

**NOTICE TO BIDDERS AND
NOTICE OF PUBLIC HEARING
JURISDICTION OF CITY OF NEW ALBIN
WASTEWATER TREATMENT PLANT IMPROVEMENTS
PROJECT NO. 18-221**

Time and Place for Filing Sealed Proposals. The City of New Albin will receive and accept bids ONLY through QuestCDN.com via the online electronic bid service (QuestvBid) for the construction of the Wastewater Treatment Plant Improvements until **February 9, 2022 at 2:00 P.M.**

Time and Place Sealed Proposals Will be Opened and Considered. All bids will be downloaded at **2:00 P.M.** and publicly read aloud during a virtual public meeting that will be held at **2:00 P.M.** on **February 9, 2022.** All planholders will receive information on how to join the virtual meeting prior to the bid opening.

Bids will be considered by the City Council at its regular meeting at 7:00 P.M. on **February 14, 2022 at New Albin Savings Bank Meeting Room, 118 Main Street NE, New Albin, Iowa.** The City of New Albin reserves the right to reject any and all bids.

Time for Commencement and Completion of Work. Work on the improvement may be commenced upon approval of the contract by the Council and be completed as stated below.

Bid Security. Each bidder shall accompany its bid with bid security as security that the successful bidder will enter into a contract for the work bid upon and will furnish after the award of contract a corporate surety bond, in form acceptable to the Jurisdiction, for the faithful performance of the contract, in an amount equal to one hundred percent of the amount of the contract. **The bidder's security shall be in the amount of 5% of the total bid amount including all add alternates and shall be the Jurisdiction's bidder's bond with corporate surety satisfactory to the Jurisdiction. No other type of bid security will be accepted.** The bidder's bond shall contain no condition except as provided in the specifications.

Performance, Payment, and Maintenance Bond. The successful bidder will be required to furnish a construction performance, payment, and maintenance bond in an amount equal to one hundred percent (100%) of the contract price. Said bonds to be issued by a responsible surety approved by the City Council and shall guarantee the faithful performance of the contract and the terms and conditions therein contained and the maintenance of said improvements in good repair from the time of acceptance of the improvements by the City for not less than two (2) years.

Contract Documents. Complete digital project documents are available at fehrgraham.com/biddingdocuments. Click on the project and then you may select "View Plan Holders," or "Download Bid Documents" on the next screen. **A contractor may view the contract documents at no cost prior to becoming a plan holder. Input the QuestCDN project number 8104733 on the website's projects search page to download the digital documents for \$0.00.** Contact QuestCDN Customer Support at 952-233-1632 or info@questcdn.com for assistance in membership registration, downloading digital project information and vBid online bid submittal questions. **Project bid documents must be downloaded from QuestCDN which will add your company to the plan holder list and allow access to vBid online bidding for the submittal of your bid (which is required for this project). Bidders will be charged a fee of \$30.00 to submit a bid electronically. For this project, bids will be received and accepted via the online electronic bid service through QuestCDN.com.**

Hard copies of the bid documents may also be obtained and examined from the office of the Engineer, 221 East Main Street, Suite 301, Manchester, Iowa 52057 (phone number 563/927-2060, e-mail ekrogmann@fehr-graham.com). **There is a one hundred-dollar (\$100.00) deposit for hard copies of the plans and specifications, which will be refunded if returned to the Engineer in reusable condition within fourteen (14) days of the award of the Contract. Downloading the electronic bid documents is required from QuestCDN in order to submit an online bid even if hard copy plans are purchased from the office of the Engineer.**

Public Hearing on Proposed Contract Documents and Estimated Costs for Improvement. A public hearing will be held by the City Council of New Albin on the proposed contract documents (plans, specifications and form of contract) and estimated cost for the improvement at its meeting at 7:00 P.M. on **February 14, 2022**, at New Albin Savings Bank Meeting Room, 118 Main Street NE, New Albin, Iowa.

Preference of Products and Labor. By virtue of statutory authority, preference will be given to products and provisions grown and coal produced within the State of Iowa, and to Iowa domestic labor, to the extent lawfully required under Iowa statutes.

This project requires federal prevailing wage rates. Davis Bacon wage rate is included in the contract documents.

American Iron and Steel (AIS) provisions apply to this project.

General Nature of Public Improvement.

The extent of the work consists of upgrades to the wastewater treatment plant including new lift stations, screening, AlgaeWheel Treatment System, and building remodeling.

Contractor shall fully complete the project by June 16, 2023. Liquidated Damages in the amount of \$600.00 per Calendar Day will be assessed for each Calendar Day that any work shall remain uncompleted beyond the final completion date.

Plan Holders List. The plan holders list and bid results may be viewed at Fehr Graham's web site <http://www.fehr-graham.com>.

Taxes. All Contractors and approved Subcontractors will be provided a Sales Tax Exemption Certification to purchase, or withdraw from inventory, materials furnished under this contract. No allowance will be made over the contract sum for any tax claims.

Section 3 Language for Procurement Documents and Contracts

- A. The work to be performed under this contract is subject to the requirements of Section 3 of the Housing and Urban Development Act of 1968, as amended, 12 U.S.C. 1701u (Section 3). The purpose of Section 3 is to ensure that employment and other economic opportunities generated by HUD assistance or HUD-assisted projects covered by Section 3, shall, to the greatest extent feasible, be directed to low- and very low-income persons, particularly persons who are recipients of HUD assistance for housing.
- B. The parties to this contract agree to comply with HUD's regulations in 24 CFR part 75, which implement Section 3. As evidenced by their execution of this contract, the parties to this contract certify that they are under no contractual or other impediment that would prevent them from complying with the part 75 regulations.

- C. The contractor agrees to post copies of a notice advising workers of the Contractor's commitments under Section 3 in conspicuous places at the work site where both employees and applicants for training and employment positions can see the notice. The notice shall describe the Section 3 preference, shall set forth minimum number and job titles subject to hire, availability of apprenticeship and training positions, the qualifications for each; and the name and location of the person(s) taking applications for each of the positions; and the anticipated date the work shall begin.
- D. The contractor agrees to provide written notice of employment and contracting opportunities to all known Section 3 Workers and Section 3 Businesses.
- E. The contractor agrees to employ, to the greatest extent feasible, Section 3 workers or provide written justification to the recipient that is consistent with 24 CFR Part 75, describing why it was unable to meet minimum numerical Section 3 worker hours goals, despite its efforts to comply with the provisions of this clause.
- F. The contractor agrees to maintain records documenting Section 3 Workers that were hired to work on previous Section 3 covered projects or activities that were retained by the contractor for subsequent Section 3 covered projects or activities.
- G. The contractor agrees to post contract and job opportunities to the Opportunity Portal and will check the Business Registry for businesses located in the project area.
- H. The contractor agrees to include compliance with Section 3 requirements in every subcontract for Section 3 projects as defined in 24 CFR part 75, and agrees to take appropriate action, as provided in an applicable provision of the subcontract upon a finding that the subcontractor is in violation of the regulations in 24 CFR part 75. The contractor will not subcontract with any subcontractor where the contractor has notice or knowledge that the subcontractor has been found in violation of the regulations in 24 CFR part 75. The contractor will not subcontract with any subcontractor where the contractor has notice or knowledge that the subcontractor has been found in violation of the regulations in 24 CFR part 75.
- I. The contractor will certify that any vacant employment positions, including training positions, that are filled (1) after the contractor is selected but before the contract is executed, and (2) with persons other than those to whom the regulations of 24 CFR part 75 require employment opportunities to be directed, were not filled to circumvent the contractor's obligations under 24 CFR part 75.
- J. The contractor will certify that they have followed prioritization of effort in 24 CFR part 75.19 for all employment and training opportunities. The contractor will further certify that it meets or exceeds the applicable Section 3 benchmarks, defined in 24 CFR Part 75.23, and if not, shall describe in detail the qualitative efforts it has taken to pursue low- and very low-income persons for economic opportunities.
- K. Noncompliance with HUD's regulations in 24 CFR part 75 may result in sanctions, termination of this contract for default, and debarment or suspension from future HUD assisted contracts.

Section 3 Businesses are encouraged to respond to this proposal. A Section 3 business is one that satisfies one of the following requirements:

1. It is at least 51 percent owned and controlled by low- or very low-income persons;
2. Over 75 percent of the labor hours performed for the business over the prior three-month period are performed by Section 3 Workers*; or
3. It is a business at least 51 percent owned and controlled by current public housing residents or residents who currently live in Section 8-assisted housing.

*-A Section 3 Worker is defined as any worker who currently fits or when hired within the past five years fit at least one of the following categories, as documented:

1. The worker's income for the previous or annualized calendar year is below the applicable income limit established by HUD;

2. The worker is employed by a Section 3 business concern; or
3. The worker is a YouthBuild participant.

Businesses that believe they meet the Section 3 criteria are encouraged to register as a Section 3 Business through HUD's website:

<https://portalapps.hud.gov/Sec3BusReg/BRegistry/RegisterBusiness>

At a minimum, the awarded contractor will be required to submit each employee's self-certified income (for those working on the project) to the CDBG administrator to meet Section 3 requirements.

Debarments and Suspensions

Any bidder or equipment supplier whose firm or affiliate is listed in on the U.S. General Services Administration Excluded Parties List will be prohibited from the bidding process. The excluded parties records search engine is located at the System for Award Management (SAM) website:

<https://www.sam.gov/SAM/>. Pursuant to 2 CFR Part 180, as supplemented by 2 CFR 1532, any entity submitting a bid while the SAM website lists that entity as having an active exclusion will be determined by the DNR to be a non-responsive bidder and will not be able to receive SRF funding.

Postings. This Notice was sent to the following posting locations:

1. Master Builders/Construction Update
2. Iowa League of Cities
3. Quest CDN