

## NOTICE TO BIDDERS

Sealed bids for the construction and installation of water works improvements for and on behalf of the Council Bluffs Water Works, consisting of construction of a new 1.0 million gallon water tower and associated improvements at the site of the existing Memorial Water Tower at 500 Gleason Avenue, and also removal of the existing water tower, in accordance with the plans and specifications for said Project, will be received by the Secretary of the Board of Water Works Trustees of the City of Council Bluffs, Iowa (hereinafter called the "Owner"), at 2000 North 25th Street, Council Bluffs, Iowa, until 10:00 AM on the 11<sup>th</sup> day of June, 2024, at which time the Secretary and Engineer will publicly open the bids in the Board Conference Room at said address, announce the amount of the bids, and file all proposals received.

All bids must be for the furnishing of all labor, materials, tools, and equipment required to construct and install the specified water works improvements in accordance with the plans, specifications and other Contract Documents now on file in the office of the Secretary of the Board of Water Works Trustees, entitled "**Memorial Tower Replacement**," which, by this reference are made a part hereof as though fully set out and incorporated herein. Copies of the Contract Documents may be viewed and/or obtained from A&D Technical Supply Company Inc., [www.adtechplans.com](http://www.adtechplans.com), 4320 South 89<sup>th</sup> Street, Omaha, Nebraska, 402-592-4950 (one set per planholder). Any shipping and handling costs are paid directly to A&D Technical Supply Company Inc. Interested bidders should contact A&D Technical Supply Company Inc. to request plans and to check on availability.

Work on the project shall be started within ten (10) days after written notice to proceed and shall be completed before the 31<sup>st</sup> day of December 2025. Contractor shall notify Owner in writing immediately of any occurrences it deems cause for delay of project beyond Contractor's control at time of such occurrence.

***All bids must be made on the Proposal forms supplied by the Engineer. No bids will be considered unless accompanied by a cash deposit, cashier's check, 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 drawn on a credit union in Iowa or chartered under the laws of the United States, or a bid bond with corporate surety satisfactory to the Board of Water Works Trustees, in a form set forth in the specifications, as security that the successful bidder, within ten (10) days after Owner's mailing of written notice of award of Contract by certified mail addressed to successful bidder at address furnished Owner by successful bidder with bid, will enter into a Contract with Owner for the work bid upon, in a form set forth in the specifications, and will furnish Owner with a Performance, Payment and Maintenance Bond with corporate surety satisfactory to Owner, in a form set forth in the specifications, for the faithful performance of the Contract in an amount equal to one hundred percent (100%) of the amount of the Contract and payable to the order of the Board of Water Works Trustees of the City of Council Bluffs, Iowa. Said check, share draft or bid bond to be for not less than ten percent (10%) of the bid filed with the Secretary of Owner. Said check or share draft may be cashed or said bid bond declared forfeited as liquidated damages in the event the successful bidder fails, within the last aforementioned ten (10) day period, to enter into a Contract with Owner, post with Owner said bond satisfactory to the Owner insuring the faithful fulfillment***

***of the Contract and maintenance of said improvements as required by law, and furnish Owner with all required certificates. The bid and bid security must be securely sealed in separate envelopes and endorsed upon the outside with a brief statement as to contents and the work for which the bid is made and with the name and address of the bidder.***

Payment for said improvements will be made in cash, payable solely from the net earnings of the Council Bluffs Water Works, as provided in Chapter 384, Code of Iowa, 1983, as amended. Neither the Board of Water Works Trustees nor the City of Council Bluffs, Iowa, shall incur any general obligation for the contemplated improvements to be constructed and installed, and the Contract shall not constitute a general obligation of the City or be payable in any manner by taxation.

Payment to the Contractor will be made on the basis of ninety-five percent (95%) of monthly estimates of labor performed and equipment and material delivered and incorporated in the work as determined by the Engineer. Payment shall not be made for stockpiled materials. Payment of the balance of five percent (5%) due the Contractor will be made thirty-one (31) days from the final acceptance of said work by the Owner, subject to the provisions of Chapter 573, Code of Iowa, 1983, as amended.

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.

The Board of Water Works Trustees reserves the right to reject any or all bids, to waive informalities or technicalities, to determine whether bidder is responsible, and to enter into such Contract as it deems to be in the best interest of the City of Council Bluffs, Iowa.

No bidder may withdraw his bid within thirty (30) days after date of opening bids without consent of the Board of Water Works Trustees.

The successful bidder will be required to furnish a certificate of equal employment opportunity and comply with minimum wage provisions as established by the U.S. Department of Labor.

The Council Bluffs City Water Works pursuant to Iowa Code Sections: 422.42(15) and (16) and 422.47(5) shall issue a purchasing agent authorization letter and an exemption certificate to the Contractor and Subcontractors for this specific project such that Iowa sales tax will not be paid for materials, supplies, and equipment that will be used in the performance of this specific construction project contract.