



DATE: November 21, 2024
TO: BCWD board of directors
FROM: Reabar Abdullah, Assistant City Engineer
SUBJECT: Northland Ave. Storm Sewer Pipe Replacement

BACKGROUND

In March 2024, Brown’s Creek Watershed District (BCWD) staff/consultant approached the City of Stillwater staff about erosion along the storm sewer pipe from Northland Ave. to Brewers Pond, which was causing washouts and sediments to reach Brewer Pond. City staff investigated the pipe and found several eroded spots at the bottom of the existing corrugated metal pipe, causing severe erosion on the sides of the pipe embankment and washouts to the pond. City staff met with BCWD Staff and discussed replacing the pipe. BCWD staff requested investigating options for treating stormwater before it reached the Pond. Several options were presented and discussed during these meetings. One viable option was selected: introducing a storm sewer separator in the line to separate pollutants and sediments and remove them before reaching the pond.

THE PROJECT

City staff prepared plans and specifications for the project. The project will replace the existing corrugated 15” metal pipe with a 15” HDPE pipe, install a storm sewer separator in the city ROW, and install a 20-ft deep manhole to eliminate the steep slope of the existing pipe and reduce the speed and force of the water at the outlet.

DISCUSSION

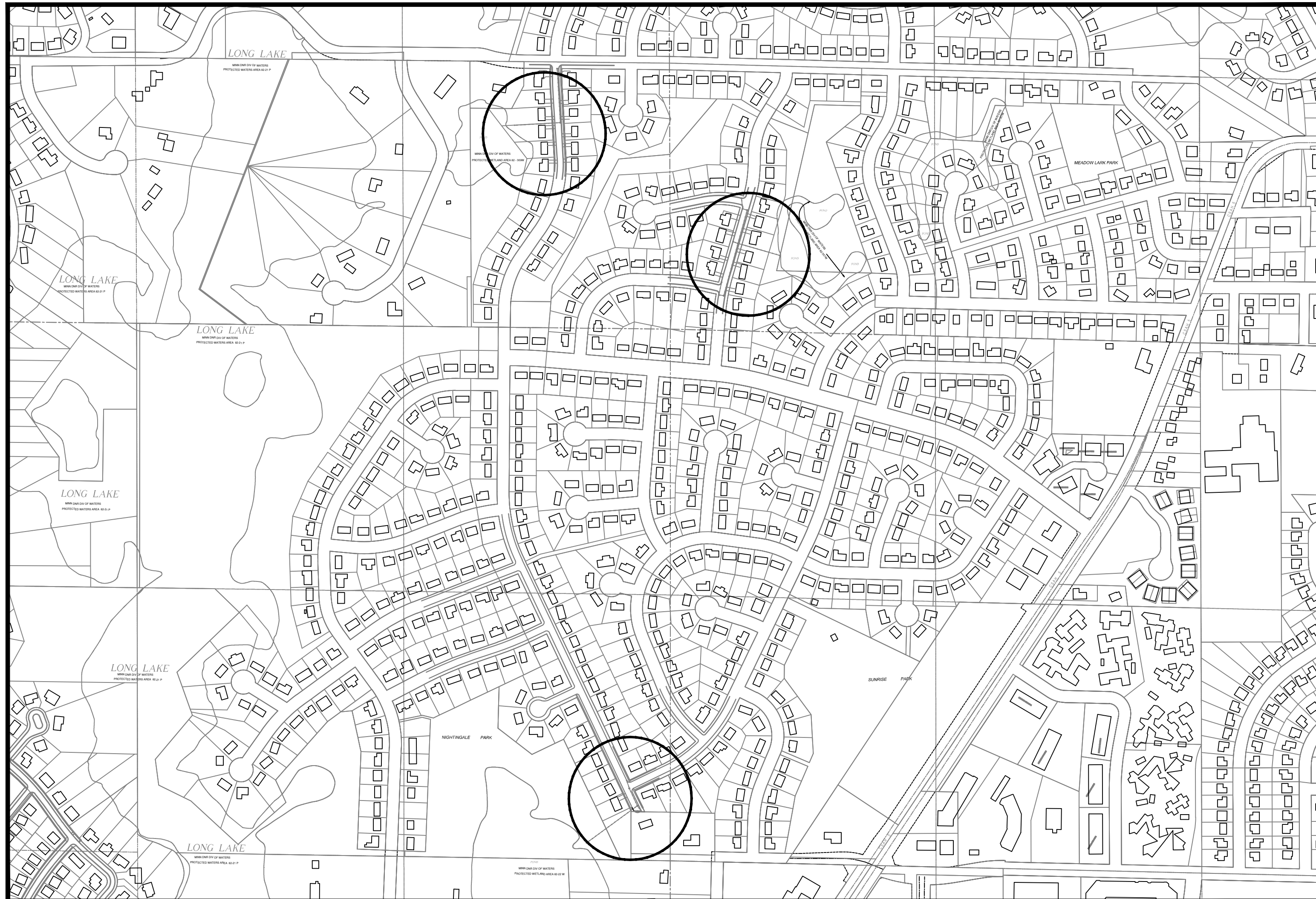
City Staff requested quotes from five contractors to perform the work, and received two bids in time:

Midstate Excavating	\$125,974.00
Miller Excavating, Inc.	\$170,441.23

The cost of the storm sewer separator alone is \$23,000. The City is proposing to pay for the project, but is requesting a contribution from the BCWD in the amount of \$25,000 on a cost-share agreement basis to implement the project. The line item for the separator is \$23,000, and there are other indirect costs including contractor mobilization and staff time. The City project is not dependent on adding the stormwater separator however it is added for water quality benefits.

CITY OF STILLWATER, MINNESOTA

NORTHLAND AVE STORM SEWER PROJECT
PROJECT # 2024-MISC



STATEMENT OF ESTIMATED QUANTITIES

Item No.	Item	Unit	Estimated Quantity
1	Mobilization (5% max)	LS	1.00
2	Traffic Control	LS	1.00
3	CLEARING AND GRUBBING TREES (0"-6" DIAMETER)	SY	650.00
4	Remove Existing Curb and Gutter (Various Type)	LF	25.00
5	Sawing Concrete Pavement (Full Depth)	LF	5.00
6	Sawing Bituminous Pavement (Full Depth)	LF	80.00
7	Remove Bituminous Pavement	SY	75.00
8	Remove Concrete Pavement	SF	100.00
9	Remove Storm Sewer Pipe	LF	322.00
10	Common Excavation	CY	360.00
11	Select Granular Borrow (CV)	CY	60.00
12	Common Fill	CY	310.00
13	Bituminous Material for Tack Coat	GAL	4.00
14	Wear Course Mixture SPWEA330B (1.5-inch)	TN	7.00
15	Base Course Mixture SPNWEB330B (2.5-inch)	TN	11.00
16	15" RC Pipe Sewer Design 3006 Cl. III(All Depths)	LF	35.00
17	18" HDPE Sewer Pipe (All Depths)	LF	310.00
18	18" Concrete Flared End Section with Trash Guard	EA	1.00
19	21" Concrete Flared End Section with Trash Guard	EA	2.00
20	Construct Drainage Structure 48" Storm Manhole (0-8- depth)	EA	2.00
21	Construct Drainage Structure 48" Extra Depth	LF	12.00
22	Furnish Adapter Plate 3067-27	EA	1.00
23	Furnish Catch Basin Casting (Neenah R3067-L or Equal)	EA	1.00
24	Furnish Manhole Casting & Lid - Storm or Sanitary(Neenah R1733 or equal)	EA	1.00
25	Furnish Neenah R-3067-L Grate	EA	1.00
26	Install Catch Basin Casting (Neenah R3067-L or Equal)	EA	1.00
27	Install Adapter Plate 3067-27	EA	1.00
28	Install MH Casting (storm or sanitary)	EA	1.00
29	Adjust Catch Basin Casting	EA	1.00
30	Adjust MH Casting (storm or sanitary)	EA	1.00
31	Connect To Existing Drainage Structure	EA	1.00
32	5" Concrete Pavement Design 3A32	SY	10.00
33	Concrete Curb and Gutter (various types) Hand Install - Mix Design 3A32	LF	20.00
34	Curb Inlet Protection	EA	2.00
35	Erosion Control Bio-logs	LF	1360.00
36	RipRap Class III with fabric	CY	22.50
37	Select Topsoil Borrow screened (LV)	CY	55.00
38	Fertilizer, Type 3 (350#/Acre)	LB	25.00
39	Seeding (mix 270) and hydraulic soil stabilizer Type 5	SY	650.00
40	Hydro International First Defense or Downstream Defender	EA	1.00

SHEET #	INDEX DESCRIPTION
1	TITLE SHEET AND STATE OF ESTIMATED QUANTITIES
2	DETAILS
3	SITE REMOVAL AND RECONSTRUCTION PLAN - NORTHLAND AVENUE
4	SITE REMOVAL AND RECONSTRUCTION PLAN - 220 NORTHLAND & 407 EDGEWOOD

GENERAL NOTES:

1. THE SUBSURFACE UTILITY INFORMATION IN THIS PLAN IS UTILITY QUALITY LEVEL "D". THIS UTILITY QUALITY LEVEL WAS DETERMINED ACCORDING TO THE GUIDELINES OF CI/ASCE 38-02, ENTITLED "STANDARD GUIDELINES FOR THE COLLECTION AND DEPICTION OF EXISTING SUBSURFACE UTILITY DATA."
2. THE EXACT LOCATION OF UNDERGROUND GAS, TELEPHONE, FIBER OPTIC, ELECTRIC, CABLE TV AND PIPELINES ARE UNKNOWN. THE CONTRACTORS SHALL CONTACT GOPHER STATE ONE PRIOR TO COMMENCING EXCAVATION.
3. GOVERNING SPECIFICATIONS:
THE 2020 EDITION OF THE MINNESOTA DEPARTMENT OF TRANSPORTATION "STANDARD SPECIFICATIONS FOR CONSTRUCTION" AND THE 2020 EDITION OF THE "MATERIALS LAB SUPPLEMENTAL SPECIFICATIONS FOR CONSTRUCTION" SHALL GOVERN.
4. ALL TRAFFIC CONTROL DEVICES SHALL CONFORM TO THE MOST RECENT EDITION OF THE MINNESOTA MANUAL ON UNIFORM TRAFFIC CONTROL DEVICES, INCLUDING "FIELD MANUAL FOR TEMPORARY TRAFFIC CONTROL ZONE LAYOUTS"

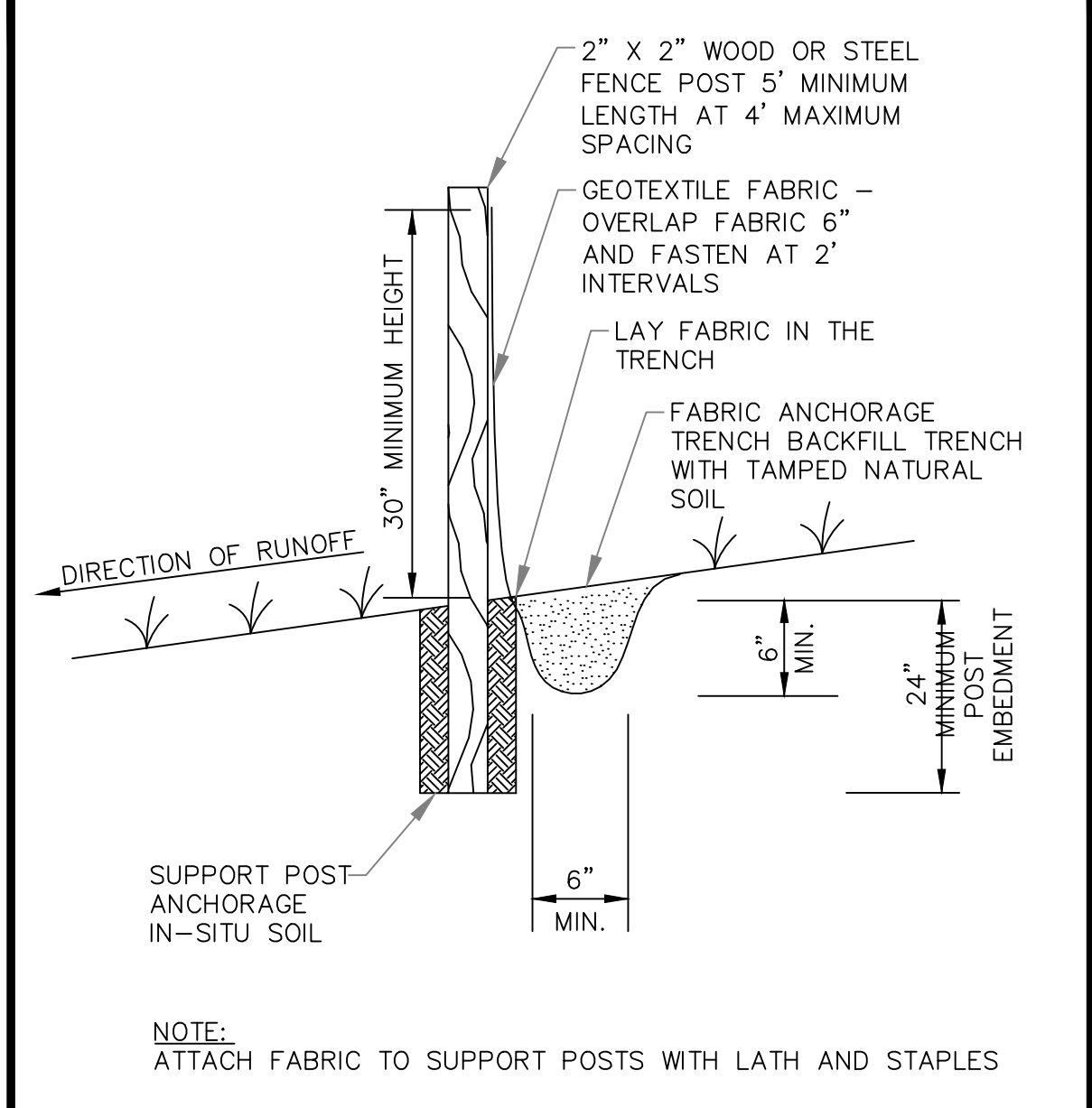
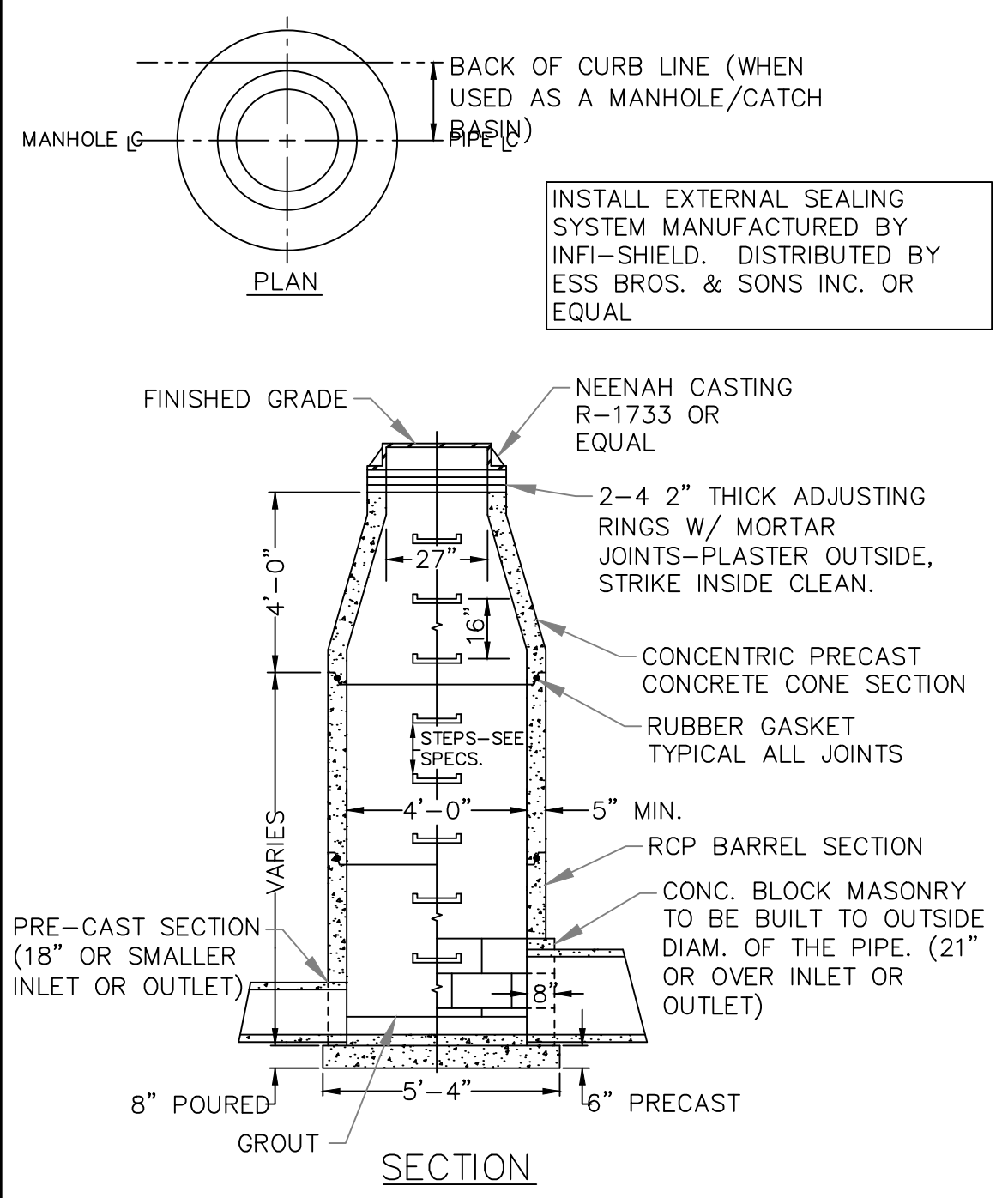
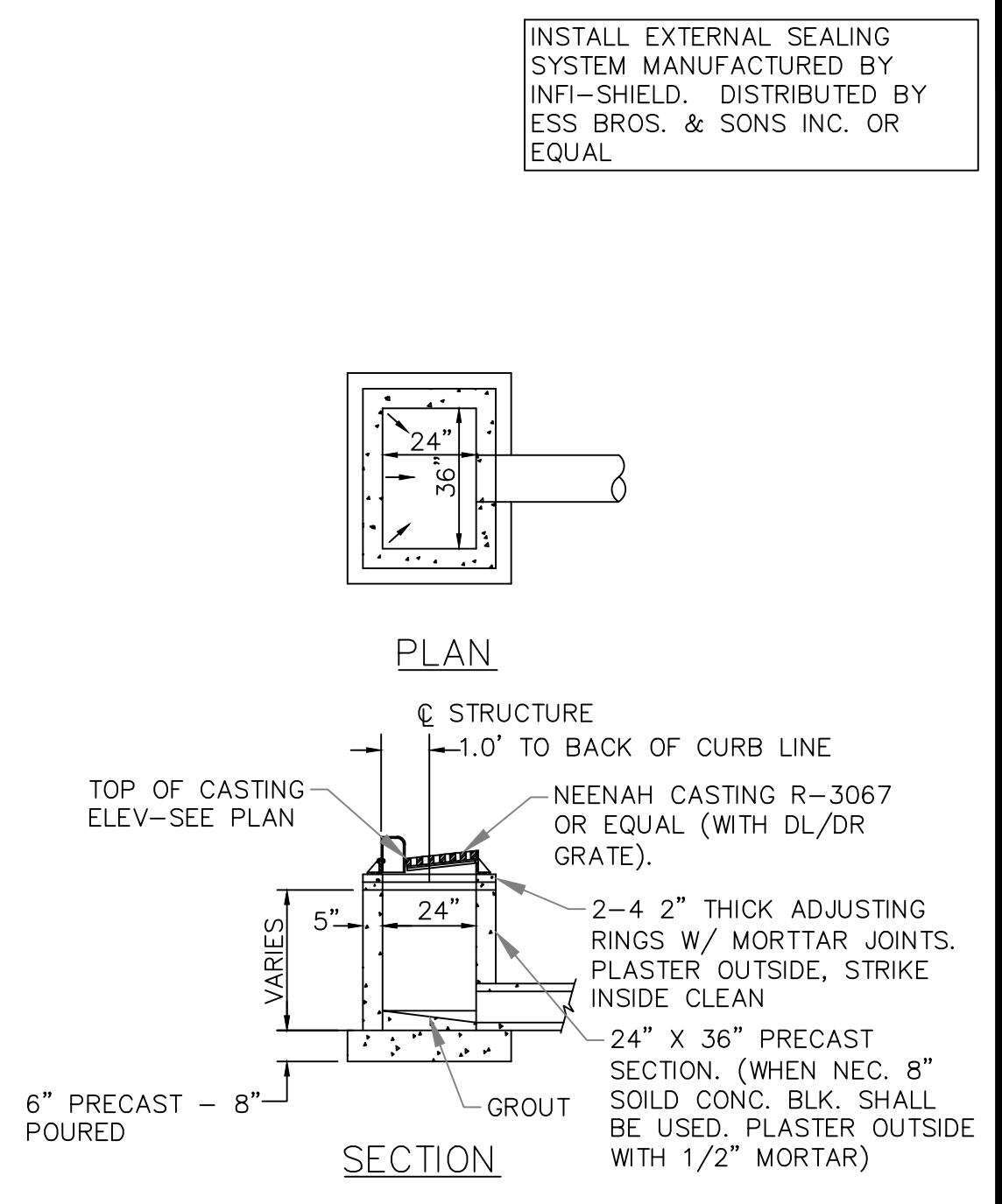
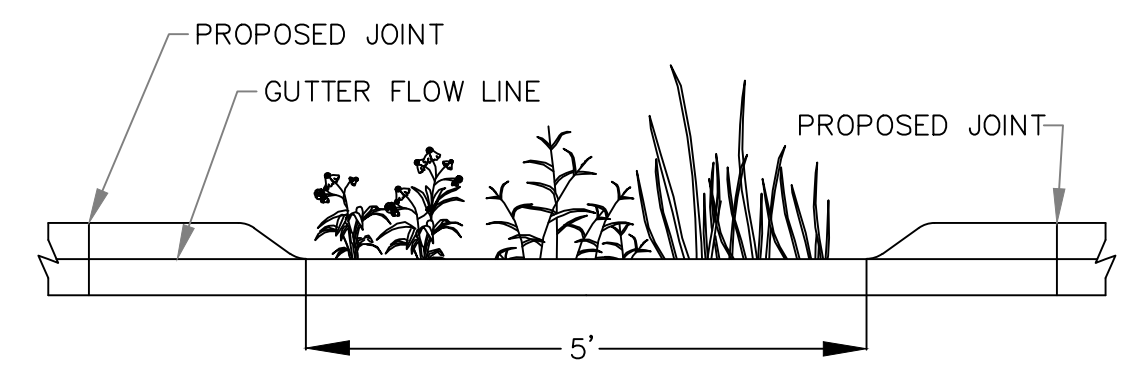
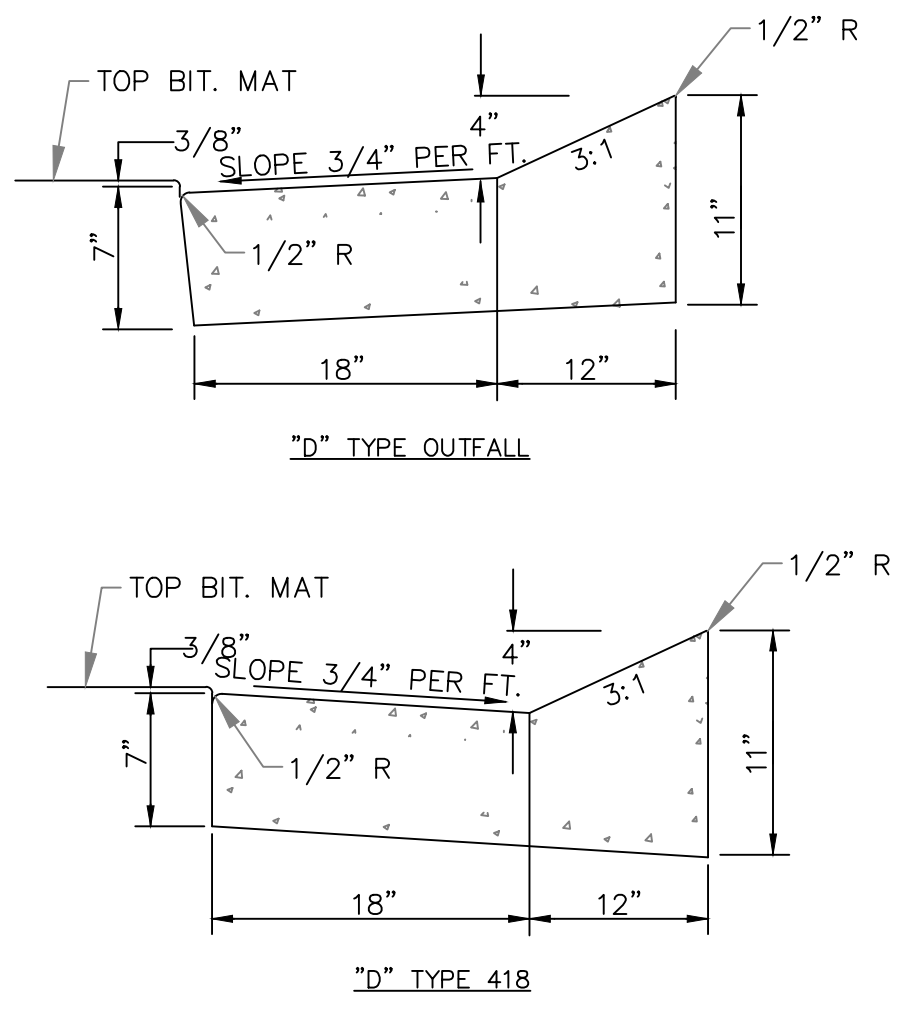
NO.	DRAWN	CHECKED	DATE	REVISIONS



I hereby certify that this plan was prepared by me or under my direct supervision and that I am a duly Registered Professional Engineer under the laws of the state of Minnesota.

Date: _____ Reg. No. _____

NORTHLAND AVE STORM SEWER	2024 MISC	FILE NO. 2024-MISC	1
TITLESHEET	2024 MISC	FILE NO. 2024-MISC	4



Stillwater
THE BIRTHPLACE OF MINNESOTA

SURMOUNTABLE CONCRETE CURB & GUTTER DETAILS

DATE OF REVISION: FEBRUARY 2023
STANDARD PLATE NO.: 1420

Stillwater
THE BIRTHPLACE OF MINNESOTA

CONCRETE CURB CUT DETAIL

DATE OF REVISION: FEBRUARY 2023
STANDARD PLATE NO.: 1440

Stillwater
THE BIRTHPLACE OF MINNESOTA

TYPE "X" CATCH BASIN RECT. CASTING DETAIL

DATE OF REVISION: FEBRUARY 2023
STANDARD PLATE NO.: 2220

Stillwater
THE BIRTHPLACE OF MINNESOTA

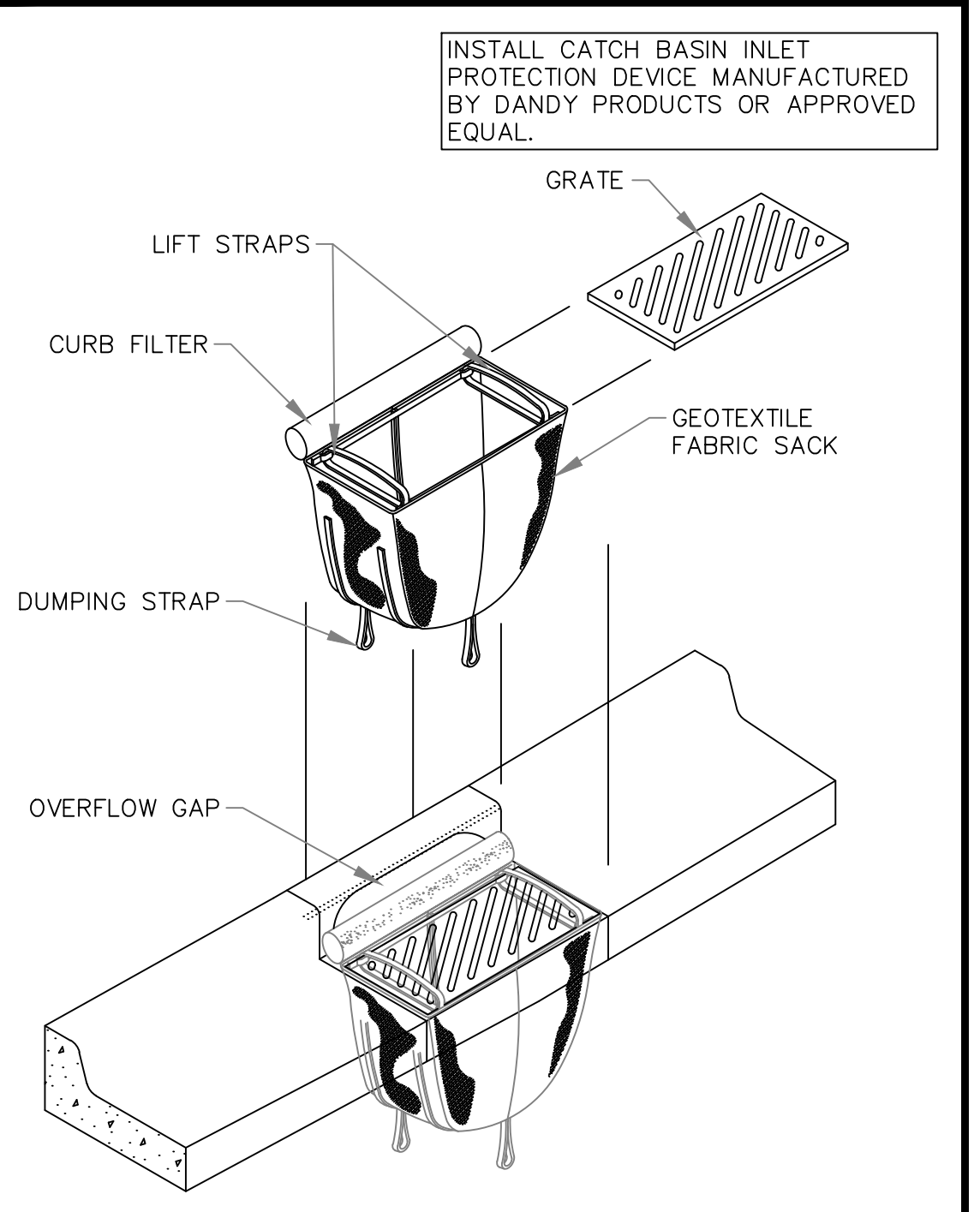
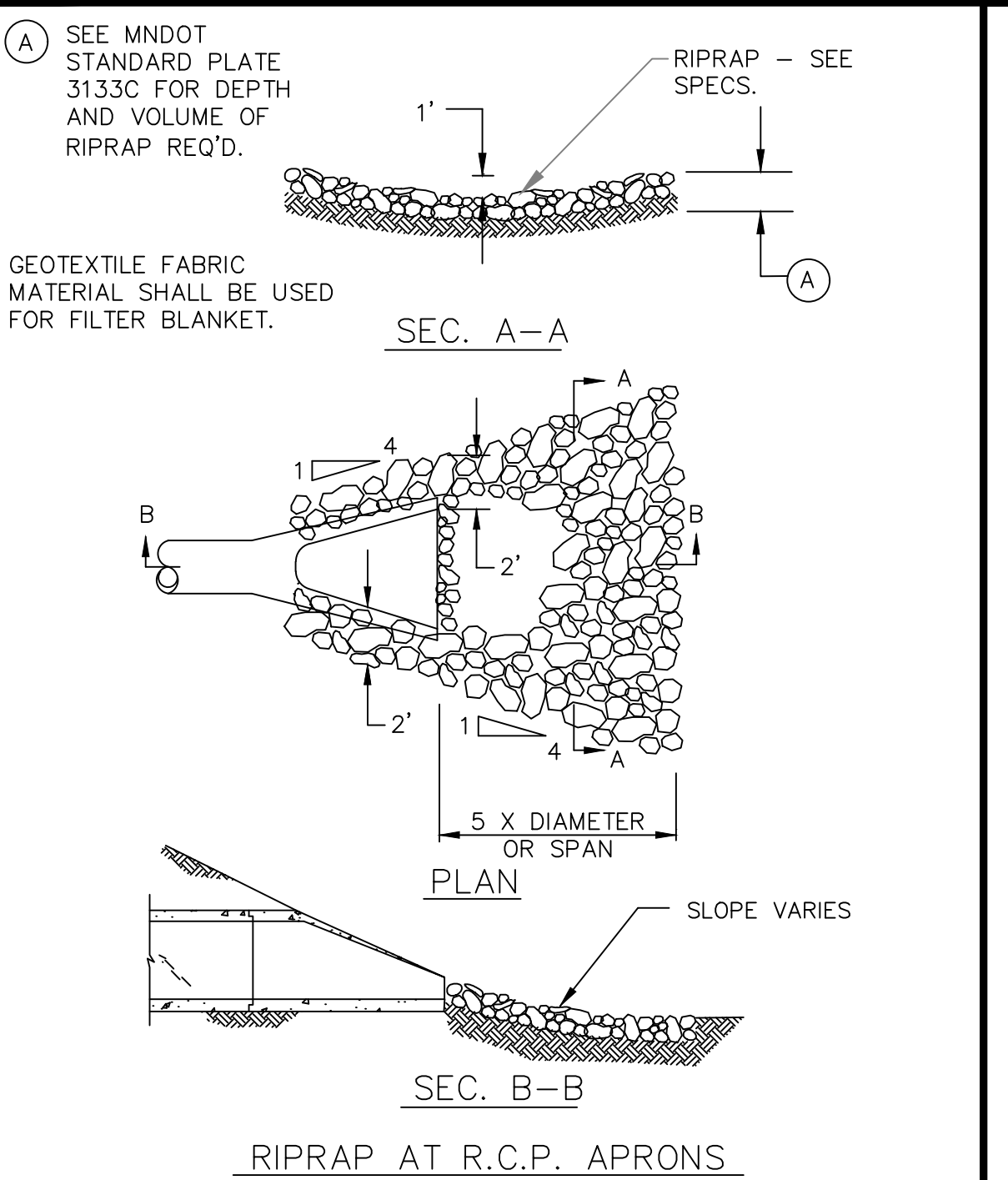
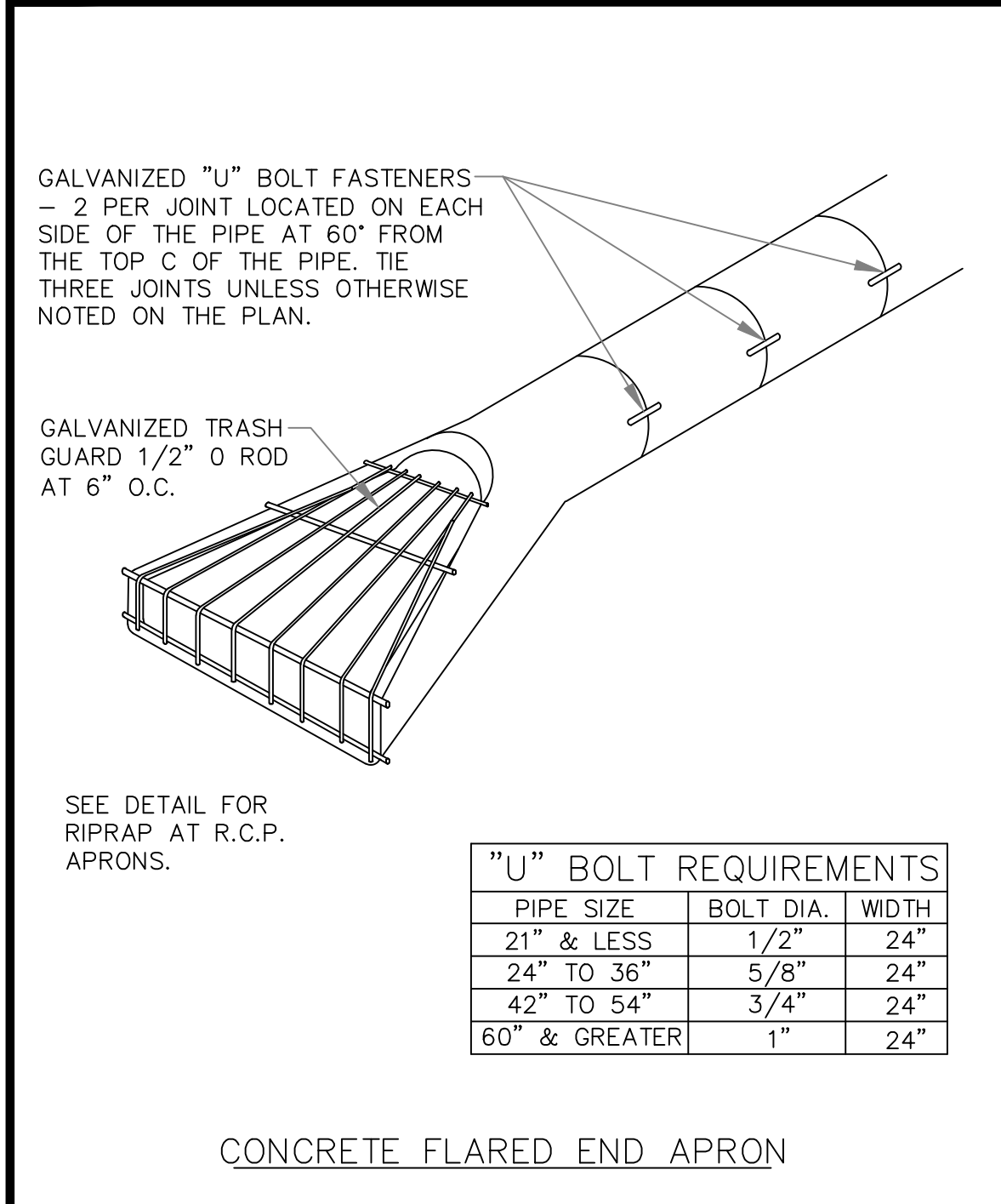
TYPE "A" STORM SEWER MH DETAIL CONCENTRIC

DATE OF REVISION: FEBRUARY 2023
STANDARD PLATE NO.: 2310

Stillwater
THE BIRTHPLACE OF MINNESOTA

SILT FENCE DETAIL

DATE OF REVISION: FEBRUARY 2023
STANDARD PLATE NO.: 4130



HYDRO FRAME AND COVER (INCLUDED)
GRADE RINGS BY OTHERS AS REQUIRED

PLAN VIEW

SECTION A-A

T.O.S. ELEV.: 8.07 ft [2.460 m] (MINIMUM)

NOTE: ADDITIONAL HEIGHT MAY BE REQUIRED DEPENDING ON PIPE SIZE

PIPE ELEV.: 4.97 ft [1.515 m] (MINIMUM)

PREASSEMBLY REFERENCE: 3.47 ft [1.057 m]

BOTTOM OF INTERNALS: 2.25 ft [.685 m]

SUMP ELEV.: .00 ft [0.000 m]

PRODUCT SPECIFICATION:

1. Peak Hydraulic Flow: 18.0 cfs (510 l/s)
2. Min Sediment Storage Capacity: 0.7 cu. yd. (0.5 cu. m)
3. Maximum Inlet/Outlet Pipe Diameters: 24 in. (600 mm)
4. The Treatment System Shall Use An Induced Vortex To Separate Pollutants From Stormwater Runoff.
5. For More Product Information Including Regulatory Acceptances, Please Visit <https://hydro-int.com/en/products/first-defense>

GENERAL NOTES:

1. General Arrangement drawings only. Contact Hydro International for site specific drawings.
2. The diameter of the inlet and outlet pipes may be no more than 24".
3. Multiple inlet pipes possible (refer to project plan).
4. Inlet/outlet pipe angle can vary to align with drainage network (refer to project plans).
5. Peak flow rate and minimum height limited by available cover and pipe diameter.
6. Larger sediment storage capacity may be provided with a deeper sump depth.

PARTS LIST					
ITEM	QTY	SIZE (in)	SIZE (mm)	DESCRIPTION	
1	1	48	1200	I.D. PRECAST MANHOLE	
2	1			INTERNAL COMPONENTS (PRE-INSTALLED)	
3	1	30	750	FRAME AND COVER (ROUND)	
4	1	24 (MAX)	600 (MAX)	OUTLET PIPE (BY OTHERS)	
5	1	24 (MAX)	600 (MAX)	INLET PIPE (BY OTHERS)	

PROJECTION

IF IN DOUBT ASK

DATE: 11/2/2021 SCALE: 1"=3'

DRAWN BY: ER CHECKED BY: MRJ APPROVED BY:

THE 4-11 DIAMETER FIRST DEFENSE

GENERAL ARRANGEMENT

Hydro International
hydro-int.com
HYDRO INTERNATIONAL

WEIGHT: MATERIAL:
STOCK NUMBER:
DRAWING NO.: FD GA-4
SHEET SIZE: B SHEET: 1 OF 1

Stillwater
THE BIRTHPLACE OF MINNESOTA

CONCRETE FLARED END APRON DETAIL

DATE OF REVISION: FEBRUARY 2023
STANDARD PLATE NO.: 2440

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RIPRAP AT R.C.P. APRON DETAIL

DATE OF REVISION: FEBRUARY 2023
STANDARD PLATE NO.: 2450

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THE BIRTHPLACE OF MINNESOTA

CATCH BASIN EROSION CONTROL DETAIL 1

DATE OF REVISION: FEBRUARY 2023
STANDARD PLATE NO.: 4100

NO.	DRAWN	CHECKED	DATE	REVISIONS

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THE BIRTHPLACE OF MINNESOTA

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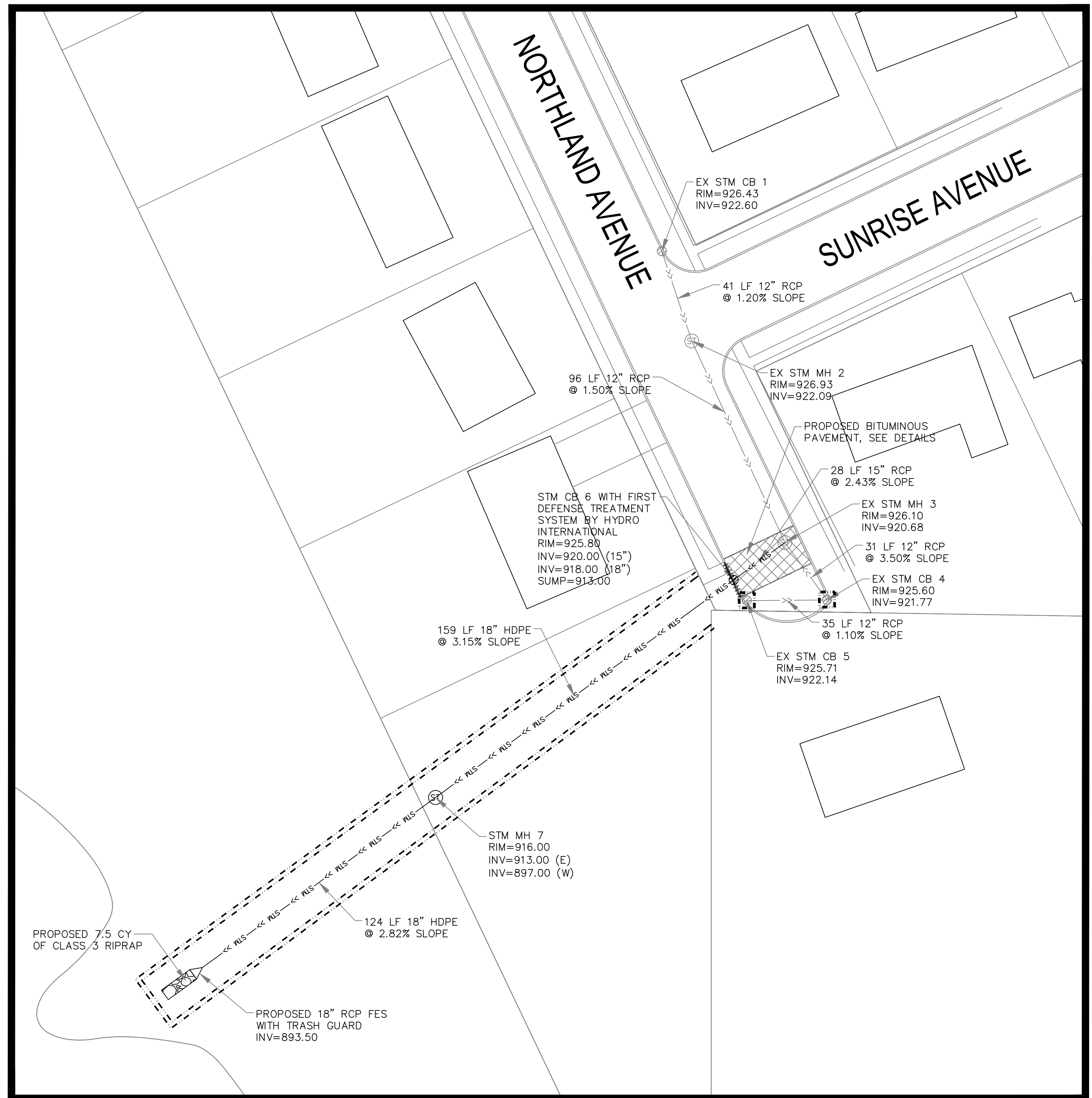
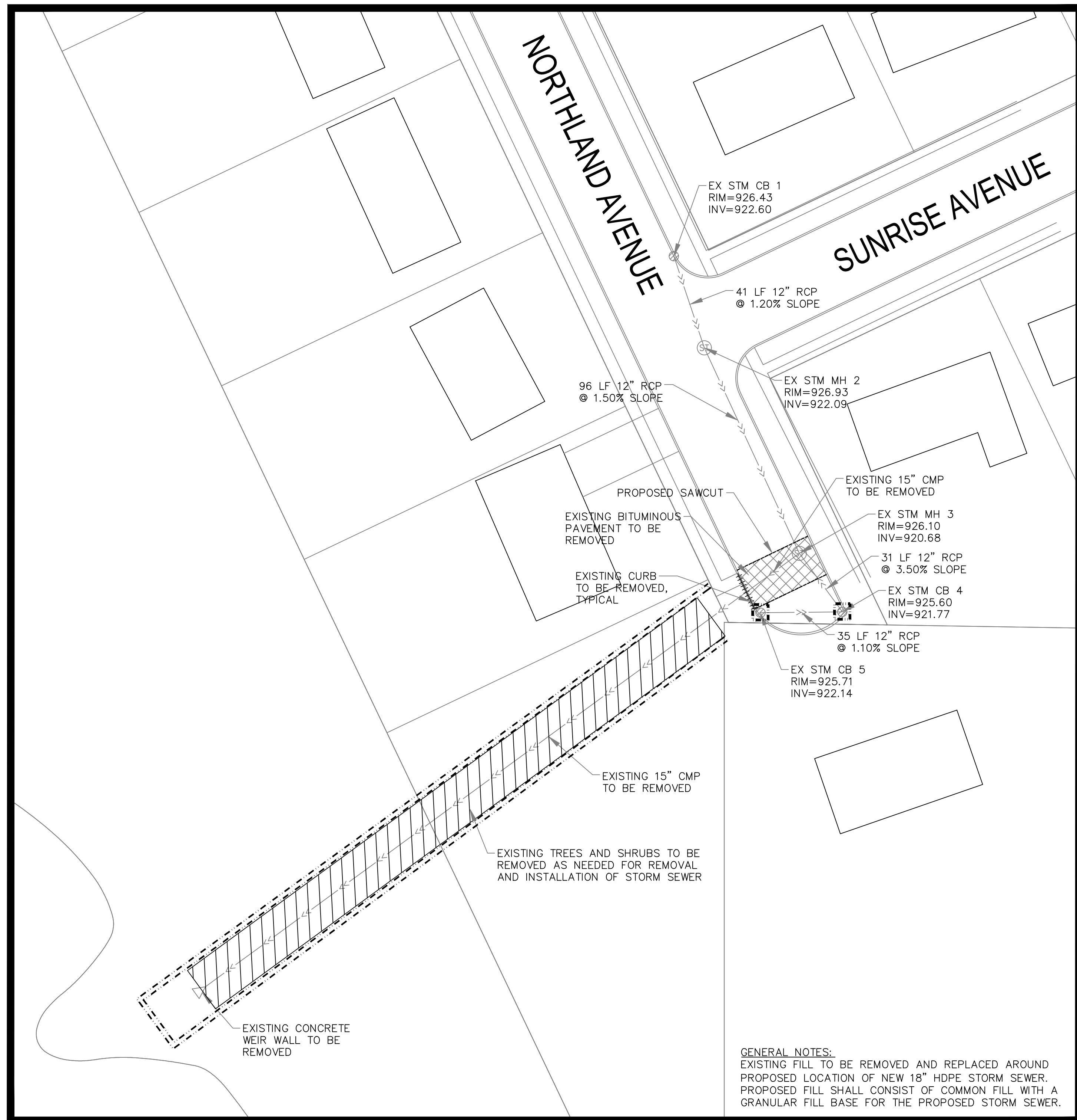
NORTHLAND AVE STORM SEWER

DETAILS

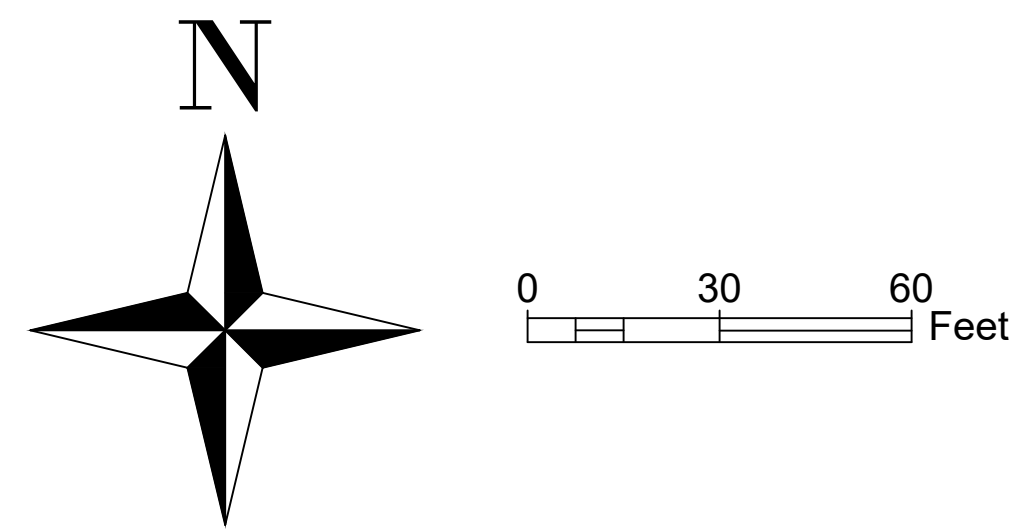
2024 MISC

FILE NO. 2024-MISC

2
4



GENERAL NOTES:
 EXISTING FILL TO BE REMOVED AND REPLACED AROUND PROPOSED LOCATION OF NEW 18" HDPE STORM SEWER. PROPOSED FILL SHALL CONSIST OF COMMON FILL WITH A GRANULAR FILL BASE FOR THE PROPOSED STORM SEWER.



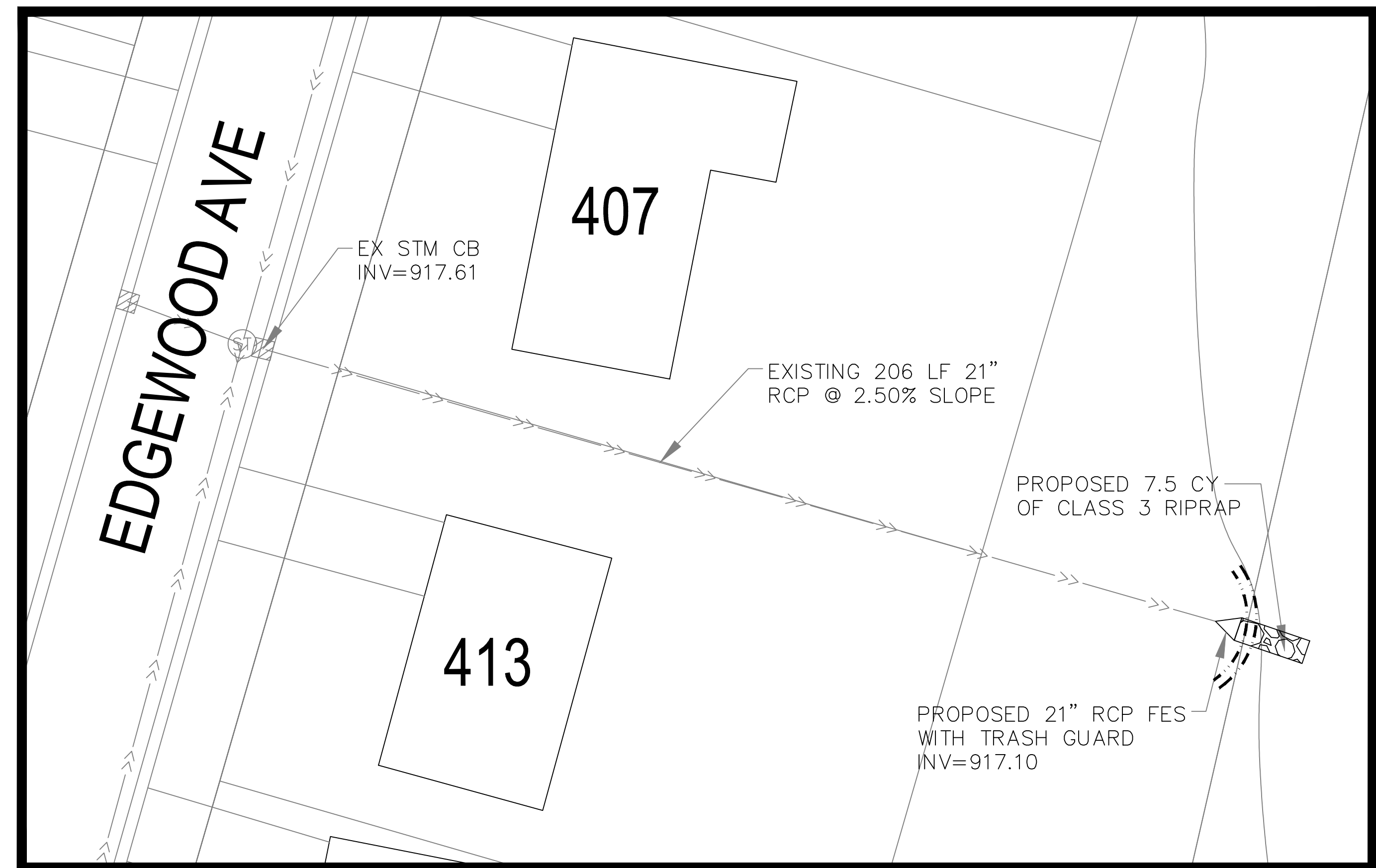
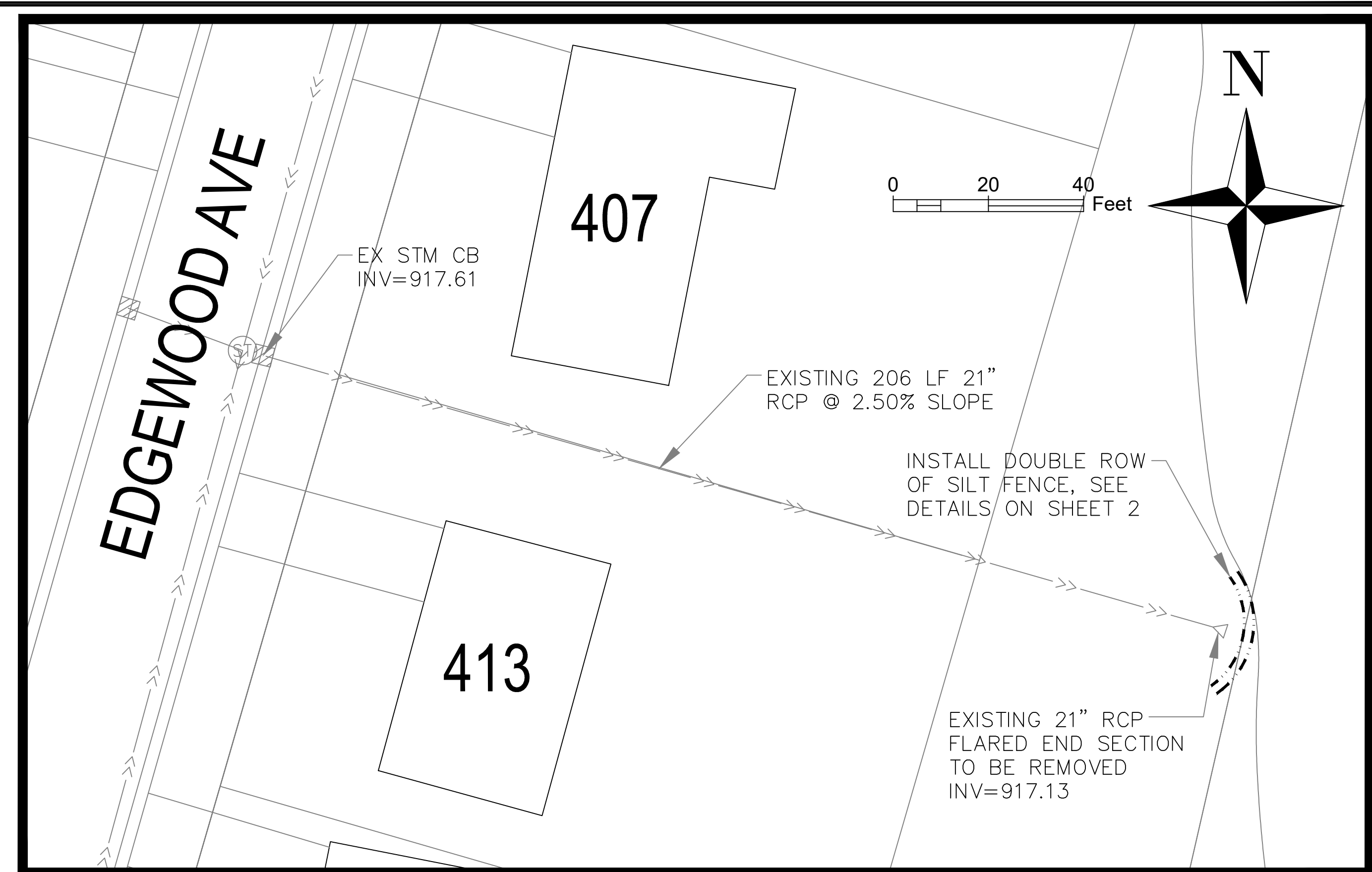
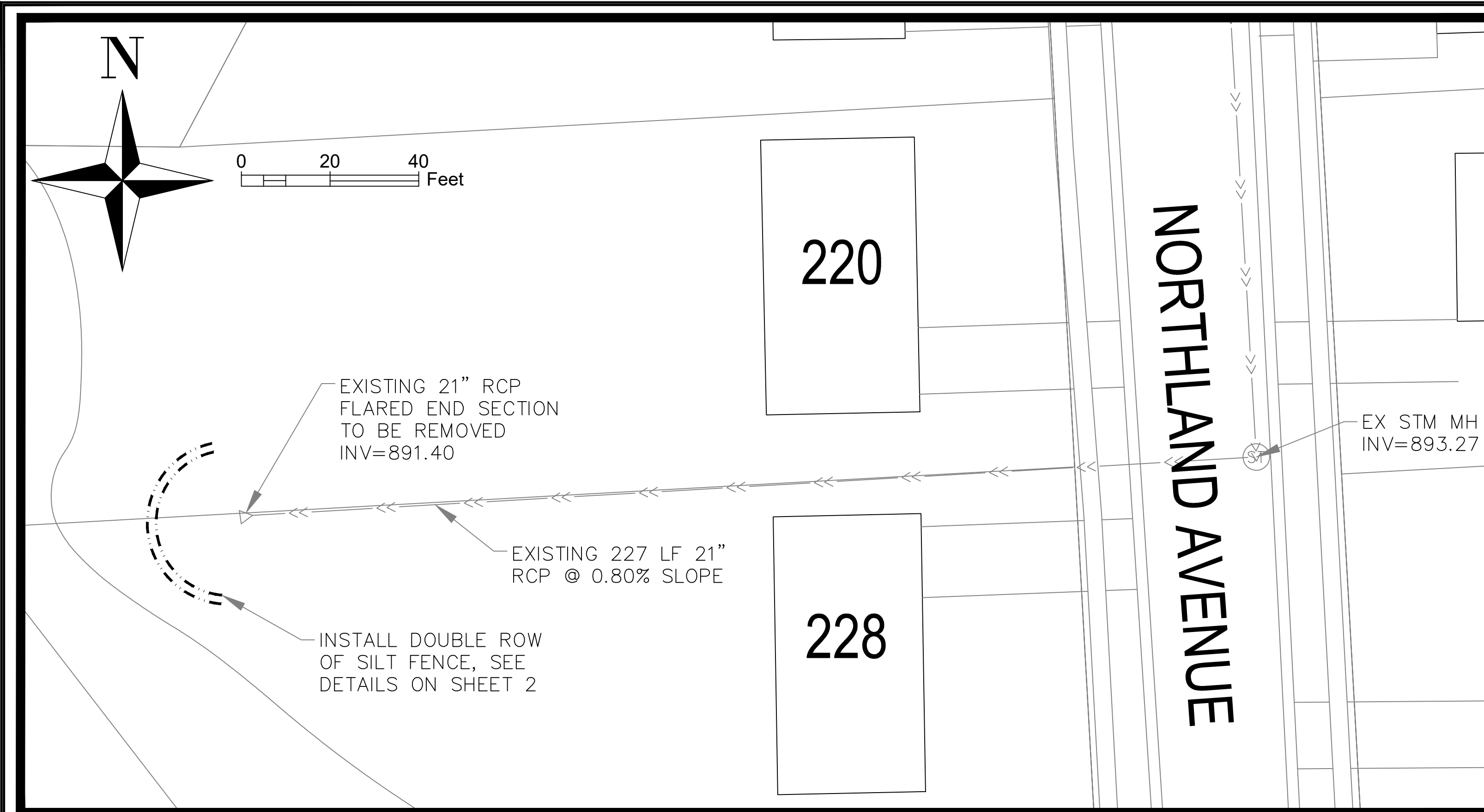
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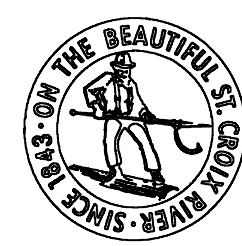
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Date: _____ Reg. No. _____

STORM SEWER REPAIRS	NORTHLAND AVE	FILE NO. 2024-MISC	3 4
DEMOLITION AND SITE LAYOUT PLAN	2024 MISC		



NO.	DRAWN	CHECKED	DATE	REVISIONS



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Date: _____ Reg. No. _____

STORM SEWER REPAIRS	220 NORTHLAND 407 EDGEWOOD	FILE NO. 2024-MISC	4
DEMOLITION AND SITE LAYOUT PLAN	2024 MISC		



City of Stillwater
 216 N. 4th Street
 Stillwater, MN 55082
 651-430-8830 Engineering Department
 651-275-4112 Fax

Northland Ave. Storm Sewer Project

Item	Item	Unit	Estimated	Unit Price	Amount
1	Mobilization (5% max)	LS	1.00	5,000.00	5,000.00
2	Traffic Control	LS	1.00	1,500.00	1,500.00
3	CLEARING AND GRUBBING TREES (0"-6" DIAMETER)	SY	650.00	410.00	60,500.00
4	Remove Existing Curb and Gutter (Various Type)	LF	25.00	14.00	350.00
5	Sawing Concrete Pavement (Full Depth)	LF	5.00	20.00	100.00
6	Sawing Bituminous Pavement (Full Depth)	LF	80.00	6.25	500.00
7	Remove Bituminous Pavement	SY	75.00	11.00	825.00
8	Remove Concrete Pavement	SF	100.00	10.00	1,000.00
9	Remove Storm Sewer Pipe	LF	322.00	10.00	3,220.00
10	Common Excavation	CY	360.00	18.00	6,480.00
11	Select Granular Borrow (CV)	CY	60.00	42.00	2,520.00
12	Common Fill	CY	310.00	23.00	7,130.00
13	Bituminous Material for Tack Coat	GAL	4.00	1.00	4.00
14	Wear Course Mixture SPWEA330B (1.5-inch)	TN	7.00	455.00	3,185.00
15	Base Course Mixture SPNWEB330B (2.5-inch)	TN	11.00	455.00	5,005.00
16	15" RC Pipe Sewer Design 3006 Cl. III(All Depths)	LF	35.00	105.00	3,675.00
17	18" HDPE Sewer Pipe (All Depths)	LF	310.00	45.00	13,950.00
18	18" Flared End Section with Trash Guard	EA	1.00	950.00	950.00
19	21" Concrete Flared End Section with Trash Guard	EA	2.00	2,750.00	5,500.00
20	Construct Drainage Structure 48" Storm Manhole (0-8- depth)	EA	1.00	4,050.00	4,050.00
21	Construct Drainage Structure 48" Extra Depth	LF	12.00	475.00	5,700.00
22	Furnish Adapter Plate 3067-27	EA	1.00	850.00	850.00
23	Furnish Catch Basin Casting (Neenah R3067-L or Equal)	EA	1.00	1,050.00	1,050.00
24	Furnish Manhole Casting & Lid - Storm or Sanitary(Neenah	EA	1.00	720.00	720.00
25	Furnish Neenah R-3067-L Grate	EA	1.00	265.00	265.00
26	Install Catch Basin Casting (Neenah R3067-L or Equal)	EA	1.00	235.00	235.00
27	Install Adapter Plate 3067-27	EA	1.00	250.00	250.00
28	Install MH Casting (storm or sanitary)	EA	1.00	250.00	250.00
29	Adjust Catch Basin Casting	EA	1.00	475.00	475.00
30	Adjust MH Casting (storm or sanitary)	EA	1.00	375.00	375.00
31	Connect To Existing Drainage Structure	EA	1.00	1,975.00	1,975.00
32	5" Concrete Pavement Design 3A32	SY	10.00	200.00	2,000.00
33	Concrete Curb and Gutter (various types) Hand Install - Mix	LF	20.00	125.00	2,500.00
34	Curb Inlet Protection	EA	2.00	250.00	500.00
35	Erosion Control Bio-logs	LF	1360.00	3.50	4,760.00
36	RipRap Class III with fabric	CY	22.50	150.00	3,375.00
37	Select Topsoil Borrow screened (LV)	CY	55.00	50.00	2,750.00
38	Fertilizer, Type 3 (350#/Acre)	LB	25.00	10.00	250.00
39	Seeding (mix 270) and hydraulic soil stabilizer Type 5	SY	650.00	5.00	3,250.00
40	Hydro International First Defense or Downstream Defender	EA	1.00	23,000	23,000.00

GRAND TOTAL (BASIS OF AWARD)

\$ 125, 974.00

Bids must be received at the City Hall no later than 2:00 pm on Thursday November 14, 2024
 Bids may be submitted by mail, email, fax or in person to City Hall at above address, Attn: Reabar Abdullah
 Responsible Contractor Verification and Certification must be submitted with the Bid
 Bids should be labeled: **Northland Ave. Storm Sewer Project**
 All bids must be submitted on the City's proposal form and be a complete proposal
 Please provide any additional comments, modifications, or suggestions to the bid prior to bid due date.
 Questions contact Reabar Abdullah at 651-430-8834 or rabdullah@stillwatermn.gov
 or Dillion McClung at 651-430-8833 or dmclung@stillwatermn.gov
 The City reserves the right to add or subtract quantities
 IC 134 must be submitted prior to final payment
The City anticipates the work be done on or before June 30, 2025

Date: 11 - 14 - 2024
 Print Name: MICHAEL JOHNSON
 Signature: Michael Johnson
 Title: PROJECT MANAGER

Company Name: MIDSTATE LANDSCAPING + EXCAVATING, LLC
 Address: 5750 MEMORIAL AVE N
OAK PARK HEIGHTS, MN 55082
 Phone: 651 - 342 - 0142
 Email Address: mikej@midstateexcavatingmn.com

Midstate Excavating

5750 Memorial Ave N
Oak Park Heights, MN 55082

Phone: (651) 342-0142

To: City Of Stillwater	Contact: Reabar Abdullah
Address: 216 N. 4th Street Stillwater, MN 55082	Phone: 651-430-8830
	Fax:
Project Name: Stillwater - Northland Avenue Storm Sewer Project	Bid Number:
Project Location: Northland Avenue, Stillwater, MN	Bid Date: 11/14/2024

Item #	Item Description	Estimated Quantity	Unit	Unit Price	Total Price
1	Mobilization	1.00	LS	\$5,000.00	\$5,000.00
2	Traffic Control	1.00	LS	\$1,500.00	\$1,500.00
3	Clearing & Grubbing Trees (0"-6" Diameter)	650.00	SY	\$10.00	\$6,500.00
4	Remove Existing Curb And Gutter (Various Type)	25.00	LF	\$14.00	\$350.00
5	Sawing Concrete Pavement (Full Depth)	5.00	LF	\$20.00	\$100.00
6	Sawing Bituminous Pavement (Full Depth)	80.00	LF	\$6.25	\$500.00
7	Remove Bituminous Pavement	75.00	SY	\$11.00	\$825.00
8	Remove Concrete Pavement	100.00	SF	\$10.00	\$1,000.00
9	Remove Storm Sewer Pipe	322.00	LF	\$10.00	\$3,220.00
10	Common Excavation	360.00	CY	\$18.00	\$6,480.00
11	Select Granular Borrow (CV)	60.00	CY	\$42.00	\$2,520.00
12	Common Fill	310.00	CY	\$23.00	\$7,130.00
13	Bituminous Material For Tack Coat	4.00	GAL	\$1.00	\$4.00
14	Wear Course Mixture SPWEA330B (1.5 - Inch)	7.00	TON	\$455.00	\$3,185.00
15	Base Course Mixture SPWEB330B (2.5- Inch)	11.00	TON	\$455.00	\$5,005.00
16	15" RC Pipe Sewer Design 3006 Cl. III (All Depths)	35.00	LF	\$105.00	\$3,675.00
17	18" HDPE Sewer Pipe (All Depths)	310.00	LF	\$45.00	\$13,950.00
18	18" Flared End Section With Trash Guard	1.00	EACH	\$950.00	\$950.00
19	21" Concrete Flared End Section With Trash Guard	2.00	EACH	\$2,750.00	\$5,500.00
20	Construct Drainage Structure 48" Storm Manhole (0'-8' Depth)	1.00	EACH	\$4,050.00	\$4,050.00
21	Construct Drainage Structure 48" Extra Depth	12.00	LF	\$475.00	\$5,700.00
22	Furnish Adapter Plate 3067-27	1.00	EACH	\$850.00	\$850.00
23	Furnish Catch Basin Casting (Neenah R3067-L Or Equal)	1.00	EACH	\$1,050.00	\$1,050.00
24	Furnish Manhole Casting & Lid - Storm Or Sanitary (Neenah R1733 Or Equal)	1.00	EACH	\$720.00	\$720.00
25	Furnish Neenah R-3067-L Grate	1.00	EACH	\$265.00	\$265.00
26	Install Catch Basin Casting (Neenah R3067-L Or Equal)	1.00	EACH	\$235.00	\$235.00
27	Install Adapter Plate 3067-27	1.00	EACH	\$250.00	\$250.00
28	Install Manhole Casting (Storm Or Sanitary)	1.00	EACH	\$250.00	\$250.00
29	Adjust Catch Basin Casting	1.00	EACH	\$475.00	\$475.00
30	Adjust MH Casting (Storm Or Sanitary)	1.00	EACH	\$375.00	\$375.00
31	Connect To Existing Drainage Structure	1.00	EACH	\$1,975.00	\$1,975.00
32	5" Concrete Pavement Design 3A32	10.00	SY	\$200.00	\$2,000.00
33	Concrete Curb And Gutter (Various Types) Hand Install - Mix Design 3A32	20.00	LF	\$125.00	\$2,500.00
34	Curb Inlet Protection	2.00	EACH	\$250.00	\$500.00
35	Erosion Control Bio-Logs	1,360.00	LF	\$3.50	\$4,760.00
36	Rip Rap Class III With Fabric	22.50	CY	\$150.00	\$3,375.00
37	Select Topsoil Borrow Screened (LV)	55.00	CY	\$50.00	\$2,750.00
38	Fertilizer, Type 3 (350#/Acre)	25.00	LB	\$10.00	\$250.00
39	Seeding (Mix 270) And Hydraulic Soil Stabilizer Type 5	650.00	SY	\$5.00	\$3,250.00
40	Hydro International First Defense Or Downstream Defender	1.00	EACH	\$23,000.00	\$23,000.00

Total Bid Price: \$125,974.00

ATTACHMENT A

RESPONSIBLE CONTRACTOR VERIFICATION AND CERTIFICATION OF COMPLIANCE

PROJECT TITLE: Northland Ave. Storm Sewer Project

<p>Minn. Stat. § 16C.285, Subd. 7. IMPLEMENTATION. ... any prime contractor or subcontractor that does not meet the minimum criteria in subdivision 3 or fails to verify that it meets those criteria is not a responsible contractor and is not eligible to be awarded a construction contract for the project or to perform work on the project...</p>	
<p>Minn. Stat. § 16C.285, Subd. 3. RESPONSIBLE CONTRACTOR, MINIMUM CRITERIA. "Responsible contractor" means a contractor that conforms to the responsibility requirements in the solicitation document for its portion of the work on the project and verifies that it meets the following minimum criteria:</p>	
(1)	<p>The Contractor:</p> <ul style="list-style-type: none">(i) is in compliance with workers' compensation and unemployment insurance requirements;(ii) is currently registered with the Department of Revenue and the Department of Employment and Economic Development if it has employees;(iii) has a valid federal tax identification number or a valid Social Security number if an individual; and(iv) has filed a certificate of authority to transact business in Minnesota with the Secretary of State if a foreign corporation or cooperative.
(2)	<p>The contractor or related entity is in compliance with and, during the three-year period before submitting the verification, has not violated section 177.24, 177.25, 177.41 to 177.44, 181.13, 181.14, or 181.722, and has not violated United States Code, title 29, sections 201 to 219, or United States Code, title 40, sections 3141 to 3148. For purposes of this clause, a violation occurs when a contractor or related entity:</p> <ul style="list-style-type: none">(i) repeatedly fails to pay statutorily required wages or penalties on one or more separate projects for a total underpayment of \$25,000 or more within the three-year period;(ii) has been issued an order to comply by the commissioner of Labor and Industry that has become final;(iii) has been issued at least two determination letters within the three-year period by the Department of Transportation finding an underpayment by the contractor or related entity to its own employees;(iv) has been found by the commissioner of Labor and Industry to have repeatedly or willfully violated any of the sections referenced in this clause pursuant to section 177.27;(v) has been issued a ruling or findings of underpayment by the administrator of the Wage and Hour Division of the United States Department of Labor that have become final or have been upheld by an administrative law judge or the Administrative Review Board; or(vi) has been found liable for underpayment of wages or penalties or misrepresenting a construction worker as an independent contractor in an action brought in a court having jurisdiction. Provided that, if the contractor or related entity contests a determination of underpayment by the Department of Transportation in a contested case proceeding, a violation does not occur until the contested case proceeding has concluded with a determination that the contractor or related entity underpaid wages or penalties;*

(3)	The contractor or related entity is in compliance with and, during the three-year period before submitting the verification, has not violated section 181.723 or chapter 326B. For purposes of this clause, a violation occurs when a contractor or related entity has been issued a final administrative or licensing order;*
(4)	The contractor or related entity has not, more than twice during the three-year period before submitting the verification, had a certificate of compliance under section 363A.36 revoked or suspended based on the provisions of section 363A.36, with the revocation or suspension becoming final because it was upheld by the Office of Administrative Hearings or was not appealed to the office;*
(5)	The contractor or related entity has not received a final determination assessing a monetary sanction from the Department of Administration or Transportation for failure to meet targeted group business, disadvantaged business enterprise, or veteran-owned business goals, due to a lack of good faith effort, more than once during the three-year period before submitting the verification;*
	* Any violations, suspensions, revocations, or sanctions, as defined in clauses (2) to (5), occurring prior to July 1, 2014, shall not be considered in determining whether a contractor or related entity meets the minimum criteria.
(6)	The contractor or related entity is not currently suspended or debarred by the federal government or the state of Minnesota or any of its departments, commissions, agencies, or political subdivisions; and
(7)	All subcontractors that the contractor intends to use to perform project work have verified to the contractor through a signed statement under oath by an owner or officer that they meet the minimum criteria listed in clauses (1) to (6).

Minn. Stat. § 16C.285, Subd. 5. **SUBCONTRACTOR VERIFICATION.**

A prime contractor or subcontractor shall include in its verification of compliance under subdivision 4 a list of all of its first-tier subcontractors that it intends to retain for work on the project.

If a prime contractor or any subcontractor retains additional subcontractors on the project after submitting its verification of compliance, the prime contractor or subcontractor shall obtain verifications of compliance from each additional subcontractor with which it has a direct contractual relationship and shall submit a supplemental verification confirming compliance with subdivision 3, clause (7), within 14 days of retaining the additional subcontractors.

A prime contractor shall submit to the contracting authority upon request copies of the signed verifications of compliance from all subcontractors of any tier pursuant to subdivision 3, clause (7). A prime contractor and subcontractors shall not be responsible for the false statements of any subcontractor with which they do not have a direct contractual relationship. A prime contractor and subcontractors shall be responsible for false statements by their first-tier subcontractors with which they have a direct contractual relationship only if they accept the verification of compliance with actual knowledge that it contains a false statement.

Minn. Stat. § 16C.285, Subd. 4. **VERIFICATION OF COMPLIANCE.**

A contractor responding to a solicitation document of a contracting authority shall submit to the contracting authority a signed statement under oath by an owner or officer verifying compliance with each of the minimum criteria in subdivision 3 at the time that it responds to the solicitation document.

A contracting authority may accept a sworn statement as sufficient to demonstrate that a contractor is a responsible contractor and shall not be held liable for awarding a contract in reasonable reliance on that statement. Failure to verify compliance with any one of the minimum criteria or a false statement under oath in a verification of compliance shall render the prime contractor or subcontractor that makes the false statement ineligible to be awarded a construction contract on the project for which the verification was submitted.

A false statement under oath verifying compliance with any of the minimum criteria may result in termination of a construction contract that has already been awarded to a prime contractor or subcontractor that submits a false statement. A contracting authority shall not be liable for declining to award a contract or terminating a contract based on a reasonable determination that the contractor failed to verify compliance with the minimum criteria or falsely stated that it meets the minimum criteria.

CERTIFICATION

By signing this document I certify that I am an owner or officer of the company, and I swear under oath that:

- 1) My company meets each of the Minimum Criteria to be a responsible contractor as defined herein and is in compliance with Minn. Stat. § 16C.285,**
- 2) I have included Attachment A-1 with my company's solicitation response, and**
- 3) if my company is awarded a contract, I will also submit Attachment A-2 as required.**

Authorized Signature of Owner or Officer:

Michael Johnson

Printed Name:

MICHAEL JOHNSON

Title:

PROJECT MANAGER

Date:

11/14/2024

Company Name:

MIDSTATE LANDSCAPING + EXCAVATING, LLC

NOTE: Minn. Stat. § 16C.285, Subd. 2, (c) If only one prime contractor responds to a solicitation document, a contracting authority may award a construction contract to the responding prime contractor even if the minimum criteria in subdivision 3 are not met.

ATTACHMENT A-1

FIRST-TIER SUBCONTRACTORS LIST

SUBMIT WITH PRIME CONTRACTOR RESPONSE

PROJECT TITLE: Northland Ave Storm Sewer Project

Minn. Stat. § 16C.285, Subd. 5. A prime contractor or subcontractor shall include in its verification of compliance under subdivision 4 a list of all of its first-tier subcontractors that it intends to retain for work on the project. ...

FIRST TIER SUBCONTRACTOR NAMES (Legal name of company as registered with the Secretary of State)	Name of city where company home office is located

ATTACHMENT A-2

ADDITIONAL SUBCONTRACTORS LIST

PRIME CONTRACTOR TO SUBMIT AS SUBCONTRACTORS ARE ADDED TO THE PROJECT

PROJECT TITLE: Northland Ave Storm Sewer Project

This form must be submitted to the Project Manager or individual as identified in the solicitation document.

Minn. Stat. § 16C.285, Subd. 5. ... If a prime contractor or any subcontractor retains additional subcontractors on the project after submitting its verification of compliance, the prime contractor or subcontractor shall obtain verifications of compliance from each additional subcontractor with which it has a direct contractual relationship and shall submit a supplemental verification confirming compliance with subdivision 3, clause (7), within 14 days of retaining the additional subcontractors. ...

ADDITIONAL SUBCONTRACTOR NAMES (Legal name of company as registered with the Secretary of State)	Name of city where company home office is located