

**RESOLUTION NO. 2025-11**

**RICE CREEK WATERSHED DISTRICT  
BOARD OF MANAGERS**

**RESOLUTION AWARDING THE CONTRACT FOR THE REPAIR OF ANOKA COUNTY DITCH 53-62  
(BRANCHES 5 AND 6 REPAIR)**

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

WHEREAS, on September 10, 2025, upon completion of proceedings to repair Branches 5 and 6 of Anoka County Ditch (ACD) 53-62 (the Repair), the Board of Managers adopted resolution 2025-05, directing the Repair, directing its administrator to take all subsequent actions necessary to implement the Repair, and authorizing the collection of revenue and expenditure of capital for the Repair; and

WHEREAS, pursuant to resolution 2025-05 the District's engineer prepared final plans and specifications for the Repair components and the District's administrator solicited bids according to applicable law; and

WHEREAS, in accordance with applicable legal requirements, the District duly advertised for sealed bids to perform the Repair and on November 25, 2025, virtually, via Microsoft Teams and the vBid portal, bids were opened and read aloud, with 8 bids being received for the Repair; and

WHEREAS, the District engineer has submitted a memorandum dated November 25, 2025, in which it reports that the low bid was submitted by Apex Drainage, LLC, with a base bid of \$219,014.00 and an alternative 1 bid of \$42,537.75; and

WHEREAS, the engineer, having reviewed the bid documents and consulted references provided by Apex Drainage, LLC, and determined that the bid is responsive and that Apex Drainage, LLC, is a responsible bidder; and

WHEREAS, both the base bid and the bid for alternative 1 are less than the engineer's estimate for the work and eligible for award of a contract under public bidding law and statutes chapter 103E; and

WHEREAS, since conditions are not established for the implementation of the alternative 1 work, the Engineer recommends proceeding only with an award of a contract for the base bid work.

Therefore, be it resolved by the RCWD Board of Managers that:

- A. The contract for the repair of ACD 53-62 (Branches 5 and 6 Repair), base bid contract is awarded to Apex Drainage, LLC, for the contract price of \$219,014.00.
- B. The Board authorizes the inclusion of a 30% contingency (\$65,704.20) in the project budget to cover unanticipated costs or work requirements resulting from unforeseen conditions or omissions discovered as the project progresses. The contingent funds will only be paid against valid change orders to the contract.
- C. The District administrator shall sign and transmit the notice of award, sign the construction agreement, and issue the notice to proceed on advice of counsel and the District's engineer, when prerequisites for insurance and bonding have been met by the contractor.
- D. The District administrator may sign task/change orders increasing the contract price in an aggregate net amount not to exceed 10% of the contract price (\$21,901.40). Any change order in excess of that amount must be approved by the Board.

The question was on the adoption of the Resolution, and there were 3 yeas and 0 nays as follows:

	Yea	Nay	Absent	Abstain
BRADLEY	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
ROBERTSON	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
WAGAMON	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
WALLER	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
WEINANDT	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Upon vote, the President declared the Resolution passed.

John Waller  
John Waller, Pro Tem Secretary

Dated: December 10, 2025

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I, John Waller, Pro Tem 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 hereunto set my hand this 10<sup>th</sup> day of December, 2025.

John Waller  
John Waller, Pro Tem Secretary