

**SUPPLEMENTAL NOTICE TO BIDDERS
FOR
2020 WATER TREATMENT PLANT UPGRADE
CDBG PROJECT NO. 21-WS-032
MONDAMIN, IOWA
JEO PROJECT NO. 180263.01**

Sealed bids for the work comprising each improvement as stated below were received on July 14, 2022. Sealed proposals were opened and bids tabulated on July 14, 2022, for consideration by the City Council. Due to a change in the schedule, bids will be considered by the City Council at its meeting at 7:00 pm on October 3, 2022 in the Council Chambers, City Hall, 120 South Main Street, Mondamin, IA 51557. This new date for consideration of bids is included in the full Notice to Bidders set forth below. The City of Mondamin, Iowa, reserves the right to reject any and all bids, to waive informalities and irregularities, and to enter into such contract, or contracts, as it shall deem to be in the best interest of the City.

Sealed bids for the work comprising each improvement as stated below must be filed before **2:30pm** on **July 14, 2022**, in the office of the City Clerk, 120 South Main Street Mondamin, IA 51557. All bids received after the deadline for submission of bids shall not be considered and shall be returned to the late bidder unopened.

Sealed proposals will be opened and bids tabulated at **2:30pm** on **July 14, 2022**, in the Council Chambers, City Hall, 120 South Main Street Mondamin, IA 51557, for consideration by the City Council at its meeting at 7:00pm on **October 3, 2022**, in the Council Chambers, City Hall, 120 South Main Street Mondamin, IA 51557. The City of Mondamin, Iowa, reserves the right to reject any and all bids and to waive informalities and irregularities, and to enter into such contract, or contracts, as it shall deem to be in the best interest of the City.

The work shall commence on the day indicated in the Notice to Proceed and Group A shall be substantially completed on or before **April 30, 2024** and ready for final payment on or before **May 31, 2024**; and Group B shall be substantially completed and ready for final payment on or before **July 1, 2023**. Should the Contractor fail to complete the work in this timeframe, liquidated damages of **\$1,200.00** for substantial completion or **\$500.00** for final completion will be assessed per calendar day to the work not completed within the designated contract term.

Each bidder shall accompany its bid with bid security as defined in Iowa Code Chapter 26, Section 26.8, and as specified by the City of Mondamin, Iowa, in the amount fixed in the Instructions to Bidders.

Copies of the contract documents are on file with the City of Mondamin for examination by bidders. Complete digital project bidding documents are available at JEO's website at jeo.com at no charge. An optional paper set of project documents is available at no charge by contacting JEO Consulting Group, Inc. at 402.934.3680. In order to bid the project, the contract documents must be issued directly by JEO Consulting Group, Inc. or QuestCDN to the bidder.

To the extent allowed by Federal law and regulation, by virtue of statutory authority, a preference will be given to products and provisions grown and coal produced within the state of Iowa. Pursuant to 2 C.F.R. § 200.319, as adopted by the United States Department of Agriculture in 2 C.F.R. § 400.1, no such

preference will be given except where applicable Federal statutes expressly mandate or encourage such preference.

The general nature of the public improvement is ***Group A: Construction of two water supply wells, gravity filter water treatment plant, water main replacements, demolition of the existing water plant, abandonment of existing wells, and associated appurtenances. Group B: Installation of new water meters and a radio read water meter system.***

The successful bidder will be required to furnish bonds in an amount equal to one-hundred percent (100 percent) 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 terms and conditions therein contained and shall guarantee the prompt payment for all materials and labor and protect and save harmless the City from claims and damages of any kind caused by the operations of Contractor.

A preletting conference will be held on **June 30, 2022**, at **2:30pm** in the **Mondamin City Hall**. Immediately after the conference, a site tour will be conducted.

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.

The parties to this contract agree to comply with HUD's regulations in 24 CFR part 135, 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 135 regulations.

To the extent allowed by Federal law, and to the extent required by Iowa law, 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 allowed 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. Failure to submit a fully completed Bidder Status Form with the Proposal may result in the Proposal being deemed nonresponsive and rejected.

The contractor agrees to send to each labor organization or representative of workers with which the contractor has a collective bargaining agreement or other understanding, if any, a notice advising the labor organization or workers' representative of the contractor's commitments under this section 3 clause, and will post copies of the notice 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.

The contractor agrees to include this section 3 clause in every subcontract subject to compliance with regulations in 24 CFR part 135, and agrees to take appropriate action, as provided in an applicable provision of the subcontract or in this section 3 clause, upon a finding that the subcontractor is in violation of the regulations in 24 CFR part 135. 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 135.

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 135 require employment opportunities to be directed, were not filled to circumvent the contractor's obligations under 24 CFR part 135.

Noncompliance with HUD's regulations in 24 CFR part 135 may result in sanctions, termination of this contract for default, and debarment or suspension from future HUD assisted contracts.

With respect to work performed in connection with section 3 covered Indian housing assistance, section 7(b) of the Indian Self-Determination and Education Assistance Act (25 U.S.C. 450e) also applies to the work to be performed under this contract. Section 7(b) requires that to the greatest extent feasible (i) preference and opportunities for training and employment shall be given to Indians, and (ii) preference in the award of contracts and subcontracts shall be given to Indian organizations and Indian-owned Economic Enterprises. Parties to this contract that are subject to the provisions of section 3 and section 7(b) agree to comply with section 3 to the maximum extent feasible, but not in derogation of compliance with section 7(b).

Section 3 Businesses are encouraged to respond to this proposal. A Section 3 business is a business that is:

51% owned by Section 3 residents*

Whose permanent, full-time staff is comprised of at least 30% Section 3 residents*

Has committed 25% of the dollar amount of its subcontracts to Section 3 businesses

*A Section 3 resident is defined as a public housing resident or someone with a household income that is less than 80% of the area median income.

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>

Section 746 of Title VII of the Consolidated Appropriations Act of 2017 (Division A - Agriculture, Rural Development, Food and Drug Administration, and Related Agencies Appropriations Act, 2017) and subsequent statutes mandating domestic preference applies an American Iron and Steel requirement to this project. All listed iron and steel products used in this project must be produced in the United States. The term "iron and steel products" means the following products made primarily of iron or steel: lined or unlined pipes and fittings, manhole covers and other municipal castings, hydrants, tanks, flanges, pipe clamps and restraints, valves, structural steel, reinforced precast concrete, and construction materials.

This project is partially funded by the **Community Development Block Grant (CDBG) Program and USDA Rural Development Program.**

This notice is given by authority of the City of Mondamin, Iowa.

/s/ Signature of responsible party for notification

City of Mondamin, Iowa

Posted to Website of: Master Builders of Iowa
Construction Update Network
Iowa League of Cities