



## CITY OF MARSHALL AGENDA ITEM REPORT

<b>Presenter:</b>	Jason Anderson
<b>Meeting Date:</b>	Tuesday, June 9, 2026
<b>Category:</b>	AWARD OF BIDS
<b>Type:</b>	ACTION
<b>Subject:</b>	Project SWM-003: Legion Field Stormwater Improvements Project-Phase III – Consider Resolution Accepting Bid (Award Contract)
<b>Background Information:</b>	<p>In 2024, the MPCA solicited project proposals to distribute \$35M to communities for projects to prepare local stormwater infrastructure for the impacts of climate change. The intent of the funding is specifically identified to address water quantity and prevent localized flooding.</p> <p>Per the MPCA, extreme storms have pushed aging and undersized stormwater systems in communities across the state to the breaking point. Over the last 20 years, Minnesota has experienced 10 “mega-rain” events, when at least six inches of rain falls over an area of at least 1,000 square miles.</p> <p>At that time, City staff had identified the Legion Field Stormwater Improvements—Phase III project as an ideal candidate project for this funding. Phase III is the final project that was identified in the 2019 Legion Field Stormwater Study. Phase III will help remedy stormwater flooding in the areas of Kendall Street, Peltier Street, Glenn Street, and Simmons Street, as well as property east and north of the Nexus Apartments on Legion Field Road. The project includes a clearing and grading of approximately 1,100 FT of BNSF railroad ditch that conveys city stormwater from Legion Field Road to the north and east, a new stormwater pipe crossing of the BNSF railroad near Glenn Street, and new large diameter stormwater pipe to convey this water to a new stormwater pond to be constructed on city-owned land north of the Nexus Apartments.</p> <p>The Phase III project is currently identified for 2026 in our CIP. The project has been deferred for numerous years due to lack of funding.</p> <p>At their meeting on 04/09/2024, the City Council authorized City staff to submit for said MPCA Stormwater Resiliency Grant funding for the above-referenced project. At their meeting on 11/12/2024, the City Council authorized execution of a contract with Bolton &amp; Menk, Inc. of Mankato, Minnesota, for an hourly, not to exceed, contract in the amount of \$76,500.00 for design of this project.</p> <p>The City was awarded an MPCA Grant in the amount of \$867,894.00 for the above-referenced project. At the 12/10/2024 meeting, the City Council accepted the MPCA Grant Agreement, which provides for State compensation and reimbursements to the City of Marshall in the amount of \$867,894.00. Engineering costs are not grant eligible, and all construction costs beyond the grant amount will be paid through the Surface Water Management Utility.</p>

	<p>At the Public Improvement/Transportation Committee meeting on 03/25/2025, the Committee recommended Council approval of the plans and specifications and authorize City staff to advertise the project for bids.</p> <p>On 4/8/2025, the City Council had authorized staff to advertise this project for bids. However, BNSF Railway was very difficult in the permitting process. The process took an excessive amount of time, and initially, they requested excessive compensation for their permits.</p> <p>At the 04/28/2026 Council meeting, City Council again authorized the advertisement for bids due to lapse of time between initial authorization and actual advertisement. In addition, the City Council authorized the execution of a Temporary Occupancy Permit with BNSF and authorized the execution of the Pipeline License with BNSF.</p> <p>Bids were received on May 27, 2026, for the above-referenced project. Three bids were received as shown on the attached resolution awarding contract. The apparent low bid was received from Towne &amp; Country Excavating LLC of Garvin, Minnesota in the amount of \$1,010,400.00. The engineer's estimated range for this project was \$1,020,000-\$1,200,000.</p>
<p><b>Fiscal Impact:</b></p>	<p>This project is included in the 2025 CIP with an estimated cost of \$1,400,000. The MPCA Grant Agreement received provides for State compensation and reimbursements to the City of Marshall in the amount of \$867,894.00. Engineering costs are not grant eligible, and all construction costs beyond the grant amount will be paid through the Surface Water Management Utility.</p> <p>Per the Finance Department, as part of the \$2,605,000 of GO Bonds issued with series 2025A, the par amount of \$530,000 was issued for this surface water project.</p> <p>The estimated total project cost including 5% allowance for contingencies and 16% for engineering and administrative costs is \$1,230,667.20.</p>
<p><b>Alternative/ Variations:</b></p>	<p>No alternative actions recommended.</p>
<p><b>Recommendations:</b></p>	<p>that the Council adopt RESOLUTION NUMBER 26-044, which is the "Resolution Accepting Bid (Award Contract)" for Project SWM-003: Legion Field Stormwater Improvements Project-Phase III to Towne &amp; Country Excavating LLC of Garvin, Minnesota in the amount of \$1,010,400.00.</p>

**RESOLUTION NUMBER 26-044**

**RESOLUTION ACCEPTING BID (AWARD CONTRACT)**

WHEREAS, pursuant to an advertisement for bids for Project SWM-003: Legion Field Stormwater Improvements Project-Phase III, bids were received, opened and tabulated according to law, and the following bids were received complying with the advertisement for bids:

<b>Bidder</b>	<b>Amount</b>
Towne & Country Excavating LLC Garvin, MN	\$1,010,400.00
R and G Construction Co. Marshall, MN	\$1,118,564.00
D&G Excavating, Inc. Marshall, MN	\$1,232,955.35

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 an agreement with Towne & Country Excavating LLC of Garvin, Minnesota in the amount of \$1,010,400.00 according to the plans and specifications on file in the Office of the City Clerk.

Passed and adopted by the Council this 9<sup>th</sup> day of June 2026.

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Mayor

ATTEST:

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City Clerk

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