

CITY OF GRAND MARAIS, MINNESOTA  
CITY COUNCIL RESOLUTION 2018-13

A RESOLUTION BY THE MAYOR AND CITY COUNCIL OF THE  
CITY OF GRAND MARAIS, MINNESOTA ACCEPTING BID  
AND AWARDING AND ASSIGNING CONTRACT

WHEREAS, pursuant to an advertisement for bids, dated May 15, 2018, for the Grand Marais Public Works Facility Project (the “project”), Bid Scope No. 24- Photovoltaic Systems bids were received, opened, and tabulated according to the law by the City’s contracted construction manager, McGough Construction (the “construction manager”); and

WHEREAS, it appears that Energy Concepts, Inc, Minnesota (the “contractor”) is the lowest responsible bidder for the work with a bid of \$139,818 based upon the recommendation of the City’s construction manager.

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND CITY COUNCIL THAT:

1. The City Council authorizes and directs the city administrator to execute the letter, attached hereto and incorporated herein by reference as Exhibit A, from the construction manager, approving the bid in the above-stated amount from the above-named contractor as the lowest responsible bidder for the work based upon the recommendation of the construction manager;
2. The City Council hereby awards a contract for the work to the above-named contractor in the above-stated amount and in the form provided in the Bidding Documents, and authorizes and directs the mayor and city administrator to execute the letter of award, attached hereto and incorporated herein by reference as Exhibit B, to the above-named contractor awarding the contract and directing the contractor to enter into a construction contract with the construction manager, as assigned hereby by the City, on the approved contract form as contained in the Bidding Documents; and
3. The City Council hereby adopts, assigns, authorizes and directs the mayor and city administrator to execute the assignment letter, attached hereto and incorporated herein by reference as Exhibit C, to the construction manager, assigning the City's right to enter into the construction contract with the above-named contractor, for the work, to the construction manager.

PASSED by the City Council of the City of Grand Marais on this 13<sup>th</sup> day of June, 2018.

ATTEST

\_\_\_\_\_  
City Administrator

\_\_\_\_\_  
Mayor

## EXHIBIT A



26 East Superior Street, Suite 203, Duluth, MN 55802  
t 218.216.1501

BUILDING FOR THE NEXT GENERATION

[www.mcgough.com](http://www.mcgough.com)

June 8, 2018

City of Grand Marais  
15 N. Broadway  
PO Box 600  
Grand Marais, MN 55604

**RE: *City of Grand Marais Public Works Facility  
Award Recommendation Letter to Energy Concepts, Inc.  
Proposal Request No. 09 – Photovoltaic System***

Dear City Administrator Roth,

Following analysis of responses to bids for the scope of work as listed above, we recommend awarding the Photovoltaic System scope to Energy Concepts, Inc. on their competitive bid and ability to meet the schedule. Bids were in accordance with the contract documents and its requirements. A brief timeline of the entire bid and review process is as follows:

- LHB, Inc.'s Proposal Request No. 09 dated May 15<sup>th</sup>, 2018, was sent to firms for pricing on May 15<sup>th</sup>, 2018.
- Proposals were due by 2:00 p.m., Thursday, June 7<sup>th</sup>, 2018.
- Five (5) bidders were solicited for Proposal Request No. 09 Photovoltaic System, and two (2) proposal were received.
- The proposal was tabulated and evaluated for accurate comparison.
- Energy Concepts, Inc. has the low proposal for supply and install of the Photovoltaic System scope.
- Energy Concepts, Inc. base proposal is \$139,818.00.

Once we receive a signed Assignment Letter from the City of Grand Marais, we will draft a contract between McGough Construction and Energy Concepts, Inc.

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t 218.216.1501

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As timing is of the essence, please indicate your approval of this recommendation letter in the space provided below and email back a copy to me.

*Erik Johnson*

Erik Johnson  
Project Manager

**McGough Construction Company, LLC**

**Approved**

*Erik Johnson 6/08/2018*  
Erik Johnson      Date:  
Project Manager

\_\_\_\_\_  
Mike Roth      Date:  
City Administrator

cc: Jim Frisell, Executive Vice President & Principal  
Brian Durand, Senior Project & Operations Manager  
File

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**EXHIBIT B**



June 8, 2018

Energy Concepts, Inc.  
Craig A. Tarr  
2349 Willis Miller Drive  
Hudson, WI 54016

via email – [ctarr@energyconcepts.us](mailto:ctarr@energyconcepts.us)

Re: Grand Marais Public Works Facility  
Award Letter Proposal Request No. 09 – Photovoltaic System

Dear Craig Tarr:

By this letter, the City of Grand Marais, MN (“City”) awards the contract for Proposal Request No. 09 – Photovoltaic System to Energy Concepts, Inc. for the above-referenced project.

In lieu of entering into a direct contract with your entity and then assigning that contract to McGough Construction Co., LLC (“McGough”), the City assigned its right to enter into a binding contract with your entity to McGough. Attached please find the contract between McGough and your entity for this work.

Please return an executed copy of the contract directly to McGough, via email to Chris Barta, at [chris.barta@mcgough.com](mailto:chris.barta@mcgough.com).

Sincerely,

**CITY OF GRAND MARAIS**

\_\_\_\_\_  
Jay Arrowsmith-DeCoux, Mayor

Date:

\_\_\_\_\_  
Mike Roth, City Administrator

Date:

CC: Erik Johnson, Project Manager, McGough Construction

Box 600, Grand Marais, Minnesota 55604 (218) 387-1848 Fax: (218) 387-1966

**EXHIBIT C**



June 8, 2018

Mr. Jim Frisell  
Executive Vice President & Principal  
McGough Construction Co., LLC  
2737 Fairview Avenue North  
St. Paul, MN 55113

Re: Assignment Letter  
Grand Marais Public Works Facility  
Grand Marais, Minnesota

Dear Mr. Frisell:

The City of Grand Marais, MN ("City") has received competitive bids from various trade contractors for the Project. After reviewing those bids, the City has determined that contracts should be awarded to the successful bidders listed on Exhibit A attached hereto (the "Successful Bidders") in the amounts of the accepted bids.

The City has notified the Successful Bidders of the award. In lieu of entering into direct contracts with the Successful Bidders and then assigning those contracts to McGough Construction Co., LLC ("McGough"), the City desires to assign its right to enter into binding contracts with the Successful Bidders to McGough, whereupon McGough will enter into contracts directly with the Successful Bidders.

Therefore, the City hereby assigns its aforementioned right to enter into binding contracts with the Successful Bidders to McGough. By signing below, McGough hereby accepts the assignment and agrees to enter into contracts with the Successful Bidders as provided herein.

Sincerely,

**CITY OF GRAND MARAIS**

\_\_\_\_\_  
Jay Arrowsmith-DeCoux, Mayor

\_\_\_\_\_  
Date:

\_\_\_\_\_  
Mike Roth, City Administrator

\_\_\_\_\_  
Date:

Approved:

\_\_\_\_\_  
Jim Frisell  
McGough Construction Co., LLC

\_\_\_\_\_  
Date:

Box 600, Grand Marais, Minnesota 55604 (218) 387-1848 Fax: (218) 387-1966

EXHIBIT A

Grand Marais Public Works Facility  
Grand Marais, MN

**Proposal Request No. 09 – Photovoltaic System Awarded Bidder**

Proposal Request No. 09 – Photovoltaic System

Energy Concepts, Inc.  
2349 Willis Miller Drive  
Hudson, WI 54016

\$139,818.00