

RESOLUTION

RESOLUTION AWARDING BID

WHEREAS, on June 19, 2007 the School Board approved a Long-range Facilities Plan (Red Option) by adopting Resolution B-6-07-2452 and authorized further proceedings toward implementation of the Plan; and

WHEREAS, the School District has undertaken the partial construction and remodeling of the eastern middle school (current East High School) in order to provide a quality and safe facility within the School District; and

WHEREAS, in March 2011, the School District advertised and solicited bids for the asbestos abatement at this site in preparation for the new construction/remodeling/renovation project; and

WHEREAS, bid specifications notified bidders that the timeline for completing this project was short and required the bulk of the work be completed by mid-July 2011 when determining the lowest responsible bidder; and

WHEREAS, six bids were received and opened on April 5, 2011 at 2:00 p.m.; and

WHEREAS, Pladson Environmental, Inc. submitted the lowest dollar bid which includes Alternates #1 and #3 for the abatement work in the amount of \$204,700.00; and

WHEREAS, Pladson Environmental, Inc. has only been in business since January 7, 2011, has not completed a project of this size and scope, currently has a workforce equal to the minimum expected will be required for completing the work on schedule, and has indicated it also has four other projects this summer which have the potential to overlap the timeframe of the eastern middle school project; and

WHEREAS, Mavo Systems submitted the next lowest dollar bid of \$213,860; and

WHEREAS, the School District has worked with Mavo Systems on previous contracts and found that it provided excellent quality work, has adequate workforce for a project of this size, and has completed work in a workman-like manner, was reliable and knowledgeable, and had excellent customer service; and

WHEREAS, Carlson Professional Services, which was hired as the environmental consultant for this project, has recommended awarding the bid to Mavo Systems; and

WHEREAS, the School District has never worked with Pladson Environmental, Inc.; and

WHEREAS, Minn. Stat § 123.B52 and 471.345 require the School Board to award construction contracts to the “lowest responsible bidder;” and

WHEREAS, the above statutes, as construed by the courts, vest the School Board with administrative discretion in determining “responsibility” of the parties submitting bids; and

WHEREAS, Minnesota courts have indicated that a governing body, in determining responsibility, may consider factors other than price, including the character of work done by the bidder on prior contracts performed for the governing body; and

WHEREAS, the Minnesota Attorney General has determined that a governing body has the right to consider the character of work done by the bidder on prior contracts performed for the governing body in assessing responsibility.

NOW, THEREFORE, BE IT RESOLVED as follows:

1. Based on the past experience of the District, Johnson Controls, Inc., Kraus Anderson and the recommendation of Carlson Professional Services, all having worked with Mavo Systems on past contracts and Pladson Environmental’s short time in business, lack of company experience in completing projects of this scope, and its other project overlaps potentially impacting the completion timeline, the School Board concludes Pladson Environmental is not the lowest responsible bidder.
2. The contract for asbestos abatement at the current East High School is awarded to Mavo Systems in the amount of \$213,860, as the lowest responsible bidder.