

NOTICE TO BIDDERS AND NOTICE OF PUBLIC HEARING ON PROPOSED PLANS, SPECIFICATIONS, FORM OF CONTRACT, AND ESTIMATE OF COST FOR CONSTRUCTION OF "WINNEBAGO RIVER LOW HEAD DAM MITIGATION – WINNEBAGO DAM NO. 2", IN AND FOR THE CITY OF MASON CITY, IOWA, AND THE TAKING OF BIDS FOR SAID IMPROVEMENTS

Sealed proposals, subject to the conditions contained herein, will be received by the City Clerk of the City of Mason City, Iowa, at the City Clerk's office in City Hall at Mason City, Iowa, until 10:00 o'clock a.m. on the 12th day of July, 2022 for:

Construction of "Winnebago River Low Head Dam Mitigation – Winnebago Dam No. 2", as hereinafter described in general and as described in detail in the plans and specifications now on file in the office of the City Clerk, Mason City, Iowa.

Proposals received will be opened, read aloud, tabulated, and referred to the City Council for consideration at 7:00 p.m. on the 19th day of July, 2022. Bids will be acted upon at such time or at such later time as may then be fixed. Prior thereto, at said time specified above, in the Mason City Room at the Mason City Public Library, a hearing will be held on the proposed plans, specifications, form of contract, and estimate of cost for said Improvements, and at said hearing any interested person may appear and file objections thereto.

The extent of the work involved is the furnishing of labor and new materials for the construction of mitigation measures for the existing low head dam located on the Winnebago River near East Park. The work will generally involve the construction of a rock weir in the river, encasement of a sanitary sewer pipe, and related work.

The Proposal shall be made out on the form furnished by the City of Mason City and obtained from WHKS & Co., Engineers, Planners, and Surveyors, and must be accompanied in a sealed envelope by either: (1) a certified check, or a cashier's check drawn on an Iowa bank, or a bank chartered under the laws of the United States, in an amount of 5% of bid amount; or (2) a certified share draft drawn on a credit union in Iowa or chartered under the laws of the United States, in an amount of 5% of bid amount; or (3) 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 bid amount.

The bid security shall be made payable to the City Clerk of the City of Mason City, Iowa.

The bid security must not contain any conditions either in 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 contract within ten (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 the other contract documents. The City will accept bid bond forms that meet the Requirements of Iowa Code, Section 26.8.

Sales Tax Exemption. Contractors and subcontractors shall not include sales tax for material purchases. At the time of the contract acceptance by the City Council, the prime contractor and all subcontractors will be issued a certificate of exemption.

Bidders shall not be permitted to withdraw their bids for a period of thirty (30) days after the same are opened.

By virtue of statutory authority, a preference will be given to products and provisions grown and produced within the State of Iowa and to Iowa domestic labor.

In accordance with Iowa statutes, a resident bidder shall be allowed a preference as against a nonresident bidder from a state or foreign country if that state or foreign country gives or requires any preference to bidders from that state or foreign country, including but not limited to any preference to bidders, the imposition of any type of labor force preference, or any other form of preferential treatment to bidders or laborers from that state or foreign country. The preference shall be equal to the preference given or required by the state or foreign country in which the nonresident bidder is a resident. In the instance of a resident labor force preference, a nonresident bidder shall apply the same resident labor force preference to a public improvement in this state as would be required in the construction of a public improvement by the state or foreign country in which the nonresident bidder is a resident.

Bidders will be required to complete a Bidder Status Form from the Iowa Department of Labor regarding the Contractor's resident status within the State of Iowa. Failure to submit a fully completed Bidder Status Form with the bid may result in the bid being deemed nonresponsive and rejected.

Pursuant to City Ordinance No. 94-3, legally known as Title I, Chapter 10, of the Municipal code, general bidders shall include Form DBE 1. Prospective bidders' or contractors' attention is specifically called to the Mason City Human Rights Commission Specifications which mandates that female and minority business enterprises shall be afforded the maximum opportunity to participate in the performance of this project. Prospective bidders' or contractors' attention is also directed to the fact that the Mason City Human Rights Commission may notify firms designated as Minority, Women, and/or Disadvantaged Business Enterprises, of this project and determine if they are interested in participating as subcontractors for this project. Prospective bidders or contractors shall then be notified by the Commission of those interested parties. Determination of certification of compliance with these specifications shall be conducted by the Mason City Human Rights Director, following receipt of bids from prospective bidders or contractors.

The established DBE goal for this project is 0% of the total project amount. The goals are subject to waiver by the commission.

The right is reserved, as the interest of the City may require, to reject all bids, any unresponsive bid and to waive technicalities in bids received.

The Contractor shall commence work after Notice to Proceed is issued and shall be completed on or before July 1st, 2023.

Payment to the Contractor for said Project will be made in cash derived from the proceeds of the issuance of bonds as may be legally used for such purposes, governmental grants and/or from cash on hand. Any combination of the above methods of payment may be used at the discretion of the Owner.

The Contractor will be paid each month ninety-five (95) percent of the Engineer's estimate of the value of acceptable work completed at the end of the preceding month. Final payment will be made in accordance with Iowa Code chapters 26 and 573, as amended. No partial or final payment will be due

