

RESOLUTION NO. 23-24-30

Resolution to provide for a notice of hearing on proposed plans, specifications, form of contract and estimate of cost for the 2024 Street Reconstruction Project, and the taking of bids therefor

WHEREAS, it has been proposed that the City Council of the City of Forest City, Iowa (the "City"), undertake the authorization of a public improvement to be constructed as described in the proposed plans and specifications and form of contract prepared by Veenstra & Kimm, Inc. (the "Project Engineers"), which may be hereafter referred to as the "2024 Street Reconstruction Project" (and is sometimes hereinafter referred to as the "Project"), which proposed plans, specifications, notice of hearing and letting, and form of contract and estimate of cost (the "Contract Documents") are on file with the City Clerk; and

WHEREAS, it is necessary to fix a time and place of a public hearing on the Contract Documents and to advertise for sealed bids for the Project;

NOW, THEREFORE, Be It Resolved by the City Council (the "Council") of the City of Forest City, Iowa, as follows:

Section 1. The Contract Documents referred to in the preamble hereof are hereby approved in their preliminary form.

Section 2. The Project is hereby determined to be necessary and desirable for the City, and, furthermore, it is hereby found to be in the best interests of the City to proceed toward the construction of the Project.

Section 3. April 1, 2024, at 7:00 p.m., in the Council Chambers at City Hall, Forest City, Iowa, is hereby fixed as the time and place of hearing on the Contract Documents. The foregoing date and time may be changed at the discretion of the City Clerk, and in compliance with the publication requirements pursuant to Iowa law.

Section 4. The City Clerk is hereby authorized and directed to publish notice (the "Notice of Hearing") of the hearing on the Contract Documents for the Project in a newspaper of general circulation in the City, which publication shall be made at least once, not less than four (4) and not more than twenty (20) days prior to the date of the said hearing. The Notice of Hearing shall be in substantially the following form, with such conforming changes as approved by the City Clerk:

(Form of Notice of Hearing)

NOTICE OF PUBLIC HEARING

NOTICE OF PUBLIC HEARING ON PROPOSED PLANS AND SPECIFICATIONS, PROPOSED FORM OF CONTRACT AND ESTIMATE OF COST FOR THE CONSTRUCTION OF **2024 STREET RECONSTRUCTION PROJECT** FOR THE CITY OF FOREST CITY, IOWA

At a council meeting starting at 7:00 P.M. on the 1st day of April 2024 the City Council of said City will, in said Council Chambers at 305 North Clark Street, hold a Public Hearing and said Council proposes to adopt plans, specifications, form of contract and estimate of cost for the construction of the **2024 STREET RECONSTRUCTION PROJECT**.

The location and description of the work to be done and the kinds and sizes of materials proposed to be used are as follows:


Project is located along Dellwood Drive, Oakmont North, Oakmont South and Fairview Drive in Forest City, Iowa.

Project includes all labor, materials and equipment necessary to construct approximately 4 water services, 870 LF of storm sewer and 5,100 LF of subdrain, approximately 9,500 SY of 6" thick PCC paving, approximately 925 SY of PCC driveway restoration, approximately 225 SF of PCC sidewalk, seeding and miscellaneous associated work, including cleanup.

At said hearing, the City Council will consider the proposed plans, specifications, form of contract and estimate of cost for the project, the same now being on file in the office of the City Clerk, reference to which is made for a more detailed and complete description of the proposed improvements, and at said time and place the said Council will also receive and consider any objections to said plans, specifications and form of contract or to the estimated cost of said improvements made by any interested party.

This notice is given by order of the Council of the City of Forest City, Iowa.

CITY OF FOREST CITY



Ron Holland
Mayor

ATTEST:



Daisy Huffman
City Clerk

Section 5. The City Council hereby delegates to the City Clerk the duty of receiving bids for the construction of the Project before 11:00 a.m., on March 27, 2024, in the Council Chambers at City Hall, Forest City, Iowa. At such time and place, the City Council hereby delegates to the City Clerk and/or the Project Engineers the duty of opening and announcing the results of the bids received. April 1, 2024, at 7:00 p.m., in the Council Chambers at City Hall, in the City, is hereby fixed as the time and place that the Council will consider the bids received by the City Clerk in connection therewith. The foregoing dates and times may be changed at the discretion of the City Clerk, and in compliance with the public bidding requirements pursuant to Iowa law.

Section 6. The amount of the bid security to accompany each bid is hereby fixed at 5% of the total amount of the bid.

Section 7. The City Clerk and/or the Project Engineers are hereby directed to give notice of the bid letting for the Project by posting notice (the "Notice to Bidders") at least once, not less than thirteen (13) and not more than forty-five (45) days prior to the date set for receipt of bids, in each of the following three places: (i) in a relevant contractor plan room service with statewide circulation; (ii) in a relevant construction lead generating service with statewide circulation; and (iii) on an internet site sponsored by either the City or a statewide association that represents the City. The Notice to Bidders shall be in substantially the following form, with such conforming changes as approved by the City Clerk:

(Form of Notice to Bidders)

NOTICE TO BIDDERS

NOTICE FOR THE TAKING OF BIDS FOR THE CONSTRUCTION OF 2024 STREET RECONSTRUCTION PROJECT FOR THE CITY OF FOREST CITY, IOWA

Sealed bids will be received by the City Clerk of the City of Forest City, Iowa, in the Council Chambers at City Hall, 305 North Clark Street, Forest City, Iowa, before 11:00 o'clock A.M. on the 27th day of March 2024, for the construction of the **2024 Street Reconstruction Project** as described in the plans and specifications therefore, now on file in the office of the City Clerk.

Bids will be opened, and the amount of the bids announced by the City Clerk at the time, date and place specified above.

Bids will be considered by the City of Forest City, City Council at its meeting at 7:00 P.M. on the 1st day of April 2024 in the Council Chambers, located at City Hall, 305 North Clark Street, Forest City, Iowa. The City Council may award a Contract at said meeting, or at such other time and place as then shall be announced.

The location and description of the work to be done and the kinds and sizes of materials proposed to be used are as follows:

2024 STREET RECONSTRUCTION PROJECT

Project is located along Dellwood Drive, Oakmont North, Oakmont South and Fairview Drive in Forest City, Iowa.

The location and description of the work to be done and the kinds and sizes of materials proposed to be used are as follows:

Project includes all labor, materials and equipment necessary to construct approximately 4 water services, 870 LF of storm sewer and 5,100 LF of subdrain, approximately 9,500 SY of 6" thick PCC paving, approximately 925 SY of PCC driveway restoration, approximately 225 SF of PCC sidewalk, seeding and miscellaneous associated work, including cleanup.

The method of construction of all improvements shall be by contract in accordance with the plans and specifications and general stipulations for said improvements approved by the City Council.

All bids in connection therewith shall be submitted to the City Clerk of said City on or before the time herein set for receiving bids. All bids shall be made on official bidding forms furnished by the City, and any alterations of the official bid form will entitle the City Council, at its option, to reject the bid involved from consideration. Each bid shall be sealed and plainly identified.

Each bid shall be accompanied by a bid security in a sealed envelope by either (1) a certified or cashier's check drawn on a solvent Iowa bank or a bank chartered under the laws of the United States, or a certified share draft drawn on a credit union in Iowa or chartered under the laws of the United States, in an amount equal to 5% of the bid, or (2) a bid bond executed by a corporation authorized to contract as a surety in the State of Iowa, in the penal sum of 5% of the bid. Contractor shall determine amount of bid bond based on the amount of the base bid and all alternate construction bid items.

The bid security should be made payable to THE CITY OF FOREST CITY, IOWA. The bid security must not contain any conditions either in the body or as an endorsement thereon. The bid security shall be forfeited to the City as liquidated damages in the event the successful bidder fails or refuses to enter into a contract within 10 days after the award of contract and post bond satisfactory to the City insuring the faithful fulfillment of the contract and the maintenance of said work, if required, pursuant to the provisions of this notice and other contract documents. Bidders shall use the bid bond form included in the specifications.

By virtue of statutory authority, a preference will be given to products and provisions grown and coal produced within the State of Iowa, and also, a resident bidder shall be allowed a preference a nonresident bidder from a state or foreign country which gives or requires a preference to bidders from that state or foreign country both on projects in which there are no federal funds involved.

The City reserves the right to reject any or all bids and to waive informalities or technicalities in any bid.

The City reserves the right to defer acceptance of any bid for a period not to exceed thirty (30) calendar days from the date of letting.

The successful bidder will be required to furnish a bond in an amount equal to one hundred (100) percent of the contract price, said bond to be issued by a responsible surety approved by the City Council and listed in the U.S. Treasury Department's most current list (Circular 570, as amended) and authorized to transact business in the State of Iowa and shall guarantee the faithful performance of the contract and the terms and conditions therein contained and shall guarantee the prompt payment for all materials and labor to all persons, firms, subcontractors, and corporations furnishing materials for or performing labor in the prosecution of the work and protect and save harmless the City from claims and damages of any kind caused by the operations of the Contractor, and shall guarantee the work against faulty workmanship and materials for a period as required by the specifications after its completion and acceptance by the City Council.

It is anticipated Notice to Proceed will be issued April 16, 2024 and shall reach final completion by October 31, 2024.

Bidders shall be expected to comply with Chapters 91C and 103A of the Code of Iowa concerning the registration and bonding of construction contractors and the successful bidder shall be required to supply the City of Forest City with proof of said compliance.

Payment of the cost of said project will be made from any one or a combination of all lawful sources at the sole discretion of the City Council.

Payment will be made to the Contractor based on monthly estimates in amounts equal to ninety-five (95) percent of the contract value of the work completed. Monthly estimates will be made by the Engineer and payment will be made to the Contractor on or about thirty (30) days thereafter. Payment shall not be made for materials stored offsite.

The bidders' attention is called to the prompt payment to the subcontractors, under Section 573.12 of the Code of Iowa.

Liquidated damages in the amount of One Thousand Dollars (\$1,000) per calendar day will be assessed for each calendar day that work on the total project, or portions of the contract where specific completion dates are specified or otherwise agreed to, that remain substantially uncompleted after the end of the contract period, with due allowance for extensions of the contract period due to conditions beyond the control of the contractor.

Upon completion and acceptance of the work, the Engineer shall issue a certificate that the work has been accepted by him under the conditions of the contract documents. Final payment will be made not less than thirty-one (31) days after completion of the work and acceptance by the City subject to the conditions and in accordance with the provisions of Chapter 573 of the Code of Iowa.

The City will issue a sales tax exemption certificate applicable for all materials purchased for the project.

Plans and specifications governing the construction of the proposed improvements have been prepared by VEENSTRA & KIMM, INC. of Mason City, Iowa, said plans and specifications and the prior proceedings of the City Council referring to and defining said proposed improvements are hereby made a part of this notice and the proposed contract by reference, and the proposed contract shall be executed to comply therewith.

Copies of said plans and specifications and form of contract are now on file in the office of the City Clerk and may be examined at City Hall. The ENGINEER shall make available and distribute plans and specifications in accordance with the Code of Iowa. Complete sets of the plans, specifications, and bidding documents may be obtained from ENGINEER at the ENGINEER'S office located at 2800 Fourth Street SW, Suite 9, Mason City, Iowa 50401.

Bidders who request bidding documents be mailed or shipped to them shall designate a mailing address and pay shipping / mailing costs in the amount of \$20 for standard USPS mail delivery or normal UPS ground deliver. Any special shipping / mailing requests will be at bidders' cost. Checks for shipping / mailing shall be made out to Veenstra & Kimm, Inc.

Plans, specifications and bidding documents may also be obtained electronically upon request in pdf format via electronic media (DVD, CD, or flash drive) or by email where file size will allow.

Any Bidder or equipment supplier whose firm or affiliate is listed in the GSA publication "List of Parties Excluded from Federal Procurement and Non-procurement Programs" will be prohibited from the bidding process. Anyone submitting a bid who is listed in this publication will be determined to be a non-responsive bidder in accordance with 40 CFR Part 31.

This notice is given by order of the Council of the City of Forest City, Iowa.

CITY OF FOREST CITY

A handwritten signature in black ink, appearing to read "Ron Holland", is written over a solid horizontal line.

Ron Holland
Mayor

ATTEST:

A handwritten signature in blue ink, appearing to read "Daisy Huffman", is written over a solid horizontal line.

Daisy Huffman
City Clerk

Section 8. All provisions set out in the attached forms of notice are hereby recognized and prescribed by the City Council and all resolutions or orders or parts thereof, to the extent the same may be in conflict herewith, are hereby repealed.

Passed and approved March 4, 2024.



Mayor


Attest:



City Clerk

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On motion and vote, the meeting adjourned.



Mayor

Attest:



City Clerk