

FOR BOARD ACTION

Agenda Item # 4.a.

Meeting Date:

1/26/10

SUBJECT: Consideration of Bids – Westside Substation Steel Structures

PREPARED BY: Neil Stiller, Sr. Electrical Engineer
Bob Ledebuhr, C.P.M., Materials Manager/Contract Administrator

ITEM DESCRIPTION:

Bids were received on January 12, 2010, for galvanized steel structures to be used at the Westside substation. Work includes shop fabrication, galvanizing, and delivery. Work is scheduled for a May – June delivery.

Six bids were received that were acceptable. Galvanizers, Inc. offered the lowest cost bid at \$104,846.65. Their proposal is attached. Evaluation of bids was performed by staff.

Bid information is summarized on the attached page.

FOR CAPITAL PURCHASES/BIDS/MAJOR PROJECTS:

The work is part of a budgeted project for 2010. The cost of this work is within the allocated funds.

UTILITY BOARD ACTION REQUIRED:

Staff recommends that the Utility Board approve a purchase order agreement with Galvanizers, Inc. in the amount of \$104,846.65 to provide steel structures per the attached proposal for the Westside Substation project.



General Manager



Date

ROCHESTER PUBLIC UTILITIES

**BID FORM
004160-02**

BID DUE DATE: January 12, 2010, 2:00 PM Central Time

PROJECT: City of Rochester, Rochester Public Utilities
Westside Substation, Steel Structures

BIDDER'S NAME: Galvanizers, Inc.

ATTENTION: Bob Ledebuhr, C.P.M., Materials Manager

The undersigned agrees, if this bid is accepted, to enter into a contract for the work described in this request for bid and any subsequent formal written changes, exclusive of any qualifications attached hereto, for the following firm lump sum price for the work, including freight F.O.B. jobsite, insurance, overhead, profit, taxes, etc.:

Base Bid

Pricing reflects Addendum No.'s 0 through _____ inclusive.

Item No.	Description	Base Bid Amount Each	Extended Bid Amount
1	Total firm bid for supply of structure(s) "DLB", (2 required)	\$ 2153.45	\$ 4306.90
2	Total firm bid for supply of structure(s) "HB" (2 required)	\$ 2535.35	\$ 5070.70
3	Total firm bid for supply of structure(s) "CT" (3 required)	\$ 424.10	\$ 1272.30
4	Total firm bid for supply of structure(s) "CVT" (1 required)	\$ 459.45	\$ 459.45
5	Total firm bid for supply of structure(s) "NRS" (1 required)	\$ 539.20	\$ 539.20
6	Total firm bid for supply of structure(s) "JT" (6 required)	\$ 3522.40	\$ 21134.40
7	Total firm bid for supply of structure(s) "JV" (2 required)	\$ 4562.85	\$ 9125.70
8	Total firm bid for supply of structure(s) "SB" (2 required)	\$ 30849.00	\$ 60978.00
	Performance Bond		\$ 350.00
	Freight		\$ 1610.00
	Total of all above sections		\$ 104846.65

Unit Pricing

The City may, at their sole discretion, add or deduct scope of work based on itemized prices above or on the unit prices listed below. All prices shall include material and fabrication per specification. Any changes in price of Contract will require a change order before the changed work can be performed, in accordance with the Contract Documents.

Item No.	Description	Amount
1	Price per pound of fabricated and galvanized steel, where the pieces are similar to others of this project, excluding freight	\$
2		\$
3		\$
4		\$

BONDS

Bidder's Surety Company: _____
 Bonding Capacity: \$ _____ Current Value of Work Bonded \$ _____
 Name of Agent: _____
 Contact Name: _____ Phone Number: _____
 Bid Bond Type _____ (price included in lump sum price)
 Identification Number _____

	Yes	No
Bid is, without exception, in exact accordance with the subcontract, specifications, drawings, terms, conditions, schedule, and requirement of this RFB?		X *
Will pricing remain valid for acceptance for 90 days?		
Bidder has completed the Sub-Contractor list? (Labor contracts only)		
Bidder has completed and submitted the Acknowledgement of Corporation Form?		

* Warranty 1 year from delivery

SUB-CONTRACTORS

Bidder intends to procure the following items from other suppliers:

Component	Proposed Sub-Contractor

The undersigned agrees, if this bid is accepted, to enter into contract for the work described in this Request for Bid and any subsequent formal written changes.

Submitted by:  _____
 Signature/Title President

Galvanizers, Inc. _____
 Company

PO Box 875 _____
 Address

West Fargo, ND 58078 _____
 City/State/Zip

Jan. 7, 2010 _____
 Date

701-282-3906 _____
 Phone

701-282-8692 _____
 Fax

cadgalv@nbinternet.com _____
 Email



GALVANIZERS, INC.

PHONE (701) 282-0000
FAX (701) 282-0002

HOT DIP GALVANIZING
MECHANICAL GALVANIZING
METAL FABRICATION
SUBSTATION FABRICATION

1222 SEVENTH AVENUE NORTH
BOX 475 - WEST FARGO, ND 58078-0675

Acceptance of this quote is acceptance of all our terms and conditions.

Revisions issued after the receipt of construction drawings, will be charged \$500.00 per revision and they must indicate on the drawings the date, revision number, and the person making the revision.

Revised drawings received 14 days after receipt of construction drawings will delay delivery of material by 2 times the number of days received after the construction drawings.

Cancellation of purchase order or contract must be in writing, and the buyer agrees to pay for all work performed on the date cancellation is received.

Payment in full is to be made 30 days from the date of invoice. No cash or other discounts are allowed.

This line is deleted and Rochester Public Utilities pay schedule will apply.

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)

| Galvanizers, Inc.

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

| Nationwide Mutual Insurance Company

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

| City of Rochester, Minnesota

as Oblige, hereinafter called the Oblige, in the sum of Five Percent of the Bid (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)

| Westside Substation Steel Structures, Rochester, MN

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.

ADDITIONS AND DELETIONS:

The author of this document has added information needed for its completion. The author may also have revised the text of the original AIA standard form. An *Additions and Deletions Report* that notes added information as well as revisions to the standard form text is available from the author and should be reviewed. A vertical line in the left margin of this document indicates where the author has added necessary information and where the author has added to or deleted from the original AIA text.

This document has important legal consequences. Consultation with an attorney is encouraged with respect to its completion or modification.

ACKNOWLEDGMENT OF PRINCIPAL (CORPORATION)

State of North Dakota)
County of Cass)

On this 8th day of January 2010, before me personally appeared John Kautzman known to be the President of the corporation that is described in and that he or she executed the within instrument, and acknowledged to me that such corporation executed the same.

(NOTARIAL SEAL)
BEA CHRISTENSEN
Notary Public
State of North Dakota
My Commission Expires Mar. 28, 2013

Bea Christensen

ACKNOWLEDGMENT OF PRINCIPAL (INDIVIDUAL OR PARTNERSHIP)

State of _____)
County of _____)

On this _____ day of _____ 2010, before me personally appeared _____ known to be the person described in and who executed the within instrument, and acknowledged to me that he/she executed the same.

(NOTARIAL SEAL)

ACKNOWLEDGMENT OF SURETY

State of North Dakota)
County of Cass)

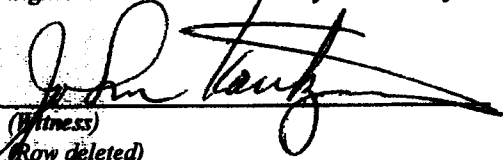
On this 8th day of January 2010, before me personally appeared Rebecca J. Hecker known to be the person who is described in and whose name is subscribed to the within instrument as Attorney in Fact of Nationwide Mutual Insurance Company and acknowledged to me that he or she subscribed the name of Nationwide Mutual Insurance Company thereto as surety and his or her own name as Attorney in Fact.

(NOTARIAL SEAL)

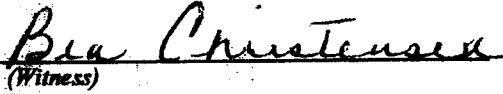
Bea Christensen

BEA CHRISTENSEN
Notary Public
State of North Dakota
My Commission Expires Mar. 28, 2013


Signed and sealed this 8th day of January 2010.


(Witness)
~~(Row deleted)~~

Galvanizers, Inc.
(Principal) (Seal)


(Witness)

(Title) John Kautzman, President
Nationwide Mutual Insurance Company

(Surety)

(Title) Rebecca J. Hecker, Attorney in (Seal)
Fact



Power of Attorney

KNOW ALL MEN BY THESE PRESENTS THAT:

Nationwide Mutual Insurance Company, an Ohio corporation
Farmland Mutual Insurance Company, an Iowa corporation
Nationwide Agribusiness Insurance Company, an Iowa corporation

AMCO Insurance Company, an Iowa corporation
Allied Property and Casualty Insurance Company, an Iowa corporation
Depositors Insurance Company, an Iowa corporation

hereinafter referred to severally as the "Company" and collectively as the "Companies," each does hereby make, constitute and appoint:

DAN M. ARMBRUST
REBECCA J. HECKER

THOMAS C. DAWSON
DARTHY R. BROWN

WAYNE L. LAUWERS

FARGO ND

each in their individual capacity, its true and lawful attorney-in-fact, with full power and authority to sign, seal, and execute on its behalf any and all bonds and undertakings, and other obligatory instruments of similar nature, in penalties not exceeding the sum of

THREE MILLION AND NO/100 DOLLARS

\$ 3,000,000.00

and to bind the Company thereby, as fully and to the same extent as if such instruments were signed by the duly authorized officers of the Company, and all acts of said Attorney pursuant to the authority given are hereby ratified and confirmed.

This power of attorney is made and executed pursuant to and by authority of the following resolution duly adopted by the board of directors of the Company:

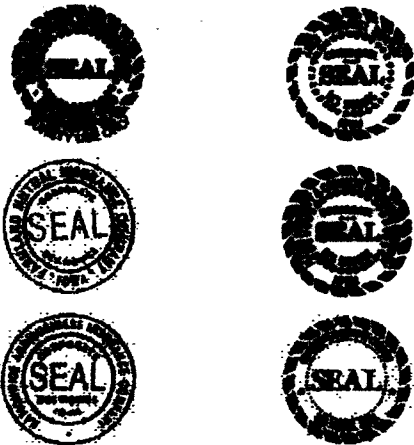
"RESOLVED, that the president, or any vice president be, and each hereby is, authorized and empowered to appoint attorneys-in-fact of the Company, and to authorize them to execute and deliver on behalf of the Company any and all bonds, forms, applications, memorandums, undertakings, recognizances, transfers, contracts of indemnity, policies, contracts guaranteeing the fidelity of persons holding positions of public or private trust, and other writings obligatory in nature that the business of the Company may require; and to modify or revoke, with or without cause, any such appointment or authority; provided, however, that the authority granted hereby shall in no way limit the authority of other duly authorized agents to sign and countersign any of said documents on behalf of the Company."

"RESOLVED FURTHER, that such attorneys-in-fact shall have full power and authority to execute and deliver any and all such documents and to bind the Company subject to the terms and limitations of the power of attorney issued to them, and to affix the seal of the Company thereto; provided, however, that said seal shall not be necessary for the validity of any such documents."

This power of attorney is signed and sealed under and by the following bylaws duly adopted by the board of directors of the Company.

Execution of Instruments. Any vice president, any assistant secretary or any assistant treasurer shall have the power and authority to sign or attest all approved documents, instruments, contracts, or other papers in connection with the operation of the business of the company in addition to the chairman of the board, the chief executive officer, president, treasurer or secretary; provided, however, the signature of any of them may be printed, engraved, or stamped on any approved document, contract, instrument, or other papers of the Company.

IN WITNESS WHEREOF, the Company has caused this instrument to be sealed and duly attested by the signature of its officer the 11th day of August, 2009.



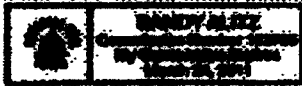
Gary A. Douglas

Gary A. Douglas, President and Chief Operating Officer of Nationwide Agribusiness Insurance Company and Farmland Mutual Insurance Company; and Vice President of Nationwide Mutual Insurance Company, AMCO Insurance Company, Allied Property and Casualty Insurance Company, and Depositors Insurance Company

ACKNOWLEDGMENT

STATE OF IOWA, COUNTY OF POLK: ss

On this 11th day of August, 2009, before me came the above-named officer for the Companies aforesaid, to me personally known to be the officer described in and who executed the preceding instrument, and he acknowledged the execution of the same, and being by me duly sworn, deposes and says, that he is the officer of the Companies aforesaid, that the seals affixed hereto are the corporate seals of said Companies, and the said corporate seals and his signature were duly affixed and subscribed to said instrument by the authority and direction of said Companies.



Sandy Alty
Notary Public
My Commission Expires
March 24, 2011

CERTIFICATE

I, Kathy R. Richards, Assistant Secretary of the Companies, do hereby certify that the foregoing is a full, true and correct copy of the original power of attorney issued by the Company; that the resolution included therein is a true and correct transcript from the minutes of the meetings of the boards of directors and the same has not been revoked or amended in any manner; that said Gary A. Douglas was on the date of the execution of the foregoing power of attorney the duly elected officer of the Companies, and the corporate seals and his signature as officer were duly affixed and subscribed to the said instrument by the authority of said board of directors; and the foregoing power of attorney is still in full force and effect.

IN WITNESS WHEREOF, I have hereunto subscribed my name as Assistant Secretary, and affixed the corporate seals of said Companies this 8th day of January, 2010

Kathy R. Richards
Assistant Secretary

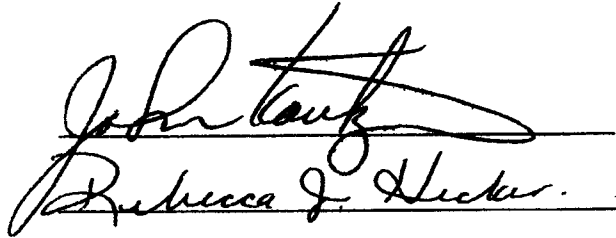
This Power of Attorney Expires 09/17/11

ACKNOWLEDGMENT OF CORPORATION
AUTHORIZED SIGNATURE
Form 004544

STATE OF North Dakota

COUNTY OF Cass

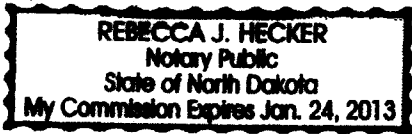
On this 7th day of January 20 10, before me appeared
John Kautzman (name of officer) to me personally known, who,
being by me duly sworn did say that he/she is the President (title) of Galvanizers, Inc.
(name of corporation) a corporation: and that said instrument
was executed in behalf of said corporation by authority of its Board of Directors; and that said
John Kautzman (name of officer) acknowledged said instrument to be
the free act and deed of said corporation.


Rebecca J. Hecker.

Notary Public Rebecca J. Hecker.

County Cass

My Commission Expires 1-24-13





RESOLUTION

BE IT RESOLVED by the Public Utility Board of the City of Rochester, Minnesota, to approve a purchase order agreement with Galvanizers, Inc. for

Westside Substation Steel Structures

The amount of the purchase order to be ONE HUNDRED FOUR THOUSAND EIGHT HUNDRED FORTY-SIX AND 65/100 DOLLARS (\$104,846.65) and Galvanizers, Inc. being lowest responsible bidder.

Passed by the Public Utility Board of the City of Rochester, Minnesota, this 26th day of January, 2010.

President

Secretary