

NOTICE TO BIDDERS

CITY OF CLIVE NW 99th COURT RECONSTRUCTION

Time and Place for Filing Sealed Proposals. Sealed bids for the work comprising each improvement as stated below must be filed before 2:00 p.m. on February 1, 2024 in the office of the City Clerk, Clive City Hall, 1900 NW 114th Street, Clive, Iowa 50325-7077

Time and Place Sealed Proposals Will be Opened and Considered. Sealed proposals will be opened and bids tabulated at 2:00 p.m. on February 1, 2024, in the Council Chambers of the City Hall for consideration by the Clive City Council at its meeting on February 8, 2024. The City of Clive reserves the right to reject any and all bids.

The City of Clive in accordance with Title VI of the Civil Rights Act of 1964, Stat. 252, 42 U.S.C. 2000d to 2000d-4 and Title 49, Code of Federal Regulations, Department of Transportation, Subtitle A, Office of the Secretary, Part 21, Nondiscrimination in Federally assisted programs of the Department of Transportation issued pursuant to such Act, hereby notifies all bidders that it will affirmatively insure that in any contract entered into pursuant to this advertisement, minority business enterprises will be afforded full opportunity to submit bids in response to this invitation and will not be discriminated against on the grounds of race, color, national origin, sex, age, or disability in consideration for award.

Time for Commencement and Completion of Work. Work on the improvements shall commence on or before the late start date of April 15, 2024. Assignment of calendar days and incentive/disincentive clauses associated with the three stages of construction delineated in the plans shall be as follows:

Stage 1 – Sixty-five (65) calendar days
Stage 2 – Forty-five (45) calendar days
Stage 3 – Fifty-five (55) calendar days

Calendar days on each stage will be counted independently of one another and commence when a stage is closed to traffic and vehicular access to individual properties is denied. Once a stage is closed, a No Excuses Date for completion of work in that stage will be set based on the assigned calendar days listed above.

The three construction stages identified are based on a combination of construction and resident considerations. As a result, the boundaries of the stages outlined in the construction documents are not subject to change. Based on on-street parking requirements and the need to circulate traffic efficiently in the outlying neighborhoods, no two stages of construction will be allowed to be worked on concurrently.

A normal work week is Monday through Saturday. No work will be allowed on Sundays, Memorial Day (5/27/24), the 4th of July (7/4/24), or Labor Day (9/2/24).

Per Stage Incentive – A lump sum incentive of \$25,000 will be added to the project contract for each stage substantially completed on or before the established No Excuses Date outlined above. Based on the three separate stages of construction, the maximum available incentive amount for staged construction is \$75,000. There are no corresponding disincentives or liquidated damages associated with staged construction.

A stage will be considered substantially complete when all work on the stage has been completed as follows: street, intersection and driveway pavements reopened to vehicular traffic, sidewalks and curb ramps backfilled and reopened to pedestrian traffic, permanent mailboxes installed/regular mail service resumed, and temporary stabilization of all disturbed areas. Punch list items and permanent stabilization not requiring additional street closures may be completed after opening a stage at the City's discretion.

Overall Project Incentive – A one-time lump sum incentive of \$50,000 will be added to the project contract if the entire project is fully completed and reopened to traffic by 5:00 pm on Friday, November 8, 2024. Full completion includes restoration/sodding in all stages and completion of outstanding punch list items. This is a No Excuses Date independent of the counting of calendar days during the three stages of construction and will not be shifted once construction of the project has commenced.

Overall Project Disincentive – A lump sum disincentive of \$25,000 will be deducted from the project contract if final completion does not occur on or before November 29, 2024. An additional lump sum disincentive of \$25,000 will be deducted from the project contract if final completion does not occur on or before December 31, 2024. No additional disincentives will be applied during the 2025 construction season if, for whatever reason, work on the project is not completed in the 2024 calendar year. There are no liquidated damages associated with the overall completion of the project.

Bid Security. Each bidder shall accompany its bid with bid security as defined in Section 26.8 of the Iowa Code and as outlined in the Instruction to Bidders in an amount equal to Ten (10) percent of the total bid amount.

Contract Documents. Copies of the contract documents are available from the Public Works Department and may be examined at the Public Works Facility, 2123 NW 111th Street, Clive, Iowa. Copies shall be available at no cost. Project documents will be on file for inspection at the following offices after issuance date:

Construction Update Plan Room Network
Des Moines Office
221 Park Street
Des Moines, IA 50303
(515) 288-8904 or 1-800-362-2578

Dodge Data & Analytics
3315 Central Avenue
Hot Springs, AR 71913
1-800-328-4542 Ext. 3628

Public Hearing on Proposed Contract Documents and Estimated Costs for Improvement. A public hearing will be held by the Clive City Council on the proposed contract documents (plans, specifications and form of contract) and estimated cost for the improvements, as bid by the selected bidder, at its meeting at 6:00 pm on February 8, 2024, in said Council Chambers of the City Hall, 1900 NW 114th Street, Clive, Iowa.

Preference of Products and Labor. Preference shall be given to domestic construction materials by the contractor, subcontractors, material, men and suppliers in performance of the contract and, further, 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.

Resident Bidder Preference Law. Iowa Code 73A.21 outlines the reciprocal resident bidder and labor force preference statute. The Iowa Department of Labor (DOL) has adopted administrative rules to enforce this law. Failure to submit a fully completed Bidder Status Form with the bid may result in the bid being deemed nonresponsive and rejected.

Sales Tax. The bidder shall not include sales tax in the bid. The City of Clive will distribute tax exemption certificates and authorization letters to the Contractor and all Subcontractors who are identified. The Contractor and Subcontractors may make copies of the tax exemption certificates and provide a copy to each supplier providing construction materials. These tax exemption certificates and authorization letters are applicable only for this specific project under the Contract.

General Nature of Public Improvement. This project includes all materials, equipment, transportation, and labor necessary for the reconstruction of NW 99th Court between Clark Street and Lincoln Avenue. Project items include PCC pavement, sanitary sewer, water main, storm sewer, sidewalk, driveways, traffic control, restoration, and associated work. Specific project location along with the kind and approximate quantity of materials to be used shall be as set forth in the Plans and Specifications.

This notice is given by authority of the City of Clive.

Matthew D. Graham, City Clerk