



LOWER PLATTE SOUTH natural resources district

3125 Portia Street | P.O. Box 83581 • Lincoln, Nebraska 68501-3581
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Memorandum

Date: February 16, 2022
To: Urban Subcommittee
From: Jared Nelson, District Engineer *JN*
Subject: Urban Subcommittee Meeting Minutes – February 2022 – MTG #2

The Urban Subcommittee met virtually at 5:00pm, on Tuesday, February 15, 2022. Subcommittee members participating included Tom Green, David Landis, Gary Aldridge, Lisa Lewis, Larry Ruth, Ray Stevens, and John Yoakum. Others participating included NRD staff Paul Zillig, David Potter, Al Langdale, Mike Murren, Tracy Zayac and Jared Nelson; and Frank Doland with Alfred Benesch & Company. Director Green called the meeting to order at 5:00pm. There was one item discussed, as described below.

(b.) Consideration of Bids for Salt Creek Levee Repairs at STA 76+00 (near Park Ave & West Van Dorn) - Jared Nelson referred to his Meeting Minutes from last week's February 8th Urban Subcommittee meeting when the Salt Creek Levee Repairs at STA 76+00 was first discussed. He described that the District hired Alfred Benesch & Company of Lincoln, NE as the District's consulting engineer for this project, and who completed the design and assisted in bidding services. He said the bid opening was Friday, February 4, 2022 and the District received seven bids, with Dynamic Dirtworks & Demolition, LLC having the low bid of \$73,363; and with Nebraska Digging Services (the second lowest bidder) having a bid of \$75,905.

Nelson then described that Frank Doland with Benesch had reviewed the bids and asked for qualifications from the three lowest bidders, in conformance to the contract documents. Doland discussed his review of the bids and referred to his attached letter dated February 14th. Doland said he found that Dynamic Dirtworks & Demolition, LLC was not responsive, and he did not receive any positive recommendations when he called their references. Doland then discussed how the second lowest bidder, Nebraska Digging Services, did response to his request to qualifications, showing ample resources, equipment, and personnel. Doland said his recommendation is to award the project to Nebraska Digging Services, and he also called their references and received 'glowing reviews'. Nelson described that staff agrees with Benesch's recommendation that the lowest bidder was not responsive and cannot be deemed a responsible contractor.

It was moved by Yoakum, seconded by Stevens and approved by the Subcommittee (with Green, Landis, Lewis, Ruth, Stevens, and Yoakum voting 'yes', and Aldridge 'not voting') to place onto the agenda and re-consider a recommendation, regarding bids on the Salt Creek Levee Repairs near Park Ave & West Van Dorn (STA 76+00).

The Subcommittee then reviewed and discussed the item and asked questions to staff and Doland.

It was moved by Landis, seconded by Stevens, and unanimously approved by the Subcommittee to recommend that the Board of Directors reject the bid from Dynamic Dirtworks & Demolition, LLC (the lowest bidder), and accept the bid from Nebraska Digging Services (the second lowest bidder) in the amount of \$75,905 for the Salt Creek Levee Repairs near Park Ave & West Van Dorn (STA 76+00).

The staff also reported on discussions with the Corps and Sen Fischer's office concerning the process to apply for infrastructure funds.

There being no further business the meeting adjourned at approximately 5:20 pm.

JN/jn



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Lower Platte South Natural Resources District
Attn: Mr. Jared Nelson
3125 Portia Street
Lincoln, NE 68521

February 14, 2022

REFERENCE: Salt Creek Levy Repairs
Letter of Recommendation for Award of Contract

Dear Mr. Nelson:

On Friday February 4, 2022 bids for the above referenced project were received, opened, and read aloud. Seven (7) bids were received for the work. The bids have been checked and the bid tabulation is attached.

Summarized directly below are the contractor's total bid amounts. The below order of bidders, from lowest to highest.

Bidder

Dynamic Dirtworks & Demolition, LLC
4489 I Road
Dunbar, NE 68346

Total Base Bid \$73,363.00

Nebraska Digging Services
190 Main Street
Alvo, NE 68304

Total Base Bid \$75,905.00

Gana Trucking & Excavating
2200 Panama Road
Martell, NE 68404

Total Base Bid \$76,288.87

MC Wells Contracting, LLC
15823 Cottonwood Street
Omaha, NE 68136

Total Base Bid \$114,115.00

H.R. Bookstrom Construction, Inc.
6401 N 60th Street
Lincoln, NE 68507

Total Base Bid \$120,740.00

Bookstrom did have a multiplication error on Item 7 and listed it as \$390.00 instead of the mathematically correct \$3,900.00. Amount. However this does not affect the overall bid evaluation.

Final Grade Construction, LLC
1917 Beaver Lake BLVD
Plattsmouth, NE 68048

Total Base Bid \$131,900.00

Bauer Infrastructure, LLC
18570 SW 29th Street
Martell, NE 68404

Total Base Bid \$179,015.00

For comparative purposes, the **Engineer's Estimate** was: \$101,372.00

The Engineer's Estimate is also included in the bid tabulation attached.

The following paragraphs discuss in detail how the bidders filled out the various required pages of the proposal form:

Addendum Acknowledgement

There was one addendums issued during the bidding process. All bidders acknowledged receipt of the Addendum

Bidder Signature Pages

All bidders submitted a properly signed proposal.

Miscellaneous Other Requirements

Pre-Bid Meeting

No Pre-Bid Meeting was held or required

Bid Guarantee

The contract documents require that *“Each bid proposal shall be accompanied by a bid guaranty in the amount of five percent (5%) of the total amount of the bid (Total Base Bid). The bid guaranty may be by bid bond or certified. All bidders provided this documentation.*

Qualifications of Bidders:

The contract documents require qualifications of Bidders to perform the work. Owner may request any of the bidders submit qualification documentation within 5 days if Owner provides a written request to Bidders. This requirement is listed in multiple areas of the contract documents as listed below:

- Page 3 of the Notice to Bidders “Contractors must be Qualified to submit bids” in work class (10) of the Nebraska Department of Transportation (NDOT) list prior to bid date. As evidence of meeting these requirements, The Contractor shall submit, if requested by Owner, a copy of the current letter from NDOT which states the Contractor has been approved for the “Qualified to submit bids list” and which also list the approved work category.
- Page 3 of the Instruction to Bidders states: Each bidder shall furnish, if requested, the owner satisfactory evidence of their competency and financial capability to perform the proposed work. The bidder shall demonstrate that they are a responsible firm that possesses the skills, abilities, and integrity to faithfully perform the project work. To be determined responsible, a prospective contractor must:
 - Have adequate resources.....
 - Have a satisfactory performance record
 - Have a satisfactory record of integrity and business ethics; and
 - Be otherwise qualified and eligible to receive an award under applicable laws and regulations.
- Page 5 of the Instruction to Bidders States: The Owner reserves the right to reject any or all bids, as determined to be in the interest of the Owner. Causes for rejection of proposal include but are not limited to:
 - Determination by the owner that the bidder is not qualified to accomplish the project work

As we are unfamiliar with the two lowest bidders the Engineer has requested via email for the Owner for bidders to submit proof of qualification in conformance with the contract documents on behalf of the Owner.

Benesch Recommendation

Benesch's opinion is that after receiving bids the two lowest bidders have an unknown history and record to both Benesch and the LPSNRD. Therefore Benesch reached out to the three lowest bidders, on behalf of the Owner, and requested submittal of qualifications as listed in the Contract documents if requested by the Owner (LPSNRD).

It is Benesch's and LPSNRD staff opinion that the Low Bidder, Dynamic Dirtworks & Demolition was not responsive. They did list one project that was completed for Lancaster County under a different Contractor Name (Peterson Earth Moving). Benesch reached out to Lancaster County to request a reference and that reference resulted in the County saying they were not satisfied with the work and could not recommend Dynamic Dirtworks & Demolition.

The second low bidder Nebraska Digging Services did respond to the Benesch request for qualifications. This Contractor's response was quite complete with list of personnel and equipment availability along with four project examples. Benesch reached out to two of these project references and received very complimentary summaries of the work this company performed on their projects.

The third low bidder Gana Trucking & Excavating also provided a response to request for qualifications. Gana is well known and established in the Lincoln area and their response was excellent.

In summary, After review of bids and Qualifications Benesch recommends that the Lower Platte South Natural Resources District award the Contract for a total contract award in the amount of \$75,905.00 to Nebraska Digging Services.

Summary of Attachments:

- Bid Tabulation Sheet with Engineer's Estimate
- Nebraska Digging Services complete bid proposal information

If you have any questions or comments please contact us at your convenience.

Sincerely,
Alfred Benesch & Company



Frank Doland, P.E.
Civil Group Manager

	B	C	D	E	J	K	M	N	P	Q	S	T	V	W	Y	Z	AB	AC	AE	AF
1																				
2					Engineer's Estimate		Dynamic Ditchworks & Demolition, LLC		Nebraska Digging Services		Nebraska Digging		MC Wells Contracting, LLC		H.N. Bookstrom Construction, Inc.		Final Grade Construction & Conservation, LLC		Bauer Infrastructure, LLC	
3	Pay Item No.	Description	Estimated Quantity	Unit	Unit Price	Amount	Unit Price	Amount	Unit Price	Amount	Unit Price	Amount	Unit Price	Amount	Unit Price	Amount	Unit Price	Amount	Unit Price	Amount
4	1	Site Preparation & Mobilization	1	LS	\$ 10,000.00	\$ 10,000.00	\$ 5,000.00	\$ 5,000.00	\$ 10,000.00	\$ 10,000.00	\$ 8,249.57	\$ 8,249.57	\$ 12,000.00	\$ 12,000.00	\$ 10,000.00	\$ 10,000.00	\$ 55,000.00	\$ 55,000.00	\$ 17,900.00	\$ 17,900.00
5	2	Construction Staking	1	LS	\$ 5,000.00	\$ 5,000.00	\$ 1,500.00	\$ 1,500.00	\$ 1,500.00	\$ 1,500.00	\$ 2,700.00	\$ 2,700.00	\$ 3,000.00	\$ 3,000.00	\$ 1,000.00	\$ 1,000.00	\$ 1,800.00	\$ 1,800.00	\$ 6,500.00	\$ 6,500.00
6	3	Excavation	1,210	LS	\$ 30.00	\$ 36,300.00	\$ 9.00	\$ 10,890.00	\$ 18.00	\$ 21,780.00	\$ 14.85	\$ 17,968.50	\$ 24.00	\$ 29,040.00	\$ 40.00	\$ 48,400.00	\$ 20.00	\$ 24,200.00	\$ 54.00	\$ 65,340.00
7	4	RipRap	385	Tons	\$ 90.00	\$ 34,650.00	\$ 67.00	\$ 25,795.00	\$ 75.00	\$ 28,875.00	\$ 78.60	\$ 30,261.00	\$ 125.00	\$ 48,125.00	\$ 120.00	\$ 46,200.00	\$ 90.00	\$ 34,650.00	\$ 150.00	\$ 57,750.00
8	5	NDOT Class "E" Aggregate	90	CY	\$ 70.00	\$ 6,300.00	\$ 67.65	\$ 6,088.50	\$ 75.00	\$ 6,750.00	\$ 98.15	\$ 8,833.50	\$ 95.00	\$ 8,550.00	\$ 120.00	\$ 10,800.00	\$ 75.00	\$ 6,750.00	\$ 185.00	\$ 16,650.00
9	6	NDOT Class "B" Aggregate	30	CY	\$ 12.40	\$ 372.00	\$ 69.65	\$ 2,089.50	\$ 75.00	\$ 2,250.00	\$ 77.81	\$ 2,334.30	\$ 95.00	\$ 2,850.00	\$ 65.00	\$ 1,950.00	\$ 75.00	\$ 2,250.00	\$ 200.00	\$ 6,000.00
10	14	Erosion Control Matting	1,300	SY	\$ 5.00	\$ 6,500.00	\$ 15.00	\$ 19,500.00	\$ 2.50	\$ 3,250.00	\$ 2.54	\$ 3,302.00	\$ 6.00	\$ 7,800.00	\$ 3.00	\$ 3,900.00	\$ 5.00	\$ 6,500.00	\$ 5.00	\$ 6,500.00
11	15	Seeding	1	Acres	\$ 4,500.00	\$ 2,250.00	\$ 5,000.00	\$ 2,500.00	\$ 3,000.00	\$ 1,500.00	\$ 5,280.00	\$ 2,640.00	\$ 5,500.00	\$ 2,750.00	\$ 4,000.00	\$ 2,000.00	\$ 1,500.00	\$ 750.00	\$ 4,750.00	\$ 2,375.00
12					Total	\$ 101,372.00	Total	\$ 73,363.00	Total	\$ 75,905.00	Total	\$ 76,288.87	Total	\$ 114,115.00	Total	\$ 124,250.00	Total	\$ 131,900.00	Total	\$ 179,015.00

DO NOT DETACH ANY OF THESE PAGES

Submit Entire bound book of
Contract Documents and Specifications

PROPOSAL FORM

LOWER PLATTE SOUTH NATURAL RESOURCES DISTRICT

Salt Creek Levee Repair Project

TO: Lower Platte South Natural Resources District
3125 Portia Street
Lincoln, Nebraska 68521

The undersigned, in compliance with the request for bids for construction of the following Project:

Salt Creek Levee Repair Project

hereby proposes to furnish all labor, permits, material, machinery, tools, supplies and equipment to faithfully perform all work required for construction of the Project in accordance with the Contract Documents and Specifications, project drawings and issued Addenda within the specified time of performance for the prices on page P-2 of this proposal.

SCHEDULE OF APPROXIMATE QUANTITIES					
ITEM NO.	DESCRIPTION	APPROXIMATE QUANTITY	UNIT	UNIT PRICE	EXTENSION
1	Site Preparation & Mobilization	1	LS	\$10,000.00	\$10,000.00
2	Construction Staking	1	LS	\$1,500.00	\$1,500.00
3	Excavation	1210	CY	\$18.00	\$21,780.00
4	RIPRAP	385	TONS	\$75.00	\$28,875.00
5	NDOT Class "E" Aggregate	90	CY	\$75.00	\$6,750.00
6	NDOT Class "B" Aggregate	30	CY	\$75.00	\$2,250.00
7	Erosion Control Matting (N.A.G SC150)	1300	SY	\$2.50	\$3,250.00
8	Seeding (Type F)	0.5	Acre	\$3,000.00	\$1,500.00
Total Base Bid					\$75,905.00

ACKNOWLEDGEMENTS BY BIDDER

- a. By submittal of a proposal, the BIDDER acknowledges and accepts that the quantities established by the OWNER are an approximate estimate of the quantities required to fully complete the Project and that the estimated quantities are principally intended to serve as a basis for evaluation of bids. The BIDDER further acknowledges and accepts that payment under this contract will be made only for actual quantities and that quantities will vary in accordance with the General Provisions subsection entitled "Alteration of Work and Quantities".
- b. The BIDDER acknowledges and accepts that the Bid Documents are comprised of the documents identified within the Instructions to Bidders. The BIDDER further acknowledges that each of the individual documents that comprise the Bid Documents are complementary to one another and together establishes the complete terms, conditions and obligations of the successful BIDDER.
- c. As evidence of good faith in submitting this proposal, the undersigned encloses a bid guaranty in the form of a certified check or bid bond in the amount of 5% of the bid price (total base bid) . The BIDDER acknowledges and accepts that refusal or failure to accept award and execute a contract within the terms and conditions established herein will result in forfeiture of the bid guaranty to the owner as a liquidated damage.
- d. The BIDDER acknowledges and accepts the OWNER'S right to reject any or all bids and to waive any informality in any Bid or solicitation procedure.
- e. The BIDDER acknowledges and accepts the OWNER'S right to hold all Proposals for purposes of review and evaluation and not issue a notice-of-award for a period not to exceed 45 calendar days from the stated date for receipt of bids.
- f. The undersigned agrees that upon written notice of award of contract, he or she will execute the contract within fifteen (15) calendar days from the date of the notice-of-award and furthermore provide executed payment and performance bonds within seven (7) calendar days from the date of the contract execution. The undersigned accepts that failure to execute the contract and provide the required bonds within the stated timeframes shall result in forfeiture of the bid guaranty to the owner as a liquidated damage.
- g. Time of Performance: By submittal of this proposal, the undersigned acknowledges and agrees to commence work within ten (10) calendar days of the date specified in the written "Notice-to-Proceed" as issued by the OWNER. The undersigned agrees to complete work within the calendar day allowance specified in the Notice-To-Bidders from the commencement date specified in the Notice-To-Proceed.
- h. The undersigned acknowledges and accepts that for each additional working day "All Work" remain incomplete beyond the contract times of performance, the Contractor shall pay the non-penal sum prescribed in the Notice-To-Bidders (NTB) as a liquidated damage to the Owner.
- i. The undersigned agrees to comply with all current and applicable Federal, State, and local rules and regulations governing the safety of men and materials during its operations including observing the requirements of the Occupational Safety and Health Administration (OSHA).
- j. The undersigned specifically agrees not to discriminate against any recipients of services on the basis of race, color, sex, religion, creed, age, marital status, physical or mental disability, political affiliation, national origin or ancestry, and not to discriminate against any employees or applicant for employment on the basis of race, color, sex, religion, creed, age, marital status, physical or mental disability, political affiliation, national origin or ancestry.

SIGNATURE OF BIDDER

IF AN INDIVIDUAL

Name: _____

By: _____

(Signature Of Individual)

Doing Business As: _____

Business Address: _____

Telephone Number: _____

IF A PARTNERSHIP

Partnership Name: _____

By: _____

(Authorized Signature)

(Attach Evidence Of Authority To Sign As A Partnership)

Name And Title: _____

Business Address: _____

Telephone Number: _____

IF A CORPORATION

Corporation Name: Nebraska Dredging Services LLC
By: [Signature]
(Authorized Signature)
(Attach Evidence Of Authority To Sign)

Name And Title: Tyler Rosenthal, Co-owner
Business Address: 190 Main St.
Alva, NE 68304
Telephone Number: 402-432-5519

**CORPORATE
SEAL**

ATTEST:

By: [Signature]
(Authorized Signature)

Name And Title: Cody Price, Co-owner