

## NOTICE TO BIDDERS

### NOTICE OF TAKING BIDS FOR THE CONSTRUCTION OF THE KAPP COURT LIFT STATION IMPROVEMENTS FOR THE CITY OF PEOSTA, IOWA.

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Sealed proposals will be received by the City Clerk of the City of Peosta, Iowa, at City Hall, 7896 Burds Road, Peosta, Iowa 52068, before 1:00 P.M. on the 23<sup>rd</sup> day of April 2026, for the construction of the Kapp Court Lift Station Improvements Project as described in the plans and specifications therefore, now on file in the office of the City Clerk. Proposals will be opened and the amount of the bids announced by the City Clerk at the time, date and place specified above.

Also, at 6:00 P.M. on the 28<sup>th</sup> day of April 2026, the City Council of said City will, in said Council Chambers, or at such time, date and place as then may be fixed, to act upon proposals and enter into a contract for the construction of said improvements.

The location of the work to be done and the kinds and sizes of materials proposed to be used are as follows:

#### **KAPP COURT LIFT STATION IMPROVEMENTS**

Construct improvements including all labor, materials and equipment necessary for excavation, backfill and sitework; precast concrete manholes; prefabricated controls building; emergency backup generator; PVC gravity and force main piping; water service; submersible pumps; electrical work including conduit, cables, wiring, motor controls, starters, switches, fixtures and controls; piping and appurtenances; demolition of abandoned structures; and miscellaneous associated work, including cleanup.

The City of Peosta's proposed Kapp Court Lift Station is located between Kapp Drive and Kapp Court on the west side of the City of Peosta, Iowa 52068.

All work and materials are to be in accordance with the proposed plans, specifications, form of contract and estimate of cost now on file in the office of the City Clerk of Peosta and by this reference made a part thereof as though fully set out and incorporated herein.

All proposals and bids in connection therewith shall be submitted to the City Clerk of said City on or before the time herein set for said receipt of bids. All proposals shall be made on official bidding blanks furnished by the City, and any alterations in the official form of proposal will entitle the Council, at its option, to reject the proposal involved from consideration. Each proposal shall be sealed and plainly identified.

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Each proposal shall be made out on a blank form furnished by the municipality and must be accompanied by bid security, as follows: a certified or cashier's check, drawn on a solvent Iowa bank or a 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, in an amount equal to five percent (5%) of the bid, or a bid bond executed by a corporation authorized to contract as a surety in the State of Iowa in a penal sum of five percent (5%) of the bid.

The bid security should be made payable to the CITY OF PEOSTA, IOWA. The bid security must not contain any conditions either in the body or as an endorsement thereon. The bid security shall be forfeited to the City as liquidated damages in the event the successful bidder fails or refuses to enter into a contract within 10 days after the award of contract and post bond satisfactory to the City insuring the faithful fulfillment of the contract and the maintenance of said work, if required, pursuant to the provisions of this notice and the other contract documents. Bidders will use the bid bond form included in the specifications.

Failure to submit a fully completed Bidder Status Form with the bid may result in the bid being deemed nonresponsive and rejected.

The City reserves the right to reject any or all bids, to waive informalities or technicalities in any bid and to accept the bid which it deems to be to the best interest of the City.

The City reserves the right to defer acceptance of any proposal for a period not to exceed thirty (30) calendar days from the deadline for submission of proposals.

On the basis of bids received, the City Council may propose award for the contract. No claims for compensable delay shall arise as the result of delay in the approval of award.

The successful bidder will be required to furnish a bond in an amount equal to one hundred percent (100%) of the contract price, said bond to be issued by responsible surety approved by the City Council and listed the U.S. Treasury Department's most current list (Circular 570, as amended) and authorized to transact business in the State of Iowa and shall guarantee the faithful performance of the contract and the terms and conditions therein contained, and shall guarantee the prompt payment for all materials and labor and protect and save harmless the City from claims and damages of any kind caused by the operations of the Contractor, and shall guarantee the work against faulty workmanship and materials for a period of two (2) years after its completion and acceptance by the City.

The work under the contract shall commence within ten (10) days after date set forth in written Notice to Proceed (NTP). All work on the project, including surface restoration, shall be completed by December 4, 2026, subject to any extensions of time which may be granted by the City.

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Damages in the amount of Five Hundred Dollars (\$500.00) per consecutive calendar day will be assessed for each day that work shall remain uncompleted after the end of the contract period at the sole discretion of the City with due allowance for extensions of the contract period due to conditions beyond the control of the Contractor. At the option of the City, damages 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.

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

Payment of the cost of said project will be made from any one or a combination of the following sources at the sole discretion of the City Council: (1) cash to be derived from the proceeds of the issuance and sale of Sewer Revenue Bonds or, which will be payable solely and only out of the future net revenues of the Municipal Sewage Utility, and/or from such other cash funds on hand of said Utility as may be lawfully used for said purpose; (2) cash derived from the proceeds of the issuance and sale of General Obligation Bonds of said City; (3) cash from such general funds of said City as may be legally used for such purpose.

Payment to the Contractor will be on the basis of monthly estimates equivalent to ninety-seven percent (97%) of the contract value of the work completed and payments made to material suppliers for materials ordered specifically for the project and delivered to the site during the preceding calendar month. Estimates will be prepared each month by the Contractor, subject to the approval of the Engineer, who will certify to the City for payment each approved estimate on or before the tenth (10th) day of the following month. Such monthly payments shall in no way be construed as an act of acceptance for any part of the work partially or totally completed. Upon completion of the work and its acceptance by the City, the Contractor will be paid an amount which, together with previous payments, will equal ninety-seven percent (97%) of the contract price of the contract. Final payment of the remaining three percent (3%) will be made not less than thirty-one (31) days after completion and acceptance by resolution of the City Council of the completed contract, subject to the conditions and in accordance with the provisions of Chapter 573 of the Code of Iowa. No such partial or final payments will be due until the Contractor has certified to the Clerk that the materials, labor and services involved in each estimate have been paid for in accordance with the requirements stated in the specifications.

Notice to Bidders

Plans and specifications governing the construction of the proposed improvements, and also the prior proceedings of the City Council referring to and defining said proposed improvements are hereby made a part of this notice and the proposed contract by reference and the proposed contract shall be executed in compliance therewith.

Copies of said plans and specifications and form of contract are now on file in the office of the City Clerk. Copies may be obtained from VEENSTRA & KIMM, INC., 6775 Vista Drive, West Des Moines, Iowa 50266, at no charge.

Published upon order of the Council of the City of Peosta, Iowa.

CITY OF PEOSTA, IOWA

Russ Pfab, Mayor

ATTEST:

Marcie Winkelman, City Clerk

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