkhorn River at 240th Street project that was also constructed under winter conditions. Both FYRA and the P-MRNRD indicated they were satisfied with their performance and given their local experience and reputation, I do not have any reason not to recommend the low bidder. Niewohner is aware of the timeframe and is interested in mobilizing as soon as possible. My recommendation is to award the project to Niewohner Construction and begin the contracting process upon Board approval. Please feel free to contact me if you have any questions.

Please feel free to contact me if you have any questions.

Sincerely,

Sara Mechtenberg, P.E.

ELKHORN IPA 2019 REPAIRS BID TAB

ITEM	UNITS	QUANTITY	Engineer's Estimate		Blade Masters		Niewohner Construction		Sawyer Construction		Valley Corp	
			UNIT COST	COST	UNIT COST	COST	UNIT COST	COST	UNIT COST	COST	UNIT COST	COST
MOBILIZATION	LS	1	\$103,190.00	\$103,190.00	\$88,330.00	\$88,330.00	\$20,000.00	\$20,000.00	\$55,000.00	\$55,000.00	\$103,842.42	\$103,842.42
CLEARING AND GRUBBING	LS	1	\$6,000.00	\$6,000.00	\$42,900.00	\$42,900.00	\$3,500.00	\$3,500.00	\$15,000.00	\$15,000.00	\$25,502.40	\$25,502.40
PASTURE SEED MIX	AC	3.7	\$1,000.00	\$3,700.00	\$6,900.00	\$25,530.00	\$2,000.00	\$7,400.00	\$4,000.00	\$14,800.00	\$7,824.60	\$28,951.02
EMBANKMENT-ON SITE	CY	10,548	\$3.00	\$31,644.00	\$16.33	\$172,248.84	\$6.00	\$63,288.00	\$15.00	\$158,220.00	\$4.77	\$50,313.96
EMBANKMENT-OFF SITE	CY	1,921	\$10.00	\$19,210.00	\$19.33	\$37,132.93	\$22.50	\$43,222.50	\$25.00	\$48,025.00	\$42.39	\$81,431.19
CLASS "B" RIPRAP	TN	7,524	\$90.00	\$677,160.00	\$88.00	\$662,112.00	\$90.00	\$677,160.00	\$93.00	\$699,732.00	\$93.43	\$702,967.32
COARSE AGGREGATE FILTER	TN	616	\$35.00	\$21,560.00	\$38.00	\$23,408.00	\$45.00	\$27,720.00	\$55.00	\$33,880.00	\$80.37	\$49,507.92
GEOTEXTILE FABRIC	SY	973	\$4.00	\$3,892.00	\$4.33	\$4,213.09	\$3.50	\$3,405.50	\$5.00	\$4,865.00	\$3.98	\$3,872.54
TEMPORARY CROSSING	LS	1	\$8,000.00	\$8,000.00	\$33,000.00	\$33,000.00	\$5,000.00	\$5,000.00	\$5,000.00	\$5,000.00	\$25,338.82	\$25,338.82
TOTAL COST				\$874,356.00		\$1,088,874.86		\$850,696.00		\$1,034,522.00		\$1,071,727.59

3. "collusive practice" means a scheme or arrangement between two or more Bidders, with or without the knowledge of Owner, a purpose of which is to establish bid prices at artificial, non-competitive levels; and
4. "coercive practice" means harming or threatening to harm, directly or indirectly, persons or their property to influence their participation in the bidding process or affect the execution of the Contract.

ARTICLE 5 – BASIS OF BID

- 5.01 Bidder will complete the Work in accordance with the Contract Documents for the following price(s):

Item No.	Description	Unit	Estimated Quantity	Bid Unit Price	Bid Price
1	MOBILIZATION	LS	1	20,000. ⁰⁰	20,000. ⁰⁰
2	CLEARING AND GRUBBING	LS	1	3,500. ⁰⁰	3,500. ⁰⁰
3	PASTURE SEED MIX	AC	3.7	2,000. ⁰⁰	7,400. ⁰⁰
4	EMBANKMENT- ON SITE	CY	10,548	6. ⁰⁰	63,288. ⁰⁰
5	EMBANKMENT- OFF SITE	CY	1,921	22. ⁵⁰	43,222. ⁵⁰
6	CLASS "B" RIPRAP	TN	7,524	90. ⁰⁰	677,160. ⁰⁰
7	COARSE AGGREGATE FILTER	TN	616	45. ⁰⁰	27,720. ⁰⁰
8	GEOTEXTILE FABRIC	SY	973	3. ⁵⁰	3,405. ⁵⁰
9	TEMPORARY CROSSING	LS	1	5,000. ⁰⁰	5,000. ⁰⁰
Total of All Unit Price Bid Items					\$850,696. ⁰⁰

Bidder acknowledges that (1) each Bid Unit Price and Item Lump Sum includes an amount considered by Bidder to be adequate to cover Contractor's overhead and profit for each separately identified item, and (2) estimated quantities are not guaranteed, and are solely for the purpose of comparison of Bids, and final payment for all unit price Bid items will be based on actual quantities, determined as provided in the Contract Documents.

ARTICLE 6 – TIME OF COMPLETION

- 6.1 Bidder agrees that the Work will be substantially complete and will be completed and ready for final payment in accordance with Paragraph 15.06 of the General Conditions on or before the dates or within the number of calendar days indicated in the Agreement.
- 6.2 Bidder accepts the provisions of the Agreement as to liquidated damages.

ARTICLE 7 – ATTACHMENTS TO THIS BID

- 7.1 The following documents are submitted with and made a condition of this Bid:

A. Required Bid security; and