

-NOTICE OF HEARING AND LETTING-

NOTICE OF PUBLIC HEARING ON PROPOSED PLANS, SPECIFICATIONS, FORM OF CONTRACT AND ESTIMATED COSTS FOR THE CONSTRUCTION OF THE 2009 11TH STREET WEST PAVING PROJECT IN AND FOR THE CITY OF VINTON, IA, AND THE TAKING OF BIDS FOR SUCH CONSTRUCTION.

Notice is hereby given that there are on file with the Clerk of the City of Vinton, IA, proposed Plans, Specifications, Form of Contract and estimated cost for the construction of the **2009 11th Street West Paving Project**, hereinafter described.

A hearing will be conducted thereon at a meeting of said City Council to be held in the City Chambers, Vinton, IA, at **7:00 P.M., Thursday, February 11, 2010** at which time and place any person may appear and file objections to the proposed Plans, Specifications, Form of Contract, and estimated costs for said public improvements.

Sealed proposals for the construction of said improvements will be received by the Vinton City Clerk at the City Offices, 110 West 3rd St., P.O. Box 529, Vinton, IA 52349-0529 **until 4:00 P.M., Monday, February 22, 2010.** Sealed Proposals will be opened and publicly read by the City Clerk immediately at such time. A meeting will be held by the City Council at 7:00 P.M., Thursday, February 25, 2010 and the bids will be acted upon at such time and place or at such later time and place as may then be set.

The Project shall consist of providing all materials, equipment and labor necessary to install the work as defined as follows: approximately 2000 Square Yards of 8" thick by 36 ft wide monolithic street, curb and gutter paving; 750 tons of 6" stone subbase; 4 storm sewer intakes; 500 ft of 18 and 24" RCP storm sewer; 680 ft of 4" HDPE pavement underdrain piping; traffic control; miscellaneous earthwork, stormwater protection and surface restoration.

All Work and equipment is to be in accordance with the Plans, Specifications and Contract Documents on file with the City Clerk of the City of Vinton, Iowa, which are by this reference made a part of this Notice as though fully set out and incorporated herein.

Bids shall include all applicable taxes and fees except for Iowa Sales and/or Use tax. **Bids shall not include said sales/use tax. It is the Contractor's responsibility to obtain the Sales Tax Exemption Certificates from the City. The estimated construction cost is \$155,000.**

Work shall commence within **ten (10) days** of Contractor receiving Notice to Proceed. **All Work shall be substantially complete by Thursday, July 1, 2010**, subject to any time extension which may be granted by the Council.

Payment for the Project will be made from such funds as are legally available for such purpose, including but not limited to, the proceeds of the sale of General Obligation

Bonds and/or Revenue Bonds and/or the future net Revenues of the Municipal Utility System of the City, and/or proceeds from the City of Vinton's City Tax Increment Financing District, and/or proceeds from the sale of warrants, as authorized by Section 384.57 of the Code of Iowa, payable from any of the aforementioned sources and bearing interest at such a rate or rates as determined by the City Council at the time of their issuance.

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 not later than thirty-one (31) days from the final acceptance of the Work by the City, subject to the Conditions and in accordance with the provisions of Chapter 573 of the Code of Iowa.

Each proposal shall be made on the colored Form of Proposal prepared for this purpose and **sealed in a separate envelope**, which form may be obtained from the City's Engineer, Hart-Frederick Consultants P.C. at 510 State St., P.O. Box 560 Tiffin, IA 52340-0560. Each Bid shall be accompanied by a Bid Bond, certified check, cashier's check or a credit union certified share draft in a **separate sealed envelope** in an amount equal to ten percent (10%) 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 or draft shall be made payable to the Treasurer of the City 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 Certificates 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 or file acceptable Performance and Payment Bonds or provide acceptable Certificate of Insurance within ten (10) days after the acceptance of his or her proposal by resolution of the Council. No Bidder may withdraw a proposal within ninety (90) days after the date set for opening bids.

The successful Bidder will be required to furnish a corporate surety bond in an amount equal to one hundred percent (100%) of the 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 the maintenance of said improvements in good repair for not less than two (2) years from the time of acceptance of said improvements by the City Council.

The City Council reserves the right to reject any or all proposals, informalities and irregularities. A single Contract will be awarded to the lowest responsive, responsible bidder for completion of the project.

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, providing that the Award of the Contract will be made to the lowest responsive, responsible bidder submitting the lowest acceptable Bid, which shall be without regard to state or local law whereby preference is given on factors other than the amount of the Bid.

Plans and Specifications governing the construction of the proposed improvements have been prepared by Hart-Frederick Consultants P.C., which Plans and Specifications and the proceedings of the City Council referring to and defining said proposed improvements are hereby made a part of this Notice, and the proposed Contract by this reference, and the proposed Contract shall be executed in compliance therewith.

Said Plans, Specifications and proposed Contract Documents are now on file with the City Clerk of Vinton, IA, and at the Engineer's office in Tiffin, IA, for examination by bidders.

A non-refundable fee of \$40.00 will be required for each set of Plans and Specifications.

Published upon order of the City Council of Vinton, IA.

City of Vinton, IA

By: ss\ John R. Watson, Mayor
Mayor

Attest: ss\ Andy Lent, City
Coordinator
City Coordinator

-END OF SECTION-