

CITY OF DULUTH REQUEST FOR PROPOSALS FOR

W. 10th and W. 15th Road and Utility Easements

RFP NUMBER 18-0112E ISSUED June 19, 2018

PROPOSALS DUE July 9, 2018

SUBMIT TO

CITY OF DULUTH ATTN: PURCHASING DIVISION CITY HALL, ROOM 100 411 WEST 1ST STREET DULUTH, MN 55802

PART I - GENERAL INFORMATION

I-1. Project Overview. Prepare legal descriptions and exhibits for recording at the St. Louis County registrar for W. 10th Street south of Orange Street and W. 15th Street east of Orange Street. See attached location maps. Additional detail is provided in **Part IV** of this RFP.

I-2. Calendar of Events. The City will make every effort to adhere to the following schedule:

Activity	Date
Deadline to submit Questions via email to purchasing@duluthmn.gov	July 5, 2018
Answers to questions will be posted to the City website no later than this date.	July 6, 2018
Proposals must be received in the Purchasing Office by 4:00 PM on this date.	July 9, 2018

- **I-3. Rejection of Proposals.** The City reserves the right, in its sole and complete discretion, to reject any and all proposals or cancel the request for proposals, at any time prior to the time a contract is fully executed, when it is in its best interests. The City is not liable for any costs the Proposer incurs in preparation and submission of its proposal, in participating in the RFP process or in anticipation of award of the contract.
- **I-4.** Questions & Answers. Any questions regarding this RFP must be submitted by e-mail to the Purchasing Office at purchasing@duluthmn.gov no later than the date indicated on the Calendar of Events. Answers to the questions will be posted as an Addendum to the RFP.
- **I-5.** Addenda to the RFP. If the City deems it necessary to revise any part of this RFP before the proposal response date, the City will post an addendum to its website http://www.duluthmn.gov/purchasing/bids-request-for-proposals/. Although an e-mail notification will be sent, it is the Proposer's responsibility to periodically check the website for any new information
- **I-6. Proposals.** To be considered, hard copies of proposals must arrive at the City on or before the time and date specified in the RFP Calendar of Events. The City will not accept proposals via email or facsimile transmission. The City reserves the right to reject or to deduct evaluation points for late proposals.

Proposals must be signed by an official authorized to bind the Proposer to its provisions. If the official signs the Proposal Cover Sheet attached as Appendix A, this requirement will be met. Proposals must remain valid for 60 days or until a contract is fully executed.

Please submit one (1) paper copy of the Technical Submittal and one (1) paper copy of the Cost Submittal.

All materials submitted in response to this RFP will become property of the City and will become public record after the evaluation process is completed and an award decision made.

- I-7. Small Diverse Business Information. The City encourages participation by minority, women, and veteran-owned businesses as prime contractors, and encourages all prime contractors to make a significant commitment to use minority, women, veteran-owned and other disadvantaged business entities as subcontractors and suppliers. A list of certified Disadvantaged Business Enterprises is maintained by the Minnesota Unified Certification Program at http://mnucp.metc.state.mn.us/.
- **I-8. Term of Contract.** The term of the contract will begin once the contract is fully executed and is anticipated to end by December 31, 2018. The selected Proposer shall not start the performance of any work nor shall the City be liable to pay the selected Proposer for any service or work performed or expenses incurred before the contract is executed.
- **I-9. Mandatory Disclosures.** By submitting a proposal, each Proposer understands, represents, and acknowledges that:
 - A. Their proposal has been developed by the Proposer independently and has been submitted without collusion with and without agreement, understanding, or planned common course of action with any other vendor or suppliers of materials, supplies, equipment, or services described in the Request for Proposals, designed to limit independent bidding or competition, and that the contents of the proposal have not been communicated by the Proposer or its employees or agents to any person not an employee or agent of the Proposer.
 - B. There is no conflict of interest. A conflict of interest exists if a Proposer has any interest that would actually conflict, or has the appearance of conflicting, in any manner or degree with the performance of work on the project. If there are potential conflicts, identify the municipalities, developers, and other public or private entities with whom your company is currently, or have been, employed and which may be affected.
 - C. It is not currently under suspension or debarment by the State of Minnesota, any other state or the federal government.
- **I-10. Notification of Selection.** Proposers whose proposals are not selected will be notified in writing when contract negotiations have been successfully completed and the City has received the final negotiated contract signed by the selected Proposer.

PART II - PROPOSAL REQUIREMENTS

Provide cover letter and resumes of staff proposed for project.

Provide summary tabulation of work tasks and proposed cost of each task to provide finished legal description and easement dedication exhibits in a recordable form. Suggested task list:

- Meeting to gather information from City.
- Three meetings with City, or adjacent property owners as required dedication limits are developed.
- Provide a minimum of seven exhibits to accompany agreements prepared by City Attorney's office.

Address in cover letter how extra work cost will be charged. Use cost basis in task list or use hourly rates per staff person and equipment?

PART III - CRITERIA FOR SELECTION

The proposals will be reviewed by City Staff. The intent of the selection process is to review proposals submitted by at least three qualified consultants and make an award based upon qualifications as described therein. A 100-point scale will be used to create the final evaluation recommendations. The factors and weighting on which proposals will be judged are:

Cost 50% Resumes of assigned staff 50%

PART IV - PROJECT DETAIL

Portions of W. 15th Street and all of W. 10th Street have been maintained by the city of Duluth without the proper road and utility easements in place. The work to be provided by the selected consultant includes research, survey, mapping and providing legal descriptions and exhibits signed by a land surveyor licensed in the state of Minnesota. The documents would then be included in the easement agreements that would be prepared and executed by the city attorneys' office, submitted to city council for approval, and then recorded by the city at St. Louis County registrar.

The easements for W. 15th Street have been requested by St. Louis County so they can put the tax forfeit parcels up for sale. The easements for W. 10th Street have been discussed with at least one of the adjacent property owners, Mr. Eric Sommerness. It appears that the existing access was constructed along a telephone easement. See the attached aerial photograph exhibits indicating the proposed easement dimensions and limits.

The City is providing in the Request for Proposal the following documents:

- Duluth Street Railway map
- St. Louis County unofficial certificate for Orange Street 80-foot Easement

- Survey recorded at the county in 2013
- Survey recorded at the county in 1978
- Boundary Survey for Eric Sommerness
- Certificate of title for underground cable
- City GIS aerial photographic mapping of sites indicating property owners and rough sketch of easements required (2 pages)

APPENDIX A - PROPOSAL COVER SHEET CITY OF DULUTH RFP# 18-0112E

Proposer Information:					
Proposer Name					
Mailing Address					
Website					
Contact Person					
Contact Person's Phone Number					
Contact Person's Fax Number					
Contact Person's E-Mail Address					
Federal ID Number					
Authorized Signature					
Title					



UNOFFICIAL COPY

District Court No. 265 Certificate of Title 216232.0

Number:

LINC Number: 17681 Volume: 588

Transfer from Certificate Number(s): part of 143944.0 Originally registered Aug 21, 1905 Volume 4 Page 62.0 Page: 232.0

REGISTRATION

STATE OF MINNESOTA COUNTY OF ST. LOUIS SS.

This is to certify that

HIGHLAND COMPANY, WHICH BEGAN ITS CORPORATE EXISTENCE MAY 2, 1904
CITY OF DULUTH, COUNTY OF ST LOUIS, STATE OF MINNESOTA
are now the owners of an estate, to-wit, IN FEE SIMPLE
of and in the following described land situated in the County of St. Louis and State of Minnesota, to-wit:

SE1/4 of SE1/4 of SW1/4 Section 21 Township 50 North Range 14 West of the Fourth Principal Meridian, EXCEPT so much of said above described land as formerly constituted and was formerly described as Lots 11, 12, 13 and 14, Block 8, Lots 8, 9, 10 and 11, Block 5 and the entire fractional Block 27 Clough's Addition to Duluth.

All the minerals in, upon or under E1/2 of W1/2 of SW1/4 of SW1/4 Section 21Township 50 North Range 14 West of the Fourth Principal Meridian, EXCEPT that part formerly platted as Fractional Block 27 Clough's Addition to Duluth.

All the minerals in, upon or under E1/2 of SW1/4 of SW1/4, W1/2 of SE1/4 of SW1/4 and NE1/4 of SE1/4 of SW1/4 Section 21Township 50 North Range 14 West of the Fourth Principal Meridian, EXCEPT so much of said above described land as formerly constituted and was formerly described as Lots 11, 12, 13 and 14, Block 8, Lots 8, 9, 10 and 11 Block 5 and the entire fractional Block 27 All in Clough's Addition to Duluth.

SUBJECT to an easement in favor of the City of Duluth and public for a right of way for highway purposes over a strip of said land, 80 feet in width and following the tracks of the Duluth Street Railway Company as now located upon said lands, the center line of which said 80 foot strip is a line running parallel with the land 5 1/2 feet distant from said north and east of the center line of the tracks of the said Duluth Street Railway Company.

Subject to encumbrances, liens, and interest noted by memorial underwritten or endorsed hereon: and subject to the following rights or encumbrances subsisting, as provided in laws 1905, chapter 305, section 24, namely:

(1) Liens, claims, or rights arising under the laws or the Constitution of the United States, which the statutes of this state cannot require to appear of record;

(1) Lieus, claims, of rights arising under the taws of the Constitution of the Office States, which the statutes of this state cannot require to appear of record

Certificate Number: 216232.0 LINC Number: 17681 11/6/2017 Page 1 of 3

UNOFFICIAL COPY

- (2) Any real property tax or special assessment for which a sale of the land has not been had at the date of the certificate of title;
- (3) Any lease for a period not exceeding three years, when there is actual occupation of the premises under the lease;
- (4) All rights in public highways upon the land;
- (5) Such right of appeal or right to appear and contest the application, petition, or other proceeding affecting the title, as is allowed by law;
- (6) The rights of any person in possession under deed or contract for deed from the owner of the certificate of title;
- (7) Any outstanding mechanics lien rights which may exist under sections 514.01 to 514.17.

In witness whereof, I have hereunto subscribed my name and affixed the seal of my office, this January 19, 1979

CLARK A ILSE

Registrar of Titles
in and for the County of St. Louis and State of Minnesota

By R M GRIFFIN, Deputy

Certificate Number: 216232.0 LINC Number: 17681 11/6/2017 Page 2 of 3

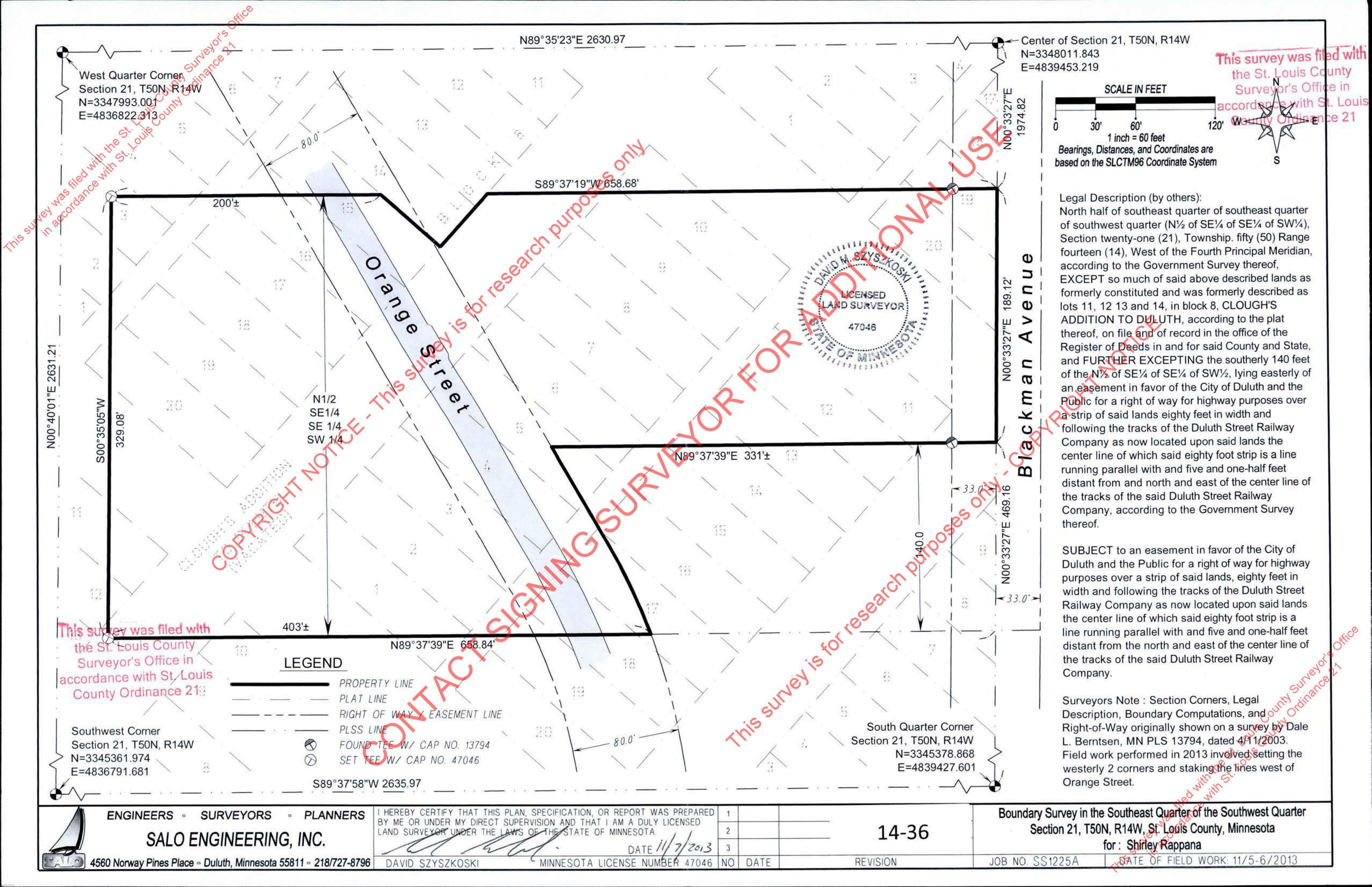
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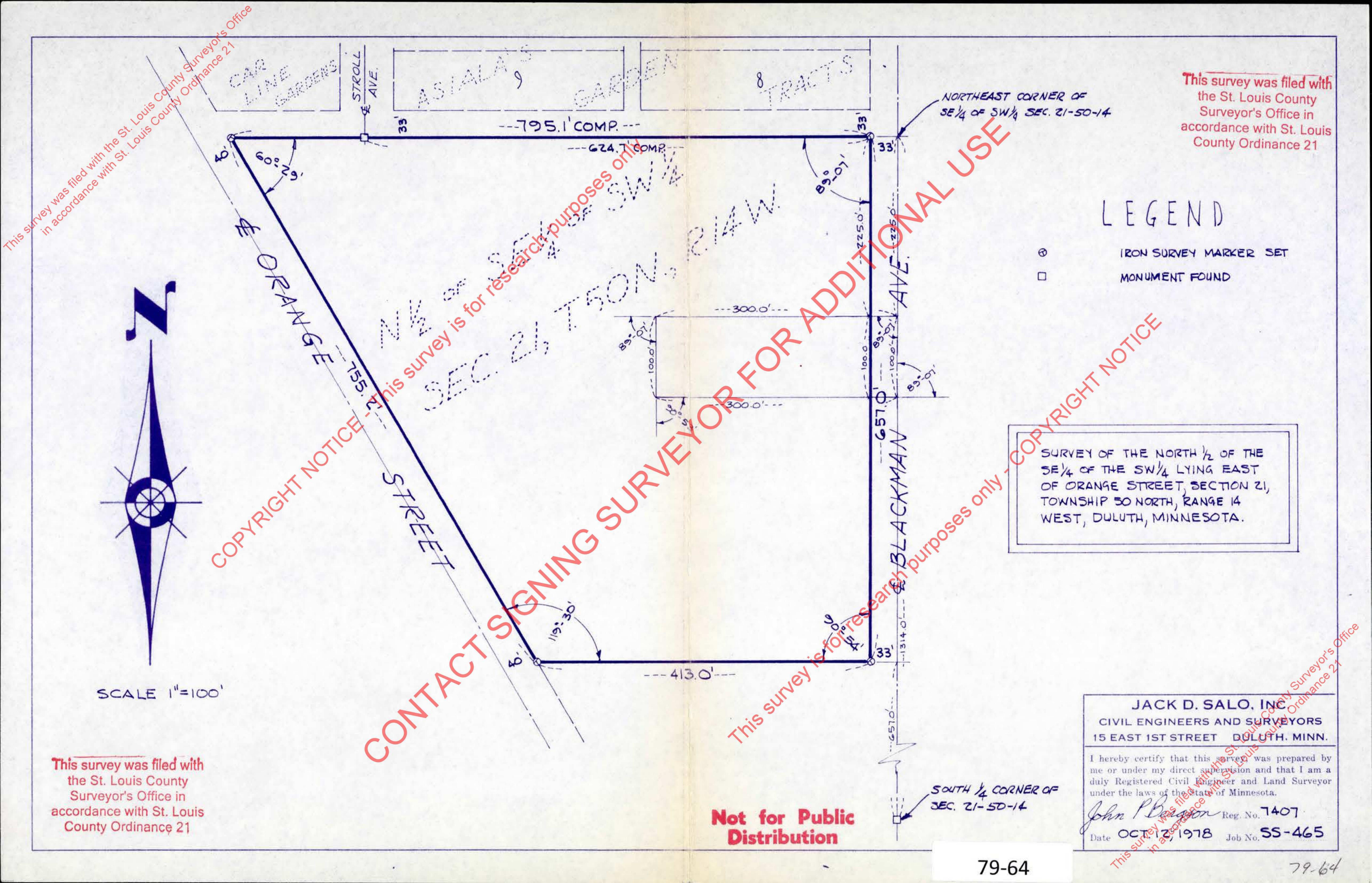
MEMORIAL

of Estates, Easements or Charges on the Land described in the Certificate of Title hereto attached.

DOCUMENT NUMBER		ATE AND TIM OF REGISTR	E INS	TRUMENT DATE AND	AMOUNT SI	GNATURE OF REGISTRAR
192753.0	CERTIFICATE OF FORFEITURE	02/10/1948	3PM		AMOUNT	CHAS CALLIGAN By C J HEGLAND Deputy
RUNNING IN	FAVOR OF: STATE OF MINNESOTA AUDITORS CERT. AS TO LA	ANDS FORFEITE	D TO TAX	ES, YEAR 1940)	
250896.0	CERTIFICATE OF FORFEITURE	08/24/1956	4:00 PM	08/24/1956		CHAS CALLIGAN By LUCILLE FERGUSON Deputy
RUNNING IN	FAVOR OF: STATE OF MN AUDITOR'S CERT AS TO LA AFFECTS SE1/4 OF SE1/4 OF SEE DOC NO 250896 FOR DI	SE1/4 OF SW1/4			7	
252682.0	STATE DEED	11/02/1956	8:30 AM	06/21/1956		CHAS CALLIGAN By LUCILLE FERGUSON Deputy
RUNNING IN	FAVOR OF: ROBERT PEDERSON OF ST AFFECTS SE1/4 OF SE1/4 OI SEE DOC NO 252682 FOR DI	F SE1/4 OF SW1/4		0-14		
298143.0	QUIT CLAIM DEED	03/18/1963	12:00 PM	12/12/1962	1.00	RICHARD V DUMAS By MILDRED KINDBERG Deputy
298288.0	ROBERT PEDERSON, ETUX OF SE1/4 OF SW1/4 SEC 21 T SEE DOC NO 298143 PETITION SUBSEQUENT	. *		03/22/1963	OF 31/2 OF 3E1/4	RICHARD V DUMAS By MILDRED KINDBERG Deputy
RUNNING IN	FAVOR OF: PAUL PEDERSON AND SAN ORDER FOR NEW CERTIFIC	-		E FOR FORFEI	I ГЕD LAND	1.3
299007.0	EASEMENT	05/06/1963	11:00 AM	01/31/1963	1.00	RICHARD V DUMAS By MILDRED KINDBERG Deputy
RUNNING IN	FAVOR OF: CITY OF DULUTH EASEMENT FOR HIGHWAY HEREIN. FOR DETAILS SEE DOC NO		PURPOSES	S OVER AND A	CROSS PART OF P	ROPERTY
414367.0	EASEMENT	08/15/1978	10:00 AM	06/22/1978	1.00	CLARK A ILSE By D GILBERG Deputy
RUNNING IN	FAVOR OF:CITY OF DULUTH EASEMENT FOR HIGHWAY SEE DOC NO 414367.	PURPOSES OV	ER AND A	CROSS PART (OF PROPERTY HER	EIN.
415614.0	CERTIFICATE OF FORFEITURE	09/27/1978	11:00 AM	07/19/1939		CLARK A ILSE By D GILBERG Deputy
RUNNING IN	FAVOR OF: STATE OF MN AUDITOR'S CERT AS TO LA AFFECTS E1/2 OF SW1/4 OF SW1/4 AND N1/2 OF SE1/4 C	SW1/4, NE1/4 O	F SE1/4 OF /4 HEREIN	SW1/4, W1/2 (OF SE1/4 OF	

Certificate Number: 216232.0 LINC Number:17681 11/6/2017 Page 3 of 3





Certificate of Title Number. - 270185--

District Court No. 2104

registered

day of

o'clock

M.

Transfer from part of No. 26593 Originally registered 25th day of August 1916 Volume 85 page 40

REGISTRATION

STATE OF MINNESOTA Section Sec

residing at

File No.

county of

, in the. and state of

now the owner of an estate, to-wit,

is now the owner of an estate, to-wit, IN FEE SIMPLE of and in the following described land situated in the county of St. Louis and state of Minnesota, to-wit,

All the minerals in, upon or under Lots Four (4), Five (5) and Six (6), Block Thirty-nine (39), DULUTH HEIGHTS, FIRST DIVISION, according to the plat thereof, on file and of record in the office of the Register of Deeds, St. Louis County, Minnesota.

JUN 1 3 2005

Subject to encumbrances, liens, and interest noted by memorial underwritten or endorsed hereon; and subject to the following rights or encumbrances subsisting, as provided in Lawe 1905, chapter 305, section 24, namely:

as provinces in Laws 1940, chapter 340, Section 34, namely:

(1) Liens, claims, or rights arising under the laws or the Constitution of the United States, which the statutes of this state cannot require to appear of record:

(2) Any real property tax or special assessment for which a sale of the land has not been had at the date of the certificate of title:

(3) Any lesse for a period not acceeding three years, when there is actual occupation of the premises under the lesse:

(4) All rights in public highways upon the land:

(5) Such right of appeal or right to appear and contest the application as is allowed by the state of the certificate of title:

(6) The rights of any person in possession under deed or contract for deed from the owner of the certificate of title:

(7) Any outstanding mechanics lien rights which may exist under sections \$14.01 to \$14.17.

That the said

Felix K. Meagher is

of the age of 18 years or older.

married

Cora C. Meagher

, and under no legal incapacity.



In witness whereof, I have hereunto subscribed my name and affixed the seal of my office. 23rd day of

February

MARK A. MONACELLI Registrar of Titles

in and for the county of St. Louis and state of Minnesota.

Deput J Deputy

MEMORIAL

	01					s on th		ribed in t	he Ce	rtificate of Title hereto attach	3
OCUMENT NUMBER	CUMENT KIND OF DATE OF REGISTRATION UMBER INSTRUMENT MONTH DAY YEAR A.M.		UR L	DATE OF INSTRU- MENT AMOUNT		NT	RUNNING IN FAVOR OF	SIGNATURE OF REGISTRAR			
148416	Auditors Cert, se to Lande forfaited for [taxes, year 1994	EC.	1, 193		uly 19,					STATE OF MINNESOTA	CHAL CALLKIAM BE M. W. Mollow, Organy
171799	Anditor's Cart, sa to Louds Perfeited for taxes: year 1937	ост.	19, 1	744 11	Seet.	10, 19	44			STATE OF MINNESOTA	CHAS. CALLIGAN By Theo.Archer,Depur
320899	Easement	June	13	1966_	<u> </u>	3	0ct.7 1965	\$87	00	Northwestern Bell Telephone Company B	CHAS.A.SLOWINSKI Mildred Kindberg,Dep
Perpetu	al easement	for u	der	round	cab	e.	Affects	other	re	. & unreg. prop. S	ee Doc. No. 320899.
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COUNTY OF, ST. LOUIS STATE OF MINNESOTA

EASEMENT OVER TAX FORFEITED LANDS

Granted to Northwestern Bell Tolephone Easement No. 059
Address 9 West Superior St., PO Box 17 Date Effective October 7, 1965
Duluth, Hinnesota
Purpose of Easement underground cable Motion No. 280
Duration of Easement perpetual Receipt No. 59293
Pursuant to provisions of Section 282.04, Subdivision 4, Laws of
1981, Minnesota Statutes and Motion No. 280 adopted by the
Board of County Commissioners of St. Louis County, Minnesota, for the
ST. LOUIS COUNTY TAX FORFEITED LAND DEPARTMENT of the County of St.
Louis, State of Minnesota, hereinafter called the Grantor, for and in 43.3 lineal rods 8 \$2.00
consideration of \$ 87.00 , receipt of which is hereby acknowledged,
does hereby grant and convey to Northwestern Bell Telephone Company
a perpetual right-of-way easement to construct and maintain, replace
or remove, such: underground cable
at the discretion of the grantee, on the following tax forfeited lands,
to-wit: Duluth Proper Third Division, Lots 91, 93 and 95, Block 147; and Duluth Heights First Division, Lots 4, 5 and 6, Block 38; Lots 4 thru 9, Block 39; and Lots 19 thru 22, Block 29.

This easement is granted with the right of ingress and egress over and across the lands of the undereigned and to and from said plot for the purpose of exercising the rights herein granted, and further right to out, trim or remove trees and brush on the above described lands, subject to the appraised value as set by the ST. LOUIS COUNTY TAX FORFEITED LAND DEPARTMENT of the County of St. Louis, State of Minnesota, of such timber, which timber valuations shall be paid by the grantee under separate billing, and thereafter the right to cut down any adjoining timber which endangers the property of the Grantee.

320899

	Northwestern Bell Telephone Company
íte	or their successors and assigns, for such time as the grantee shall
	d in force the rights granted in this easement by the continued use
for	which it was intended, subject however to the following provisions
1.	Grantee to pay for the actual cost of the appraisal plus the value of the timber affected in the easement area.
2.	The undersigned Grantor reserves the right to cancel the said easement, by resolution of the County Board, after reasonable notice, for any substantial breech of the terms and provisions contained herein.
3.	If upon termination of this easement brought about by the non-use of the area affected under this agreement, and such non-use by the grantee for the purpose which this easement was granted, discontinues the use of the lease premises for a period of in excess of two years, this easement shall automatically terminate and all rights vested in fee to the land involved in the easement shall revert to the owners of the adjoining properties.
4.	The Grantee, by the acceptance hereof, and in consideration of the granting of this easement, agrees to save the County, its official and employees, free and harmless from any and all damages, claims or actions which may arise by reason of the negligence of
	Northwestern Bell Telephone Company
	-Vindering
IN 1 used is _	PESTINONY WHEREOF, the County of St. Louis, State of Minnesota, has this instrument to be executed in its name by the County Auditor 23rd day of May, 1966.
	Sealed and Delivered AMD presence of:
J	COUNTY OF ST. LOUIS NO.
	Andrew Andrew
2019	
	Andrew Korda, Cognitylingdi
ATB (OF MINNESOTA)
YTKU	OF ST. LOUIS)
thi	23rd day of May , 1966, before me, a Notary
	in and for said County, personally appeared Andrew Korda, County
	r of St. Louis County, to me personally known to be the person who
eoute	ed the foregoing instrument on behalf of the County of St. Louis and
know	ledged that he so executed the same in his official capacity as his
ee q	thank deed pursuant to and in compliance with Motion No. 280
	day of the St. Louis County Board on the 23rd day of 19 66.
	Teres Werdsworki
, , i	Rotary Public, St. Louis County
, ,	My Commission expires Feb. 26, 1968 320899

Sta Louis County
OFFICE OF THE COUNTY AUDITOR

AUDITOR 166297

Court House . Duluth, Minn. 55802

May 25, 1966

The following motion was adopted by the Board of County Commissioners of the County of St. Louis, Minnesota, at its meeting held on May 23, 1966:

Upon motion of Cosmissioner Anderson, the County Auditor was authorized to execute, as Agent for the State of Minnesota, a permanent casement for underground cable to Morthwestern Bell Telephone Company across Lots 91, 93 and 95, Block 147, Duluth Proper Third Division and Lots 19 through 22, Block 29, Lots 4, 5 and 6, Block 38, and Lots 4 through 9, Block 39, Duluth Heights First Division, tax Torfeited land, for the total consideration of \$89.00 per Essement No. 059.

No. 280

Yours very truly,

Clerk of County Board

320899

America's Iron Ore Center...

at the Head of the Seaway

Bud

Address YOUR REPLY TO - ANDREW KORDA, COUNTY AUDITOR, Court House, Duluth 2, Minn.

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OFFICE OF REGISTRAR OF THESE STATE OF MINNESOTA COUNTY OF ST. LOUIS

I hereby certify that the within instrument was filed in this office the day of JUN 13:1966.

OFFICE OF REGISTER OF DEEDS

OFFICE OF REGISTER OF DEEDS
STATE OF MINNESCOTA
County of St. Louis
I helpy cortiy that the within instrument was filed in this office for record
as Dolument No. 966 10222

CIAS. A. SLOWINSKI
RIGISTER OF DEEDS

TO CLASS A. SLOWINSKI
RIGISTER OF DEEDS

as also

Mosthweetern Lace Syptem C.

87/245 Enguishing Rept.

464/123 att. min + letimo Osterac
311 H. Friet St.



