RESOLUTION NO. 2014-04
RICE CREEK WATERSHED DISTRICT
BOARD OF MANAGERS

CONTRACT AWARD for the BALD EAGLE LAKE
ALUM PROJECT

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

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

WHEREAS Bald Eagle Lake, located in Anoka, Ramsey and Washington Counties, is impaired for nutrients and subject to a Total Maximum Daily Load (TMDL) requiring reductions in phosphorus from internal and external sources;

WHEREAS the WMP capital improvement program (CIP) incorporates the Bald Eagle Lake TMDL implementation plan and, specifically, the application of aluminum sulfate (alum) to treat internal phosphorus ("Project"), and the District has incorporated the project into its 2012 and 2013 annual budgets;

WHEREAS on February 13, 2013, the District Board of Managers ("Board") authorized the Administrator to apply to the Minnesota Clean Water Partnership loan and grant program for funds to implement the Project;

WHEREAS on May 14, 2013, the MPCA notified the District that a Clean Water Partnership loan in the amount of $500,000 had been authorized for the Project;

WHEREAS the MPCA has transmitted to the District a proposed loan agreement designated as agreement number SRF0270;

WHEREAS on September 25, 2013 the District Board approved the terms of the proposed loan agreement and authorized entering into the agreement in order to finance the Project;

WHEREAS in accordance with Minnesota Statutes § 103B.251, subdivision 3, the District held a duly noticed public hearing on October 9, 2013, at the Shoreview City Council Chambers, at which the Board received comments from all interested parties and determined that implementation of the Project would be conducive to public health and promote the general welfare, and would comply with Minnesota Statutes sections 103B.205 to 103B.255 and the WMP, and ordered the Project in accordance with section 103B.251;
WHEREAS on January 8, 2014 the Board acknowledged receipt of final project plans and specifications from WSB and authorized staff, with assistance from Wenck Associates Inc., to prepare the necessary documents and solicit bids to construct the Project;

WHEREAS the District duly advertised for sealed bids for the Project and on February 3, 2014, at the District office, bids were opened and read aloud, with one bid being received for the Project;

WHEREAS Wenck Associates Inc., has submitted a memorandum dated Feb. 5, 2014 in which it reports that the low bid was submitted by HAB Aquatic Solutions, Inc in the amount of $878,991.26 that the bid is responsive and that HAB Aquatic Solutions, Inc is a responsible bidder, and recommends award of the bid accordingly;

THEREFORE BE IT RESOLVED by the Rice Creek Watershed District Board of Managers as follows:

1. The contract for the Bald Eagle Lake Alum Project is awarded to HAB Aquatic Solutions, Inc for the contract price of $878,991.26.

2. The District Administrator is authorized to:
   a. Sign and transmit the notice of award, sign the construction agreement, and issue the notice to proceed on advice of counsel and when prerequisites for issuance have been met by the contractor;
   b. Manage bid bonds in accordance with the terms of the bid documents;
   c. Sign change orders and work change directives increasing the contract price in an aggregate net amount not exceeding 5 percent of the contract price.

The question was on the adoption of the resolution and there were 4 yeas and 2 nays as follows:

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Upon vote, the Chair declared the Resolution passed.

Harley Ogata, Secretary

Dated: February 12, 2014
I, Harley Ogata, Secretary of the Rice Creek Watershed District, do hereby certify that I have compared the above resolution with the original thereof as the same appears of record and on file with the District and find the same to be a true and correct transcript thereof.

IN TESTIMONY WHEREOF I have set my hand this 12th day of February, 2014.

Harley Ogata, Secretary