COON CREEK WATERSHED DISTRICT
Request for Board Action

MEETING DATE: January 13, 2020
AGENDA NUMBER: 15
ITEM: Request to Award Work - MSCR Project

FISCAL IMPACT: $412,062
POLICY IMPACT: Policy

REQUEST
Review Bids and Award contract for the Middle Sand Creek Corridor Restoration project

BACKGROUND
In 2006, Sand Creek was added to Minnesota’s 303(d) list of impaired waters for aquatic life impairments. Excess total suspended sediment, excess phosphorus, altered habitat, and altered hydrology were identified as the primary stressors to macroinvertebrate and fish health in Sand Creek.

In 2015, the routine ditch inspection revealed that the section of Sand Creek between the BNSF railroad and Kumquat Street pedestrian bridge was a sediment and nutrient-loading hotspot due to the extent of active streambank erosion in this reach.

In 2018, the District was awarded a grant from the United States Environmental Protection Agency in the amount of $291,000 and a grant from the Minnesota Board of Water and Soil Resources in the amount of $382,772 for implementation of the Middle Sand Creek Corridor Restoration project (Project). The purpose of this project is to reduce sediment and pollutant loading, provide long-term channel stability, and to improve aquatic and riparian habitat along a 2/3-mile reach of Sand Creek between the BNSF Railroad and Kumquat Street pedestrian bridge in Coon Rapids, MN. The Project area is with a city park owned by the City of Coon Rapids.

At the September 10, 2018 Board meeting the Board approved the 2019 budget including the construction of the Project.

At the February 25, 2019 Board meeting the Board executed a Joint Powers Agreement with the City of Coon Rapids.

At the June 17, 2019 annual Board tour the Project was discussed.

At the September 9, 2019 Board meeting the Board was briefed that the Project is within a mandatory category (Minnesota Rules 4410.4300, Subpart 26) for preparation of an Environmental Assessment Worksheet (EAW) and adopted resolution 19-08 designating the District as the Responsible Governmental Unit (RGU) and directed staff to prepare an EAW.
At the September 23, 2019 Board meeting the Board received a draft EAW and adopted resolution 19-09 determining the EAW was complete and approved the EAW for distribution and publication as required by Minnesota Statutes 116D and Minnesota Rules 4410.1400 (B), 4410.1500. The Board requested staff brief the Board about the Project Public Meeting.

On September 24, 2019 a public meeting was held 6:00 pm at the Coon Rapids City Center, Civic Room A. Approximately 100 invitations were mailed to properties adjacent the park and approximately 100 meeting invitations were taken from three brochure holders installed along the Project reach. 20 residents attended the meeting representing 15 properties. Bill Kiecker (City of Coon Rapids Council Member) and Mark Hansen (City Engineer) were in attendance.

On September 27, 2019 the EAW was made available at the District office and on the District website and was distributed to Minnesota Environmental Quality Board (MEQB) staff and all parties required in Minnesota Rules 4410.1500 and as instructed in the MEQB Environmental Review Distribution Lists document (September 2019 version).

Between September 27, 2019 and October 11, 2019 notice of the EAW was published in the District official newspapers the Anoka County Union Herald and Blaine/Spring Lake Park/Columbia Heights/Fridley Life.

On October 7, 2019 the EAW was published for 30-day comment period through the EQB monitor as required by Minnesota Rules 4410.1600.

At the October 14, 2019 Board meeting the Board was briefed about the Project Public Meeting.

On November 6, 2019 the EAW 30-day comment period closed. Comments were received from 4 parties.

At the November 12, 2019 Board meeting the Board adopted a findings of fact, including responses to written comments, conclusions and negative declaration resolution of decision on need for EIS as provided under Minnesota Statutes 116D and Minnesota Rules 4410.1700 and authorized staff to seek bids for the Project.

On November 13, 2019 the decision on need for EIS was distributed to the Minnesota Environmental Quality Board (MEQB) staff and all parties required in Minnesota Rules 4410.1500 and as instructed in the MEQB Environmental Review Distribution Lists document (September 2019 version).

From November 22, 2019 through November 29, 2019 an advertisement for bids was published in the District official newspapers the Anoka County Union Herald and Blaine/Spring Lake Park/Columbia Heights/Fridley Life. The advertisement for bids was also made available through QuestCDN and the District website.

On December 2, 2019 the DNR issued the District a Public Waters Work Permit (2019-3312) for construction of the Project. Effective 12/2/2019 and expires 12/2/2024.
On December 17, 2019 a non-mandatory pre-bid meeting was held onsite. 7 contractors attended.

On December 19, 2019 addendum 1 was issued with questions and responses from the pre-bid meeting and corrections to the bid form.

On December 30, 2019 addendum 2 was issued with example bid results from numerous other similar projects for reference.

On January 3, 2020 sealed bids were due to the District office by noon. 7 sealed bids were received. At noon all bids were opened and read aloud. Staff reviewed and found all bids received to be complete and reasonably accurate.

On January 6, 2020 letters were mailed to all bidders with the bid opening report, bid summary and price analysis. Bid securities were returned to all but the three lowest bidders.


**ISSUES/CONCERNS**

**2019-2021 budget implications:** The overall Project budget is $1,085,834 (including staff time, engineering, permitting and construction). The Project is a multi-year project with numerous funding sources. The District contribution is $412,062.

**Engineers opinion of probable cost:** $1,112,843.50 (includes 15% contingency)

**Bid alternates:** the opinion of probable cost exceeds the Project budget. To help ensure bids would be received within budget 3 of the vegetation and maintenance components were separated into bid alternates. These alternates could be completed in the future if they could not be afforded at this time however they are necessary for long term project success and would cost substantially more and create conflict if completed separately from the base bid.

**Construction phasing:** Construction of the Project is anticipated to occur in 2 phases separated by one growing season to allow time for establishment of vegetation on disturbed ground. The first phase should occur in winter 2019-2020 and include tree removal, floodplain excavation, excavation of offline creek meander and bank stabilization work. The second phase should occur fall-spring 2020-2021 and include realigning Sand Creek and the remaining in-channel work.

**Active trail:** Sand Creek Trail is the northern extent of the Project area. Construction signage will be placed along the trail. Work is anticipated to be completed during the winter months when trail usage is relatively low.
Permits: The District has received an ACOE permit, DNR individual permit and determined that a Blanding’s turtle permit to take is not needed. A NPDES and city right-of-way permit will be obtained by the awarded contractor. A notice to proceed will not be issued until all applicable permits are received.

Vegetation removal: approximately 8 acres of tree and buckthorn dominated area needs to be removed between Olive Street and the BNSF railroad. The Project design, including tree removal, has already been presented to the public, park goers, immediate landowners, the adjacent neighborhood, city staff, city council and permit reviewers. Those who have expressed concern about the tree removal portion of this project have also understood the need to restore Sand Creek and that the proposed design was the best option to minimize disturbance and provide long term resiliency. Staff has installed orange painted lath along the perimeter of the proposed disturbed area for the public to grasp the extent of disturbance before construction and contain the contractor during construction to avoid accidental loss. Staff will post construction and project informational signage along the Project area and to the project webpage on the District website (https://www.cooncreekwd.org/middlesandcreekresto) to get ahead of any potential future complaints. All trees within the Project area have been inventoried, surveyed, and marked with a unique identifier. Work is anticipated to be completed during the winter when the loss of canopy will be less apparent. Trees removed as part of this project will be repurposed in the channel to stabilize banks and enhance in-stream habitat.

Subcontractor qualifications: The low bidder intends to use 2 subcontractors (Husky Construction and Northern Ecological Services) to complete portions of the Project. Both subcontractors were reviewed by Staff and the District Engineer and determined to meet or exceed minimum qualifications. Husky Construction has successfully worked on other similar District projects in the past.

Plan Holders: 14 prime contractors obtained the plan set prior to the bid opening

Bids: 7 contractors’ submitted sealed bids.

Bid Completeness: Staff reviewed bids for completeness.

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<tr>
<th>Plan Holder</th>
<th>Bid Signed</th>
<th>Bid Schedule Filled Out</th>
<th>Addendum 1</th>
<th>Addendum 2</th>
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<td>G.F. Jedlicki Inc</td>
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Costs:

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OPTIONS
1. Award contract to lowest responsible bidder for base bid and alternates 1, 2 and 3
2. Table action until next meeting with statement of reason and need
3. Reject all bids
4. Rebid Project
5. Cancel Project

RECOMMENDATION
Award contract to lowest responsible bidder for base bid and alternates 1, 2 and 3
Bid breakdown
See attached PDF

DESIGN
See attached PDF