

BID SUMMARY  
June 18, 2012

**1. No. CC061812-02.1 – 5<sup>th</sup> Street & Texas Street Traffic Signal Project No. 12-1996 / CIP No. 50897  
(Opened on June 12, 2012)**

ADVERTISING AUTHORITY	\$130,000.00
ENGINEER'S ESTIMATE – Base Bid	\$144,000.00
ENGINEER'S ESTIMATE – Alternate	\$28,000.00

	Base Bid	Alternate 1
1. Solar Sound Corporation**	\$141,846.18	\$37,935.70
2. Muth Electric, Inc**	\$125,307.70	\$42,000.00

\* Cashier's Check, Money Order or Bank Draft Submitted

\*\* Bid Bond Submitted

**2. No. CC061812-02.2 – Safe Routes to School, Project No. 11-1920 / CIP No. 50924: DOT No. SRTS PH. 3 P SRTS (14) PCN 02UA (Opened on June 12, 2012)**

ADVERTISING AUTHORITY	\$168,725.00
ENGINEER'S ESTIMATE	\$86,000.00

	Total Bid
1. Complete Concrete, Inc**	\$76,647.00
2. R. C. S. Construction, Inc**	\$103,692.00
3. Tru-Form Construction, Inc*	\$78,184.75
4. Stanley J. Johnsen Concrete Contractor, Inc*	\$97,760.35

\* Cashier's Check, Money Order or Bank Draft Submitted

\*\* Bid Bond Submitted

**3. No. CC061812-02.3 – One (1) New Current Model Year Electric Pickup Sander Spreader  
(Opened on June 12, 2012)**

ADVERTISING AUTHORITY	\$7,100.00
ENGINEER'S ESTIMATE	NA

	Total Bid
1. Northern Truck Equipment Corporation**	\$6,780.00
2. Black Hills Truck and Trailer*	\$5,830.24
3. Lankota Custom Truck*	\$4,995.00
4. American Road Machinery Co.*	\$3,994.00

\* Cashier's Check, Money Order or Bank Draft Submitted

\*\* Bid Bond Submitted

**BID AWARD SUMMARY****LETTING DATE: June 12, 2012****PROJECT:** Electric Pickup Sander Spreader – Streets Division**RECOMMENDATION:** Award Total Bid in the amount of \$3,994.00 to The American Road Machinery Company at the June 18, 2012 Council Meeting.

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**BIDDERS' SUMMARY****VENDORS**

Northern Truck Equipment  
Black Hills Truck & Trailer  
Lankota Custom Truck  
American Road Machinery Co.\*

**TOTAL BID**

\$6,780.00  
\$5,830.24  
\$4,995.00  
\$3,994.00

\*See attached memo.

**ADVERTISING AUTHORITY**

FUNDING SOURCE	Streets
COST CENTER	0302
LINE ITEM	4360
FUND	0101
ESTIMATED COST:	\$7,100.00

**APPROPRIATION DATA**

FUNDING SOURCE	Streets
COST CENTER	0302
LINE ITEM	4360
FUNDING CENTER	0101
BID AMOUNT	\$3,994.00

Project Manager: Amber SettyDate: 6/13/12



# CITY OF RAPID CITY

RAPID CITY, SOUTH DAKOTA 57701-2724

## OFFICE OF THE CITY ATTORNEY

300 Sixth Street

Wade E. Nyberg, Assistant City Attorney  
City web: [www.rcgov.org](http://www.rcgov.org)

Phone: 605-394-4140  
Fax: 605-394-6633  
e-mail: [wade.nyberg@rcgov.org](mailto:wade.nyberg@rcgov.org)

### MEMORANDUM

TO: Mayor Kooiker and Common Council

FROM: Wade Nyberg *WEN*

DATE: June 14, 2012

RE: Electric Sander Spreader Bid

Staff is recommending that you award the electric pickup bed sander spreader to American Road Machinery Company in the amount of \$3,994.00. There was an irregularity in the bidding process that staff feels you need to be aware of before making your decision.

The Public Works Department's Streets Division invited bids for an electric pickup bed sander and spreader. Three bids were opened and read Tuesday, June 12. Unbeknownst to Finance and Public Works staff, a fourth bid had been received in the Mayor's Office on Monday, June 11. The Mayor's Office had an unusually large volume of mail that day, as it received several pieces of mail addressed to other departments. Not realizing that it was a sealed bid for the sander, Mayor's Office staff opened, date stamped, and forwarded the fourth bid to Public Works via interoffice mail. Public Works received the bid on Wednesday, June 13. The envelope in which the fourth bid was received was discarded, and it is not known whether the bid was marked as required by the invitation for bids.

The fourth bid, from American Road Machinery Company, is the apparent low bid. In addition, it is the only bid that contains no deviations from the specifications attached to the invitation for bids. The Streets Division would like to accept this as the lowest responsible and responsive bid.

The Council has the authority to waive technical irregularities in the bid of the low bidder when those irregularities do not alter the price, quality, or quantity of the item bid. This bid was not opened at the designated time. The sealing and opening of bids at the same time prevents the possibility of collusion between city officials and contractors, so as to take away the ability of city staff to communicate other bids to a prospective bidder who could use that knowledge to win

contracts. The bid in question was not known to be a bid until received by Public Works staff, a day after bids were opened.

Additionally, the SD Supreme Court has summarized the purpose of the competitive bidding statutes as first to avoid excessive costs for the taxpayers and also to guard against favoritism, improvidence, extravagance, fraud, and corruption. There is no evidence of any fraud, favoritism or corruption in this case. The American Road Machinery Company did not receive an unfair advantage, as their bid was submitted and received ahead of the deadline. As the apparent low bid, it would serve the purposes of the bidding statutes in avoiding excessive taxpayer expense.

**Bid Tabulation for: Electric Pickup Sander Spreader**

**Funding: 0101/0302/4360**

**Bid Receive Date: June 12, 2012**

**Department: Streets**

**Project Manager: Don Brumbaugh/Gena Miller**

Item No.	Description	Quantity	Lankota Custom Truck Sioux Falls, SD	Black Hills Truck & Trailer Rapid City, SD	Northern Truck Equipment Rapid City, SD	American Road Machinery Co. Minerva, OH
			Unit Price	Unit Price	Unit Price	Unit Price
	Current model year electric pickup sander spreader, per specifications, complete and ready to use intended and delivered FOB Streets Division	1	\$ 4,995.00	\$ 5,830.24	\$ 6,780.00	\$ 3,994.00

**Recommended Vendor: American Road Machinery Company**