

NOTICE TO BIDDERS

Sealed bids will be received by the City Clerk of the City of Waukee, Iowa, in the City Hall, 230 West Hickman Road, Waukee, Iowa 50263, before 2:00 P.M. on February 8, 2023 for the following described public improvement:

HEART OF WARRIOR TRAIL WEST EXTENSION

At the above time and place all bids received by the City will be opened and publicly read. In addition, interested persons may alternatively attend as follows:

Dial-in: (866) 516-3949
PIN: 5869132#

All bids results will be reported to the Waukee City Council at their meeting on Tuesday, February 21, 2023 at 5:30 p.m. at which time the Council may take action on the proposals submitted or at such time as may then be fixed.

Due to public health concerns and guidance, in accordance with Iowa Code Sections 21.4(1)(b) and 21.8, this meeting of the Waukee City Council will be conducted with two different options for public participation: 1) Members of the public wishing to attend in person may do so in the Council Chambers at Waukee City Hall. 2) Members of the public wishing to participate electronically may do so via Zoom at the following link or phone numbers:

<https://zoom.us/j/352651371>

Meeting ID: 352-651-371

Or by phone:

+1 646-558-8656 or

+1 312-626-6799 or

+1 301-715-8592

In-person meetings are subject to change under certain circumstances, including but not limited to higher than average participation or changes in health guidelines. If the meeting shall be held electronically only, notice shall be posted to the City website (Waukee.org) and City social media. Questions regarding meeting format may also be directed to the City Clerk's office at 515-978-7904.

All persons wishing to observe or participate in this meeting may do so via Zoom or telephone. Please contact the City Clerk's office at 978-7904 or bschuett@waukee.org if you have questions or electronic accessibility issues.

During said hearing, any interested person may participate and/or file objections thereto or to the cost of the improvements.

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

The project is located north of Ashworth Road and West of 6th Street. This project will extend the Heart of Warrior Trail west from the trail's intersection at 6th Street. The construction includes approximately 260 SY of pavement removal, 1,100 SY of 6" PCC trail, restoration, survey, traffic control, and other associated work.

The kinds of materials, 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 the Engineer 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.

All bids shall be made on a form furnished by the City and shall be filed before the time specified above, in a sealed envelope addressed to the City Clerk of Waukee, Iowa, clearly stating that the envelope contains a bid on this project.

Each bidder shall accompany its bids with bid security as defined in Iowa Code Section 26.8, 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 a form acceptable to the City for the faithful performance of the contract and guaranteeing payment to all persons supplying labor and/or materials in the execution of the work provided for in the contract, in an amount equal to 100% of the amount of the contract. Additionally the bidder must provide the City with a guarantee of maintenance of said improvement for a period of four (4) years from the time of acceptance by the City. The bidder's security shall be in an amount equal to ten percent (10%) of the total amount of the bid and shall be in the form of a cashier's check or a certified check drawn on an FDIC insured bank in Iowa or on an FDIC insured 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; or a bid bond on the form provided in the contract documents with corporate surety satisfactory to the City. The bid shall contain no condition except as provided in the specifications.

If the bidder fails to execute the contract and to furnish an acceptable performance, payment, and maintenance bond or provide a Certificate of Insurance within ten (10) days after acceptance of the bid by the City, the bid security may be forfeited or cashed by the City as liquidated damages.

By virtue of statutory authority, a preference will be given to products and provisions grown and 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.

A sales tax exemption certificate will be available for all material purchased for incorporation in the project.

Work on said project shall commence within ten (10) days of a written notice to proceed and shall be completed by: **SEPTEMBER 1, 2023**

The duration of the work is critical to the project so as to minimize damage to other streets and public infrastructure and the disruption associated with the project to the public. Damages in the amount of five hundred (\$500.00) per calendar day will be assessed for each day the work shall remain uncompleted after the end of the contract period at the sole discretion of the City which at the option of the City may be deducted from any retainage prior to release, the final payment to contractor, or through the commencement of a cause of action by the City, in the City's sole discretion. The selection by the City of any particular course of action hereunder is not exclusive and shall not preclude the pursuit of additional remedies by the City. In the event the City institutes legal proceedings, the Contractor shall be responsible for any and all attorney's fees and expenses.

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 to the Contractor will be on the basis of monthly estimates equivalent to ninety-five percent (95%) of the contract value of the work completed and payments made to material suppliers for materials ordered specifically for the project or delivered to the site

during the preceding calendar month. Estimates will be prepared on the first day of each month by the Contractor, subject to the approval of the Engineer. Such monthly payments shall in no way be construed as an act of acceptance for any part of the work partially or totally completed. Final payment by the City will be made in accordance with Iowa statutes and the contract documents.

Complete digital project bidding documents are available at www.questcdn.com. You may view the digital plan documents for free by entering Quest project #8368806 on the website's Project Search page. Documents may be downloaded for \$0.00. Please contact QuestCDN.com at 952-233-1632 or info@questcdn.com for assistance in free membership registration, viewing, downloading, and working with this digital project information.

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

CITY OF WAUKEE, IOWA

Courtney Clarke, Mayor

ATTEST:

Rebecca D. Schuett, City Clerk