

## CONTRACT APPROVAL

### SUGGESTED MOTION:

Move to approve the following contracts submitted by respective department head, subject to State's Attorney approval, and authorize the Chairman to sign.

#### Received as of May 1, 2024:

- Valley Green and Associates—2024 and 2025 lawn mowing contract

# CONTRACT APPROVAL REQUEST

COMPANY REQUESTING CONTRACT: Valley Green & Associates, 4117 32<sup>nd</sup> Ave S. Moorhead, MN 56560.

DATE OF REQUEST: April 11, 2024

DATE OF EXPECTED RETURN  
TO THE COMMISSION OFFICE:  
May 6, 2024

DEPARTMENT HEAD REQUESTING SIGNATURE: *FOR: Alan J. King*  
*Jason Benson, 298-2372*

STATES ATTORNEY SIGNATURE: \_\_\_\_\_

STATES ATTORNEY COMMENTS: \_\_\_\_\_

PORTFOLIO COMMISSIONER SIGNATURE: \_\_\_\_\_

**NOTE:** Requests for Proposals were opened on April 10<sup>th</sup>, 2024 for the lawn maintenance and grass clipping on various Cass County lots for the 2024 and 2025 mowing season. The apparent low bidder is Valley Green & Associates with an estimated monthly bid amount of \$2896.00. The bid results are as follows:

- |                              |             |
|------------------------------|-------------|
| 1. Valley Green & Associates | \$2896.00   |
| 2. Max Associates            | \$20,045.00 |

**SUGGESTED MOTION:** AUTHORIZE CHAIRPERSON TO SIGN CONTRACT DOCUMENTS WITH VALLEY GREEN AND ASSOCIATES UPON RECEIPT AND SUBJECT TO STATE'S ATTORNEY APPROVAL.

**CASS COUNTY HIGHWAY DEPARTMENT  
MOWING CONTRACT 2024 and 2025**

This agreement made and entered into by Cass County, North Dakota, party of the first part, and Valley Green and Associates, 4117 32<sup>nd</sup> Ave S, Moorhead, MN 56560 party of the second part (hereinafter called Contractor), WITNESSETH:

1. That for and in consideration of the payments to be made by the party of the first part, the contractor promises and agrees to furnish and deliver all labor, equipment, and materials, and to pay or cause to be paid as they become due, all claims for any work, labor, materials, equipment, including equipment rental or repair, and other supplies or insurance premiums, all of which are attributable to or utilized in and about the improvement and maintenance of the 2024 and 2025 Lawn Mowing Contract . In accordance and in conformity with the provisions of this contract and bond, the project proposal, the standard specification, supplemental specifications, special provisions, and the limits of the project as shown in the fee schedule approved by Cass County's Engineer May 10, 2022 originals of which are on file at the Cass County Highway Department, and all of which are hereby made a part of this agreement as fully and to the same effect as if the same had been set forth in the body of this agreement. References in the Standard Specifications for Road and Bridge Construction, 2008 edition, to the North Dakota Department of Transportation or Department must be construed as referring to the owner. Likewise, a reference by the same works to engineer or director must be construed as referring to the owner of the project.

2. The party of the first part agrees and promises to pay to the Contractor for said work, when completed and accepted in accordance with the provisions of this contract, the price set forth in the said proposal, payments to be made as provided in said specifications upon presentation of the proper certificates of the County Engineer, or his representatives, and under the terms of this contract.

3. The said work shall be done in accordance with the terms of this contract, and the laws of the State of North Dakota, under direct supervision and to the entire satisfaction of the County Highway Department, subject at all times to the inspection and approval of the engineer.

4. The decision of the engineer upon questions connected with the execution of this agreement or any failure or delay in the prosecution of the work by the Contractor shall be final and conclusive.

5. In the employment of labor, other things being equal, preference shall be given to honorably discharged Veterans of the Armed Forces, and bona fide North Dakota residents, as determined by NDCC Section 43-07-20.

6. The Contractor shall begin lawn maintenance when so ordered by the Cass County Highway Department and shall maintain at all times thereon a maximum and efficient working force necessary to complete the work within the time established by this contract.

IN WITNESS THEREOF, the parties to this contract have set their hands and seal this \_\_\_\_\_ day of \_\_\_\_\_ 2024.

CASS COUNTY, NORTH DAKOTA

\_\_\_\_\_  
Chairperson, Cass County Board of Commissioners

\_\_\_\_\_  
Contractor

WITNESS TO CONTRACTOR'S SIGNATURE

\_\_\_\_\_

By \_\_\_\_\_

Title \_\_\_\_\_