

## Board of Education Special Meeting

Thursday, February 18, 2021 7:00 PM

Minden High School Media Center, 543 West Fifth, Minden, NE 68959-0301

Andy Craig: Present  
Justin Glanzer: Present  
Cody Krull: Present  
Kevin Raun: Present  
Rusty Rhynalds: Present  
Katie Sinsel: Present

### 1. Call to Order

### 2. Consider, Discuss, and Take Action on Certified Staff Resignations

### 3. Consider, Discuss, and Take Action on Bids for the C.L. Jones Middle School HVAC Project

#### Action(s):

Motion to approve the bid from Rutt's Heating & Air at a price not to exceed \$1,630,000.00 and to authorize the Superintendent to negotiate the final contract Passed with a motion by Cody Krull and a second by Andy Craig.

#### Voting Detail:

Andy Craig: Yea  
Justin Glanzer: Yea  
Cody Krull: Yea  
Kevin Raun: Yea  
Rusty Rhynalds: Yea  
Katie Sinsel: Yea

**Voting Summary:** Yea: 6, Nay: 0

### 4. Adjournment per Board President Action at 7:35 pm

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Board Secretary

**BID PROPOSAL FORM**

Sealed Bid Number 001

**TO**

Minden Public Schools District Office  
Attention: James Widdifield  
543 W. 5th St.  
Minden, NE 68959

**FOR**

C. L. Jones Middle School HVAC Upgrades  
520 West 3<sup>rd</sup>  
Minden, Nebraska NE 68959

**BIDDER INFORMATION**

Bidders Legal Name: Ruths Heating & AC INC Dated 2-18-2021

(a Corporation organized and existing under the laws of the State of Nebraska )

or a partnership consisting of: \_\_\_\_\_ partners

or an individual hereinafter called the bidder.

Address 1001 W 1st Street

City, State, Zip Hastings NE 68901

Phone No. 402-463-4853 Fax No. 402-469-4859

**BID AMOUNT**

We, the bidder, acknowledge receipt of the following Addendum or Addenda. The modifications to the Bid Documents noted below have been considered and all costs are included in the Bid Sum.

- Addendum # 1 Date 2-5-2021
- Addendum # 2 Date 2-15-2021
- Addendum # \_\_\_\_\_ Date \_\_\_\_\_

The undersigned in compliance with your Invitation for Bids for the C. L. Jones Middle School HVAC Upgrades Project, having examined the plans and specifications with related documents and the site of the proposed work and being familiar with all of the conditions surrounding the construction of the proposed project, including the availability of labor, hereby propose to furnish all labor, materials and supplies and to construct the project in accordance with the Contract Documents, at the prices stated below. The prices are to cover all expenses incurred in performing the work required under the Contract Documents of which this proposal is a part.

We have included the required 5% security Bid Bond as required by the Instruction to Bidders. Indicate in writing as "Yes" that security is enclosed with this Bid Form: yes

For all work described in the specifications and shown on the plans for the project, we agree to perform all work for the sum of:

**BASE BID:**

For all work described in the specifications and shown on the plans for the project, we agree to perform all work for C. L. Jones Middle School HVAC Upgrades Project, for the Base Bid sum of:

One million six hundred thirty thousand Dollars  
(Amount written in words)

\$1,630,000.00  
(Amount written in figures)

As part of Bid, the Bidder declares that he/she is and will comply with the Nebraska Fair Labor SS73-102 to 73-105 RRS Nebr. in pursuit of its business and in execution of this Contract.

**ALTERNATE BIDS:**

1. **Alternate #1:** Provide a DEDUCT alternate price to not replace RTU-10A / CU-10A & RTU-10B / CU-10B and not perform ductwork changes in Gym 100. In the base bid replace equipment, ductwork, piping, and electrical as shown.

(Deduct) One hundred forty-five thousand Dollars  
(Amount written in words)

(Deduct) \$ 145,000.00  
(Amount written in figures)

2. **Alternate #2:** Provide a DEDUCT alternate price to not install RTU-12 as a replacement to AHU-1 / CU-11, and not install new AHU-2 / CU-2, AHU-3 / CU-3, AHU-4 / CU-4, AHU-5 / CU-5, AHU-6 / CU-6 as replacement to existing. In the base bid replace equipment, piping and electrical as shown.

(Deduct) Three hundred thousand Dollars  
(Amount written in words)

(Deduct) \$ 300,000.00  
(Amount written in figures)

3. **Alternate #3:** A voluntary alternate price for temperature controls is allowed only for prior approved Controls Contractors. If provided, indicate a voluntary DEDUCT alternate price for temperature controls. The base bid shall only include the price from Engineered Controls for temperature controls.

(Deduct) No bid Dollars  
(Amount written in words)

(Deduct) \$ No bid  
(Amount written in figures)

(Deduct) No bid Dollars  
(Amount written in words)

(Deduct) \$ No bid  
(Amount written in figures)

**ACCEPTANCE**

This offer shall be open to acceptance and is irrevocable for forty-five (45) days from the bid closing date.

If this bid is accepted within the time stated, and we fail to commence the Work or fail to provide the required Performance and Payment Bonds, the security deposit shall be forfeited as damages to the Owner by reason of failure, limited in amount to the lesser of the face value of the security deposit of the difference between this bid and the bid upon which a Contract is signed.

In the event our bid is not accepted within the time stated above, the required security deposit shall be returned to the undersigned, in accordance with the provisions of the Instructions to Bidders; unless a mutually satisfactory arrangement is made for its retention and validity for an extended period of time.

**CONTRACT TIME**

If this bid is accepted, we will:

- 1. Substantially complete all work by August 5, 2021.

**BID FORM SIGNATURE**

If the Bid is a joint venture or partnership, add additional forms of execution for each member of the joint venture in the appropriate form or forms as above.

The Corporate Seal of:

Bidder:     Rutts Heating & AC INC    

was hereunto affixed in the presence of:

Authorized Officer, Title:     Regg Rutts         President      
Seal:

END OF SECTION



**INLAND**  
INSURANCE COMPANY

**UNIVERSAL**  
SURETY COMPANY

P.O. Box 80468 • Lincoln, Nebraska 68501-0468  
PHONE • 1-800-755-2666  
FAX • 402-435-3274

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## BID BOND

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KNOW ALL MEN BY THESE PRESENTS: That we, **Rutt's Heating and Air Conditioning, INC.**  
1001 W 1st Street 1938 Yolande Ave.  
Hastings NE 68901 Lincoln NE 68521

as Principal, hereinafter called the principal, and Universal Surety Company a corporation duly organized under the laws of the State of Nebraska, as Surety, hereinafter called the Surety, are held and firmly bound unto **Minden Public Schools—C.L. Jones Middle School HVAC Upgrades**  
520 W 3rd St.  
Minden NE 68959

as Oblige, hereinafter called the Oblige, in the sum of 5% of Bid

(\$5% of Bid) DOLLARS, lawful money of the United States of America, for the payment of which sum of money well and truly to be made, the said Principal and Surety bind themselves, their and each of their heirs, executors, administrators, successors and assigns, jointly and severally, firmly by these presents.

WHEREAS, the Principal has submitted a bid for: **Project #2020-188 HVAC Upgrades**  
**Minden Public School - C.L. Jones Middle School**  
520 W 3rd St.  
Minden NE 68959

NOW THEREFORE, if the Oblige shall accept the bid of the Principal and the Principal shall enter into a Contract with the Oblige in accordance with the terms of such bid, and give such bond or bonds as may be specified in the bidding or Contract Documents with good and sufficient surety for the faithful performance of such Contract and for the prompt payment of labor and material furnished in the prosecution thereof, or in the event of the failure of the Principal to enter such Contract and give such bond or bonds, if the Principal shall pay to the Oblige the difference not to exceed the penalty hereof between the amount specified in said bid and such larger amount for which the Oblige 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.

Signed, Sealed and Dated, this 15th day of February, 2021.

Rutt's Heating and Air Conditioning Inc.  
Principal (Seal)

By: Regg Rutt President (Title)

Universal Surety Company  
Surety (Seal)

By: Debra Adams

Ron Wilson  
Witness

Abby Nienhuis  
Witness

# UNIVERSAL SURETY COMPANY

Lincoln, Nebraska

## POWER OF ATTORNEY

### KNOW ALL MEN BY THESE PRESENTS:

That the **UNIVERSAL SURETY COMPANY**, a corporation of the State of Nebraska having its principal office in the City of Lincoln, Nebraska, pursuant to the following Bylaw, which was adopted by the Board of Directors of the said Company on July 23, 1981, to wit:

"Article V-Section 6. **RESIDENT OFFICERS AND ATTORNEYS-IN-FACT.** The President or any Vice President, acting with any Secretary or Assistant Secretary, shall have the authority to appoint Resident Vice Presidents and Attorneys-In-Fact, with the power and authority to sign, execute, acknowledge and deliver on its behalf, as Surety: Any and all undertakings of suretyship and to affix thereto the corporate seal of the corporation. The President or any Vice President, acting with any Secretary or Assistant Secretary, shall also have the authority to remove and revoke the authority of any such appointee at any time."

does hereby make, constitute and appoint

Kevin Dale Krull, Minden, Nebraska or Debra Jean Adams, Kenesaw, Nebraska

its true and lawful Attorney(s)-in-Fact, to make, execute, seal and deliver for and on its behalf, as Surety:  
Any and all undertakings of suretyship

And the execution of such bonds or undertakings in pursuance of these presents, shall be as binding upon said Company, as fully and amply, to all intents and purposes, as if they had been duly executed and acknowledged by the regularly elected officers of the Company at its offices in Lincoln, Nebraska, in their own persons.

The following Resolution was adopted at the Regular Meeting of the Board of Directors of the **UNIVERSAL SURETY COMPANY**, held on July 23, 1981:

"RESOLVED, That the signatures of officers of the Company and the seal of the Company may be affixed by facsimile to any Power of Attorney executed in accordance with Article V-Section 6 of the Company Bylaws; and that any such Power of Attorney bearing such facsimile signatures, including the facsimile signature of a certifying Assistant Secretary and facsimile seal shall be valid and binding upon the Company with respect to any bond, undertaking or contract of suretyship to which it is attached."

All authority hereby conferred shall remain in full force and effect until terminated by the Company.

IN WITNESS WHEREOF, **UNIVERSAL SURETY COMPANY** has caused these presents to be signed by its President and its corporate seal to be hereunto affixed this 16th day of February, 20 18

*Carol J. Clark*

Secretary/Treasurer

By

UNIVERSAL SURETY COMPANY

*Curt L. Hartter*

President



State of Nebraska

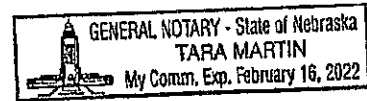
County of

of

ss.  
Lancaster

On this 16th day of February, 20 18, before me personally came Curtis L. Hartter, to me known, who being by me duly sworn, did depose and say that (s)he resides in the County of Lancaster, State of Nebraska; that (s)he is the President of the **UNIVERSAL SURETY COMPANY**, the corporation described in and which executed the above instrument; that (s)he knows the seal of the said corporation; that the seal affixed to the said instrument is such corporate seal; that it was so affixed by order of the Board of Directors of said corporation; that (s)he signed (his) (her) name by like order; and that Bylaw, Article V-Section 6, adopted by the Board of Directors of said Company, referred to in the preceding instrument, is now in force.

*Tara Martin*



My Commission Expires February 16, 2022.

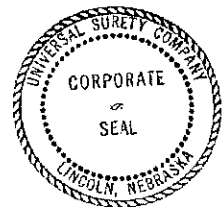
Notary Public

I, Philip C. Abel, Director of **UNIVERSAL SURETY COMPANY**, do hereby certify that the above and foregoing is a true and correct copy of a Power of Attorney executed by said **UNIVERSAL SURETY COMPANY**, which is still in full force and effect.

Signed and sealed at the City of Lincoln, Nebraska this 15th day of February, 20 21

*Philip C. Abel*

Director



**Rutt's Heating and Air Conditioning, Inc.**

1001 W 1st St., Hastings, NE 68901

# Proposal

|           |            |
|-----------|------------|
| Date      | Estimate # |
| 1/26/2021 | 15136      |

|                                      |
|--------------------------------------|
| <b>Name / Address / Phone Number</b> |
| Minden C.L. Jones Middle School      |

| We hereby submit specifications for:                                      |              |
|---|--------------|
| <b>Project: Minden Public Schools - C.L. Jones Middle School</b>          |              |
| <b>Roof Top Units (RTU-1,2,3,4,5,6,7,8,9,11,12)</b>                       |              |
| <b>Roof Top Air Handler Units (RTU-10A,10B)</b>                           |              |
| <b>Air Handling Units (AHU-2,3,4,5,6)</b>                                 |              |
| <b>Condensing Units (CU-2,3,4,5,6)</b>                                    |              |
| <b>Variable Speed Drives for Pumps (qty 4)</b>                            |              |
| <b>Variable Air Volume Boxes</b>  |              |
| <b>Needpoint Bipolar Ionization Air Purification and Labor to Install</b> |              |
| <b>Refrigerant Piping</b>   |              |
| <b>Registers and Grilles</b>  |              |
| <b>Sheetmetal</b>   |              |
| <b>Duct Liner Insulation</b>  |              |
| <b>Duct Wrap Insulation</b>   |              |
| <b>Air Balancing</b>  |              |
| <b>Equipment Rental</b>   |              |
| <b>Scaffolding</b>  |              |
| <b>Temperature Controls</b>   |              |
| <b>Roof Work</b>  |              |
| <b>Ceiling Work for RTU-12 and VAV's</b>                                  |              |
| <b>Structural Steel Work for RTU-12</b>                                   |              |
| <b>Crane Rental</b>   |              |
| <b>Demo Labor</b>   |              |
| <b>Labor to Change VAV Boxes</b>  |              |
| <b>Labor for Air Handlers</b>   |              |
| <b>Labor for RTU's</b>  |              |
| <b>Labor for Refrigeration Piping</b>                                     |              |
| <b>Project Manager</b>  |              |
| <b>Discovery Allowance</b>  |              |
| <b>Cleaning and Floor Covering</b>  |              |
|   | <b>Total</b> |

Authorized Signature \_\_\_\_\_

Acceptance of Proposal Signature \_\_\_\_\_

**Rutt's Heating and Air Conditioning, Inc.**

1001 W 1st St., Hastings, NE 68901

# Proposal

|           |            |
|-----------|------------|
| Date      | Estimate # |
| 1/26/2021 | 15136      |

|                                      |
|--------------------------------------|
| <b>Name / Address / Phone Number</b> |
| Minden C.L. Jones Middle School      |

**We hereby submit specifications for:**

- Background Checks
  - Equipment Labels
  - Bond
  - Electrical Work:
    - Provide All Demo Per Plans
    - Provide New Section to Existing gear MSB
    - All Fire Alarm work Done by Protex
    - Provide all new Panels and Service to panels per Riser Diagram on E3.0
    - Provide all Disconnects For HVAC Equipment per plan
    - Provide all Breakers and wire to all HVAC Equipment per plan
    - Provide Wiring of VFD'S and Pumps per plan
  - Plumbing and Mechanical Piping
    - Includes Pipe Insulation
    - Flushing of System and Fill
    - Variable Speed Drives for Pumps (qty 4)
- The following items are not included: sales tax.
- Deduct \$145,000 for Alternate #1
  - Deduct \$300,000 for Alternate #2

|  |                             |
|--|-----------------------------|
|  | <b>Total</b> \$1,630,000.00 |
|--|-----------------------------|

Note: This proposal may be withdrawn if not accepted within 45 days. If payment made by credit card exceeds \$1000.00, add 2% to the total amount due.

Authorized Signature Regg Furr

Acceptance of Proposal Signature \_\_\_\_\_