



**TO:** Mayor Shaun Sipma  
Members of the City Council  
**FROM:** Janet Anderson, Library Director  
**DATE:** November 23, 2021  
**SUBJECT: Recommendation to Terminate Rolac Contract for Library**

**I. RECOMMENDED ACTION**

A. It is recommended that Council authorize staff to terminate the current contract with Rolac Contracting, Inc. and authorize staff to seek another contractor to complete the work. Sections 14.2.1(1) and (4) on page 36 of the attached A201-2017 outlines the reasons the City can terminate the agreement with the contractor. We believe that the City has reason to terminate for the following reasons:

- .1 repeatedly refuses or fails to supply enough properly skilled workers or proper materials;
- .4 otherwise is guilty of substantial breach of provision of the Contract Documents.

**II. DEPARTMENT CONTACT PERSONS**

Janet Anderson, Library Director 852-1045

**III. DESCRIPTION**

A. Background

The Minot Public Library has had a contract with Rolac Contracting, Inc. since March 2020 to complete work on the exterior of the building. Rolac has been unable to complete the work promised despite several assurance of completion.

**IV. IMPACT:**

A. Strategic Impact:

Remaining work to be completed is minimal, but substantial. Included in this work is the installation of the roof edge which has been uncovered and thus unprotected for more than a year.

B. Fiscal Impact:

To date, the City has paid Rolac \$329,669 toward the \$384,700 contract award. \$55,031 remains for this project and will be used to pay another contractor to finish the work.

**V. LIST OF ATTACHMENTS**

- A. November 16 Letter to Rolac
- B. A1A Document A201-2017, General Conditions of the Contract for Construction, (Owner: City of Minot, Architect: JLG Architects, Project: Minot Public Library Master Agreement)
- C. June 8 – November 8 E-mail Communication
- D. May 5, 2021 OAC