


Memorandum

To: Jill Lofald
School Board Chair

Cathy Erickson
CFO/Executive Director of Business Services

From: David J. Spooner 
Manager of Facilities

Date: April 8, 2021

Re: BID #1293 Congdon Park ES Window Restoration-St. Germain's Glass, Inc.

School Board Approved LTFM FY-21-22 Project

Attached please find three (3) copies of the Agreement between **St. Germain's Glass, Inc.** and ISD #709 to provide the scope of work defined in **BID #1293 – Congdon Park ES Window Restoration** project. The total cost of this work is a lump sum of \$594,822.00 and is a FY21-22 Board Approved LTFM Ten-Year Plan project.

Recommendation:

I am recommending that Ms. Jill Lofald, School Board Chair, enter into an agreement with **St. Germain's Glass, Inc.** to perform the work scope as defined in the attached Agreement for a lump sum amount of \$594,822.00

If you concur, please sign the three (3) copies and return to Facilities Management for processing.

MRJ Consultants, LLC

Roof and Building Exterior Solutions

April 2, 2021

Mr. Dave Spooner
Manager of Facilities
Duluth Public Schools-ISD #709
215 N. 1st Avenue East
Duluth, MN 55802

RE: 2021 Congdon Park Window Restoration Bid # 1293- Letter of Recommendation

Dear Mr. Spooner

On March 30, 2021 bids were received and opened for the 2021 Congdon Park Window Restoration Project. Seven potential bidding contractors attended the pre-bid meeting on March 18. Three sealed bids were received.

The low responsible Base bid (Wausau Windows-\$594,822.00) and Alternate bid (EFCO Windows- \$605,900.00) were submitted by St. Germain Glass. Upon reading and recording of the submitted bids, we asked St. Germain Glass if they were comfortable with their bid numbers and willing to complete the project as specified. Mike McCabe indicated that they have a clear understanding of the project expectations and requirements. We have worked with St. Germain Glass on numerous past projects and have had no issues or problems.

We recommend award of the Project Base Bid-Wausau Windows to St. Germain Glass in the amount of \$594,822.00. Upon notice of the award by the District, we will prepare AIA contract documents to be executed between the District and St. Germain Glass.

If you should have any questions regarding the bids, contracts or the project, please contact me.

Respectfully,



Mike Johnston RRC
MRJ Consultants, LLC
m.johnstonrrc@gmail.com
612-406-5996

BID TABULATION

DULUTH PUBLIC SCHOOLS ISD # 709

2021 Congdon Park Window Restoration Project- Duluth Schools Bid #1293

Opening Date: March 30, 2021 2:00pm

MRJ CONSULTANTS, LLC

CONTRACTOR	BASE BID-Wausau	ALT BID 1-EFCO	Pre-bid	Addendum 1	Addendum 2	BID BOND
BRIN CONTRACTING	\$678,310.00	\$690,246.00	Yes	Yes	Yes	Yes
KASKI Inc	\$877,509.00	\$846,279.00	Yes	Yes	Yes	Yes
St. Germain Glass	\$594,822.00	\$605,900.00	Yes	Yes	Yes	Yes

SECTION 00 41 00

BID FORM -REVISED 3/23/2021

Deliver Bids to:

Mr. Tony Kelekovich
Duluth Public Schools
Room 212
215 N. 1st Avenue East
Duluth, MN 55802

OPENING TIME: **2:00 P.M.**
OPENING DATE: **March 30, 2021**

The undersigned, being familiar with the local conditions affecting the cost of the work and with the contract documents, including the Bid Announcement, Bid Form, General and Supplemental Conditions, Specifications, Drawings, and Addenda, and in accordance with the provisions thereof, hereby proposes to furnish all labor and materials and equipment necessary for:

**2021 Window Restoration Bid #1293
Congdon Park Elementary**

BASE BID:

Replace all windows and doors With Wausau windows as indicated in Bid Documents.

\$594,822.⁰⁰/_{xx} Five Hundred Ninety Four Thousand Eight Hundred Twenty Two Dollars

ALTERNATE BID 1.

Replace all windows with EFCO 325x windows as indicated in Bid Documents. Doors and all other specified materials remain as specified.

\$605,900.⁰⁰/_{xx} Six Hundred Five Thousand Nine Hundred Dollars

We have attended the Pre-Bid Meeting X Yes _____ No

List all addenda numbers that have been included in the price quoted above:

1, 2, - , -

Responses that do not list project addenda will be rejected.

The Owner requires that the project shall be substantially completed by August 22, 2021. Project can start on June 11, 2021.

If this bid is accepted, the bidder agrees to complete the work as specified within 120 calendar days from the execution of the contract, subject to provisions of the contract and the specifications.

This bid is submitted after careful study of the plans and specifications, attendance at the guided tour and from a personal knowledge of the conditions, both surface and concealed, at the existing building, which knowledge was obtained from the undersigned's own sources of information and not from any official or employee of the owner.

We have carefully reviewed the project Safety Requirements, and hereby certify that our company meets or exceeds the requirements therein.

Accompanying this bid is the **bid security** required to be furnished by the contract documents, the same being subject to **forfeiture** in the event of default by the undersigned.

The undersigned agrees, if awarded the contract, to obtain, execute and deliver to the owner with the contract satisfactory "**performance bond and labor and material payment bond**" on AIA Form A311, each in a sum equal to the full amount of the contract.

The undersigned does declare that this bid is made without improper connection with any other person or persons making a bid on this same contract and is in all respects fair and without collusion or fraud, and the undersigned does further declare that no person or persons interested therein or in the supplies or works to which it relates will receive in any portion of the profits thereof.

It is understood and agreed that this bid cannot be withdrawn within thirty (30) days without the consent of the owner and that said owner has the right to accept or reject any or all bids.

By St. Germain's Glass, Inc
Legal name of person, firm or corporation

212 N. 40th Ave W Duluth MN 55807
Address City State Zip

END OF SECTION



AIA®

Document A310™ – 1970

Bid Bond

KNOW ALL MEN BY THESE PRESENTS, that we
(Here insert full name and address or legal title of Contractor)

St. Germain's Glass, Inc.
212 N. 40th Ave West
Duluth, MN 55807

as Principal, hereinafter called the Principal, and
(Here insert full name and address or legal title of Surety)

North American Specialty Insurance Company
1200 Main Street
Kansas City, MO 64105

a corporation duly organized under the laws of the State of **New Hampshire**
 as Surety, hereinafter called the Surety, are held and firmly bound unto
(Here insert full name and address or legal title of Owner)

ISD #709 - Duluth
215 North 1st Avenue E
Duluth, MN 55802

as Oblige, hereinafter called the Oblige, in the sum of **Five Percent (5%) of the Amount of the Bid**
 Dollars (\$) **5%**, for the payment
 of which sum well and truly to be made, the said Principal and the said Surety, bind ourselves, our heirs, executors,
 administrators, successors and assigns, jointly and severally, firmly by these presents.

WHEREAS, the Principal has submitted a bid for
(Here insert full name, address and description of project)

ISD #709- Window Removal and Replacement of Congdon Elementary School

NOW, THEREFORE, if the Oblige shall accept the bid of the Principal and the Principal shall enter into a Contract with the Oblige in accordance with the terms of such bid, and give such bond or bonds as may be specified in the bidding or Contract Documents with good and sufficient surety for the faithful performance of such Contract and for the prompt payment of labor and material furnished in the prosecution thereof, or in the event of the failure of the Principal to enter such Contract and give such bond or bonds, if the Principal shall pay to the Oblige the difference not to exceed the penalty hereof between the amount specified in said bid and such larger amount for which the Oblige may in good faith contract with another party to perform the Work covered by said bid, then this obligation shall be null and void, otherwise to remain in full force and effect.

Signed and sealed this

25th

day of **March, 2021**

(Witness)

St. Germain's Glass, Inc.
 (Principal)

(Seal)

(Title)

North American Specialty Insurance Company
 (Surety)

(Witness)

(Title)

Name Alemdar
Attorney-in-Fact

(Seal)

INDIVIDUAL OR PARTNERSHIP ACKNOWLEDGMENT

STATE OF _____

SS

COUNTY OF _____

On the _____ day of _____, _____, before me personally appeared

_____ to me
 known to be the person(s) described in and who executed the foregoing instrument, as
 Principal(s), and acknowledged to me that he executed the same as his/her/their free act
 and deed.

(Notary Seal)

CORPORATE ACKNOWLEDGMENT

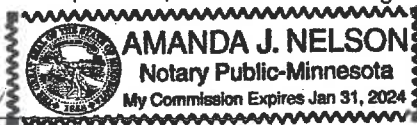
STATE OF Minnesota

SS

COUNTY OF St Louis

On the 24th day of March, before me personally appeared Denise Mercier
 to me known, who being by me duly sworn, did say that he/she is the Treasurer
 of St Germain's Glass, the
 corporation described in and which executed the foregoing instrument; that he/she knows the
 seal of said corporation; that the seal affixed to said instrument is such corporate seal; that it was
 so affixed by order of the board of directors of said corporation; and that he/she signed his/her
 name thereto by like order

(Notary Seal)



ACKNOWLEDGMENT OF CORPORATE SURETY

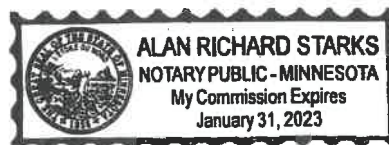
STATE OF MINNESOTA

SS

COUNTY OF Hennepin

On the 25th day of March, 2021, before me personally appeared Name Alemdar
 to me known, who being duly sworn, did say that he/she is the aforesaid officer or attorney-in-fact
 of the North American Specialty Insurance Company a
 corporation; that the seal affixed to the foregoing instrument is the corporate seal of said
 corporation, and that said instrument was signed and sealed in behalf of said corporation by the
 aforesaid officer, by authority of its board of directors; and the aforesaid officer acknowledged
 said instrument to be the free act and deed of said corporation.

(Notary Seal)



SWISS RE CORPORATE SOLUTIONS

**NORTH AMERICAN SPECIALTY INSURANCE COMPANY
WASHINGTON INTERNATIONAL INSURANCE COMPANY
WESTPORT INSURANCE CORPORATION**

GENERAL POWER OF ATTORNEY

KNOW ALL MEN BY THESE PRESENTS, THAT North American Specialty Insurance Company, a corporation duly organized and existing under laws of the State of New Hampshire, and having its principal office in the City of Kansas City, Missouri and Washington International Insurance Company a corporation organized and existing under the laws of the State of New Hampshire and having its principal office in the City of Kansas City, Missouri, and Westport Insurance Corporation, organized under the laws of the State of Missouri, and having its principal office in the City of Kansas City, Missouri, each does hereby make constitute and appoint:

ALAN STARKS, JEFF SETTEM, MELISSA NORDIN, NAME ALEMDAR and CHARLES CHRISTENSEN

JOINTLY OR SEVERALLY

Its true and lawful Attorney(s)-in-Fact, to make, execute, seal and deliver, for and on its behalf and as its act and deed, bonds or other writings obligatory in the nature of a bond on behalf of each of said Companies, as surety, on contracts of suretyship as are or may be required or permitted by law, regulation, contract or otherwise, provided that no bond or undertaking or contract or suretyship executed under this authority shall exceed the amount of:


TWO HUNDRED MILLION (\$200,000,000.00) DOLLARS

This Power of Attorney is granted and is signed by facsimile under and by the authority of the following Resolutions adopted by the Boards of Directors of North American Specialty Insurance Company and Washington International Insurance Company at meetings duly called and held on March 24, 2000 and Westport Insurance Corporation by written consent of its Executive Committee dated July 18, 2011.

"RESOLVED, that any two of the President, any Senior Vice President, any Vice President, any Assistant Vice President, the Secretary or any Assistant Secretary be, and each or any of them hereby is authorized to execute a Power of Attorney qualifying the attorney named in the given Power of Attorney to execute on behalf of the Company bonds, undertakings and all contracts of surety, and that each or any of them hereby is authorized to attest to the execution of any such Power of Attorney and to attach therein the seal of the Company; and it is

FURTHER RESOLVED, that the signature of such officers and the seal of the Company may be affixed to any such Power of Attorney or to any certificate relating thereto by facsimile, and any such Power of Attorney or certificate bearing such facsimile signatures or facsimile seal shall be binding upon the Company when so affixed and in the future with regard to any bond, undertaking or contract of surety to which it is attached."



By 
Steven P. Anderson, Senior Vice President of Washington International Insurance Company
& Senior Vice President of North American Specialty Insurance Company
& Senior Vice President of Westport Insurance Corporation

By 
Michael A. Ito, Senior Vice President of Washington International Insurance Company
& Senior Vice President of North American Specialty Insurance Company
& Senior Vice President of Westport Insurance Corporation



IN WITNESS WHEREOF, North American Specialty Insurance Company, Washington International Insurance Company and Westport Insurance Corporation have caused their official seals to be hereunto affixed, and these presents to be signed by their authorized officers this 25 day of February, 20 21.

**North American Specialty Insurance Company
Washington International Insurance Company
Westport Insurance Corporation**

State of Illinois
County of Cook

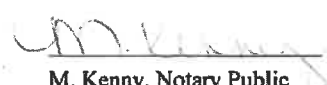
ss:

On this 25 day of February, 20 21, before me, a Notary Public personally appeared Steven P. Anderson, Senior Vice President of

Washington International Insurance Company and Senior Vice President of North American Specialty Insurance Company and Senior Vice President of Westport Insurance Corporation and Michael A. Ito Senior Vice President of Washington International Insurance Company and Senior Vice President

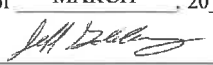
of North American Specialty Insurance Company and Senior Vice President of Westport Insurance Corporation, personally known to me, who being by me duly sworn, acknowledged that they signed the above Power of Attorney as officers of and acknowledged said instrument to be the voluntary act and deed of their respective companies.




M. Kenny, Notary Public

I, Jeffrey Goldberg, the duly elected Senior Vice President and Assistant Secretary of North American Specialty Insurance Company, Washington International Insurance Company and Westport Insurance Corporation do hereby certify that the above and foregoing is a true and correct copy of a Power of Attorney given by said North American Specialty Insurance Company, Washington International Insurance Company and Westport Insurance Corporation which is still in full force and effect.

IN WITNESS WHEREOF, I have set my hand and affixed the seals of the Companies this 25th day of MARCH, 20 21.


Jeffrey Goldberg, Senior Vice President & Assistant Secretary of Washington International Insurance Company &
North American Specialty Insurance Company & Vice President & Assistant Secretary of Westport Insurance Corporation