Agenda Item: 7.a.

MEMORANDUM

TO: Programs Projects and Operations Subcommittee

FROM: Terry Schumacher, Land & Water Programs Coordinator

SUBJECT: Review and Recommendation of Bids Received for Kramper

Lake/Danish Alps Recreation Area Project

DATE: April 4, 2014

On February 26, 2014, bids were opened for the construction of the Kramper Lake/Danish Alps Recreation Area Project in Dakota County. A copy of the bid tabulation is attached. The Pigeon/Jones Creek Special Watershed Project is a project developed by the Natural Resources Conservation Service and the P-MRNRD. Kramper Lake/Danish Alps Recreation Area is a multi-purpose project designed to provide grade stabilization, flood control, and recreation in the Dakota County community. The project was also designed to reduce the amount of sediment leaving the watershed and deposited downstream in the Pigeon/Jones Drainage District.

Olsson & Associates designed the recreation area and reviewed the bids. The attached bid tabulation sheet demonstrates that the apparent low bidder is Dixon Construction Company from Correctionville, Iowa. Also attached for review is Change Order No. 1, a decrease of \$417,268.00 that will be executed immediately. Change Order No. 1 is needed to amend Bid item No. 32 from the units of CY to SY and revise the unit price to \$7.00 to SY. Dixon Construction's base bid was in the amount of \$4,609,835.59 with the change order the contract price is \$4,192,567.59.

The Engineers estimate for the construction of the recreation area is \$3,887,503.15. Olsson's reviewed the work history for similar projects and based upon Dixon's work history and references conclude that the contractor can successfully construct this recreation area. Dixon Construction Company was awarded the contract to construct the dam and roadways and completed that work satisfactorily. Olsson's recommends that a contract be awarded to Dixon Construction Company.

The FY 2014 budget includes \$1.1 million dollars to begin construction of the recreation facilities and the remainder is planned to be budgeted in FY 2015.

General Manager Winkler, Assistant Manager Petermann, Legal Counsel Peters and Project Manager Schumacher have intensely discussed Management's recommendation to the Board on the question whether this recreation features construction contract, discussed by the Board at its March meeting, should be re-bid.

It is submitted that, as a practical matter, the questions for discussion are (a) whether, in the present case, an NRD goal of carrying out an error-free bidding process overrides the NRD goal of arriving at a fair and reasonable contract price for the work and (b) whether the possible consequences for re-bidding the project are too great to risk.

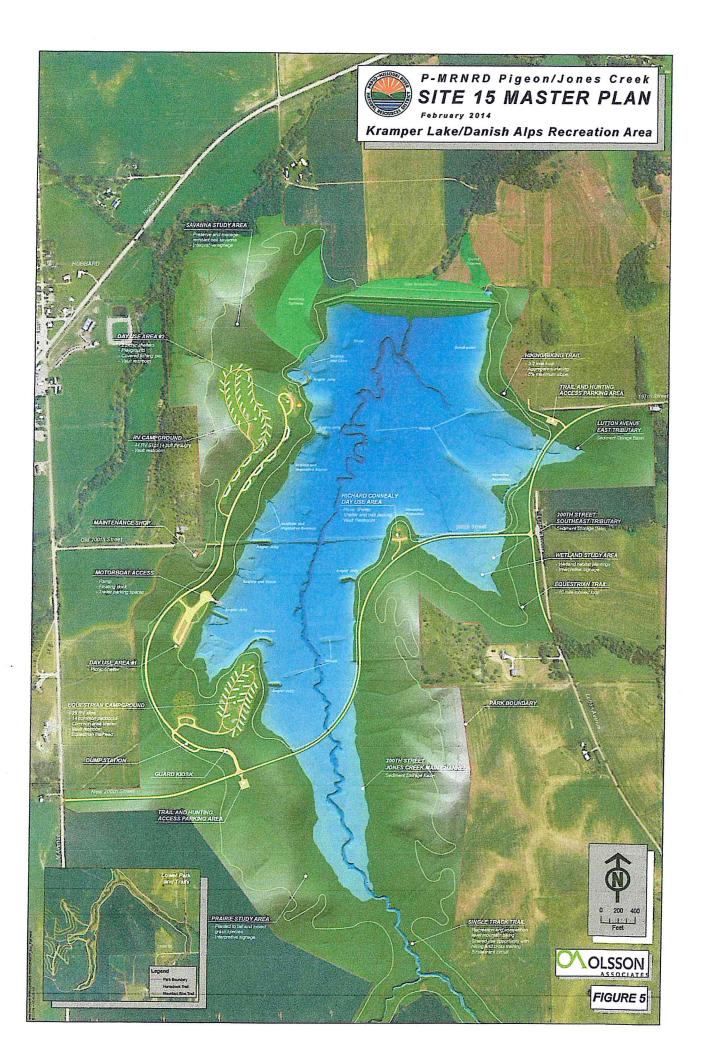
The unanimous conclusion from that discussion is that, while it would have been preferred to not have any ambiguities or errors in the bidding process, and therefore preferred to not have any need to consider re-opening the bidding process, it nevertheless appears clear that the project not be re-bid, for reasons including the following:

- 1. No external rules or regulations exist that override NRD Board policies governing the bidding process to award the contract to the lowest and best bid or that compel the Board to re-bid the project.
- 2. The adjustments to contract quantities that are proposed by the project engineer and used with Management's approval to amend the bids in a logical way demonstrate that, there is no doubt that Dixon Construction Company is the low bidder under both amended and non-amended circumstances.
- 3. The low bidder did not participate in formulating the bid specifications, had no fault in the fact that there was an error, and stands ready to proceed with the work for the amount of its bid either as adjusted or originally submitted.
- 4. There is too much at stake for the NRD to risk re-bidding of the contract for less-than-compelling circumstances, because:
 - a. There is a good possibility that a re-bidding could result in a significant reduction in the number of bidders and/or substantial increases in the bids as qualified contractors become involved in other work and only consider working on this project if a much higher premium is realized.
 - b. A substantial increase in the contract price resulting from a re-bidding could negatively change and possibly even upset the feasibility and fundability of the project, because of the potential \$10,000,000.00 in Nebraska Resource Development Funding. That fund requires projects to a rate of return greater than 3.0% and the Dixon Construction bid maintains that level but by a small margin.
 - c. An application for funding of the Pigeon/Jones 15 Project or as named, the Kramper Lake/Danish Alps Recreation Area was submitted to and

approved by the Nebraska Environmental Trust as a multipurpose (grade stabilization, sediment control, flood control and **recreation**) site and was approved for \$2,480,650.00 under those parameters. The District already received the full amount of \$2,480,650.00 from the NET for the dam construction. However, if the project were re-bid and the bids came in substantially higher, it may not be practical to proceed with construction of these recreation facilities. If that were to occur, the NET may declare the District in default of its agreement and demand that the NET funding be returned.

d. In a re-bid situation, subcontractors typically figure in an additional 2-3% for the time and effort required to recalculate their bid. This would most likely result in the overall bid being higher.

Management recommends that the Subcommittee recommend to the Board that the General Manager be authorized to execute a contract with Dixon Construction Company for the construction of Kramper Lake/Danish Alps Recreation Area Project in the base bid amount of \$4,609,835.59 subject to approval of Change Order No.1 to revise the construction contract amount to \$4,192,567.59 subject to changes deemed necessary by the General Manager and approval as to form by District Legal Counsel.





Papio Missouri River NRD Kramper Lake/Danish Alps Recreation Area Dakota County, NE 2014

BID TABULATION Feb. 26, 2014 OA #007-1658 1:30 p.m. 3 Pages

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Papio Missouri River NRD Kramper Lake/Danish Alps Recreation Area Dakota County, NE 2014

BID TABULATION Feb. 26, 2014 OA #007-1658 1:30 p.m. 3 Pages

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		₃ 5'	33'	6'	2 1/2" caliper	2" caliper	1 3/4" caliper	1 1/2" caliper	1 1/4" caliper	1" caliper	plions	And the second s	Electrical Distribution and Hook-Up	descriptions descriptions	Cual Dosing Siphon Fairs (1,750 Gai)	DU Gai) - HV	Septic Tank (4,000 Gal) - Equestrian	Septic Tank (1,000 Gal) - Maintenance Shop	/er Pipe	/er Pipe	/er Pipe	er Cleanout	er Cleanout	er Cleanout	Leach Field - RV & Equestrian Camparounds	Leach Field - Maintenance Shop	Dump Station Dump Station Holding Tank (25,000 Gal) w/Alarm	(Navajo)	Double Vault Restroom (Tioga Special)	Sanitary Sewer Item Descriptions		Tapping Saddle & Corp Stop (1")	Dry Hydrant (Equestrian Campground)-6" PVC Piping	Dry Hydrant (Forjestrian Camporound)		ping	pressure Tank, Valvues, Piping, Meter, etc.	Water Well (For Grounds/DUA #2)	uplings		/e			Pipe	n Pine	n Pipe	Pipe	Water Main Item Descriptions	3	ITEM	CONTRACTOR	
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910,00	\$19 DO	\$160.00	\$110.00	\$165.00	\$320.00	\$270.00	\$260.00	\$190.00	\$180.00	\$167.00	Unit Price		\$380,000.00	Unit Price	\$13,000.00	\$23,700.00	\$21,800.00	\$5,000.00	\$16.00	\$15.00	\$14.00	\$200.00	\$200.00	\$200.00	\$3.50	\$10.00	\$4,500.00	\$150,000.00	\$35,000.00	Unit Price		\$300.00	\$20.00	\$9/5.00	\$70,000.00	\$14.00	\$27,000.00	\$80,000.00	\$2.00	\$800.00	\$600.00	\$475.00	\$375.00	\$13.00	\$13.00	\$13.00	\$12.00	Unit Price	\$43,50		Dixon	
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20.50	20.50	175.00	120.00	180.00	350,00	290.00	280.00	205.00	195.00	182.00	Unit Price			Unit Price	7,100.00	26,300.00	23,000.00	5,750.00	24.00	22.50	18.50	245.00	215.00	200.00	4 67	35.05	7,600.00	159,585.00	39,510.00	Unit Price		143.75	31.25	930.00	35,970.00	33.30	18,680.00	83,375.00	2.50	600.00	572.50	465.50	206.50	14.13	13.90	13.90	13.30	Unit Price	52.50		Penro	
3,464.50	0,000,00	9.625.00	8,160.00	5,400,00	10,150.00	33,640.00	9,520.00	11,275.00	6,630.00	20,748.00	Extension		0.00	Extension	14,200.00	26,300.00	23,000.00	5,750.00	984.00	1,800.00	25,086.00	490.00	430.00	1,200.00	74 486 50	5, 432 75	7,600.00	319,170.00	158,040.00	Extension		4.456.25	29.687.50	28,830.00	71,940.00	3,663.00	37,360,00	83,375.00	5,000.00	2,400.00	572.50	931.00	413.00	0,092.90	31,566.90	1,862.60	50,859.20	Extension	10,557.75		8	
25.00	25.00	00.20	182.00	90.00	405.00	380.00	262.00	300.00	250.00	235.00	Unit Price		412,500.00	Unit Price	11,250.00	41,865.00	33,590.00	4,041.00	15.50	12.50	11.55	142 13	135.00	126.00	3.00	8 00	5,250.00	132,550.00	33,810.00	Unit Price		258.00	3,750.00	1.062.00	15,500.00	20.00	10.500.00	110,775.00	2.55	1,070.00	915.00	744.00	270.00	4.85	4.25	3.67	3.42	Unit Price	64.00		X & C	
4,225.00	100,00	12 485 00	12.376.00	2.700.00	11.745.00	44,080,00	8,908.00	16,500.00	8,500.00	26,790.00	Extension		412.500.00		22,500.00	41,865.00	33,590.00	4,041.00	635.50	1,000.00	15.661.80	284 26	07.00	756.00	26 247 50	1 240 00	5,250.00	265,100.00	135,240.00	Extension		7.998.00	13 832 00	32,922.00	31,000.00	2,200.00	21,000,00	110,775.00	5,100.00	4.280.00	915 00	1 488 00	540.00	0.242.05	9,651.75	491.78	13,078.08	Extension	12,870.40		<u>-</u>	
25.00	27.00	175.00	125.00	185.00	350.00	297.00	286.00	210.00	198.00	185.00	Unit Price		525,000.00	Unit Price	8,500.00	65,000.00	50,000.00	20,000.00	45.00	35.00	25.00	500.00	350.00	250.00	00.00	00.000.621	45,000.00	165,000.00	60,000.00	Unit Price		850.00	25.00	1,500.00	35,000.00	25.00	20,000.00	110,000.00	3,85	985,00	750 00	1 200 00	350.00	5.00	5.35	4.85	3.50	Unit Price	45.00		Commercial Contractors	
4,225.00	0,020.00	0,500.00	8.500.00	5 550 00	10.150.00	34.452.00	9,724.00	11,550.00	6,732.00	21,090.00	Extension		525,000.00	Extension	17,000.00	65,000.00	50,000.00	20,000.00	1,845.00	2,800.00	33,900.00	1 000 00	700.00	1 500 00	3,0/3,00	3 875 00	45,000.00	330,000.00	240,000.00	Extension		26.350.00	250.00	46,500.00	70,000.00	2,750.00	40,000.00	110,000.00	7,700.00	3.940.00	750.00	2 400 00	700.00	2,838.00	12,149.85	649.90	13,384.00	Extension	9,049.50		Contractors	



Papio Missouri River NRD Kramper Lake/Danish Alps Recreation Area Dakota County, NE 2014

BID TABULATION
Feb. 26, 2014 OA #007-1658
1:30 p.m. 3 Pages

							_					105	104	103	102	L	100				Item No.		
Remarks:	Bid Guarantee:	Addendum No. 3:	Addendum No. 2:	Addendum No. 1:	Complete and Ready for Final Payment On or Before:	Substantially Complete On or Before:		DEDUCTIVE ALTERNATE:	The state of the s	Total of All Bid Prices		Pump Column and Line Shaft	Pump Test	8-inch Steel Well Casing	8-inch Stainless Steel Well Screen	16-Inch Diameter Well Bore Hole	5-inch Test Hole	Unit Price Adjustments for Well Installation	mannonano ni camingo (c. Jean)	Maintenance for Diantings (9 mags)		CONTRACTOR	
					efore:							듀	¥	둒	두	듞	둒			,	Ž		
												NA	NA	NA	NA	NA	NA				OTV		
	5.0				Novembe	August												Unit Price	\$0,000.00	200000		0	
	5.00%				November 21, 2014	August 29, 2014				\$4,609,835.59								Extension	\$0,000.00			Dixon	
	5.00%				November 21, 2014	August 29, 2014												Unit Price	0,000,00	1		Meco-Henne Contracting	
	0%				21, 2014	9, 2014				\$4,966,427.87								Extension	8,800.00	2000		Contracting	
	5.00%				November 21, 201	August 29, 2014		-										Unit Price	8,500.00	2 722 22		Steve Harris	
)%				21, 2014	9, 2014				\$5,052,227.64								Extension	8,500.00	מים סום		Harris	
Discrepancy in Calculatin No Unit Price for Item 86	5.00%				November 21, 2014	August 29, 2014				NON								Unit Price	8,800.00	i riice	d linit Drice	outed	
in Calculating for Item 86	0%				21, 2014	29, 2014				NON-RESPONSIVE								Extension	8,800.00			מיני	
	5.00%				Novembe	August 2												Unit Price	12,500.00			х.	
	0%				November 21, 2014	August 29, 2014				\$5,477,368.73								Extension	12,500.00]		X & C	
	5.00%				November 21, 2014	August 29, 2014												Unit Price	15,000.00]		mercial	1.30 p.m.
	0%				-21, 2014	29, 2014			#01000/m1000	\$5,953,218.80								Extension	15,000.00			Contractors	o rages