

**HERON LAKE WATERSHED DISTRICT
ACTING AS DRAINAGE AUTHORITY FOR JACKSON COUNTY DITCH NO. 3**

ORDER TO AWARD CONSTRUCTION CONTRACTS

WHEREAS, on April 17, 2018, the Heron Lake Watershed District (District) Board of Managers, acting as Drainage Authority for Jackson County Ditch No. 3, adopted Findings of Fact and Final Order Establishing the Project for the Improvement of Jackson County Ditch No. 3, Adopting and Confirming Viewers' Report of Improvement Benefits and Damages, Authorizing the Application of Separable Maintenance, and Directing Construction of the Project;

WHEREAS, following resolution of an appeal, the District, by its Engineer advertised for bids for the project in four bid packages and bids were received and opened on June 11, 2019 (Bid Package #1); June 18, 2019 (Bid Package #2); June 25, 2019 (Bid Package #3); and July 2, 2019 (Bid Package #4);

WHEREAS, upon opening and reviewing the bids, the Engineer confirmed that the proposed project is cost effective, the benefits exceed the costs, identified the low bidder of each bid package, has determined that each low bid is responsive, finds each low bidder to be responsible, and recommends that the project be awarded to the low bidder of each of the respective bid packages;

WHEREAS, the District has continued to have productive discussions with the Jackson County Board of Commissioners in pursuit of effective collaboration in drainage management, avoidance of duplication of roles, and cost-effective financing of drainage projects; these discussions and the recommendations from the District's financial advisor have indicated that the improvement of Jackson County Ditch No. 3 is most cost-effectively financed through Jackson County issuance of bonds; the Jackson County Board of Commissioners may next consider the financing of this project at its meeting of August 6, 2019;

NOW, THEREFORE BE IT RESOLVED that the District Board of Managers hereby requests the Jackson County Board of Commissioners to provide long-term financing for this project through issuance of county bonds;

BE IT FURTHER RESOLVED that the District Board of Managers hereby directs the Administrator to work with the District's financial advisor and local banks to obtain a commitment of short-term financing for this project for a term not to exceed three years;

BE IT FURTHER RESOLVED that the District Board of Managers hereby accepts the following bids and orders the award of construction contracts as follows:

Construction Bid Package #1, contract price \$1,350,859.64 to Larson Contracting;

Construction Bid Package #2, contract price \$2,567,672.00 to Dirt Merchant, Inc.;

Construction Bid Package #3, contract price \$1,400,944.18 to Loo Con, Inc.;

Construction Bid Package #4, contract price \$1,786,044.00 to Dirt Merchant, Inc.

BE IT FURTHER RESOLVED that the Administrator is hereby directed to sign and transmit a notice of contract award to each of the above-listed contractors upon confirmation that the District has an agreement for short-term financing of the construction costs for a term not to exceed three years;

BE IT FURTHER RESOLVED that the Administrator is hereby directed to work with the Engineer to communicate with the above-identified contractors to discuss and coordinate anticipated work schedules to ensure that notice of award and subsequent notice to proceed are issued at a time that allows the project to proceed with all deliberate dispatch;

BE IT FINALLY RESOLVED that on issuance of the notice of award, the Administrator is authorized to sign the construction agreement, issue the notice to proceed on advice of counsel and when prerequisites for issuance have been met by the contractor, and otherwise proceed pursuant to all other pertinent provisions of the Board's Order of April 17, 2018.

Dated this 1st day of August, 2019

BOARD OF MANAGERS OF THE
HERON LAKE WATERSHED DISTRICT
ACTING AS DRAINAGE AUTHORITY
FOR JACKSON COUNTY DITCH NO. 3

By  _____
President

ATTEST:

By  _____
District Administrator