

Presenter:	Jason Anderson
Meeting Date:	Tuesday, April 23, 2024
Category:	AWARD OF BIDS
Type:	ACTION
Subject:	Project PK-015: Independence Park Parking Lot & Entrance Road Project - 1) Resolution Declaring Official Intent Regarding the Reimbursement of Expenditures with the Proceeds of Tax-Exempt Bonds; 2) Resolution Accepting Bid (Awarding Contract)
Background Information:	<p>This project consists of the following: excavation, fabric, gravel, storm sewer, curb & gutter, concrete paving, and constructing the entrance road and parking lot east of the intersection of Nuese Lane & G Street.</p> <p>The Public Improvement/Transportation Committee (PI/T) met on 02/13/2024 and 03/04/2024 to discuss this project.</p> <p>On April 16, 2024, bids were received for the above-referenced project. Four bids were received as shown on the attached Bid Tabulation and also the Resolution Accepting Bid. The low bid was from Towne & Country Excavating LLC of Garvin, Minnesota, in the amount of \$197,216.00. The engineer's estimate was approximately \$222,800.00.</p>
Fiscal Impact:	<p>The above-referenced project, or a portion thereof, may be financed by the sale of bonds with repayment coming from Debt Service Fund Levy. It is required that action be authorized by City Council via Resolution Declaring Official Intent Regarding the Reimbursement of Expenditures with the Proceeds of Tax-Exempt Bonds.</p> <p>Attached is the "Resolution Accepting Bid" awarding the contract to Towne & Country Excavating LLC of Garvin, Minnesota, in the amount of \$197,216.00.</p> <p>The estimated total project cost including 5% allowance for contingencies and 16% for engineering and administrative costs is \$240,209.09.</p> <p>The 2024 capital budget includes \$130,000 for paving this parking lot. Following discussion with the PI/T Committee in February and March, Community Services staff has reviewed and identified methods of deferring some Legion Field improvements into future years to accommodate paving the Independence Park Parking Lot in 2024 and including curb and gutter and concrete surfacing.</p>
Alternative/Variations:	No alternative actions recommended.
Recommendations:	<p>Recommendation No. 1 that the Council adopt RESOLUTION NUMBER 24-045 which is the Resolution Declaring Official Intent Regarding the Reimbursement of Expenditures with the Proceeds of Tax-Exempt Bonds for Project PK-015.</p> <p>Recommendation No. 2 that the Council adopt RESOLUTION NUMBER 24-046 which is the Resolution Accepting Bid (Awarding Contract) and authorizing entering into an agreement with Towne & Country Excavating LLC of Garvin, Minnesota, in the amount of \$197,216.00 for Project PK-015.</p>

RESOLUTION NUMBER 24-045

**DECLARATION OF OFFICIAL INTENT
REGARDING THE REIMBURSEMENT OF EXPENDITURES
WITH THE PROCEEDS OF TAX-EXEMPT BONDS**

WHEREAS, under regulations adopted by the Secretary of the Treasury of the United States of America, the City of Marshall, Minnesota (the "City") is required to make a declaration of its official intent prior to making a capital expenditure, if it intends to be reimbursed for such capital expenditure at a future date from the proceeds of a tax-exempt bond; and

WHEREAS, the City intends to make capital expenditures with respect to the project described below and also intends to reimburse the fund or account described below from which the capital expenditure will be initially paid from the proceeds of an issue of tax-exempt bonds issued at a future date.

NOW, THEREFORE, BE IT RESOLVED by the Common Council of the City as follows:

1. A general functional description of the project for which the expenditures to be reimbursed are paid is set forth below:

PROJECT PK-015: INDEPENDENCE PARKING LOT & ENTRANCE ROAD RECONSTRUCTION – This project consists of the following: excavation, fabric, gravel, storm sewer, curb & gutter, concrete paving, and constructing the entrance road and parking lot east of the intersection of Nuese Lane & G Street.

The principal amount of debt expected to be issued for the project referred to above will not exceed \$285,000.00.

2. The fund or account from which the expenditures to be reimbursed are to be paid and the general functional purpose of the fund or account is set forth below:

Capital Projects Fund

3. The City reasonably expects to reimburse the expenditures referred to above with the proceeds of tax-exempt bonds.
4. This statement of the official intent of the City is a declaration of official intent under the regulations adopted by the Secretary of the Treasury of the United States of America.

Passed and adopted by the City Council this 23rd day of April, 2024.

ATTEST:

City Clerk

Mayor

This Instrument Drafted By: Jason R. Anderson, P.E.; Director of Public Works/City Engineer

**RESOLUTION 24-046
RESOLUTION ACCEPTING BID (AWARD CONTRACT)**

WHEREAS, pursuant to an advertisement for bids for the following project:

PROJECT PK-015: INDEPENDENCE PARKING LOT & ENTRANCE ROAD RECONSTRUCTION – This project consists of the following: excavation, fabric, gravel, storm sewer, curb & gutter, concrete paving, and constructing the entrance road and parking lot east of the intersection of Nuese Lane & G Street.

bids were received, opened and tabulated according to law, and the following bids were received complying with the advertisement:

Bidder	Bid Amount
Towne & Country Excavating LLC Garvin, MN	\$197,216.00
A&C Excavating, LLC Marshall, MN	\$199,624.10
D&G Excavating, Inc. Marshall, MN	\$203,567.25
Duininck, Inc. Marshall, MN	\$270,718.00

AND WHEREAS, it appears that Towne & Country Excavating LLC of Garvin, Minnesota, is the lowest responsible bidder.

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF MARSHALL, MINNESOTA:

1. The Mayor and City Clerk are hereby authorized and directed to enter into a contract with Towne & Country Excavating LLC of Garvin, Minnesota, in the amount of \$197,216.00, in the name of the City of Marshall for the above referenced project, according to the plans and specifications therefore approved by the City Council and on file in the office of the City Clerk.

Passed and adopted by the City Council this 23rd day of April, 2024.

ATTEST:

City Clerk

Mayor

This Instrument Drafted By: Jason R. Anderson, P.E.; Director of Public Works/City Engineer