NOTICE TO BIDDERS AND NOTICE OF PUBLIC HEARING ON PROPOSED PLANS, SPECIFICATIONS, FORM OF CONTRACT, AND ESTIMATE OF COST FOR CONSTRUCTION OF "EAST SIDE CONVERSION PROJECT", IN AND FOR THE CITY OF WEBSTER CITY, IOWA, AND THE TAKING OF BIDS FOR SAID IMPROVEMENTS

Sealed proposals, subject to the conditions contained herein, will be received at the office of the City Clerk in City Hall, 400 Second Street, Webster City, Iowa, 50595, until <u>3:00 o'clock p.m.</u> on the 5th day of <u>June, 2024</u> for:

Construction of "East Side Conversion Project", as hereinafter described in general and as described in detail in the plans and specifications now on file in the office of the City Clerk, Webster City, Iowa.

Proposals received will be opened, read aloud, tabulated, and referred to the City Council for consideration at <u>6:05 p.m.</u> on the <u>17th</u> day of <u>June, 2024</u>. Bids will be acted upon at such time or at such later time as may then be fixed. Prior thereto, at said time specified above, in the City Council Chambers at Webster City Hall, a hearing will be held on the proposed plans, specifications, form of contract, and estimate of cost for said Improvements, and at said hearing any interested person may appear and file objections thereto.

The extent of the work involved is the furnishing of labor and new materials (other than materials to be provided by Owner) for installing underground electric facilities, including conduit, cable (600 volt and 15kV class), transformers, pedestals, and related items in accordance with the contract documents.

The Proposal shall be made out on the form furnished by the City of Webster City and obtained from P&E Engineering Co., and must be accompanied in a separate sealed envelope by either: (1) a certified check, or a cashier's check drawn on an Iowa bank, or a bank chartered under the laws of the United States, in an amount of 5% of bid amount; or (2) a certified share draft drawn on a credit union in Iowa or chartered under the laws of the United States, in an amount of 5% of bid amount; or (2) a certified share draft drawn on a credit union in Iowa or chartered under the laws of the United States, in an amount of 5% of bid amount; or (3) a bid bond executed by a corporation authorized to contract as a surety in the State of Iowa, in the penal sum of 5% of bid amount.

The bid security shall be made payable to the City Clerk of the City of Webster City, Iowa.

The bid security must not contain any conditions either in 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 contract within ten (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. The City will accept bid bond forms that meet the Requirements of Iowa Code Section 26.8.

Contractors and subcontractors shall include all applicable taxes in the bid amount. The City is not exempt from State of Iowa Sales and Use tax for materials that are incorporated into an electric utility project.

Bidders shall not be permitted to withdraw their bids for a period of sixty (60) days after the same are opened.

By virtue of statutory authority, a preference will be given to products and provisions grown and produced within the State of Iowa and to Iowa domestic labor.

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 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.

Bidders will be required to complete a Bidder Status Form from the lowa Department of Labor regarding the Contractor's resident status within the State of Iowa and to submit that form with the bid. Failure to submit a fully completed Bidder Status Form with the bid may result in the bid being deemed nonresponsive and rejected.

The Contractor has the option to commence work at any time after the Notice to Proceed is issued. All work must be completed on or before <u>December 31, 2025</u>.

The Contractor will be paid each month ninety-five (95) percent of the Engineer's estimate of the value of acceptable work completed at the end of the preceding month. Final payment will be made in accordance with Iowa Code chapters 26 and 573, as amended. No partial or final payment will be due until the Contractor has certified to the City that the materials, labor and services involved in each estimate have been paid for in accordance with the requirements stated in the specifications.

The successful bidder will be required to furnish a bond in an amount equal to one hundred (100) percent of the contract price, said bond to be issued by a responsible surety approved by the Owner and which shall guarantee a faithful performance of the Contract and the terms and conditions therein contained and shall guarantee the prompt payment of all materials and labor and protect and save harmless the Owner from claims and damages of any kind caused by the operations of the Contractor and shall also guarantee the maintenance of the improvements constructed for a period of two (2) years after completion and acceptance by the Owner.

Plans and specifications governing the construction of the proposed improvements have been prepared by P&E Engineering Co., which plans and specifications and the proceedings of the Owner referring to and defining said proposed improvements are hereby made a part of the Notice by reference, and the proposed contract shall be executed in compliance therewith. Copies of said plans and specifications are now on file with the City Clerk and at the offices of P&E Engineering Co., and may be examined by the bidders.

Plans and specifications may be obtained from P&E Engineering Co., by contacting Al Powers at 515-979-7496 (cell) or by email at <u>arpowers@peengr.com</u>. Bidding documents may be obtained electronically at no cost. A single copy of the Bidding documents in paper form may also be obtained at no cost from the Engineer.

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

CITY OF WEBSTER CITY, IOWA

Attest: /s/ Karyl K. Bonjour

City Clerk