

**CITY OF LAKE ELMO  
WASHINGTON COUNTY  
STATE OF MINNESOTA**

**RESOLUTION NO. 2021-063**

**A RESOLUTION ORDERING THE IMPROVEMENT, ACCEPTING BIDS AND  
AWARDING A CONTRACT FOR THE 38TH-39TH STREET NEIGHBORHOOD:  
STREET AND UTILITY IMPROVEMENTS**

**WHEREAS**, pursuant to a resolution passed by the City Council on the 20th day of October 2020, a feasibility report has been prepared by FOCUS Engineering, Inc. for the 38th-39th Street Neighborhood: Street and Utility Improvements; and

**WHEREAS**, ten days mailed notice and two weeks published notice of the hearing was given, and the hearing was held thereon on the 1st day of June 2021, at which all persons desiring to be heard were given the opportunity to be heard thereon; and

**WHEREAS**, the feasibility report prepared by FOCUS Engineering, Inc., and dated December 2020 states that the project is necessary, cost-effective, and feasible; and

**WHEREAS**, pursuant to an advertisement for bids for the 38th-39th Street Neighborhood: Street and Utility Improvements, bids were received, opened, and tabulated according to law, and bids were received complying with the advertisement; and

**WHEREAS**, bids were tabulated, checked and summarized to verify that all requirements of the submittal were met; and

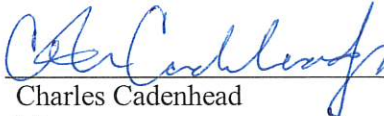
**WHEREAS**, the project engineer reviewed the bids and has provided a letter recommending the award of the contract to the lowest responsible bidder, A-1 Excavating, Inc., for the bid amount of \$2,716,277.00.

**NOW, THEREFORE, BE IT RESOLVED,**

1. Such improvement is deemed necessary, cost-effective, and feasible as detailed in the Feasibility Report dated December 2020.
2. Such improvement is hereby ordered as proposed in the council resolution adopted this 1st day of June, 2021.
3. The city council declares its official intent to reimburse itself for the costs of the improvement from the proceeds of tax-exempt bonds.
4. That the Mayor and City Clerk are hereby authorized and directed to enter into a Contract in the accordance with the above ordered Project, in the amount of the Contractor's lowest responsible bid, and according to the plans and specifications thereof approved by the City Council.
5. The City Clerk is hereby authorized and directed to return forthwith to all bidders the deposits made with their bids, except that the deposits of the successful bidder and the next two lowest bidders shall be retained until a contract has been signed.

ADOPTED BY THE LAKE ELMO CITY COUNCIL ON THE FIRST DAY OF JUNE, 2021.

CITY OF LAKE ELMO

By:   
Charles Cadenhead  
Mayor

(Seal)

ATTEST:

  
Julie Johnson  
City Clerk