

## **NOTICE TO BIDDERS**

### **CLINTON STREET TOWER REHABILITATION 2018 BOONE, IOWA**

Sealed proposals will be received by the City Clerk of the City of Boone, Iowa at City Hall, 923 8<sup>th</sup> Street, Boone, Iowa 50036 until 2:00 P.M. on the 30th day of May, 2018, for the Clinton Street Tower Rehabilitation 2018 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 date and time specified above.

Also, at 6:00 P.M. on the 4th day of June, 2018, 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 Work will include but is not limited to the following improvements:

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Furnish all labor, materials, and equipment necessary for removal of all existing wet interior coating including; roof, roof supports, platforms, hatches, and piping, power wash all exterior areas including; tank, balcony, ladders, legs, struts, hatches, stiffeners, and piping, surface preparation, apply new coating to all surfaces where coating was removed or cleaned; logos; structural and related work; welding and grinding; waste disposal; grading, ground surface restoration, and miscellaneous associated work for the 750,000 gallon Clinton Street Elevated Storage Tank including clean-up. The work is located at the intersection of Clinton Street and First Street, Boone, Iowa.

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 Boone, Iowa, 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 on or before the time herein set for receiving bids. All proposals shall be made on official bidding blanks furnished by the City, and any alternations in the official form of

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proposal will entitle the City Council, at its option, to reject the proposal involved from consideration. Each proposal shall be sealed and plainly identified.

Each proposal shall be made out on a blank form furnished by the municipality and must be accompanied in a sealed envelope by either (1) 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 (2) a bid bond executed by a corporation authorized to contract as a surety in the State of Iowa, in the penal sum of five percent (5%) of the bid.

The bid security should be made payable to the CITY OF BOONE, 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 Council as liquidated damages in the event the successful bidder fails or refuses to enter into a contract within ten (10) days after the award of contract and post bond satisfactory to the City Council insuring the faithful fulfillment of the contract and the maintenance of said work, pursuant to the provisions of this notice and the other contract documents. Bidders shall use the bid bond form included in the specifications.

No bidder may withdraw a proposal within thirty (30) days after the date set for opening bids.

Each successful bidder will be required to furnish a corporate surety bond in an amount equal to 100% of its contract price. Said bond shall be issued by a responsible surety approved by the City Council and shall guarantee the faithful performance of the contract and the terms and conditions therein contained and shall guarantee the prompt payment of all material and labor, and protect and save harmless the City Council from claims and damages of any kind caused by the operations of the contract and shall also guarantee the maintenance of the improvement caused by failures in materials and construction for a period of two years from and after acceptance of the contract.

All Contractor(s) and subcontractor(s) are required to obtain tax exemption certificates from the City of Boone, Iowa for this project. These tax exemption certificates are only for use on this specific project as covered under the Contract.

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Work under the contract shall commence within ten (10) calendar days after the date set forth within written Notice to Proceed. No work can begin until after July 1, 2018. All work must be substantially completed subject to any extensions of time which may be granted by the City Council, by November 30, 2018.

Liquidated 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 November 30, 2018, with due allowance for extensions of the contract period due to conditions beyond the control of the Contractor. Inclement weather shall not be considered for extension of the contract period.

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 Water Revenue Bonds, which will be payable solely and only out of the future net revenues of the Water Utility, and/or from such other cash funds on hand of said City 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; and (4) cash from public facilities set-aside fund.

Payment will be made to the Contractor based on monthly estimates in amounts equal to ninety-five (95) percent of the contract value of the work completed including materials and equipment delivered to the job during the preceding calendar month, and will be based upon an estimate prepared by the Contractor on the first day of the month, subject to the approval of the Engineer.

At least ten (10) days before each progress payment falls due (but not more often than once a month), the Contractor will submit to the Engineer a partial payment estimate filled out and signed by the Contractor covering the work performed during the period covered by the partial payment estimate and supported by such data as the Engineer may reasonably require. If payment is requested on the basis of materials and equipment not incorporated in the work but delivered and suitably stored at or near the site, the partial payment estimate shall also be accompanied by such supporting data, satisfactory to the Owner, as will establish the Owner's title to the material and equipment. The Engineer will, within fifteen (15) days after receipt of each partial

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payment estimate, either indicate in writing his approval of payment and present the partial payment estimate to the Owner, or return the partial payment estimate to the Contractor indicating in writing his reasons for refusing to approve payment. In the latter case, the Contractor may make the necessary corrections and resubmit the partial payment estimate. The Owner will, within thirty (30) days of presentation to him of an approved partial payment estimate, pay the Contractor a progress payment on the basis of the approved partial payment estimate.

The Owner shall retain five (5) percent of the amount of each payment as provided in the Code of Iowa.

The request for payment may also include an allowance for the cost of such major materials and equipment which are suitably stored either at or near the site. Proof of purchase amount and verification of insurance for stored materials must be provided with any request for payment of stored materials.

By virtue of statutory authority preference will be given to products and provisions grown and coal 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 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.

In accordance with the requirements of the Iowa Department of Labor all bidders must submit a fully completed Bidder Status Form. The Bidder Status Form must be included with and is considered an essential attachment to the Proposal. Any Proposal that does not include a fully completed Bidder Status Form may result in the Proposal being determined non-responsive and rejected.

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If it is determined that adherence to these Iowa statutory requirements may cause denial of federal funds which would otherwise be available for a public improvement, or would otherwise be inconsistent with requirements of any federal law or regulation, the application of Iowa Code Chapters 73 and 73A shall be suspended to the extent necessary to prevent denial of the funds or to eliminate the inconsistency with federal requirements.

The City of Boone reserves the right to reject any or all bids, to waive informalities, and to enter into such contract, or contracts, as it shall deem to be in the best interest of the City.

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

**CITY OF BOONE, IOWA,**

By: \_\_\_\_\_

Title: \_\_\_\_\_