

NOTICE TO BIDDERS

ELM STREET RAILROAD CROSSING IDOT SECTION 130 PROJECT RR01(233) BNSF RAILROAD CROSSING 063199R CRESTON, IOWA 2026

Time and Place for Filing Sealed Proposals. Sealed bids for the work comprising the ELM STREET RAILROAD CROSSING improvements as more specifically stated below must be filed before **2:00 PM** (in accordance with the designated clock in the City Hall Council Chambers), **on Wednesday, April 1, 2026**, in the office of the City Clerk, City Hall, City of Creston, 116 West Adams Street, Creston, Iowa 50801.

Time and Place Sealed Proposals Will be Opened and Considered. Sealed proposals will be opened and bids tabulated at **Wednesday, April 1, 2026**, in the office of the City Clerk, 116 West Adams Street, Creston, Iowa for consideration by the City of Creston at its meeting at **6:00 PM on Tuesday, April 7, 2026** in the Council Chambers, City Hall, 116 West Adams Street, Creston, Iowa. The City of Creston reserves the right to reject any and all bids.

Time for Commencement and Completion of Work. Work on the improvement shall be commenced immediately upon issuance of a written Notice to Proceed and be fully completed and ready for final payment within **60 working days** from written Notice to Proceed, anticipated to be executed in August 2026.

Bid Security. Each bidder shall accompany its bid with bid security 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 form acceptable to the City, for the faithful performance of the contract, in an amount equal to one hundred percent 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, a certified check, or a bank money order drawn on a FDIC insured bank in Iowa or on a 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.

Contract Documents. **Paper copies** of the bid forms, plans and specifications may be obtained from Garden & Associates, Ltd., 806 Wyoming, Creston, IA 50801 upon deposit of **Fifty Dollars (\$50.00)** which shall be refunded upon return of said plans and specification within fourteen (14) days after award of the project. If said plans and specifications are not returned within the time specified and in usable condition, the deposit shall be forfeited.

Electronic project documents are available at no cost at www.gardenassociates.net by clicking on the "Bid Documents" tab and choosing "ELM STREET RAILROAD CROSSING – CRESTON, IOWA - 2026" on the left side of the page. Project information, Engineer's cost opinion and plan holder information is also available at this website. Plan downloads require the user to register for a free membership at QuestCDN.com. The download delivery fee is \$0.00.

Preference of Products and Labor. 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.

All bidders shall provide a statement regarding the bidder's resident status. This statement shall be on the Bidder Status Form designated by the Iowa Department of Labor Commissioner and available on-line. Failure to submit a fully completed Bidder Status Form with the bid may result in the bid being deemed non-responsive and rejected.

General Nature of Improvement. The work generally consists of the following:

ELM STREET RAILROAD CROSSING PROJECT – Excavation, Class 10 – 510 CY; Subgrade Preparation (12" Thick) – 1,525 SY; Granular Subbase, Modified Subbase – 1,525 SY, Compaction Testing – 1 LS; Trench Compaction Testing – 1 LS; Storm Sewer, Trenched, RCP, 15" – 20 LF; Removal of Storm Sewer, <= 24" – 20 LF; Intake, Type SW-502, 48" Dia. – 1 EA; Removal of Intake – 1 EA; PCC Pavement, 8" Thick – 1,178 SY; Concrete Median, 6" Thick – 205 SY; PCC Pavement Samples and Testing – 1 LS; Pavement Removal – 1,487 SY; Pavement Removal, Raised Median – 218 SY; Removal of Sidewalk – 482 SY; Removal of Driveway – 34 SY; PCC, Sidewalk, 7" Thick – 531 SY; Detectable Warning – 208 SF; Painted Pavement Markings, Solvent/Waterborne – 10 STA; Painted Symbols and Legends – 4 EA; Temporary Traffic Control – 1 LS; River Rock – 1 LS; Relocation of Fence – 1 LS; Removal of Sidewalk Barriers – 1 LS; Railroad Protective Liability Insurance – BNSF – 1 LS; Mobilization – 1 LS

Building materials, supplies, and equipment incorporated into said improvement are exempt from Iowa Department of Revenue and Finance sales tax and any applicable local option sales tax and school infrastructure local option sales tax pursuant to Iowa Code Sections: 422.42 (15) & (16), and 422.47 (5). Bidder shall not include payment of Iowa sales tax in Bid. Jurisdiction will provide Purchasing Agent Authorization Letter and Designated Exempt Entity Iowa Construction Sales Tax Exemption Certificate. Contractor will coordinate sales tax exempt purchases with subcontractors and material and equipment suppliers. Contractor will maintain records identifying the materials purchased sales tax exempt and will maintain records verifying the use of said materials on said improvement.

The Contractor will be paid ninety-five per cent (95%) of the Engineer's estimate of the value of acceptable work completed at the end of the preceding month. Final payment will be made within thirty-one (31) days after completion of the work and acceptance by the Jurisdiction, subject to the conditions of and in accordance with the provisions of Chapter 573 of the Code of Iowa.

No such final payment will be due until the Contractor certifies to the Jurisdiction that the materials, labor, and services involved in the final estimate have been completed and paid for in accordance with the requirements stated in the specifications.

Liquidated damages in the amount of **Six Hundred Dollars (\$600.00)** per working day will be assessed for each day that the work shall remain uncompleted after the date established for Substantial Completion with due allowance for extension of contract period due to conditions beyond the control of the Contractor.

Successful Bidder will be required to furnish Performance, Payment and Maintenance Bond acceptable to the Jurisdiction on the form provided in the specifications in amounts equal to one hundred percent (100%) of the contract price.

Award of the contracts will be made to the lowest responsive, responsible, bidder based on the base bid and selected alternates. The Jurisdiction hereby reserves the right to reject any or all bids, to waive informalities and irregularities as allowed by law and to enter into such contract or contracts as it may deem to be for the best interest of the Jurisdiction. A bidder shall not withdraw its proposal for a period of **30 (30)** calendar days after the date designated for opening of proposals.

Payment of the cost of said project will be made from such cash funds of the City of Creston as may be legally used for said purpose at the discretion of the City of Creston City Council.

All bids will be governed by applicable provisions in the Iowa Code.

This Notice is given by authority of the City of Creston, Iowa.

Douglas Daggett, Mayor
City of Creston, Iowa

ATTEST:

Brandea Leach, City Clerk