

December 15, 2014

To: Mayor Bemrich and City Council

From: David Fierke, City Manager

**Subject: 2015 Street Repair Project –
Set Public Hearing and Bid Date**



ACTION: For vote Monday, December 22, 2014

Brief History

The Engineering Department has prepared the plans and specifications for the 2015 Street Repair Project. The project includes asphalt mill and overlay work throughout the City.

Analysis of Issue

A bid letting date needs to be set to receive bids for this project. A public hearing needs to be set to approve the plans and specifications, form of contract, estimate of costs.

Budget Impact

The project will be funded from Local Option Sales Tax. This project is estimated at approximately \$1,150,000.

Strategic Plan Impact

Policy D.4.2: Advanced planning for all infrastructure facilities shall be supported and routinely updated. Facilities benefited by advanced planning shall include, at minimum, schools, health care, residential areas, roads, water, sewer, storm water management, parks, recreation, and greenways.

Policy D.4.1: Recognizing that infrastructure has a powerful influence on growth and development, the availability of infrastructure (along with other factors) should determine where development will occur in the city, rather than the other way around.

Impact on Existing Plans

None

Committee Review / Recommendation

This plan is consistent with all council presentation material.

Staff Conclusions / Recommendations

It is our recommendation to set a bid letting date of January 14, 2015 at 1:30 p.m. A public hearing will be held on January 26, 2015 at 6:00 p.m.

Alternatives

None recommended.

Implementation and Accountability

The Engineering Department will be responsible for overseeing this project.

Signed



Tony Trotter, P.E.
City Engineer

Approved



David Fierke
City Manager

2015 STREET REPAIR PROJECT

NOTICE TO BIDDERS AND NOTICE OF PUBLIC HEARING

Time and Place for Filing Sealed Proposals. Sealed bids for the work comprising each improvement as stated below must be filed in the office of the **City Clerk of the City of Fort Dodge** on or before **1:30 p.m. (local time)** on **January 14, 2015**. Bids shall be submitted on forms furnished by the City, and must be enclosed in a separate sealed envelope and plainly identified.

Time and Place Sealed Proposals Will be Opened and Considered. Sealed proposals will be publicly opened and read aloud by the **City Clerk of the City of Fort Dodge**, and bids tabulated at **1:30 p.m.** on **January 14, 2015** in the **Council Chambers, Municipal Building, 819 1st Avenue South, Fort Dodge, Iowa** for consideration by the **Fort Dodge City Council** at its meeting on **January 26th, 2015, 6:00 p.m.** The **City of Fort Dodge** reserves the right to reject any and all bids, re-advertise for new bids, and to waive informalities that may be in the best interest of the City.

Public Hearing on Proposed Contract Documents and Estimated Costs for Improvement. A public hearing will be held by the **Fort Dodge City Council** on the proposed contract documents (plans, specifications and form of contract) and estimated cost for the improvement at its meeting at **6:00 p.m. on January 26th, 2015**, in said **City of Fort Dodge Council Chambers, Municipal Building, 819 1st Avenue South, Fort Dodge, Iowa**. At said hearing, any interested person may appear and file objections thereto, or to the cost of said improvements. Proposals previously received by the City Clerk will be considered by the City Council at said time, and at that time, or at such time, date, and place as then may be fixed, the City Council will act upon proposals and award a contract for the construction of the improvements.

Time for Commencement and Completion of Work. The work shall be commenced on or before a date to be specified in a written "Notice to Proceed" of the City, the project shall be substantially complete by dates as further described. All work shall be completed by August 15, 2015. The bidder must also agree to pay as liquidated damages the sum of Two Hundred Fifty dollars (\$250.00) for each "per calendar" day thereafter.

Each bidder shall accompany its bid with bid security in the form of a cashier's check, a certified check, or a bank money order drawn on a FDIC insured bank in Iowa or drawn on a FDIC insured 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; or a bid bond executed by a corporation authorized to contract as a surety in Iowa or satisfactory to the Jurisdiction. The bid bond must be submitted on the enclosed Bid Bond form, as no other bid bond forms are acceptable. All signatures on the bid bond must be original signatures in ink; facsimile (fax) of any signature on the bid bond is not acceptable. Bid security other than said bid bond shall be made payable to the Treasurer of the City of Fort Dodge. "Miscellaneous Bank Checks", and personal checks, as well as "Money Orders" and "Traveler's Checks" issued by persons, firms or corporations licensed under Chapter 533B of the Iowa Code, are not acceptable bid security. The bid security must be in an amount equal to five percent (5%) of the total amount of the bid as security that if awarded a contract, the Bidder will enter into a contract at the prices bid and furnish the required performance and payment bonds and certificate of insurance. The certified check or cashier's check or certified share draft may be cashed, or the bid bond forfeited, and the proceeds retained as liquidated damages if the bidder fails to execute a contract, provide the required bonds, or file an acceptable certificate of insurance within ten (10) days after the acceptance of his proposal by resolution

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

A certified check, to be acceptable, shall bear on its face the endorsement of a solvent Iowa bank as to the amount certified, which endorsement shall be signed by an official authorized to bind the bank by his acts.

Proposal guaranties will be returned to the unsuccessful bidders promptly after the award has been made. In no case will the proposal guaranty be held longer than thirty (30) days without written permission of the bidder, except that the proposal guaranty of the bidder to whom the contract is awarded will be retained until he has entered into contract and filed an acceptable bond.

The successful bidder shall be required to furnish a Performance and Payment 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 Council, and shall guarantee the faithful performance and the prompt payment of all materials and labor, and protect and save harmless the City from claims and damages of any kind caused by the operation of the contract, and shall also guarantee the maintenance of the improvements for the City for a period as required by the specifications, after its completion and acceptance by the City.

Preference of Products and Labor. 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, to the extent lawfully required under Iowa statutes; provided that the award of contract will be made to the lowest responsible bidder submitting the lowest responsive bid, which shall be determined without regard to state or local law whereby preference is given on factors other than the amount of the bid.

Contract shall be subject to the requirements of the Clean Air Act, the Federal Water Pollution Control Act, and the regulations of the Environmental Protection Agency that are applicable.

General Nature of Public Improvement. All work and materials shall comply with the proposed plans, specifications and proposed form of contract now on file with the City Clerk, Fort Dodge, Iowa. Said documents are by reference made a part hereof, as though fully set out and incorporated herein.

All work, equipment, and materials shall be in strict compliance with approved plans, specifications, and form of contract which together with the estimate of cost have heretofore been approved by the Council, and are now on file for public examination in the office of the Clerk, and are by this reference made a part hereof as though fully set out and incorporated herein.

Payment. Payment to the Contractor shall be made by the City in cash from such funds as are legally available, including, but not limited to, proceeds received from the sale of General Obligation Bonds and/or warrants authorized by Section 384.57 of the Code of Iowa, drawn on such fund or funds of the City as are legally available for such purpose.

The City of Fort Dodge is intending to issue Iowa Sales tax exemption certificates and authorization letters to the contractors and sub-contractors on this project. With this authorization, the contractor will not be required to pay Iowa Sales Tax on material that will remain at the project site.

The Contractor will be paid each month ninety-five percent (95%) of the Engineer's estimate of the value of acceptable work. 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 Council, the Contractor will be paid an amount, which, together with previous payments, will equal ninety five percent (95%) of the contract price of the contract. Final payment of the remaining amount due 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.

Copies of approved Plans and Specifications governing the construction of these proposed improvements which have been made a part of this Notice and the proposed contract are on file in the office of the City Clerk, and may be seen at the office of the City Engineer, Municipal Building, Fort Dodge, Iowa. A copy of the plans and specifications may be obtained from the office of the City Engineer at **no cost**.

Bidders shall bid on all items and sections as set out in the Proposal Form. The City Council will award a single contract to the lowest responsible bidder for the entire project.

This improvement project is being constructed and paid for pursuant to the provisions of Chapter 384 of the Code of Iowa.

Jeff Nemmers, City Clerk

Published in the **Fort Dodge Messenger**
Date _____

RESOLUTION NO. _____

TO PROVIDE FOR A NOTICE OF HEARING ON PROPOSED PLANS AND SPECIFICATIONS, PROPOSED FORM OF CONTRACT, AND ESTIMATE OF COST FOR THE 2015 STREET REPAIR PROJECT, AND THE TAKING OF BIDS THEREFORE.

WHEREAS, the City of Fort Dodge, Iowa, has determined that it is necessary and desirable that a Public Improvement be constructed as described in the proposed Plans and Specifications and form of Contract prepared by Engineering Department which proposed Plans, Specifications, form of Contract, and Engineer's Estimate are on file with the City Clerk, and which Public Improvement may be hereafter referred to as the 2015 Street Repair Project and is sometimes hereinafter in this Resolution referred to as the "Project"; and

WHEREAS, it is necessary to advertise for sealed bids for the Project, and to fix a time and place of Public Hearing on the proposed Plans, Specifications, form of Contract, and estimated cost for the Project:

NOW, THEREFORE, BE IT RESOLVED by the City Council of Fort Dodge, Iowa, as follows:

Section I. That sealed bids will be received by the City Council of the City of Fort Dodge, Webster County, Iowa, at the office of the City Clerk, until 1:30 PM on the 14th day of January, 2015 and opened commencing at 1:30 PM on the same day.

Section II. That on the 26th day of January, 2015, at 6:00 PM at City Hall in the said City, a Public Hearing will be held on the proposed Plans, Specifications, form of Contract, and estimated cost for the Project, and also as the time for Council consideration of bids received in connection therewith.

Section III. That the City Clerk is hereby authorized and directed to give Notice of the aforementioned Public Hearing and taking of bids by publication of such Notice in The Messenger, a newspaper of general circulation in the City.

Section IV. That all provisions set out in the foregoing form of Notice are hereby recognized and prescribed by this Council and that all Resolutions or Orders or Parts thereof, to the extent the same may be in conflict herewith, are hereby repealed.

PASSED AND APPROVED this _____ day of _____, 20____.

AYE: _____

NAY: _____

OTHER: _____

MATT BEMRICH, MAYOR

ATTEST:

JEFF NEMMERS, CITY CLERK