

Fremont Board of Education
Board of Education SPECIAL Meeting
Board Room
130 E 9th St
Main St Education & Administration Center
Fremont, NE 68025
Tuesday, May 31, 2022 6:30 PM

AGENDA SUMMARY

1. CALL TO ORDER AND ROLL CALL

INDIVIDUALS WISHING TO ADDRESS THE BOARD WILL BE RECOGNIZED TO SPEAK AT THE BOARD TABLE. WHEN RECOGNIZED BY THE CHAIR, PLEASE STATE YOUR NAME BEFORE PROCEEDING WITH YOUR COMMENTS. A MAXIMUM TIME LIMIT OF 5 MINUTES WILL BE ALLOWED FOR EACH AUDIENCE UNLESS AN EXCEPTION IS GRANTED BY THE CHAIR.

1.1. Open Meetings Act

A copy of the Open Meetings Act is posted in the Board Room. The Board may meet in Closed Session to consider issues including, but not limited to 1) strategy sessions with respect to collective bargaining, real estate purchases, or litigation; 2) discussion regarding deployment of security personnel or devices; 3) investigative proceedings regarding allegations or misconduct; or 4) evaluation of the job performance of a person when necessary to prevent needless injury to the reputation of a person or persons. The vote to hold a Closed Session shall be taken in open session and the subject matter and reason for the session shall be included in the motion. The motion and the vote of each member of the Board and the time when the session commenced and concluded shall be recorded in the minutes. If the motion passes, the President will restate on the record the limitation of the subject matter of the Closed Session.

2. CONSENT SECTION

All matters listed under the Consent Section are considered to be routine and will be enacted by one motion. There will be no separate discussion of these items. If discussion is desired, the item(s) will be considered at the end of the Consent Section.

Motion to approve the consent section as presented passed with a motion by Board Member #1 and a second by Board Member #2.

2.1. Legality of Meeting

Approve that all legal requirements have been met as to advance notice of this meeting to both individual Board Members and to the public.

2.2. Approval of Agenda

Approval of the agenda as published/revised. Note that items can be removed or amended from the published agenda at this time but additions can be made only through an emergency resolution.

3. ACTION ITEMS

3.1. Business/Facility Items

3.1.1. Bid Approval - Milliken Park

Motion to approve and accept Cheever Construction Company's bid of \$4,798,500. The bid amount is under the original anticipated construction budget of \$5,481,905. This bid includes work to accomplish base bid work and the following alternates: Alt 1 Geothermal - deduction of \$100,000 Alt 2 Windows - add of \$67,700 Alt 4 Gym Floor - add of \$41,200 Alt 5 LED Lighting - add of \$89,300 Alt 6 Envelope - add of \$190,500 Alt 8 Nurses Area - add of \$23,800 passed with a motion by Board Member #1 and a second by Board Member #2.

3.1.2. Bid Approval - Geothermal Well Field - High School

Motion to approve and accept Mid-America Drilling Corporations's bid of \$1,003,475. The bid amount is under the original anticipated construction budget of \$1,300,000. This bid includes all work necessary to accomplish base bid work and alternates passed with a motion by Board Member #1 and a second by Board Member #2.

3.1.3. Bell Field Elementary Roof & Window Bid

In May, a bid opening was held for the Bell Field Elementary Roof & Window Bid. One bid was received, from Elkhorn West Construction, Inc but the price exceeded the anticipated bid amount. We chose to hold on the bid and look into other options. Since then, the sole bidder went back to their subcontractors and suppliers and were able to get the contract amount reduced significantly (\$95,000 down to \$65,021).

Motion to confirm approval to reject all bids and accept the pricing per the contract amount from Elkhorn West in the amount of \$65,021.00 passed with a motion by Board Member #1 and a second by Board Member #2.

4. CLOSED SESSION

Motion to go into Closed Session to prevent the needless injury to the reputation of an individual or individuals in discussion of personnel matters, and consider issues in the public interest passed with a motion by Board Member #1 and a second by Board Member #2.

5. ADJOURNMENT

Motion to adjourn passed with a motion by Board Member #1 and a second by Board Member #2.

May 19, 2022

Miliken Park Elementary

Bid Tab

	Base Bid	Alt 1 - Geotherm.	Alt 2 - Window	Alt 3 - CR Soffits	Alt 4 - Gym Floor	Alt 5 - LED	Alt 6 - Envelope	Alt 7 - LVT	Alt 8 - Nurse Off.	Unit Price - Max.	Total	Budget	Difference
Cheever	\$ 4,486,000.00	\$ (100,000.00)	\$ 677,000.00	\$ 24,500.00	\$ 41,200.00	\$ 89,300.00	\$ 190,500.00	\$ 29,000.00	\$ 23,800.00	\$15/SF	\$ 4,852,000.00	\$5,481,905	(\$29,905.00)
Sampson	\$ 4,903,000.00	\$ (95,000.00)	\$ 140,000.00	\$ 24,000.00	\$ 33,000.00	\$ 127,000.00	\$ 142,000.00	\$ 50,000.00	\$ 73,000.00	\$15/SF	\$ 5,277,000.00	\$5,481,905	(\$264,905.00)
Elkhorn West	\$ 4,875,000.00	\$ (177,500.00)	\$ 147,800.00	\$ 31,200.00	\$ 42,400.00	\$ 94,000.00	\$ 353,800.00	\$ 190,000.00	\$ 24,000.00	\$19/SF	\$ 5,043,500.00	\$5,481,905	(\$437,405.00)

\$60 per brick



Dahl, Brad <brad.dahl@fpsmail.org>

Fremont High School - Geothermal bid package 01 bid tab results (geothermal only)

1 message

Dan Ridder <danr@hausmannconstruction.com>

Thu, May 26, 2022 at 2:48 PM

To: "Dahl, Brad" <brad.dahl@fpsmail.org>, Mark Shepard <mark.shepard@fpsmail.org>, Russell Koch <russdkoch@gmail.com>

Cc: Matt Smith <msmith@bvh.com>, Cleveland Reeves <creeves@bvh.com>, "jdelaney@morrisseyengineering.com"

<jdelaney@morrisseyengineering.com>, Andrew Christensen <AndrewC@hausmannconstruction.com>, Matt Schendt

<matts@hausmannconstruction.com>, Evan DeBoer <evand@hausmannconstruction.com>

Gentlemen,

Please see attached bid tab results for yesterdays' Geothermal Bid Package 01. We will be further scoping out this scope in the coming weeks. It is our recommendation to award the Geothermal Scope of work to Mid-American Drilling Corp. They are a reputable company that has performed many projects with us in the past, and they are the lowest responsible bidder. The results came in favorable, and we are under budget.

They are available to start this work this summer pending owner approval and pending submittal / procurement of materials. Please let us know if you have any questions or concerns. There are other items outside of the Geothermal bids that will be performed not in this scope of work (i.e., SWPPP, grading, survey, temporary protection, irrigation repairs, electrical, landscaping repairs, etc. outside of this bid tab).

Hausmann will have representation at next Tuesday's school board meeting to be available to discuss further if needed.

Thanks,

Dan

**DAN RIDDER, PROJECT EXECUTIVE**

cell: 402.960.3441 | office: 402.979.8200 | fax: 402.438.3235

11627 Virginia Plaza, Suite 106 | La Vista, NE 68128

LINCOLN | OMAHA | NORFOLK | DENVER | KANSAS CITY



 Geothermal Bid Package 01 - Bid day tab 5.25.2022.pdf
122K

Fremont High School
Geothermal Bid Package 01

5/25/2022



Scope	Mid American Drilling Corp	K2 Construction	Notes
Base bid	\$ 975,835	\$ 1,136,500	
Alternate 1 (site location #2)	\$ 1,004,605	\$ 1,142,400	
Unit price #1	Add \$92.80 per LF	didn't provide. Add \$92.50	
Alternates - Include geothermal raceways for Geothermal well field base	Add \$12810	didn't provide. Add \$12810	
Alternates - Include geothermal raceways for Geothermal well field Alt. 1 (site location 2)	Add \$18457	didn't provide. Add \$18457	
Payment and performance bond	Add 1.5%	Add 1.5%	
Sales tax	N/A	N/A	
Subtotal	\$ 1,003,475	\$ 1,166,550	

Budget
\$ 1,300,000

Under / over budget
\$ 296,525 Under budget

DOCUMENT 004113 - BID FORM - STIPULATED SUM (SINGLE-PRIME CONTRACT)

1.1 BID INFORMATION

- A. Bidder: Elkhorn West Construction, Inc.
- B. Project Name: Bell Elementary Improvements.
- C. Project Location: 1240 E. 11th Street, Fremont, Nebraska, 68025.
- D. Owner: Fremont Public Schools .
- E. Architect: BVH Architecture.
- F. Architect Project Number: 21069 .

1.2 CERTIFICATIONS AND BASE BID

- A. Base Bid, Single-Prime (All Trades) Contract: The undersigned Bidder, having carefully examined the Procurement and Contracting Requirements, Conditions of the Contract, Drawings, Specifications, and all subsequent Addenda, as prepared by BVH Architecture and Architect's consultants, having visited the site, and being familiar with all conditions and requirements of the Work, hereby agrees to furnish all material, labor, equipment and services, including all scheduled allowances, necessary to complete the construction of the above-named project, according to the requirements of the Procurement and Contracting Documents, for the stipulated sum of:

1. Sixty five thousand and twenty one ^{no}cents Dollars
(\$ 65,021.00).

1.3 BID GUARANTEE

- A. The undersigned Bidder agrees to execute a contract for this Work in the above amount and to furnish surety as specified within 10 days after a written Notice of Award, if offered within 60 days after receipt of bids, and on failure to do so agrees to forfeit to Owner the attached cash, cashier's check, certified check, U.S. money order, or bid bond, as liquidated damages for such failure, in the following amount constituting five percent (5%) of the Base Bid amount above:

1. 5% of bid amount Dollars
(\$ 5% of bid amount).

- B. In the event Owner does not offer Notice of Award within the time limits stated above, Owner will return to the undersigned the cash, cashier's check, certified check, U.S. money order, or bid bond.

1.4 TIME OF COMPLETION

- A. The undersigned Bidder proposes and agrees hereby to commence the Work of the Contract Documents on a date specified in a written Notice to Proceed to be issued by Architect, and shall fully complete the Work no later than August 5, 2022 .

1.5 ACKNOWLEDGEMENT OF ADDENDA

- A. The undersigned Bidder acknowledges receipt of and use of the following Addenda in the preparation of this Bid:

- 1. Addendum No. 1, dated 4/19/2022.
- 2. Addendum No. 2, dated _____.

1.6 BID SUPPLEMENTS

- A. The following supplements are a part of this Bid Form and are attached hereto.
 - 1. Bid Form Supplement - Bid Bond Form (AIA Document A310-2010).

1.7 CONTRACTOR'S LICENSE

- A. The undersigned further states that it is a duly licensed contractor, for the type of work proposed, in the State of Nebraska , and that all fees, permits, etc., pursuant to submitting this proposal have been paid in full.

BVH# 21069
BVH ARCHITECTURE

BID FORM - STIPULATED SUM
(SINGLE-PRIME CONTRACT)

004113 - 1

1.8 SUBMISSION OF BID

- A. Respectfully submitted this 28 day of April, 2022.
 - B. Submitted By: Elkhorn West Construction, Inc. (Name of bidding firm or corporation).
 - C. Authorized Signature: [Handwritten Signature] (Handwritten signature).
 - D. Signed By: Thomas J. Gurnon (Type or print name).
 - E. Title: President (Owner/Partner/President/Vice President).
 - F. Witnessed By: [Handwritten Signature] (Handwritten signature).
 - G. Attest: [Handwritten Signature] (Handwritten signature).
 - H. By: Thomas J. Gurnon (Type or print name).
 - I. Title: Corporate Secretary (Corporate Secretary or Assistant Secretary).
 - J. Street Address: 17904 Storage Road
 - K. City, State, Zip: Omaha, Nebraska 68136
 - L. Phone: 402-315-9557
 - M. License No.: LIC-#1500296
 - N. Federal ID No.: #760779497 (Affix Corporate Seal Here).
- END OF DOCUMENT 004113

 **AIA**® Document A310™ – 2010

Bid Bond

CONTRACTOR:

(Name, legal status and address)

Elkhorn West Construction, Inc.
17904 Storage Road
Omaha, NE 68136

SURETY:

(Name, legal status and principal place of business)

Hudson Insurance Company
100 William Street, 5th Floor
New York, NY 10038

OWNER:

(Name, legal status and address)

Fremont Public Schools
130 East 9th Street
Fremont, NE 68025

BOND AMOUNT: Five Percent of the Amount Bid (5%)

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

Any singular reference to Contractor, Surety, Owner or other party shall be considered plural where applicable.

PROJECT:

(Name, location or address, and Project number, if any)

Bell Elementary Improvements, Fremont, NE

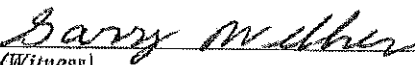
Project Number, if any:

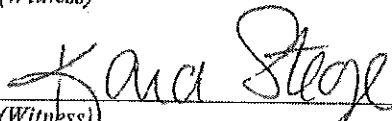
The Contractor and Surety are bound to the Owner in the amount set forth above, for the payment of which the Contractor and Surety bind themselves, their heirs, executors, administrators, successors and assigns, jointly and severally, as provided herein. The conditions of this Bond are such that if the Owner accepts the bid of the Contractor within the time specified in the bid documents, or within such time period as may be agreed to by the Owner and Contractor, and the Contractor either (1) enters into a contract with the Owner in accordance with the terms of such bid, and gives such bond or bonds as may be specified in the bidding or Contract Documents, with a surety admitted in the jurisdiction of the Project and otherwise acceptable to the Owner, for the faithful performance of such Contract and for the prompt payment of labor and material furnished in the prosecution thereof; or (2) pays to the Owner the difference, not to exceed the amount of this Bond, between the amount specified in said bid and such larger amount for which the Owner 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. The Surety hereby waives any notice of an agreement between the Owner and Contractor to extend the time in which the Owner may accept the bid. Waiver of notice by the Surety shall not apply to any extension exceeding sixty (60) days in the aggregate beyond the time for acceptance of bids specified in the bid documents, and the Owner and Contractor shall obtain the Surety's consent for an extension beyond sixty (60) days.

If this Bond is issued in connection with a subcontractor's bid to a Contractor, the term Contractor in this Bond shall be deemed to be Subcontractor and the term Owner shall be deemed to be Contractor.

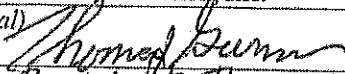
When this Bond has been furnished to comply with a statutory or other legal requirement in the location of the Project, any provision in this Bond conflicting with said statutory or legal requirement shall be deemed deleted herefrom and provisions conforming to such statutory or other legal requirement shall be deemed incorporated herein. When so furnished, the intent is that this Bond shall be construed as a statutory bond and not as a common law bond.

Signed and sealed this 28th day of April, 2022

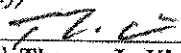

(Witness)


(Witness)

Elkhorn West Construction, Inc.

(Principal)  *(Seal)*

(Title), President **Thomas J. Gurnon**
Hudson Insurance Company

(Surety)  *(Seal)*

(Title) **Thomas L. King, Attorney-in-Fact**



BID BOND POWER OF ATTORNEY

KNOW ALL MEN BY THESE PRESENTS: That HUDSON INSURANCE COMPANY, a corporation of the State of Delaware, with offices at 100 William Street, New York, New York. 10038. has made, constituted and appointed, and by these presents, does make, constitute and appoint

Robert T. Cirone, James M. King, Jacob J. Buss, Thomas L. King, Tamala J. Huribut, Seth Weedin of the state of Nebraska

its true and lawful Attorney(s)-in-Fact, at New York City in the State of New York, each of them alone to have full power to act without the other or others, to make, execute and deliver on its behalf, as Surety, bid bonds for any and all purposes.

Such bid bonds, when duly executed by said Attorney(s)-in-Fact, shall be binding upon said Company as fully and to the same extent as if signed by the President of said Company under its corporate seal attested by its Secretary.

In Witness Whereof, HUDSON INSURANCE COMPANY has caused these presents to be of its Senior Vice President thereunto duly authorized, on this 8th day of September, 20 20 at New York, New York.

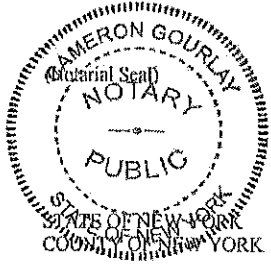


Attest: Dina Daskalakis, Corporate Secretary

HUDSON INSURANCE COMPANY By: Michael P. Cifone, Senior Vice President

STATE OF NEW YORK COUNTY OF NEW YORK SS.

On the 8th day of September, 20 20 before me personally came Michael P. Cifone to me known, who being by me duly sworn did depose and say that he is a Senior Vice President of HUDSON INSURANCE COMPANY, the Company described herein and which executed the above instrument, that he knows the seal of said Company, that the seal affixed to said instrument is the corporate seal of said Company, that it was so affixed by order of the Board of Directors of said Company, and that he signed his name thereto by like order.



CAMERON GOURLAY Notary Public, State of New York No. 01GO6372305 Qualified in New York County Commission Expires June 4, 2022

CERTIFICATION

STATE OF NEW YORK COUNTY OF NEW YORK SS.

The undersigned Dina Daskalakis hereby certifies:

THAT the original resolution, of which the following is a true and correct copy, was duly adopted by unanimous written consent of the Board of Directors of Hudson Insurance Company dated July 27th, 2007, and has not since been revoked, amended or modified:

RESOLVED, that the President, the Executive Vice Presidents, the Senior Vice Presidents and the Vice Presidents shall have the authority and discretion, to appoint such agent or agents, or attorney or attorneys-in-fact, for the purpose of carrying on this Company's surety business, and to empower such agent or agents, or attorney or attorneys-in-fact, to execute and deliver, under this Company's seal or otherwise, bonds obligations, and recognizances, whether made by this Company as surety thereon or otherwise, indemnity contracts, contracts and certificates, and any and all other contracts and undertaking made in the course of this Company's surety business, and renewals, extensions, agreements, waivers, consents or stipulations regarding undertakings so made; and FURTHER RESOLVED, that the signature of any such Officer of the Company and the Company's seal may be affixed by facsimile to any power of attorney or certification given for the execution of any bond, undertaking, recognizance, contract of indemnity or other written obligation in the nature thereof or related thereto, such signature and seal when so used whether heretofore or hereafter, being hereby adopted by the Company as the original signature of such officer and the original seal of the Company, to be valid and binding upon the Company with the same force and effect as though manually affixed.

THAT the above and foregoing is a full, true and correct copy of Power of Attorney issued by said Company, and of the whole of the original and that the said Power of Attorney is still in full force and effect and has not been revoked, and furthermore that the Resolution of the Board of Directors, set forth in the said Power of Attorney is now in force.



Witness the hand of the undersigned and the seal of said Company this 28th day of April, 20 22

By: Dina Daskalakis, Corporate Secretary