**STATE OF MINNESOTA**

***Before the*  
<DRAINAGE AUTHORITY NAME>  
SITTING AS THE DRAINAGE AUTHORITY FOR   
<NAME OF DRAINAGE SYSTEM>**

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| **In the Matter of:**  **Petition for <Name of Drainage Project> to <Name of Drainage System>** | **PETITION FOR REEVALUATION OF ESTIMATED COSTS OR PLANS AND SPECIFICATIONS AFTER ESTABLISHMENT** |

Pursuant to Minn. Stat. § 103E.511, Petitioners seek an order from the drainage authority to refer the detailed survey report and viewers’ report for the established <name of project> to <name of drainage system> back to the engineer and viewers for additional consideration. For their Petition, the undersigned Petitioners state and allege the following:

1. <Name of drainage authority> established the <name of project> to <name of drainage system> by order dated <date>.
2. The drainage authority’s final order directed the project engineer to prepare the detailed plans and specifications and other necessary documents to allow for bidding on the project.
3. [Note: Use this finding if none of the bids received at the public bid opening are for less than 30 percent in excess of the engineer’s estimated cost of or if the bid amount plus damages and other costs exceeds the benefits.] Bids were received by the drainage authority and a public bid opening was conducted by the drainage authority on <date>. At the bid opening, all bids received were for more than 30 percent in excess of the engineer’s estimated cost, or in excess of the benefits, less damages and other costs.
4. [Note: Use this finding if a contract was awarded, but due to unavoidable delays, the contract cannot be completed for an amount equal to or less than the benefits, less damages and other costs]. Bids were received by the drainage authority and a public bid opening was conducted by the drainage authority on <date>. A notice of contract award was issued to <name of contractor> as the successful bidder.
5. Due to unavoidable delays not caused by the contractor, the contract cannot be completed for an amount equal to or less than the benefits, less damages and other costs. <Include further details to support this conclusion>.
6. <(1) Petitioners believe the engineer has made an error in the estimate of the drainage project cost which has artificially inflated the project costs. <Include further details to support this conclusion>.; or (2) Petitioners believe that the plans and specifications could be changed in a manner materially affecting the cost of the drainage system without interfering with efficiency. <Include further details to support this conclusion.>>.
7. Petitioners request a hearing on this petition pursuant to Minn. Stat. § 103E.511, subd. 4 for the purposes of referring the detailed survey report and viewers’ report back to the engineer and to the viewers for additional consideration.
8. Petitioners request that the drainage authority reconsider the original cost estimate in the detailed survey report and viewers’ report and adjust the cost estimate consistent with the increased construction cost.
9. This petition may be signed in counterparts.

Respectfully submitted this \_\_\_\_\_ day of \_\_\_\_\_\_\_\_, \_\_\_\_\_ by:

[Note: All signatories to the Petition must indicate the capacity in which they sign, i.e. owner, co-owner, corporate official, or government lot. In the case of a partnership, only one general partner needs sign. In the case of a corporation, only one corporate official need sign. In the case of co-ownership, all co-owners must sign. In the case of a trust, all trustees must sign. Be sure all signature blocks are fully completed. If you are unsure of whom must sign please contact the petitioner’s attorney.]

| **Owner Signature** | **Property Owned** | **Mailing Address** | **Dated** |
| --- | --- | --- | --- |
| \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_  <Owner Name> | <Property Descriptions> | <Street Address>  <City>, <State>, <Zip> | \_\_\_\_\_\_ |