

**July 22, 2014**

**To: Mayor Bemrich and City Council**

**From: David Fierke, City Manager**

**Subject: 2014 Water Main Replacement, Avenue B –  
Set Public Hearing and Bid Date**



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**ACTION: For vote Monday, July 28, 2014**

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**Brief History**

For the past several years, the Capital Improvement Plans have included funding for the replacement of water mains throughout the community. The existing water main along Ave. B from Ave C to Ave. O (near the wastewater treatment plant) has experienced several breaks in the last 2 years. This water main provides a looped water system to serve the hospital and therefore is a critical piece of infrastructure.

On January 27, 2014, Council approved the contract with MER Engineering for engineering services through the bid letting with additional services to be authorized at a later date. The project includes the replacement of the existing water main on Ave. B with a new 12" water main. The project could be constructed this summer.

**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, and estimate of costs.

**Budget Impact**

The project will be funded from the Water Utility Fund. The engineer's estimate for this project is \$xxx,xxx.

**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**

None.

**Staff Conclusions / Recommendations**

It is our recommendation to set a bid letting date of August 14, 2014 at 3:00pm. A public hearing will be held on August 25, 2014 at 6:00pm.

**Alternatives**

None recommended.

**Implementation and Accountability**

The Engineering Department will be responsible for overseeing this project.

Signed

Approved



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Tony Trotter, P.E.  
Project Engineer

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David Fierke  
City Manager

2014 AVENUE B WATER MAIN REPLACEMENT  
FOR THE CITY OF FORT DODGE, IA

NOTICE TO BIDDERS AND NOTICE OF PUBLIC HEARING

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 3:00 PM (local time) on August 14th, 2014. Bids shall be submitted on forms furnished by the City, and must be enclosed in a separate sealed envelope that's plainly identified.

Sealed proposals will be publicly opened and read aloud by the City Clerk of the City of Fort Dodge, and bids tabulated at 3:00 PM. on August 14th, 2014, in the Council Chambers, Municipal Building, 819 1<sup>st</sup> Avenue South, Fort Dodge, Iowa for consideration by the Fort Dodge City Council at its meeting at 6:00 PM on August 25th, 2014. 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.

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 PM on August 25th, 2014, in said City of Fort Dodge Council Chambers, Municipal Building, 819 1<sup>st</sup> 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.

The work shall be commenced on or before a date as specified in a written "Notice to Proceed". The work shall be completed by November 30, 2014 or the bidder must pay as liquidated damages, the sum of four hundred dollars (\$400.00) for each working day that any work remains uncompleted beyond the completion date.

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 and Maintenance 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.

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.

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.

The project includes the construction of a 12" Water Main on Avenue B.

The project includes but is not limited to the following major items of work:

2,081 LF of 12" DIP Water Main or C 900 PVC Alternate  
Fire Hydrants, Valves and Appurtenances.

Payment to the Contractor will be made in cash from such fund or funds as are legally available.

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.

A Sales Tax Exemption Certificate will be available for all materials purchased for incorporation into the Project.

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. Copies of the Plans and Specifications may be obtained from the office of MER Engineering Inc., 109 Regency West Court, Fort Dodge, Iowa 50501, for a deposit of \$100.00 for each set. This deposit will be refunded upon return of said Plans and Specifications in good reusable condition within fourteen (14) days after the project is awarded. If the Plans and Specifications are not returned in good condition within the fourteen (14) days allowed the deposit shall be forfeited.

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

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Jeff Nemmers, City Clerk

RESOLUTION NO. \_\_\_\_\_

TO PROVIDE FOR A NOTICE OF HEARING ON PROPOSED PLANS AND SPECIFICATIONS, PROPOSED FORM OF CONTRACT, AND ESTIMATE OF COST FOR THE 2014 WATER MAIN REPLACEMENT, AVENUE B 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 2014 Water Main Replacement, Avenue B 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 3:00 PM on the 14<sup>th</sup> day of August, 2014 and opened commencing at 3:00 PM on the same day.

**Section II.** That on the 25<sup>th</sup> day of August, 2014, 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: \_\_\_\_\_

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MATT BEMRICH, MAYOR

ATTEST:

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JEFF NEMMERS, CITY CLERK