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## MEMORANDUM

**Date:** June 7, 2023  
**To:** Bruce Westby, P.E., City Engineer / Director of Public Works  
**From:** Kevin Kielb, P.E., Principal Engineer  
**Subject:** Bid Results and Recommendation  
COR Tree Clearing  
City Project No: 23-17

Five bids were received for the COR Tree Clearing project (City Project #23-17). The bids were publicly read aloud at 10:00 A.M. on June 6, 2023. The bids were then reviewed, tabulated and the results are summarized below:

CONTRACTOR	TOTAL BID
Novco Inc.	\$133,500.00
Reshetar Systems, Inc.	\$287,000.00
Urban Companies	\$334,000.00
Husky Construction, Inc.	\$355,569.94
US SiteWork	\$399,300.00

The engineer's estimate for the project was \$359,000.00.

The low bidder has requested to withdraw their bid due to misinterpretation of project plans and specifications. Per Article 15.03 (see attached), Novco, Inc. provided written notice of their intent to withdraw their bid (see attached). They have also requested that the City consider not cashing their Bid Bond as a result of the misinterpretations. Per Article 15.03, the Bid Bond shall be returned to the Bidder. After a review of the bids, we concur that there was a misinterpretation on the part of the low bidder, given the significant difference between the low bid and the four other bids received.

If the City of Ramsey decides to award the project, we recommend awarding the contract to the second low bidder, Reshetar Systems, Inc. in the amount of \$287,000.00.

If you have any questions, please contact me at (651) 968-7760.

for the item and the corresponding “Bid Unit Price” offered by the Bidder. The total of all unit price Bid items will be the sum of these “Bid Prices”; such total will be used by Owner for Bid comparison purposes. The final quantities and Contract Price will be determined in accordance with Paragraph 13.03 of the General Conditions.

- B. Discrepancies between the multiplication of units of Work and unit prices will be resolved in favor of the unit prices. Discrepancies between the indicated sum of any column of figures and the correct sum thereof will be resolved in favor of the correct sum.

#### **ARTICLE 14—SUBMITTAL OF BID**

- 14.01 The Bid Form is to be completed and submitted with the Bid security and the other documents required to be submitted under the terms of Article 2 of the Bid Form.
- 14.02 A Bid must be received no later than the date and time prescribed and at the place indicated in the Advertisement or invitation to bid. Paper bids, if applicable, must be enclosed in a plainly marked package with the Project title, and, if applicable, the designated portion of the Project for which the Bid is submitted, the name and address of Bidder, and must be accompanied by the Bid security and other required documents. If a Bid is sent by mail or other delivery system, the sealed envelope containing the Bid must be enclosed in a separate package plainly marked on the outside with the notation “BID ENCLOSED.” A mailed Bid must be addressed to the location designated in the Advertisement.
- 14.03 Bids received after the date and time prescribed for the opening of bids, or not submitted at the correct location or in the designated manner, will not be accepted. Paper bids that are not accepted will be returned to the Bidder unopened.

#### **ARTICLE 15—MODIFICATION AND WITHDRAWAL OF BID**

- 15.01 An unopened Bid may be withdrawn by an appropriate document duly executed in the same manner that a Bid must be executed and delivered to the place where Bids are to be submitted prior to the date and time for the opening of Bids. Upon receipt of such notice, the unopened Bid will be returned to the Bidder.
- 15.02 If a Bidder wishes to modify its Bid prior to Bid opening, Bidder must withdraw its initial Bid in the manner specified in Paragraph 15.01 and submit a new Bid prior to the date and time for the opening of Bids.
- 15.03 If within 24 hours after Bids are opened any Bidder files a duly signed written notice with Owner and promptly thereafter demonstrates to the reasonable satisfaction of Owner that there was a material and substantial mistake in the preparation of its Bid, the Bidder may withdraw its Bid, and the Bid security will be returned. Thereafter, if the Work is rebid, the Bidder will be disqualified from further bidding on the Work.

#### **ARTICLE 16—OPENING OF BIDS**

- 16.01 Bids will be opened at the time and place indicated in the advertisement or invitation to bid and, unless obviously non-responsive, read aloud publicly. A tabulation of the total amounts of the base Bids and major alternates, if any, will be made available to Bidders after the opening of Bids.

#### **ARTICLE 17—BIDS TO REMAIN SUBJECT TO ACCEPTANCE**

- 17.01 All Bids will remain subject to acceptance for the period of time stated in the Bid Form, but Owner may, in its sole discretion, release any Bid and return the Bid security prior to the end of this period.

#### **ARTICLE 18—EVALUATION OF BIDS AND AWARD OF CONTRACT**

- 18.01 Owner reserves the right to reject any or all Bids, including without limitation, nonconforming, nonresponsive, unbalanced, or conditional Bids. Owner also reserves the right to waive all minor Bid informalities not involving price, time, or changes in the Work.

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Date: June 6, 2023

Subject: The COR- Ramsey MN Bid 6-6-23

On June 6, 2023 we placed a bid on the tree clearing/removal project for the City of Ramsey at the COR. With a post- bid follow up discussion and plan set review, I have determined we misinterpreted the wording in the plan set, and therefore have mis-bid the Project. We have a short history, but successful prior workings with the City of Ramsey recently and are asking for your understanding by not cashing our bid bond.

A handwritten signature in black ink, appearing to read "Travis Novotny", with a long horizontal stroke extending to the right.

Novco, Inc.  
Travis Novotny  
11090 173rd ave  
Elk River, MN 55330