

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

**RESOLUTION NO. 2022-041
A RESOLUTION ACCEPTING BIDS AND AWARDING A CONTRACT FOR THE
2022 STREET AND UTILITY IMPROVEMENTS**

WHEREAS, pursuant to an advertisement for bids for the 2022 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 and city engineer reviewed the bids and determined that the apparent low bid submitted by OMG Midwest is unbalanced as it relates to the unit prices for sod and topsoil borrow; and

WHEREAS, acceptance of the apparent low bid would not result in the lowest contract price to the City and therefore it is not in the best interest of the City to award the contract to the apparent low bidder; and

WHEREAS, the project engineer has provided a letter recommending the award of the contract to the lowest responsible bidder, Miller Excavating, Inc., for the bid amount of \$1,581,401.00, after rejecting the bid submitted by OMG Midwest.

NOW, THEREFORE, BE IT RESOLVED,

1. That the apparent low bid submitted by OMG Midwest is rejected for the reasons contained in the city's engineer's memorandum to the City Council.
2. That the Mayor and City Clerk are hereby authorized and directed to enter into a Contract with Miller Excavating, Inc., for the bid amount of \$1,581,401.00, and according to the plans and specifications thereof approved by the City Council.
3. 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 NINETEENTH DAY OF
APRIL, 2022.**

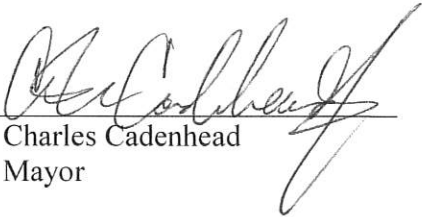
CITY OF LAKE ELMO

(Seal)
ATTEST:



Julie Johnson
City Clerk

By:



Charles Cadenhead
Mayor