

**GARRISON DIVERSION CONSERVANCY DISTRICT  
SPECIAL BOARD MEETING**

**Video Conference  
May 27, 2021**

A special meeting of the Garrison Diversion Conservancy District Board of Directors was held by video conference on May 27, 2021. The meeting was called to order by Chairman Alan Walter at 9:00 a.m.

**DIRECTORS PRESENT**

Chairman Alan Walter  
Vice Chairman Jay Anderson  
Second Vice Chairman Roger Fenstad  
Director Dave Anderson  
Director Rick Anderson  
Director Greg Bischoff  
Director Kyle Blanchfield  
Director Mark Cook  
Director Dave Johnson  
Director Larry Kassian  
Director Bruce Klein  
Director Kelly Klosterman  
Director Bill Krivarchka  
Director Brandon Krueger  
Director Nancy Marquart  
Director Steve Metzger  
Director Bill Ongstad  
Director Brian Orn  
Director Jim Pellman  
Director Mike Tweed  
Secretary Duane DeKrey

**DIRECTORS ABSENT**

Director Nikki Boote  
Director Richard Cayko  
Director Cliff Hanretty  
Director Geneva Kaiser  
Director Ward Koeser  
Director Kenny Rogers  
Director Ken Vein  
Director Donald Zimbleman

Garrison Diversion staff and others participated. The registration sheet is attached to the minutes as Annex I. The meeting was recorded to assist with compilation of the minutes.

## **RED RIVER VALLEY WATER SUPPLY PROJECT**

Chairman Walter reported bids have been received and reviewed for the Red River Valley Water Supply Project (RRVWSP) Missouri River Intake Tunnel and Screen Structure. The board's approval to award the contract and issue a notice to proceed is required. He called on Kip Kovar, District Engineer, Garrison Diversion, to present the information to the board.

### **Missouri River Intake Tunnel and Screen Structure**

#### **Bid Summary**

Mr. Kovar referred to and reviewed the bid summary sheet, stating bids were opened on May 11, 2021, for the RRVWSP Missouri River Intake Screen Structure and Tunnel, Contract 2. Four bids were submitted for this project with costs on the base bid ranging from \$18.8 million up to \$36.2 million. The engineer's estimate was \$24.2 million. The low bidder was Michels Corporation of Brownsville, Wisconsin. A copy of the summary sheet is attached to these minutes as Annex II.

Mr. Kovar stated the base bid consists of the screen structure in the Missouri River, a 72-inch tunnel under the Missouri River, including the steel jacking pipe material, the reinforced concrete wet well/shaft liner, and all other site work and miscellaneous work as shown on the drawings or as specified.

The bid alternate would replace the steel pipe with reinforced concrete pipe.

Mr. Kovar stated the reinforced concrete pipe provides another option. He provided comparisons between the two pipe choices and indicated steel pipe is preferred option.

#### **Engineer's Recommendation**

The engineer's recommendation received from Black & Veatch Corporation was reviewed with the board by Mr. Kovar, a copy which is attached to these minutes as Annex III.

Bids generally fell into two groupings: the apparent low and second low bids in the first grouping around \$20 million, while the other two bidders in the other grouping were in the \$30 to \$36 million range. The average bid of the second group of bidders was 74 percent higher than the apparent low bidder. The engineer's opinion of probable construction cost for the Base Bid prepared by Black & Veatch was \$24,204,072.00, which is approximately halfway between the two groups.

The contractor's qualifications to perform the work contemplated in the plans and specifications were evaluated by Black & Veatch, as well as qualifications and experience with tunneling work.

Black and Veatch determined Michels has met both the general contractor and the tunneling contractor/subcontractor qualification requirements through successful completion of intake, marine construction and trenchless pipeline projects.

Mr. Kovar said as a result of the evaluation by Black & Veatch, they recommend the bid on the RRVWSP Missouri River Intake Screen Structure and Tunnel be awarded to Michels

Corporation in the amount of \$18,896,900. They are also recommending the bid alternate in the amount of \$414,625 be rejected.

#### Notice of Award

Mr. Kovar referred to and reviewed the notice of award on the Missouri River Intake Screen Structure and Tunnel, a copy which is attached to these minutes as Annex IV.

Mr. Kovar requested the board's approval to award the bid to Michels Corporation in order to proceed with the contract. He added the Lake Agassiz Water Authority Board of Directors and the Red River Valley Committee reviewed all this information at their meetings held on May 21. Both recommend the contract be awarded to Michels Corporation.

**Motion by Second Vice Chairman Fenstad to award the bid on the RRVWSP Missouri River Intake Screen Structure and Tunnel to Michels Corporation, contingent upon approval from the State Water Commission, for the base bid amount of \$18,896,900 and reject the bid alternate in the amount of \$414,625. Second by Director Metzger. Upon roll call vote, the following directors voted aye: D. Anderson, J. Anderson, R. Anderson, Bischoff, Blanchfield, Cook, Fenstad, Johnson, Kassian, Klein, Klosterman, Krivarchka, Krueger, Marquart, Metzger, Ongstad, Orn, Pellman, Tweed and Walter. Those voting nay: none. Absent and not voting: Boote, Cayko, Hanretty, Kaiser, Koeser, Rogers, Vein and Zimbleman. Motion carried.**

Mr. Kovar said the notice of award will be signed and submitted to the contractor. The contractor then returns all the proper documentation to Garrison Diversion. Once that is received, a notice to proceed with the pipeline construction contract needs to be issued.

#### Notice to Proceed

Mr. Kovar referred to and reviewed the notice to proceed, a copy which is attached to these minutes as Annex V.

Chairman Walter asked for a motion to authorize moving forward with the notice to proceed on the Missouri River Intake Screen Structure and Tunnel.

**Motion by Director Bischoff authorizing the general manager to move forward with the notice to proceed on the contract for the RRVWSP Missouri River Intake Screen Structure and Tunnel, pending submittal of the contractor's documentation, and contingent upon State Water Commission funding approval. Second by Director Orn. Upon roll call vote, the following directors voted aye: D. Anderson, J. Anderson, R. Anderson, Bischoff, Blanchfield, Cook, Fenstad, Johnson, Kassian, Klein, Klosterman, Krivarchka, Krueger, Marquart, Metzger, Ongstad, Orn, Pellman, Tweed and Walter. Those voting nay: none. Absent and not voting: Boote, Cayko, Hanretty, Kaiser, Koeser, Rogers, Vein and Zimbleman. Motion carried.**

Mr. Kovar stated once the notice to proceed is issued, a pre-construction meeting is set, and Michels will present a construction schedule to Garrison Diversion.

Contractor's Agreement

Mr. Kovar referred to the copy of the contractor's agreement included in the meeting materials, stating this is provided for the board's information. The agreement is signed by the contractor verifying the contractor will stick to the items of the bid as well as verifying the plans and specifications. It also certifies and acknowledges the required documentation.

**Motion by Director J. Anderson to adjourn the board meeting. Second by Director Blanchfield. Upon voice vote, motion carried.**

The meeting adjourned at 9:15 a.m.

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Alan Walter, Chairman

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Duane DeKrey, Secretary

# REGISTRATION

SPECIAL BOARD OF DIRECTORS MEETING  
May 27, 2021

NAME	ADDRESS
Kurt Ronnekamp	Black & Veatch
Merri Mooridian	Garrison Diversion
Mary Massad	Southwest Water Authority
Randy Ehlis	Bureau of Reclamation
Kimberly Cook	Garrison Diversion
Lisa Schafer	Garrison Diversion
Kip Kovar	Garrison Diversion
Paul Boersma	Black & Veatch
Pat Fridgen	State Water Commission
Dani Hansen	North Dakota Water Users
John Paczkowski	State Water Commission
Jeffrey Mattern	State Water Commission
Joe Zauner	American Cast Iron Pipe

**BID TABULATION SUMMARY**



Red River Valley Water Supply Project  
Missouri River Intake  
Screen Structure and Tunnel  
McLean County, North Dakota  
Task Order 2530, Contract 2



Bid Opening 2:00 p.m. CST, Tuesday, May 11, 2021

No.	Bidder	Envelope 1										Envelope 2		Base Bid	Bid Alternate No. A1	Grand Total of Base Bid and Alternate(s)
		Bid Bond Included in the Amount of 5 percent of Bid	Contractor's License or Certificate of Renewal Included	Non-Collusion Affidavit Included	E CDC C-451 Qualifications Statement Included and Completed/Signed	General Contractor Qualifications Form Included and Completed/Signed	Tunneling Contractor Qualifications Form Included and Completed/Signed	Proposed Subs, Suppliers, and Manuf Form Included and Completed/Signed	Acknowledged Addendum No. 1	Acknowledged Addendum No. 2						
1	PKG Contracting, Inc.	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	(\$477,400.00)	\$35,772,600.00
2	Michels Corporation	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	\$414,625.00	\$19,311,525.00
3	Southland Contracting, Inc.	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	\$499,999.00	\$30,036,999.00
4	ICS, Inc.	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	(\$465,000.00)	\$20,334,851.00
	Engineer's Estimate	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	\$2,046,000.00	\$26,250,072.00

**Garrison Diversion Conservancy District**

PO Box 140  
Carrington, ND 58421  
701-652-3194

District Engineer / Deputy Director of RRVWSP for Engineering  
Kip Kovar, PE  
11-May-21



**BLACK & VEATCH CORPORATION**  
PO BOX 8405, KANSAS CITY, MISSOURI USA  
913-458-3571 | RONNEKAMPKA@BV.COM

May 20, 2021

Garrison Diversion Conservancy District  
Red River Valley Water Supply Project  
Missouri River Intake, Screen Structure and Tunnel  
McLean County, ND  
Task Order 2530, Contract 2

BV Project 408871  
BV File 55.2300

Mr. Duane DeKrey  
General Manager  
PO Box 140  
Carrington, ND 58421

Dear Mr. DeKrey:

This letter provides the bid results of the bid opening held at Garrison Diversion Conservancy District's Carrington Office on May 11, 2021. A total of four bids were received for the Missouri River Intake, Screen Structure and Tunnel, Contract 2 project (the Project): four bids were opened and read aloud. The bid results were as follows:

Contractor	Base Bid	Bid Alternate No. 1	Grand Total of Base Bid and Alternate
ICS	\$20,799,851.00	-\$465,000.00	\$20,334,851.00
Michels Corporation	\$18,896,900.00	\$414,625.00	\$19,311,525.00
PKG	\$36,250,000.00	-\$477,400.00	\$35,772,600.00
Southland	\$29,537,000.00	\$499,999.00	\$30,036,999.00
Engineer's Estimate	\$24,204,072.00	\$2,046,000.00	\$26,250,072.00

The apparent low bid for the Base Bid and the Base Bid plus Bid Alternate No. 1 was submitted by Michels Corporation of Brownsville, Wisconsin (Michels). The second low bid was submitted by Industrial Contract Services, Inc. of Grand Forks, ND (ICS).

A comparison of the Base Bid, which was to be the basis of award, between the apparent low bidder and second low bidder shows a difference of just over 10 percent. This indicates the bidders had a good understanding of the Project.

Bids generally fell into two groupings: the apparent low and second low bids in the first grouping around \$20 million, while the other two bidders in the other grouping were in the \$30 to \$36 million range. The average bid of the second group of bidders was 74 percent higher than the apparent low bidder. The engineer's opinion of probable construction cost for the Base Bid prepared by Black & Veatch was \$24,204,072.00, which is approximately halfway between the two groups.

To demonstrate a contractors' qualifications to perform the work contemplated in the plans and specifications, Specification Section 00 45 20 – General Contractor Qualification Form required general contractors to have the following qualifications:

- A minimum of 10 years of experience on water supply intake construction projects using submerged passive intake screens.
- Have successfully completed at least two marine construction projects within the past 20 years of a similar scope and nature (i.e., including but not limited to work involving cofferdams, barges, sheet piling, dredging and excavation of the riverbed, or tremie placement of concrete) each with a project value of at least \$10 million.

A critical part of the Work as you know is the trenchless installation of pipe connecting the wet well/shaft to the screen structure. Due to this fact, Specification Section 00 45 21 – Tunneling Contractor Qualification Form was included in the specifications requiring the tunneling contractor/subcontractor to have the following minimum qualifications:

- At least 10 years of experience on microtunneling pipe installation projects using similar equipment to that proposed to be used on this Project.
- Two successfully completed projects within the last 5 years with these characteristics:
  - Microtunneling pipeline installation projects installing a minimum of 1,500 linear feet in length.
  - Must have completed the installation of 48-inch diameter or greater jacking pipe using a slurry-type microtunneling boring machine (MTBM).
- One successfully completed project within the last 5 years with these characteristics:
  - Microtunneling installation project using an MTBM totaling a minimum of 500 linear feet in length in similar soil and geologic conditions as this Project.
- One successfully completed project within the past 10 years involving a cofferdam, or wet retrieval, installed for water intakes or other similar structures where construction involved installations within a river or another body of water.

#### Evaluation of the Apparent Low Bidder, Michels Corporation.

The apparent low bidder, Michels, provided representative projects to demonstrate it was qualified to complete the work as the general contractor. Black & Veatch reviewed the information submitted and determined the projects did meet the specification requirements, and therefore, Michels is qualified as a general contractor. Furthermore, project references were contacted and they provided positive responses to their respective projects. The references noted that Michels was responsive, responsible, and took safety measures seriously. In addition, the references noted that they would be open to working with Michels again on future projects.

Per the information submitted with its bid, Michels intends to self-perform the tunneling work. Michels provided representative tunneling projects to demonstrate their tunneling qualifications. Black & Veatch determined that Michels successfully met the qualification requirements for microtunneling. Project references were contacted; they provided positive responses to their respective projects. The references noted that the work and conditions were similar to those anticipated for the Missouri River Intake, and all noted that Michels was responsive, responsible, and took safety measures seriously. In addition, the references noted that they would be open to working with Michels again on future projects.





Michels has met both the general contractor and the tunneling contractor/subcontractor qualification requirements through successful completion of intake, marine construction and trenchless pipeline projects. Because of this, Black & Veatch determined Michels qualified for this work in accordance with the specifications.

**For these reasons and the fact Michels submitted the lowest bid, Black & Veatch recommends that Garrison Diversion Conservancy District award the Project to the low bidder, Michels Corporation, for the Base Bid amount of \$18,896,900.00. We further recommend that that the additive bid alternate in the amount of \$414,625.00 be rejected. The total value of this award as recommended by Black & Veatch is \$18,896,900.00.**

Upon receipt of your Notice of Award, Black & Veatch will prepare and submit conformed copies of the Contract Documents to Michels Corporation for execution.

If you have any questions, please contact us.

Very truly yours,

BLACK & VEATCH CORPORATION

A handwritten signature in blue ink, appearing to read 'Paul Boersma', written over a light blue rectangular background.

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Paul Boersma  
Associate Vice President

BLACK & VEATCH CORPORATION

A handwritten signature in blue ink, appearing to read 'Kurt A. Ronnekamp', written over a light blue rectangular background.

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Kurt A. Ronnekamp  
Sr. Project Manager

Enclosure(s):

cc: Ms. Merri Mooridian, GDCD  
Mr. Kip Kovar, GDCD  
File

# Notice of Award

Date of Issuance \_\_\_\_\_

Owner: Garrison Diversion Conservancy District	Owner's Task Order No.: 2530
Engineer: Black & Veatch Corporation	Engineer's Project No.: 405425
Project: Red River Valley Water Supply Project, Missouri River Intake, Screen Structure and Tunnel, McLean County, North Dakota	Contract Number: 2
Bidder: Michels Corporation	
Bidder's Address: <i>[send Certified Mail, Return Receipt Requested]</i> PO Box 128, Brownsville, WI 53006	

**TO BIDDER:**

You are notified that Owner has accepted your Bid dated May 11, 2021, for the above Contract, and that you are the Successful Bidder and are awarded a Contract for the Base Bid consisting of the screen structure in the Missouri River, a 72-inch tunnel under the Missouri River, including the steel jacking pipe material, the reinforced concrete wet well/shaft liner, and all other site work and miscellaneous work as shown on the drawings or as specified.

The Contract Price of the awarded Contract is Eighteen Million Eight Hundred Ninety-Six Thousand Nine Hundred and 00/100 Dollars (\$18,896,900.00). The amount of the Unit Price Work is subject to adjustment. The extended prices are based on estimated quantities and payments will be made on actual quantities. Refer to General Conditions, Paragraph 13.03, Instructions to Bidders Article 14, and Agreement Article 5 for information.

**This Notice of Award is accompanied by the Contract Documents. Please return two executed copies of the Contract Documents.**

You must comply with the following conditions precedent within 10 days of the date you receive this Notice of Award:

1. Deliver to Owner the Contract Documents , fully executed by Bidder, leaving the date blank.
2. Deliver with the executed Contract Documents the Contract security *[e.g., performance and payment bonds]* and insurance documentation as specified in the Instructions to Bidders and General Conditions, Articles 2 and 6.

Failure to comply with these conditions within the time specified will entitle Owner to consider you in default, annul this Notice of Award, and declare your Bid security forfeited.

Within ten days after you comply with the above conditions, Owner will return to you one fully executed counterpart of the Contract Documents, together with any additional copies of the Contract Documents as indicated in Paragraph 2.02 of the General Conditions.

\_\_\_\_\_  
Duane, Dekrey, Garrison Diversion Conservancy District  
Owner

By: \_\_\_\_\_  
Authorized Signature

Title: General Manager

Copy: Engineer

Notice to Proceed

Project: RRVWSP, Missouri River Intake, Screen Structure and Tunnel	Owner: Garrison Diversion Conservancy District	Owner's Task Order No.: 2530
Contract Number: 2	Engineer: Black & Veatch Corporation	Engineer's Project No.: 405425
Contractor: Michels Corporation		
Contractor's Address: PO Box 128, Brownsville, WI 53006		

TO CONTRACTOR:

Owner hereby notifies Contractor that the Contract Times under the above Contract will commence to run on \_\_\_\_\_.

On that date, Contractor shall start performing its obligations under the Contract Documents. No Work shall be done at the Site prior to such date. In accordance with the Agreement, the date of Substantial Completion is November 29, 2022, and the date of readiness for final payment is December 29, 2022.

Before starting any Work at the Site, Contractor must comply with the following:

{Add any special stipulations before beginning work.}

Michels Corporation

Garrison Diversion Conservancy District

\_\_\_\_\_  
(Contractor)

\_\_\_\_\_  
(Owner)

Received by:

Given by:

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Print Name, Title

Duane DeKrey, General Manager  
\_\_\_\_\_  
Print Name, Title

\_\_\_\_\_  
Date

\_\_\_\_\_  
Date

Copy: Engineer