

NOTICE TO BIDDERS
WATER DISTRIBUTION SYSTEM IMPROVEMENTS
DIVISION 1: 4TH, 5TH, & 6TH STREET
DIVISION 2: 6TH & 7TH AVENUE
WELLMAN, IOWA
2025

General Notice

City of Wellman (Owner) is requesting Bids for the construction of the following Project:

Water Distribution System Improvements
SRF Project Number: FS-92-24-DWSRF-012
Iowa Grants – Grant – 25-WS-006

Bids for the construction of the Project will be received at the **Wellman City Hall, Council Chambers** located at **316 8th Avenue, Wellman, Iowa 52356**, until **November 13, 2025, at 11:00 A.M.** local time. At that time and place, the Bids received will be **publicly** opened and read. The Wellman City Council will consider said bid at the meeting scheduled for 5:30 P.M. on November 17, 2025, at **Wellman City Hall**.

The Project includes the following Work:

Installation of water main pipe and appurtenances including but not limited to the installation of water main, fittings, valves, service connections, meter pits, and miscellaneous associated work including surface restoration and cleanup.

All bids must be filed in said office on or before the time herein set, on forms furnished by the Owner, and must be enclosed in a separate sealed envelope and plainly identified. Each Bid shall be accompanied by a Bid Bond or a certified check in a separate sealed envelope, payable to the Owner, in an amount equal to ten percent (10%) of the total Bid.

Obtaining the Bidding Documents

Information and Bidding Documents for the Project can be found at the following designated website:

www.gardenassociates.net

The Contract Documents may be examined at the following locations:

Garden & Associates, Ltd.
1701 3rd Ave. East, Suite 1
Oskaloosa, IA 52577

Electronic Bidding Documents may be downloaded from the designated website by clicking on the “Bidding Documents” tab and choosing **Water Distribution System Improvements – Division 1 & 2 – Wellman, Iowa**. Plan downloads require the user to register for a free membership at QuestCDN.com. The download delivery fee is \$0.00.

Prospective Bidders are urged to register with the designated website as a plan holder, even if Bidding Documents are obtained from a 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 plan holders, reports, 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 Issuing Office for the Bidding Documents is:

Garden & Associates, Ltd.
1701 3rd Avenue East, Suite 1
P.O. Box 451
Oskaloosa, IA 52577

Prospective Bidders may obtain or examine the Bidding Documents at the Issuing Office on Monday through Friday during normal business hours and may obtain copies of the Bidding Documents from the Issuing Office as described below. Partial sets of Bidding Documents will not be available from the Issuing Office. Neither Owner nor Engineer will be responsible for full or partial sets of Bidding Documents, including addenda, if any, obtained from sources other than the Issuing Office.

Printed copies of the Bidding Documents may be obtained from the Issuing Office by paying a deposit of **One Hundred Dollars (\$100)** for each set. Bidders who return full sets of the Bidding Documents in good condition within 10 days after receipt of Bids will receive a full refund. Make deposit checks for Bidding Documents payable to **Garden & Associates, Ltd.**

Each successful Bidder will be required to furnish Performance and Payment Bonds acceptable to the Board on forms provided in the specifications and in the amounts equal to one hundred per cent (100%) of the contract price.

By virtue of statutory authority, a preference will be given to products and provisions grown and coal produced within the state of Iowa

The work shall commence on or before the date specified in the written "Notice to Proceed"; the anticipated date for the Notice to Proceed is April 6, 2026, and an anticipated substantial completion time of October 30, 2026. Liquidated damages in the amount of \$800.00 will be assessed for each consecutive day that the work shall remain uncompleted after the end of the contract period, with due allowance for extension of contract period due to conditions beyond the control of the Contractor.

Any bidder or equipment supplier whose firm or affiliate is listed in the GSA publication "List of Parties Excluded from Federal Procurement and Nonprocurement Programs" must be prohibited from the bidding process. Anyone submitting a bid who is listed in this publication must be determined to be non-responsive in accordance with 40 CFR Part 31.

Award of contract will be made to the lowest responsible Bidder submitting the lowest acceptable Bid for the divisions of work selected by the Owner. Owner may award Division 1 only or Division 1 & Division 2. The Owner reserves the right to reject any or all bids, to waive irregularities and to enter such contract as may be deemed to be in its best interest.

Funding Sources and Required Documents

The project funding includes State Revolving Funds (SRF) and a Community Development Block Grant (CDBG). Contractor Shall comply with funding requirements, which are included with the bidding documents.

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 federal prevailing wage rates are included in the bidding documents, 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 the day of bid opening.

All bidders must submit the following forms:

1. SRF Required Front-End Specifications
 - Attachment 2 – Statement in Advertisement for Bids on Debarment and Suspension/Certification Regarding Debarment and Suspension Form
 - Attachment 3 - Disadvantaged Business Enterprise (DBE) Solicitation
 - Attachment 4 - DBE Program Subcontractor Performance Form
 - Attachment 5 - DBE Program Subcontractor Utilization Form
 - Attachment 10 – Prohibition of Certain Communications Equipment and Video Surveillance Services or Equipment
2. CDBG Bidding Documents:
 - Intent to Comply with Section 3 Requirements
 - Verification of Eligibility to Participate in a federally assisted project.

For all further requirements regarding bid submittal, qualifications, procedures, and contract award, refer to the Instructions to Bidders that are included in the Bidding Documents.

BABA Requirements

This agreement is for services related to a project that is subject to the Build America, Buy America Act (BABA) requirements under Title IX of the Infrastructure Investment and Jobs Act ("IIJA"), Pub. L. 177-58. Absent an approved waiver, all iron, steel, manufactured products, and construction materials used in this project must be produced in the United States, as further outlined by the Office of Management and Budget's Memorandum M-24-02, Implementation Guidance on Application of Buy America Preference in Federal Financial Assistance Programs for Infrastructure.

Contractor shall include Manufacturer's Certification for BABA requirements for all BABA-covered items to be incorporated into the infrastructure project. Contractor shall comply with BABA requirements, including coordination with manufacturers, distributors, and suppliers to correct deficiencies in any BABA documentation.

For any change orders, Contractor shall provide BABA documentation for any new products or materials required by the change. Contractor shall the designate responsible parties for determining the final classifications for all project items.

SECTION 3 LANGUAGE FOR PROCUREMENT DOCUMENTS AND CONTRACTS

- A. 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.
- B. The parties to this contract agree to comply with HUD's regulations in 24 CFR part 75, 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 75 regulations.
- C. The contractor agrees to post copies of a notice advising workers of the Contractor's commitments under Section 3 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.
- D. The contractor agrees to provide written notice of employment and contracting opportunities to all known Section 3 Workers and Section 3 Businesses.
- E. The contractor agrees to employ, to the greatest extent feasible, Section 3 workers or provide written justification to the recipient that is consistent with 24 CFR Part 75, describing why it was unable to meet minimum numerical Section 3 Worker hours goals, despite its efforts to comply with the provisions of this clause.
- F. The contractor agrees to maintain records documenting Section 3 Workers that were hired to work on previous Section 3 covered projects or activities that were retained by the contractor for subsequent Section 3 covered projects or activities.
- G. The contractor agrees to post contract and job opportunities to the Opportunity Portal and will check the Business Registry for businesses located in the project area.
- H. The contractor agrees to include compliance with Section 3 requirements in every subcontract for Section 3 projects as defined in 24 CFR part 75, and agrees to take appropriate action, as provided in an applicable provision of the subcontract upon a finding that the subcontractor is in violation of the regulations in 24 CFR part 75. 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 75.
- I. 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 75 require employment opportunities to be directed, were not filled to circumvent the contractor's obligations under 24 CFR part 75.
- J. The contractor will certify that they have followed prioritization of effort in 24 CFR part 75.19 for all employment and training opportunities. The contractor will further certify that it meets or exceeds the applicable Section 3 benchmarks, defined in 24 CFR Part 75.23, and if not, shall describe in detail the qualitative efforts it has taken to pursue low- and very low-income persons for economic opportunities.
- K. Noncompliance with HUD's regulations in 24 CFR part 75 may result in sanctions, termination of this contract for default, and debarment or suspension from future HUD assisted contracts.

Section 3 Business Concerns are encouraged to respond to this proposal. A Section 3 Business Concern is one that satisfies one of the following requirements:

1. It is at least 51 percent owned and controlled by low- or very low-income persons;
2. Over 75 percent of the labor hours performed for the business over the prior three-month period are performed by Section 3 Workers*; or
3. It is a business at least 51 percent owned and controlled by current public housing residents or residents who currently live in Section 8-assisted housing.

* A Section 3 Worker is defined as any worker who currently fits or when hired within the past five years fit at least one of the following categories, as documented:

1. The worker's income for the previous or annualized calendar year is below the applicable income limit established by HUD;
2. The worker is employed by a Section 3 business concern; or
3. The worker is a YouthBuild participant.

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>