

NOTICE TO BIDDERS
JURISDICTION OF CITY OF HIAWATHA IOWA
PUBLIC IMPROVEMENT PROJECT

Qualified bidders may submit bids for the City of Hiawatha – City Generators Reed Rd Lift Station project as described in this document. The Owner of this project is the City of Hiawatha, 101 Emmons St., Hiawatha, IA 52233. The Owners’ Representative on this project is City Engineer, Jon Fitch, (319) 393-1515 x528, jfitch@hiawatha-iowa.com.

Bids will only be received and accepted electronically through QuestCDN.com via the electronic VirtuBid online bid service. The online bid portal will be open for vBid by Friday, July 26, 2024. No paper bids will be accepted. All electronic bids must be submitted prior to 1:00 PM on Thursday, August 1, 2024, via QuestCDN vBid Online Bidding. No bids can be submitted after 1:00 PM.

A virtual bid opening will be held on Thursday, August 1, 2024 at 1:00 PM. Join the bid opening conference from your computer, tablet or smartphone at <https://meet.google.com/oca-gqha-npj?authuser=1&hs=122>.

You can also dial in using your phone: 937-877-2284 PIN: 838 688 749#

Bids will be considered by the City of Hiawatha, Iowa, at its meeting on Wednesday, August 7, 2024.

Work on the improvement shall be commenced immediately upon approval of the contract by the Council and be completed as stated below.

Bidding information can be downloaded at: <https://qcpi.questcdn.com/cdn/posting/?projType=all&provider=7542966&group=7542966> or at www.questcdn.com under Login using Quest CDN #9207365 for a non-refundable charge of \$0.00. A contractor may view the contract documents at no cost prior to becoming a Planholder. Contact Quest CDN.com at 952-233-1632 or info@questcdn.com for assistance in membership registration, downloading this digital project information and vBid Online Bid Submittal. To submit an vBid online bid (which is required for this project), you must download the project bid document file from QuestCDN which will add you to the plan holders list and gain you access to vBid Online Bidding. Bidders will not be charged a fee to submit a bid electronically.

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.

General Nature of the Public Improvement

City of Hiawatha Iowa – City Generators – Reed Rd Lift Station – 3540 Reed Road
City of Hiawatha, Iowa
City Project #202502

The City of Hiawatha City Generators – Reed Rd Lift Station project includes all materials and labor to procure and install a 50kW natural gas generator and transfer switch; installation of concrete pads for generator; installation of buried pathways and conductors between generator and lift station controls; provide and install a 1” gas line and all connections; schedule start up; make all final power and communications connection on the new generator; test compatibility with transfer switch and test operation; perform factory start-up to ensure valid warranty. Cost shall include all utility franchise costs. Costs are for a fully functional system.

Each bidder shall accompany its bid 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 Jurisdiction, for the faithful performance of the contract, in an amount equal to 100% of the amount of the contract. The bidder’s security shall be in the amount fixed in the Instruction to Bidders 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 Jurisdiction. The bid shall contain no condition except as provided in the specifications.

The City of Hiawatha, Iowa, reserves the right to defer acceptance of any bid for a period of sixty (60) calendar days after receipt of bids and no bid may be withdrawn during this period.

Each successful bidder will be required to furnish a corporate surety bond in an amount equal to 100% of its contract price. Said bond shall be issued by a responsible surety approved by the City of Hiawatha, Iowa, and shall guarantee the faithful performance of the contract and the terms and conditions therein contained and shall guarantee the prompt payment of all material and labor, and protect and save harmless the City of Hiawatha, Iowa from claims and damages of any kind caused by the operations of the contract and shall also guarantee the maintenance of the improvement caused by failures in materials and construction for a period of two years from and after acceptance of the contract.

The City of Hiawatha, Iowa, in accordance with Title VI of the Civil Rights Act of 1964, 78 Stat. 252, 42U.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, or national origin in consideration for an award.

All work shall be completed and turned over to the city no later than Friday, July 25, 2025. Liquidated damages of \$500 per day will apply for any work extending past this date. If there are delays due to extended lead times associated with materials related to this project, the delays must be noted in writing and additional lead-time approved by the city. Project deadline extensions must be approved no later than 30 days before the set deadline in this bid document.

The City of Hiawatha, Iowa, does hereby reserve the right to reject any or all bids, to waive informalities, and to enter into such contract, or contracts, as it shall deem to be in the best interest of the jurisdiction.

This project is being supported with U.S. Department of Housing and Urban Development, Community Development Block Grant, Disaster Recovery grant funding. Therefore, certain restrictions and other federal requirements attach to this opportunity. Award of contract is subject to the requirements of the Iowa Economic Development Authority.

Pursuant to the requirements of the Community Development Block Grant, Davis-Bacon wage rates are to be used on this project. Current wage rates were inserted in this specification, and it is the Contractor's responsibility to make sure that they are using the most current rates at the time of bid opening. Wage rates should be reviewed prior to submitting a proposal on the day of bid opening. Contractors must not appear on Sam.gov disbarment list, including any subcontractors.

A detailed listing of all subcontractors shall be provided by the Bidder. In accordance with the Contract Documents, documentation that the prospective General Contractor and its subcontractors meet minimum qualifications shall be provided and submitted.

Contractors shall contact Rod Jasa at rjasa@hiawatha-iowa.com or 319-393-6601 for access to the Reed Rd Lift Station.

INSTRUCTIONS TO BIDDERS

Project Name: City of Hiawatha Iowa – City Generators – Reed Rd Lift Station

Before submitting your bid, review the requirements of Division 1, General Provisions and Covenants, in particular the sections regarding proposal requirements, bonding, contract execution and insurance requirements. Be certain that all documents have been completed and uploaded properly, as failure to complete and sign all documents and to comply with the requirements listed below can cause your bid not to be read.

I. BID SECURITY

The bid security must be in the minimum amount of 5% of the total bid amount including all add alternates (do not deduct the amount of deduct alternates). Bid security shall be in the form of a cashier's check or a certified check, drawn on an FDIC insured bank in Iowa or drawn 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 executed by a corporation authorized to contract as a surety in Iowa or satisfactory to the Jurisdiction. The bid bond must be submitted by uploading the enclosed Bid Bond form or utilizing electronic Surety2000. All signatures on the bid bond must be original signatures in ink; facsimile (fax) of any signature or use of an electronic signature on the bid bond is not acceptable. Bid security other than said bid bond shall be made payable to City of Hiawatha, Iowa. "Miscellaneous Bank Checks," and personal checks, as well as "Money Orders" and "Traveler's Checks" issued by persons, firms, or corporations licensed under Chapter 533C of the Iowa Code, are not acceptable bid security.

II. SUBMISSION OF THE PROPOSAL AND IDENTITY OF BIDDER

A. Bids will only be received and accepted electronically through QuestCDN vBid Online Bidding. The online bid portal will be open for vBid by Friday, July 19, 2024. No paper bids will be accepted. All electronic bids must be submitted prior to 1:00 PM on Thursday, August 1, 2024 via QuestCDN vBid Online Bidding. Bids received after the deadline for submission of bids as stated herein shall not be considered.

B. The following documents shall be completed and uploaded with your electronic bid submission. The bid cannot be read if any of these documents are omitted from the electronic bid submission.

1. Authorization to Transact Business Worksheet
2. Non-Collusion Affidavit
3. Identity of Bidder (including the Bidder Status Form):

- The Bidder Status Form is required by the Iowa Labor Commissioner, pursuant to the Iowa Administrative Code rule 875-156.2(1). The Bidder must complete and submit the Bidder Status Form, signed by an authorized representative of the Bidder, with their bid proposal. Under Iowa Administrative Code rule 875-156.2(1), failure to provide the Bidder Status Form with the bid may result in the bid being deemed non-responsive and may result in the bid being rejected. The Worksheet: Authorized to Transact Business from the Labor Commissioner is including on the following page

and can be used to assist Bidders in completing the Bidder Status Form.

**CITY OF HIAWATHA, IOWA
ADDITIONAL INSURED ENDORSEMENT**

The City of Hiawatha, Iowa, including all its elected and appointed officials, all its employees and volunteers, all its boards, commissions and/or authorities and their board members, employees, and volunteers, are included as Additional Insureds with respect to liability arising out the Insured's work and/or services performed for the City of Hiawatha, Iowa. This coverage shall be primary to the Additional Insureds (City of Hiawatha, Iowa), and not contributing with any other insurance or similar protection available to the Additional Insureds, whether available coverage be primary, contributing or excess.

**CITY OF HIAWATHA, IOWA
GOVERNMENTAL IMMUNITIES ENDORSEMENT
(for use when including the City as an Additional Insured)**

1. Nonwaiver of Government Immunity. The insurance carrier expressly agrees and states that the purchase of this policy and the including of the City of Hiawatha, Iowa as an Additional Insured does not waive any of the defenses of governmental immunity available to the City of Hiawatha, Iowa under Code of Iowa Section 670.4 as it now exists and as It may be amended from time to time.
2. Claims Coverage. The insurance carrier further agrees that this policy of insurance shall cover only those claims not subject to the defense of governmental immunity under the Code of Iowa Section 670.4 as it now exists and as may be amended from time to time.
3. Assertion of Government Immunity. The City of Hiawatha, Iowa shall be responsible for asserting any defense of governmental immunity, and may do so at any time and shall do so upon the timely written request of the insurance carrier. Nothing contained in this endorsement shall prevent the carrier from asserting the defense of governmental immunity on behalf of the City of Hiawatha, Iowa.
4. Non-Denial of Coverage. The insurance carrier shall not deny coverage under this policy and the insurance carrier shall not deny any of the rights and benefits accruing to the City of Hiawatha, Iowa under this policy for reasons of governmental immunity unless and until a court of competent jurisdiction has ruled in favor of the defense(s) of governmental immunity asserted by the City of Hiawatha, Iowa.
5. No Other Change in Policy. The insurance carrier and the City of Hiawatha, Iowa agree that the above preservation of governmental immunities shall not otherwise change or alter the coverage available under the policy.

**CITY OF HIAWATHA, IOWA
CANCELLATION AND MATERIAL CHANGES ENDORSEMENT**

Thirty (30) days Advance Written Notice of Cancellation, Non-Renewal, Reduction in insurance coverage and/or limits and ten (10) days written notice of non-payment of premium shall be sent to the City of Hiawatha, 101 Emmons Street, Hiawatha, IA 52233. This endorsement supersedes the standard cancellation statement on the Certificate of Insurance to which this endorsement is attached.

ARTICLE 22 – SIGNING OF AGREEMENT

22.01 When OWNER gives a Notice of Award to the Successful Bidder, it shall be accompanied by the required number of unsigned counterparts of the Agreement with the other Contract Documents which are identified in the Agreement as attached thereto. Within 15 days thereafter, Successful Bidder shall sign and deliver the required number of counterparts of the Agreement and attached documents to OWNER. Within ten days thereafter, OWNER shall deliver one fully signed counterpart to Successful Bidder with a complete set of the Drawings with appropriate identification.

ARTICLE 23 - SALES AND USE TAXES

23.01 Items included in the Project are exempt from State of Iowa and Local Option Sales and Use Taxes. Contractor is responsible for obtaining exemption certificate(s) from The OWNER, on eligible items, as provided by law, or for applying for reimbursement for such taxes paid. Sales and Use taxes shall not be included in the Bid. For more information on this exemption and items that are non-exempt, please check the State of Iowa's website: www.state.ia.us/tax/business/Contr-ExEnt-Index.html. The City of Hiawatha, Iowa will issue special exemption certificates to contractors and subcontractors allowing the purchase, or withdrawal from inventory, of materials for the contract free from sales tax pursuant to Iowa Code Sections 423.3(80)(b)(d) and 423.45.

ARTICLE 24 – RETAINAGE

24.01 Provisions concerning CONTRACTOR's rights to deposit securities in lieu of retainage are set forth in the Agreement.

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Worksheet: Authorization to Transact Business

This worksheet may be used to help complete Part A of the Resident Bidder Status form. If at least one of the following describes your business, you are authorized to transact business in Iowa.

- Yes No My business is currently registered as a contractor with the Iowa Division of Labor.
- Yes No My business is a sole proprietorship and I am an Iowa resident for Iowa income tax purposes.
- Yes No My business is a general partnership or joint venture. More than 50 percent of the general partners or joint venture parties are residents of Iowa for Iowa income tax purposes.
- Yes No My business is an active corporation with the Iowa Secretary of State and has paid all fees required by the Secretary of State, has filed its most recent biennial report, and has not filed articles of dissolution.
- Yes No My business is a corporation whose articles of incorporation are filed in a state other than Iowa, the corporation has received a certificate of authority from the Iowa Secretary of State, has filed its most recent biennial report with the Secretary of State, and has neither received a certificate of withdrawal from the Secretary of state nor had its authority revoked.
- Yes No My business is a limited liability partnership which has filed a statement of qualification in this state and the statement has not been canceled.
- Yes No My business is a limited liability partnership which has filed a statement of qualification in a state other than Iowa, has filed a statement of foreign qualification in Iowa and a statement of cancellation has not been filed.
- Yes No My business is a limited partnership or limited liability limited partnership which has filed a certificate of limited partnership in this state, and has not filed a statement of termination.
- Yes No My business is a limited partnership or a limited liability limited partnership whose certificate of limited partnership is filed in a state other than Iowa, the limited partnership or limited liability limited partnership has received notification from the Iowa Secretary of state that the application for certificate of authority has been approved and no notice of cancellation has been filed by the limited partnership or the limited liability limited partnership.
- Yes No My business is a limited liability company whose certificate of organization is filed in Iowa and has not filed a statement of termination.
- Yes No My business is a limited liability company whose certificate of organization is filed in a state other than Iowa, has received a certificate of authority to transact business in Iowa and the certificate has not been revoked or canceled.