



# PLUMMER

August 2, 2021

Mr. Jeff Goble  
Public Works Director  
Town of Frisco  
102 School Road  
Frisco, CO 80443

Re: Tenmile Intake Structure, Pipeline, and Erosion Mitigation Improvements Contractor Bids

Dear Mr. Goble:

The Town of Frisco received three bids for the above referenced project. All bids included the bid bond for 5% of the amount bid; not all bids included the remainder of the required submittal documentation. For these instances, these omissions were immaterial, non-conformance irregularities in the bids received that did not affect price, time, or changes in the Work. It was deemed that no competitive advantage was given to any bidders; thus, these irregularities have been waived.

The following is a summary of the bids received and a copy of the bid tabulation is attached for your reference.

BIDDER	BID AMOUNT
Warbonnet Construction	\$ 603,714.45
Velocity Constructors, Inc.	\$ 757,045.00
JHL Constructors, Inc.	\$ 1,101,456.00

The apparent low bidder, Warbonnet Construction, was determined to be nonresponsive due to the bid modifying and/or excluding items necessary and/or included in the Work per the Contract Documents. The assumptions, clarifications, and exclusions page attached to Warbonnet's bid is attached to this letter (see enclosures). The nonresponsive bid exclusions that are required as part of the Contract Documents are noted as follows:

1. Clarifications and Assumptions notes 1 through 10 (noted by Warbonnet in bid, see enclosures):
  - a. Including clarifications and assumptions noted here by Warbonnet into the Construction Contract may alter the General Conditions of the Construction Contract or other portions of the Work within the Contract Documents. Additionally, noting these items in the bid to be negotiated after award will give Warbonnet an advantage over other bidders on price, quantity, quality, delivery, and contractual conditions.
2. Exclusions note 1 (noted by Warbonnet in bid, see enclosures):
  - a. Including exclusions noted here by Warbonnet into the Construction Contract may alter the General Conditions of the Construction Contract or other portions of the Work within the Contract Documents. Additionally, noting these items in the bid to be negotiated after award will give Warbonnet an advantage over other bidders on price, quantity, quality, delivery, and contractual conditions.
3. Exclusions note 2 (noted by Warbonnet in bid, see enclosures):
  - a. Procurement and installation of the level switch, heater, and connections is required as part

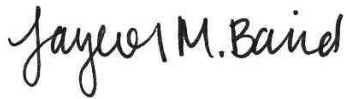
of the work within the Contract Documents. Exclusions of these items give Warbonnet an advantage over other bidders on price, quantity, quality, delivery, and contractual conditions.

Therefore, we reviewed the references and qualifications of the apparent second low bidder, Velocity Constructors, Inc. The review of their references and qualifications showed a company with professional experience in constructing these types of facilities. Due to the nonresponsive bid from the low bidder, we are recommending the award of the contract to Velocity Constructors, Inc. of Englewood, Colorado.

If you have any questions or comments regarding the recommendation, please let me know. Thank you.

Sincerely,

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A handwritten signature in black ink that reads "Taylor M. Baird". The signature is written in a cursive, flowing style.

Taylor M. Baird, P.E.  
Project Manager

Enclosures

cc: Nathan Martinson, Plummer Associates



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**Town of Frisco  
Tenmile Intake Structure, Pipeline, and Erosion Mitigation Improvements  
Bid Tabulation Summary - Bid Opening  
July 15, 2021**

	Contractor Name	Total
1	Warbonnet Construction	\$603,714.45
2	Velocity Constructors, Inc.	\$757,045.00
3	JHL Constructors, Inc.	\$1,101,456.00
4	Engineer's OPCC	\$1,172,700.00



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**Town of Frisco**  
**Tenmile Intake Structure, Pipeline, and Erosion Mitigation Improvements**  
**Bid Tabulation Details - Bid Opening**  
**July 15, 2021**

	Bid Items	Unit	Estimated Quantity	Warbonnet Construction	Velocity Constructors, Inc.	JHL Constructors, Inc.	Engineer's OPCC
1	Bonding, Mobilization, and Insurance	LS	1	\$67,421.84	\$40,097.00	\$50,000.00	\$175,430.00
2	Geotechnical Allowance	LS	1	\$30,000.00	\$30,000.00	\$30,000.00	\$35,721.00
3	Survey Allowance	LS	1	\$5,000.00	\$5,000.00	\$5,000.00	\$5,953.50
4	Temporary Fencing and Trail Signage	LS	1	\$10,135.59	\$10,553.00	\$130,000.00	\$17,860.50
5	Construction Dewatering	LS	1	\$15,093.46	\$26,764.00	\$150,000.00	\$119,070.00
6	Clearing/Grubbing for Trench Excavation	SY	2,720	\$27,708.64	\$13,600.00	\$13,600.00	\$5,953.50
7	Trench Excavation to Locate Existing pipe	CY	780	\$22,277.19	\$14,820.00	\$78,000.00	\$7,668.11
8	Disposal of Existing 12-inch RCP	LF	700	\$9,392.22	\$40,600.00	\$14,000.00	\$11,907.00
9	Water Pipe Installation, Backfill, and Compaction of Trench	LF	700	\$152,272.61	\$173,600.00	\$147,000.00	\$135,173.03
10	Existing Fish Ladder Rehabilitation	LS	1	\$1,088.15	\$10,694.00	\$6,000.00	\$5,953.50
11	North Tenmile Creek Dredging and Debris Removal	CY	263	\$7,425.73	\$13,939.00	\$40,765.00	\$23,486.56
12	Flume Installation	LS	1	\$34,285.51	\$41,242.00	\$25,000.00	\$15,899.42
13	Intake Structure Modifications	LS	1	\$5,571.63	\$60,781.00	\$20,000.00	\$8,344.43
14	Clearing/Grubbing for Access Road	SY	3,160	\$18,118.61	\$15,800.00	\$41,080.00	\$5,953.50
15	Access Road Base Aggregate	CY	255	\$23,216.06	\$32,895.00	\$58,650.00	\$60,070.82
16	Transport and Installation of Owner Supplied Recycled Asphalt Paving	CY	127	\$9,539.77	\$9,779.00	\$31,750.00	\$16,029.20
17	General Erosion Control and Stormwater BMPs	LS	1	\$24,910.64	\$41,202.00	\$30,000.00	\$67,274.55
18	Non-Woven Geotech Material (Intake Structure)	SY	20	\$1,368.41	\$1,060.00	\$2,800.00	\$1,900.36
19	Boulders (Intake Structure)	CY	10	\$6,719.00	\$1,820.00	\$7,000.00	\$35,721.00
20	Grout and Installation of Grouted Boulder Wall (Intake Structure)	CY	10	\$16,465.82	\$8,810.00	\$34,000.00	\$13,097.70
21	Clearing and Regrading around Water Tank	SY	2,950	\$14,851.46	\$41,300.00	\$44,250.00	\$5,953.50
22	Boulders (Water Tank)	CY	20	\$6,911.19	\$1,800.00	\$28,000.00	\$47,628.00
23	Grout and Installation of Grouted Boulder Wall and Riprap Pad (Water Tank Site)	CY	20	\$13,767.84	\$37,620.00	\$38,000.00	\$17,860.50

	Bid Items	Unit	Estimated Quantity	Warbonnet Construction	Velocity Constructors, Inc.	JHL Constructors, Inc.	Engineer's OPCC
24	Electrical, Instrumentation and Control Systems (Exclusive of Line Item 26)	LS	1	\$35,570.48	\$33,508.00	\$30,000.00	\$14,288.40
25	Electrical Duct Bank Installation	LF	800	\$23,641.60	\$28,800.00	\$25,600.00	\$61,321.05
26	Instrumentation and Controls Allowance (Browns Hill Engineering & Controls Sole Source Subcontractor)	LS	1	\$18,961.00	\$18,961.00	\$18,961.00	\$22,576.86
27	Hazardous Material Testing Allowance	LS	1	\$2,000.00	\$2,000.00	\$2,000.00	\$2,000.00
	Contingency (Engineer's OPCC Only)						\$232,530.00
	Total Bid			\$603,714.45	\$757,045.00	\$1,101,456.00	\$1,172,625.97



## **Clarifications, Assumptions, Exclusions**

### **Clarifications and Assumptions**

1. Proposal does not include any costs associated with delays due to Owner provided equipment, materials, engineering, inspections, subcontractors, underground obstructions, or other services beyond the Contractor's control. All delays of this nature or demobilization and remobilization costs will be charged as an extra as well as any additional premium time and productivity inefficiencies that may result from working extended overtime and/or additional manpower to recover from such delays.
2. Proposal is based on clear and unobstructed access to the work area.
3. Proposal is based on mutually agreed upon and/or negotiated terms and conditions and that upon award of contract. Proposal and all clarifications are to be included as a part of the contract documents.
4. The proposal price for this project has been calculated based on the current material prices, labor rates, per diem requirements, availability, and tariffs. However, the current market conditions are considered to be volatile, and sudden rate and price increases or availability delays could occur. Contractor agrees to use best efforts to obtain the lowest possible prices from available suppliers, but should there be an increase in the labor rates or material prices after execution of contract, Owner agrees to pay that cost increase to Contractor. In the event of material shortages or delayed availability, Contractor shall seek schedule relief as needed. This provision shall apply to major equipment suppliers, as well.
5. Pricing is based on fuel pricing staying below \$3.25/ Gal. In the event pricing exceeds this amount a fuel surcharge will be added to our base pricing.
6. Traffic Control has not been included in the base unit rates. If required, this can be provided at a cost of \$1,500/ day.
7. An allowance of \$2,000 has been included for the provision of an FRP Hatch. Current availability is low for this type of hatch. If an other option is required, due to availability, and it exceeds the allocated amount, the difference will be billed in addition to this proposal.
8. Excavation/ Boulders/ padding/ backfill Warbonnet will not be responsible for extra cost incurred by unfavorable conditions in existing pipe trench alignment, Rock Excavation for extra depth or to correct alignment, Extra Bedding or padding material required because of existing or corrected depth/alignment, import of backfill material other than bedding because existing on-site material is unfavorable.
9. Warbonnet will not be responsible for extra cost incurred to correct unfavorable soil conditions in any of the work areas.
10. Warbonnet will not be responsible for extra cost to correct any unfavorable existing problems or defects with existing pipe at tie-in connection points, IE: deteriorated pipe, cracks, fatigue, failure requiring replacement or repair to existing pipe.



### **Exclusions**

1. Performance delays due to other trades / acts of God / strikes.
2. Level Switch, Heater and factory provided connections are not included in this proposal and are assumed to be provided by the town of Frisco.