

MEMORANDUM

TO: Honorable Mayor and City Council
Neil Jensen, City Administrator

FROM: Bill Angerman, P.E.
Consulting City Engineer

DATE: September 13, 2023

RE: 2023 / 2024 Street & Utility Improvements Project
City of Cannon Falls

On December 6, 2022, the City Council held an assessment hearing and then voted to proceed with preparing plans and specifications for the 2023 street & utility improvement project.

On April 4, 2023, the City Council voted to break the project into two separate projects due to land acquisition issues. See the attached Council memo from April 4, 2023 for additional details. The first project is now under construction.

The City has now obtained the necessary land to proceed with the second project. The project will consist of replacing the street and utilities on portions of Cannon Street, 3rd Street, and 4th Street. Portions of this project will be assessed to the adjacent benefitting properties.

We are requesting the City Council act on the resolution approving plans and specifications and ordering advertising for bids. Bids will be received on November 1st and will be presented at the November 7th City Council meeting. At this meeting, the City Council will set the amount to be assessed and schedule the final assessment hearing for December 5th.

2023/2024 STREET AND UTILITY IMPROVEMENTS
CANNON FALLS, MN
2024

Advertisement for Bids

Public notice is hereby given that online electronic proposals will be received by the City of Cannon Falls, MN, Until 2:00 PM on November 1, 2023 for furnishing materials and labor for construction of 2023/2024 Street and Utility Improvements as described in plans and specifications thereof now on file in the office of the City Administrator. Proposals will be opened at 2:00 PM. Proposals will be acted upon by the City Council at a meeting to be held in the City Hall, beginning at 6:30 PM on November 7, 2023 or at such later time and place as may then be fixed.

The extent of the work involved is furnishing all labor and materials for construction of the 2023/2024 Street and Utility Improvements together with related subsidiary and incidental work including:

The project consists of storm sewer, common excavation, aggregate base, concrete curb and gutter and bituminous pavement.

The method of construction shall be by Contract and all work is to be done in strict compliance with plans and specifications prepared by WHKS & Co., 2905 South Broadway, Rochester, Minnesota 55904 which have heretofore been approved by the City Council and are now on file for public examination in the office of the City Administrator.

The contract documents are available at www.questcdn.com. This contract is QuestCDN project number eBidDoc 8709142. A Contractor may view the contract documents at no cost prior to deciding to become a Planholder. To be considered a Planholder for bids, a Contractor must register with QuestCDN.com and purchase the contract documents in digital form at a cost of \$25.00. Registering as a Planholder is recommended for all prime Contractors and subcontractors as Planholders will receive automatic notice of addenda and other contract document updates via QuestCDN. Contact QuestCDN Customer Support at 952-233-1632 or info@questcdn.com for assistance in membership registration, downloading digital project information and vBid online bid submittal questions. For this project, bids will ONLY be received and accepted via the online electronic bid service through QuestCDN.com. To access the electronic bid form, download the project documents and click on the online bid button at the top of the bid advertisement page. Prospective bidders must be on the Planholder list through QuestCDN for bids to be accepted.

Each bid must be accompanied by an electronic copy of a certified check, cashier's check or bid bond payable to the City of Cannon Falls, Minnesota in the amount of at least 5% of the total bid as a guarantee that the bidder will furnish the required bonds and enter into a contract within ten (10) working days, excluding Saturday, Sunday and holidays, after the award of the contract. This electronic copy will be facilitated through the Quest CDN electronic bid service. The apparent low bidder will be required to submit a hard copy of the certified check, cashier's check or bid bond within three (3) days of the bid opening.

Bidders shall not be permitted to withdraw their bids for a period of (60) days after the bids are opened.

Payment for said 2023/2024 Street and Utility Improvements will be made in cash from cash on hand, from governmental grants, or from such other funds as may be legally used for such purposes. Monthly estimates will be made by the Engineer and payment will be made to the Contractor in the amount of ninety-five (95%) of said estimate. Final payment of money due will be made in cash no later than sixty (60) days after substantial completion. For construction, reconstruction, or improvement of streets and highway, including bridges, "substantial completion" shall be defined as the date when construction-related traffic devices and ongoing inspections are no longer required.

The Owner reserves the right to withhold up to two hundred and fifty percent (250%) of the cost to correct deficient work or complete work known at the time of substantial completion. Payment of money due will be made in cash no later than sixty (60) days after completion of the work.

The Owner reserves the right to withhold one percent (1%) of the total contract amount or five hundred dollars (\$500), whichever is greater, pending completion and submission of all final paperwork by the contractor or subcontractors. "Final paperwork" shall be defined as any documents required to fulfill contractual obligations, including, but not limited to, operation manuals, payroll documents for projects subject to prevailing wage requirements, material certifications and warranties, DBE final clearance, NPDES Permit Termination, withholding exemption certificate, etc. Payment of money due will be made in cash no later than sixty (60) days after submission of all final paperwork.

The Contractor shall commence work after the Notice to Proceed is issued and shall complete all items, excluding the bituminous wear course, on or before September 20, 2024. The bituminous wear course shall be completed by June 30, 2025.

The successful bidder will be required to furnish a Performance and Maintenance Bond and a Payment Bond, both in an amount equal to one hundred (100) percent of the Contract price. Said bonds are to be issued by a responsible surety, approved by the City Council, and which shall guarantee the faithful performance of the Contract and the terms and conditions therein contained, and shall guarantee the prompt payment of all materials and labor and protect and save harmless the City from claims and damages of any kind caused by the operations of the Contractor. Said bond shall also guarantee the maintenance of the improvements constructed for a period of two (2) years from and after its completion and acceptance by the City.

Plans and specifications governing the construction of the proposed improvements have been prepared by WHKS & Co., Engineers, Planners, and Surveyors, Rochester, Minnesota, which plans and specifications and prior proceedings of the City Council referring to and defining said proposed improvements are hereby made a part of this notice and the proposed contract by reference, and the proposed contract shall be executed in compliance therewith.

The City Council reserves the right to reject any and all bids and to waive technicalities and irregularities.

Published upon order of the City Council of the Cannon Falls, Minnesota.

Neil Jensen
City Administrator
City of Cannon Falls, Minnesota

EXTRACT OF MINUTES OF MEETING OF THE
CITY COUNCIL OF THE CITY OF
CANNON FALLS, MINNESOTA

HELD: September 19, 2023

Pursuant to due call and notice thereof, a regular meeting of the City Council of the City of Cannon Falls Minnesota, was duly called and held at the City Hall in said City on the 19th day of September 2023, at 6:30 o'clock P.M.

The following members were present:

and the following were absent:

Member _____ introduced the following resolution and moved its adoption:

RESOLUTION NUMBER 2703

**RESOLUTION APPROVING PLANS AND
SPECIFICATIONS AND ORDERING
ADVERTISEMENT FOR BIDS**

WHEREAS, the consulting engineers for the City have prepared final plans and specifications for the construction of 2023 / 2024 Street & Utility Improvements in the City, and such plans and specifications have been presented to this Council for approval;

NOW THEREFORE, BE IT RESOLVED by the City Council of the City of Cannon Falls, Minnesota:

1. Such plans and specifications are hereby approved and ordered placed on file in the office of the City Administrator.
2. The City Administrator shall prepare and cause to be inserted in the official city newspaper an advertisement for bids upon the making of such improvements under such approved plans and specifications.

The advertisement shall be published in said publications at least once not less than three weeks before the date set for opening bids, shall specify the work to be done, shall state that bids will be publicly opened on November 1, 2023 at 2:00 o'clock P.M. online and that no bids will be considered unless accompanied by an electronic copy of a cashier's check, bid bond or certified check payable to the Administrator for 5% of the amount of such bid.

The motion for the adoption of the foregoing resolution was seconded by member _____ and upon vote being taken thereon, the following voted in favor thereof:

and the following voted against the same:

Whereupon said resolution was declared duly passed and adopted.

ADOPTED by the City Council this 19th day of September, 2023.

Matt Montgomery, Mayor

ATTEST: _____
Neil L. Jensen, City Administrator

STATE OF MINNESOTA)
COUNTY OF GOODHUE) ss
CITY OF CANNON FALLS)

I, the undersigned, being the duly qualified and acting Administrator of the City of Cannon Falls, Minnesota, DO HEREBY CERTIFY that I have compared the attached and foregoing extract of minutes with the original minutes on file and of record in my office, and the same is a true and correct transcript of the minutes of a meeting of the City Council held on the date therein indicated, insofar as the same relates to a resolution approving plans and specifications and ordering advertisement for bids for on 2023 / 2024 Street & Utility Improvements for said City.

WITNESS my hand as such Administrator and the seal of said City this 19th day of September, 2023.

City Administrator

(SEAL)

MEMORANDUM

TO: Honorable Mayor and City Council
Neil Jensen, City Administrator

FROM: Bill Angerman, P.E. and Daren Sikkink, P.E.
Consulting City Engineers

DATE: April 4, 2023

RE: 3rd Street Lift Station and Force main Project

On December 6, 2022, the City Council approved a resolution to proceed with plans and specifications for the 2023 street & utility improvement project. The project scope included the replacement of the sanitary sewer, watermain, and pavement in the Cannon Street and 3rd Street area. A sanitary sewer lift station and force main beneath the Cannon River to replace the sewer bridge were also part of the project.

Land acquisition from adjacent property owners was required to complete the necessary improvements. To date, one of the adjacent property owners has not agreed to sell their property or grant an easement to complete the project.

City staff is recommending continuing with a portion of the project that does not require the City to acquire land from the objecting property owner. Staff is recommending constructing the lift station and force main during the 2023 construction season. The remaining utility and street construction will be delayed until the 2024 construction season. This will allow City staff further time to negotiate with the objecting property owner to obtain the required property. Another reason to construct the lift station this year is some components are subject to long delays as part of continued supply chain issues. Constructing the lift station in 2023 will allow for any delays that may occur before it is put into service in 2024.

The City will eventually need to approve the assessed portion of the street & utility plans by October, 2023 and award a contract by December 5, 2023, otherwise, the City will need to restart the assessment process. The lift station and force main are not assessed to the adjacent property owners, therefore the City can proceed with the project without affecting the assessment process.

We are requesting the City Council act on the resolution approving plans and specifications and ordering advertising for bids for the 3rd Street Lift Station and Force main project.