NOTICE TO BIDDERS

FOR THE CONSTRUCTION OF HOMESTEAD MEADOWS – PHASE 1 PROJECT FOR THE CITY OF LE MARS, IOWA

Sealed bids will be received by the City of Le Mars at City Hall, 40 Central Avenue South, Le Mars, IA 51031, before the 10th day of December 2026 at 2:00pm for the construction of the Homestead Meadows – Phase 1 project, in Le Mars, Iowa. At the above time and place all bids received will be opened and publicly read with the results being reported to the Le Mars City Council at their meeting on December 15th, 2026 at 12:00pm, at City Hall, 40 Central Avenue, Le Mars, Iowa, at which time and place the Council may take action on the proposals submitted or at such time as may then be fixed.

The general description of types of construction and their limits for which bids will be received shall be as follows:

Base Bid:

Construction of approximately 3040 feet of sanitary sewer, 2330 feet of storm sewer, sanitary and storm sewer structures, 2675 feet of watermain, 2675 feet of roadway with integral curb and gutter, mass grading of the site approximately 18 acres, and other miscellaneous work to complete the project.

The proposed utilities will connect to existing City infrastructure near the intersection of 7th Avenue SE and 20th Street SE in Le Mars, Iowa.

A more detailed description of the kinds and approximate quantities of materials and types of construction for which bids will be received are set forth in the Bid Form included in the specifications prepared by I+S Group, Inc. (ISG) of Sioux Falls, South Dakota, which, together with the proposed form of contract, have heretofore been approved by the City, and are now on file for public examination in the office of the Project Engineer at 345 N Reid Place + Suite 300, Sioux Falls, SD 57103, and are by this reference made part hereof as though fully set out and incorporated herein.

All proposals shall be made on official proposal forms furnished by the Engineer and must be enclosed in a separate sealed envelope and plainly identified and addressed to the Project Engineer.

Each proposal shall be accompanied by a cashier's check or certified check drawn on a state-chartered or federally chartered bank, or a certified share draft drawn on a state-chartered or federally chartered credit union, or a bidder's bond with corporate surety satisfactory to the City in an amount equal to five percent (5%) of the total amount of the proposal. If bid bond is submitted, it must be in the form provided in these specifications. Said check or share draft may be cashed, or the bid bond forfeited as liquidated damages in the event the successful bidder fails or refuses to enter into a contract within ten (10) days of issuance of a Notice of Award and post bond satisfactory to the City insuring the faithful fulfillment of the contract and maintenance of said improvements as required by law. The bid bond should be executed by a corporation authorized to contract as a surety in the State of Iowa, and must not contain any conditions either in the body or as an endorsement thereon.

The successful bidder will be required to furnish a corporate surety bond in an amount equal to one hundred percent (100%) of the contract price, said bond to be issued by a responsible surety approved by the City, and shall guarantee the faithful performance of the contract and the terms and conditions therein contained, the payment for materials used in the project and the maintenance of said improvements in good repair for not less than **two (2) years** from the time of acceptance of said improvements by the City.

The City reserves the right to defer acceptance of any proposal for a period not to exceed sixty (60) calendar days from the date of receipt of bids. The City reserves the right to reject any or all bids and to waive informalities.

Payment of the cost of said project will be made from such cash funds of the City as may be legally used for said purpose at the discretion of the City, including but not limited to, the proceeds from the sale of Revenue or General Obligation Bonds, and/or the proceeds from the sale of warrants, as authorized by Section 384.57 of the Code of Iowa, made payable from any or all of the above-mentioned sources. **The City will have up to sixty (60) days to provide payment to the contractor after the approval of a pay application.**

The Contractor will be paid ninety-seven per cent (97%) of the Engineer's estimate of the value of acceptable work completed at the end of the preceding month. Final payment will be made not less than thirty-one (31) days after completion of the work and acceptance by the City, subject to the conditions 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 City that the materials, labor, and services involved in the final estimate have been paid for in accordance with the requirements stated in the specifications. The City is exempt

from paying Sales and Use Tax and will supply Contractor with an "Iowa Sales Tax Exemption Certificate" and an authorization letter to allow the Contractor to buy equipment and material for the project tax free.

The work on this project shall commence within ten (10) days after receipt by the contractor of a written notice to proceed. All shop drawings must be submitted to the engineer for review within sixty (60) days after contracts are executed unless alternative submittal dates are discussed with the engineer in advance of the signed agreement. The project shall be substantially completed by October 31st, 2027, subject to any changes in the contract period as provided for in these specifications.

Liquidated damages in the amount of **$500** per calendar day plus special damages, if applicable, will be assessed for each day that the work shall remain uncompleted after the **above referenced completion** with due allowance for extensions of the contract period due to conditions beyond control of the Contractor.

By virtue of statutory authority, a 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.

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

Plans and specifications governing the construction of the proposed improvements have been prepared by the Engineer. These plans and specifications, and the proceedings of the City referring to and defining said improvements, are hereby made a part of this Notice and the proposed contract by reference, and the proposed contract shall be executed to comply therewith.

Copies of said plans and specifications and form of contract are now on file in the office of the Project Engineer, for examination by bidders. Copies may be obtained from ISG, 345 N Reid Place + Suite 300, Sioux Falls, SD 57103, (605) 274-6401 upon deposit of one hundred dollars ($100.00) which shall be refunded upon return of the plans and specifications within fourteen days after award of the project. If the plans and specifications are not returned within fourteen days after award of the project and in a reusable condition, the deposit shall be forfeited. Plans and specifications may also be obtained by download from the ISG website at www.ISGInc.com.

Bidders shall be expected to comply with Chapters 91C Code of Iowa and IAC Chapter 875.150 concerning the registration and bonding of construction contractors and the successful bidder shall be required to supply the City with proof of said compliance.

All eligible contractors/subcontractors must: Be registered with the Iowa Division of Labor; Meet any and all State licensing requirements (electrical, plumbing, mechanical, etc.); and, be approved by the Iowa Economic Department Authority as not being on the U.S. Department of Housing and Urban Development's or the U.S. Department of Labor's list of debarred or suspended contractors.

The Contractor shall observe the laws of the State of Iowa with reference to "Occupational Safety and Health Standards".

Contractors shall use their best efforts to solicit bids from and to utilize minority group contractors and subcontractors, or contractors and subcontractors with meaningful minority group and female representation among their employees.

The City of Le Mars, Iowa, does not discriminate against any person because of race, creed, color, religion, sex, national origin, disability, age, familial status, political affiliation, citizenship or sexual orientation. The City of Le Mars, Iowa, does not discriminate on the basis of race, color, national origin, sex, religion, age or disability in employment or the provision of services. The City of Le Mars, Iowa, does not discriminate on the basis of disability in the admission or access to, or treatment or employment in, its programs or activities.

Published upon order of the City of Le Mars, Iowa.

ATTEST: CITY OF LE MARS, IOWA

BY /s/ _____ BY /s/ _____

City Administrator Mayor