

NOTICE TO BIDDERS – ADVERTISEMENT FOR BIDS FOR THE STATE STREET PAVED SHOULDERS PROJECT FOR THE CITY OF ELY, IOWA.

Sealed proposals for the “State Street Paved Shoulders Project” (the Project) will be received by the City Clerk of the City of Ely, Iowa, until 2:00 P.M. on the 1st day of September 2021, and shall be received in the City Clerk's office no later than said date and time. Sealed proposals will be opened immediately thereafter by the City Clerk. Bids submitted by fax machine shall not be deemed a "sealed bid" for purposes of this Project. Proposals will be acted upon by the City Council following at 7:00 P.M. on the 7th day of September 2021, or at such later time and place as may then be scheduled.

The project will involve the following: 500 CY excavation, 2,000 SY modified subbase, 500 tons HMA widening for shoulder, and other related work.

All work is to be done in strict compliance with the plans and specifications prepared by MMS Consultants, Inc., of Iowa City, Iowa which have heretofore been approved by the City Council, and are on file for public examination in the Office of the City Clerk.

Payment for the Project will be made from such funds as are legally available for such purpose. Monthly estimates will be paid to the Contractor as the work progresses in amounts equal to ninety five percent (95%) of the contract value of the work completed during the preceding calendar month, including the actual cost (exclusive of overhead or profit to the Contractor) of materials and equipment of a permanent nature to be incorporated in the work and delivered to and stored at the job site. Such monthly payments shall in no way be construed as an act of acceptance for any part of the work, partially or totally completed. Final payment of the remaining amount due the Contractor will be made in accordance with the provisions of Chapters 26 and 573 of the Code of Iowa.

Each proposal shall be made on the proposal form prepared for this purpose, which form may be obtained from MMS Consultants, Inc. or reviewed at the City Clerk's office. Each proposal shall include the certifications or documents listed in the Instructions to Bidders. Each proposal shall be accompanied bid bond issued by a corporate surety satisfactory to the City of Ely, or certified check, or cashier's check or a credit union certified share draft in a separate, sealed envelope in an amount equal to five percent (5%) of the total amount of the bid. The certified check or cashier's check shall be drawn on a bank in Iowa or a bank chartered under the laws of the United States of America, the certified share draft shall be drawn on a credit union in Iowa or a credit union chartered under the laws of the United States; and such check shall be made payable to the City of Ely as security that if awarded a contract, the Bidder will enter into a contract at the prices bid and furnish the required Performance Bond and Certificates of Insurance. The certified check or cashier's check or credit union 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 or file acceptable Performance Bond or provide acceptable Certificate of Insurance within ten (10) days after the acceptance of his proposal by resolution of the City Council. No bidder may withdraw a proposal within fifty (50) days after the date set for opening bids. Bid security of the unsuccessful bidders will be returned as soon as the successful bidder is determined or within 30 days, whichever is sooner. Bid security of successful bidder will be returned upon execution of contract and furnishing of bond. Other bid bonds will be returned after the canvass and tabulation of bids is completed and reported to the City Council.

The successful bidders 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 Council, and shall guarantee the prompt payment of all materials and labor, and also protect and save harmless the

City from all claims and damages of any kind caused directly or indirectly by the operation of the contract, and shall also guarantee the maintenance of the improvement for a period of two (2) years from and after its completion and formal acceptance by the City.

The following limitations shall apply to this Project:

Start Date: After Ely Fall Fest the weekend of September 25-26

Specified Completion Date: November 5, 2021

Liquidated Damages: \$500 per working day

The plans, specifications and proposed contract documents may be examined at the office of the City Clerk. Copies of said plans and specifications and form of proposal blanks may be secured from the office of MMS Consultants, Inc., 1917 S. Gilbert Street, Iowa City, Iowa, 52240.

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. The Iowa Reciprocal Preference Act applies to the contract with respect to bidders who are not Iowa residents.

The City reserves the right to reject any or all proposals, and also reserves the right to waive technicalities and irregularities.

Published upon order of the City Council of the City of Ely, Iowa and as provided by law.

Adam Thompson, Ely City Administrator