

NOTICE TO BIDDERS
NOTICE OF PUBLIC HEARING ON PROPOSED PLANS AND SPECIFICATIONS
PROPOSED FORM OF CONTRACT AND ESTIMATE OF COSTS
FOR THE CONSTRUCTION OF CERTAIN STORM SEWER IMPROVEMENTS
IN THE CITY OF DEFIANCE, IOWA
AND THE TAKING OF BIDS FOR SUCH IMPROVEMENTS

Sealed proposals will be received by the City Clerk of the City of Defiance, Iowa, at her office in City Hall at 206 Main Avenue, Defiance, Iowa, until **2:00 P.M.** on the **26th day of February, 2010**, for the construction of storm sewer improvements and such other work as may be incidental thereto, as described in the plans and specifications therefor now on file in the office of the City Clerk entitled:

**2010 STORM SEWER IMPROVEMENTS
DEFIANCE, IOWA**

At said time and place, proposals received will be opened and the results will be announced. Proposals will be acted upon by the City Council at a meeting to be held on **March 2, 2010, at 7:00 o'clock P.M.**, or at such later time as may then be fixed.

A public hearing will be held by the City Council on the proposed plans and specifications, proposed form of contract and estimate of cost for said improvements at a regular meeting to be held in the Council Chambers at City Hall at **7:05 P.M.** on **March 2, 2010**, and at said hearing, any interested person may appear and file objections thereto.

The improvements will generally consist of the following: Excavation, Class 10, Roadway & Borrow, 4567 CY; Topsoil, Strip, Salvage and Spread, 381 CY; Std. or Slip-Form P.C. Concrete Pavement, Cl. C, Cl. 3 Durability, 7 In., 94 SY; Utility Access, RA-49, 2 EA; Sewer Pipe, 1500D Storm, 42 In. Dia., 486 LF; Sewer Pipe, 48 In. Dia., 560 LF; Engineering Fabric, 90 SY; Revetment, Class B, 120 TON; Traffic Control, 1 LS; Mobilization, 1 LS; Mulching, 1.4 ACRE; Seeding & Fertilizing (urban), 1.4 ACRE; Mat, Turf Reinforcement, 3.1 SQ and other items incidental thereto in accordance with the plans and specifications.

Each proposal shall be made on a form furnished by the City and must be accompanied by a cashier's or certified check drawn on a bank in Iowa or a bank chartered under the laws of the United States or a certified share draft on a credit union in Iowa or chartered under the laws of the United States or a bid bond executed by a corporation authorized to contract as a surety in Iowa and filed in an envelope separate from the one containing the proposal, sealed and in an amount equal to **FIVE PERCENT (5%)** of the amount of the proposal, made payable to the City Treasurer of the City of Defiance, Iowa, and may be cashed by the City as liquidated damages in the event the successful bidder fails to enter into a contract within 10 days of award and post bond satisfactory to the City insuring the faithful fulfillment of the contract as required by law and the specifications.

Payment to the contractor will be made in cash from funds on hand which may be legally

used for such purposes including but not limited to all proceeds of governmental grants or loans as may be obtained. Payment will be made monthly by the City of Defiance based on estimates of ninety-five percent (95%) of the contract value of the work completed in an acceptable manner. The monthly progress payment will be made within thirty (30) days from the date the progress payment is approved by the City Council. Five percent (5%) of each project estimate will be retained and held as a suspended payment. Final payment will be made not less than thirty (30) days after completion of the work and acceptance by the City Council. Retention of unpaid funds and final payment shall be in accordance with Chapter 573, Code of Iowa, as amended.

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 a responsible surety approved by the City and shall guarantee the faithful performance of the contract and terms and conditions therein contained, 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 also guarantee the maintenance of all work and materials in good repair for not less than four (4) years from the time of acceptance of the improvements by the Owner.

Plans and specifications governing the construction of the proposed improvements have been prepared by Sundquist Engineering, P.C., Consulting Engineers for the City, which plans and specifications and the proceedings 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 are now on file in the City Clerk's office at City Hall, for examination by bidders. Copies of said plans and specifications may be obtained from the Engineer at his office at 120 South Main, P.O. Box 220, Denison, Iowa, upon request and deposit of \$40.00, non-refundable.

The work on the proposed contract shall be commenced within 10 calendar days after written Notice to Proceed is issued, and shall be completed within 30 working days but no later than August 31, 2010. Late start date shall be June 21, 2010.

Liquidated damages in the amount of \$500 per day shall be assessed the contractor for each calendar day that work proceeds on the project beyond the specified completion date, excepting authorized extensions thereof.

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

The City hereby notifies all bidders that it will affirmatively insure that in any contract entered into pursuant to this advertisement, disadvantaged business enterprises will be afforded full opportunity to submit bids in response to this invitation and will not be discriminated against on the grounds of sex, race, color or national origin in consideration for an award.

The City reserves the right to reject any or all proposals and to waive informalities.
Published upon order of the City Council of the City of Defiance, Iowa.

CITY OF DEFIANCE, IOWA

By: /s/ Suzanne Patterson, City Clerk

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