

NOTICE TO BIDDERS AND NOTICE OF PUBLIC HEARING

Pursuant to a 28E Agreement for a Joint Public Improvement Project with Indianola Municipal Utilities, sealed bids will be received by the City of Pella City Clerk's Office 825 Broadway Street, Pella, Iowa 50219, until 1:00 p.m. on Monday, October 10, 2022 for the following described public improvement:

**CONSTRUCTION OF PELLA FIBER TRANSPORT NETWORK WEST TO IMU
PELLA, IOWA
PROJECT NO. 2022-PELLA-TP-WEST-01**

At the above time and place all bids received by the City will be opened and publicly read with the results being reported to the Board of Trustees of the Indianola Municipal Utilities at their meeting on Monday, October 24, 2022 at 5:30 P.M. at 110 N 1st Street, Indianola, IA, and the Pella City Council at their meeting on Tuesday, November 1, 2022, at 6:00 p.m., in the Council Chambers in the Public Safety Complex, 614 Main Street, Pella, at which time the Board and Council may take action on the proposals submitted or at such time as may then be fixed.

The Board of Trustees of the Indianola Municipal Utilities will hold a public hearing on the proposed Plans, Specification, Form of Contract, and Estimate of Costs for the construction of said improvements at 5:30 on Monday, October 24, 2022 at 110 N 1st Street, Indianola, IA. At said hearing, any interested person may appear and file objections thereto or to the cost of the improvements.

The City Council of Pella, Iowa, will hold a public hearing on the proposed Plans, Specifications, Form of Contract, and Estimate of Costs for the construction of said improvements at 6:00 p.m. on Tuesday, November 1, 2022, in the Council Chambers in the Public Safety Complex, 614 Main Street Pella, Iowa. At said hearing, any interested person may appear and file objections thereto or to the cost of the improvements.

The extent of work on this project is the furnishing of all labor, equipment and incidental materials for the construction and final testing of improvements generally described as follows:

The CONSTRUCTION OF PELLA FIBER TRANSPORT NETWORK WEST TO IMU project includes furnishing and installing all materials for the conduit network containing a fiber optic cable, and the testing of the spliced fiber optic cable. The network will result in a fiber optic connection between the City of Pella's Central Office (CO) and the CO of Indianola Municipal Utilities in Indianola, Iowa as detailed in the Plan Set. The network is to be constructed within public right-of-way.

The entire network cabled network is 42.6 miles in length . It consists of the installation of 206,080 feet of new conduit construction, with an additional 18,894 feet of operator owned conduit which will require fiber installation. The new conduit network installation consists of 102,979 feet of bored conduit (34,578 feet in urban environments and 68,401 feet in rural environments) and an additional 103,101 feet of rural plow/trenched conduit.

The estimated quantities and work to be done for the project on which bids will be received are as shown on the bid proposal for said project.

All work is to be done in strict compliance with the Plans and Specifications prepared by NewCom Technologies which have been heretofore approved by the City Council and which are now on file for public examination in the office of the City Clerk.

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All bids shall be made on a form furnished by the City and shall be filed on or before the time specified above, in a sealed envelope addressed to the City Clerk of Pella, Iowa, clearly stating that the envelope contains a bid on this project. Each proposal shall be accompanied by a bid bond, a cashier's or certified check drawn on an 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 ten percent (10%) of the total amount of the bid. If a bid bond is submitted it must be on the form provided with the contract documents.

The bid security submitted should be made payable to the City of Pella, Iowa, and not contain any conditions either in the body or as an endorsement thereon. This bid security is provided to the City of Pella as security that if the bidder is awarded the contract by the City, the bidder will enter into a contract on the form provided by the City at prices bid and shall furnish the required performance and payment bond to the City. If the bidder fails to execute the contract and to furnish an acceptable performance and payment bond or provide a Certificate of Insurance within fifteen (15) days after acceptance of the bid by the City, the bid security may be forfeited or cashed by the City as liquidated damages.

The successful bidder will be required to furnish a performance and payment bond in the amount of one hundred percent (100%) of the contract price guaranteeing faithful performance of the contract and guaranteeing payment to all persons supplying labor, equipment and/or materials in the execution of the work provided for in the contract. Additionally the contractor must provide the City with a guarantee of maintenance of said improvement in the form of surety for a period of twelve (12) months from the time of acceptance by the City.

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

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 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 bid may result in the bid being deemed nonresponsive and rejected.

Work on said project shall commence within ten (10) calendar days of the written notice to proceed and shall be completed in phases as detailed in the project plans. It is anticipated that the Notice to Proceed will be issued within 30 calendar days after the award of contract. The work shall be completed per the staging dates provided in the plans.

Project installations of all conduit, vaults, fiber and locate system components shall be fully completed by August 16, 2023. All restoration work shall be fully completed by September 29, 2023. Liquidated damages in the amount of twelve hundred dollars (\$1,200) per day will be assessed for each day that the work remains uncompleted after the end of each contract period.

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Payment for the work will be made by the City in cash from such funds as may be legally available including cash on hand, proceeds from the sale and issuance of General Obligation Bonds and such other funds including the proceeds from the sale and issuance of such other bonds as may lawfully be issued as the City Council may at its sole discretion determine and provide.

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 during the preceding calendar month, and will be based upon an estimate prepared by the Contractor on the first day of the month, subject to the approval of the Engineer. Any such payment by the City shall in no way be construed as an act of acceptance for any part of the work partially or totally completed.

Partial lien waivers are not required for the first payment application if the payment is less than 50% of the contract amount. Each subsequent payment application shall be accompanied by the Contractor's partial waiver, and by partial waivers from all assigned subcontractor(s), vendors and suppliers who were included in the immediately preceding payment application, to the extent of the payment, as reflected on the payment application form.

Partial lien waivers from Contractor and all assigned subcontractor(s), vendor(s), and suppliers shall accompany the first payment application when the amount of the payment exceeds fifty percent (50%) of the total contract amount. Lien waivers are to be in the amount reflected on the payment application form.

Upon completion of the work and its acceptance by the City Council, the Contractor will be paid an amount which, together with previous payments, will equal ninety-five percent (95%) of the contract price of the contract. Final payment of the remaining five percent (5%) will be made not less than thirty-one (31) days after completion and acceptance by resolution of the Council of the completed contract, subject to the conditions and in accordance with the provisions of Chapter 573 of the Code of Iowa. No such partial or final payments will be due until the Contractor has certified to the City that the materials, labor and services involved in each estimate have been paid for in accordance with the requirements stated in the specifications.

The Contractor's request for final payment shall include final lien waivers, on Owner forms, from all assigned subcontractor(s), vendor(s) and suppliers in the full amount of their contracts as reflected on the payment application form. The Contractor shall also furnish its own final waiver of lien as reflected on the payment application form.

A copy of said plans, specifications, and form of contract, and estimated total cost is now on file in the office of the City Clerk and may be examined at Pella City Hall, 825 Broadway Street, Pella, IA.

Bidding forms, electronic copies of Plans, Specifications, and Contract Documents are available, at no cost, from the NewCom Plan Room by emailing NewCom@NewComTech.com (with 2022-Pella-TP-WEST-01 in the subject line). Interested parties will receive an email to self-register for bid document, plan set and addendum access.

There will be a pre-bid conference on Tuesday, September 27, 2022 at 2:00P.M. via a web conference using details as follows:

For presentation view, join the conference from your computer, tablet or smartphone.

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Use this hyperlink: <https://meet.goto.com/553534125>

Phone - voice only.

dial: [\(786\) 535-3211](tel:(786)535-3211) and use Access Code: 553-534-125

Bidding Documents may be downloaded from the designated website. Prospective Bidders are urged to register with the designated website as a Bidding Documents holder, even if Bidding Documents are obtained from a third-party plan room or source other than the designated website in either electronic or paper format. The designated website will be updated periodically with Addenda, lists of registered Bidding Documents holders, reports on the Site, and other information relevant to submitting a Bid for the Project. All official notifications, Addenda, and other Bidding Documents will be offered only through the designated website. Neither Owner nor Engineer will be responsible for Bidding Documents, including Addenda, if any, obtained from sources other than the designated website.

The City reserves the right to reject any and/or all bids and to waive any and/or all technicalities and/or all irregularities.

Mandy Smith
City Clerk