

This Resolution prepared by Jeena Lynch, City Clerk/Treasurer of the City of Independence, 331 1st Street East, Independence, Iowa 50644, 319-334-2780.

RESOLUTION NO. 2019-37

A RESOLUTION TO PROVIDE FOR A NOTICE OF HEARING ON PROPOSED PLANS, SPECIFICATIONS, FORM OF CONTRACT AND ESTIMATE OF COST FOR THE ENTERPRISE DRIVE EAST PCC PAVING, SANITARY SEWER AND WATER MAIN CONSTRUCTION PROJECT, AND THE TAKING OF BIDS THEREFOR; WITHIN THE CITY OF INDEPENDENCE, BUCHANAN COUNTY, IOWA.

WHEREAS, it has been proposed that the City Council of the City of Independence, Iowa (the "City"), undertake the authorization of a public improvement to be constructed as described in the proposed plans and specifications and form of contract prepared by Crawford Engineering & Surveying, Inc. (the "Project Engineers"), which may be hereafter referred to as the "Enterprise Drive East PCC Paving, Sanitary Sewer and Water Main Construction Project" (and is sometimes hereinafter referred to as the "Project"), which proposed plans, specifications, notice of hearing and letting, and form of contract and estimate of cost (the "Contract Documents") are on file with the City Clerk; and

WHEREAS, it is necessary to fix a time and place of a public hearing on the Contract Documents and to advertise for sealed bids for the Project;

NOW, THEREFORE, Be It Resolved by the City Council (the "Council") of the City of Independence, Iowa, as follows:

Section 1. The Contract Documents referred to in the preamble hereof are hereby approved in their preliminary form.

Section 2. The Project is hereby determined to be necessary and desirable for the City, and, furthermore, it is hereby found to be in the best interests of the City to proceed toward the construction of the Project.

Section 3. June 10, 2019, at 6:30 p.m., at the City Hall, Independence, Iowa, is hereby fixed as the time and place of hearing on the Contract Documents.

Section 4. The City Clerk is hereby authorized and directed to publish notice (the "Notice of Hearing") of the hearing on the Contract Documents for the Project in a newspaper of general circulation in the City, which publication shall be made at least once, not less than four (4) and not more than twenty (20) days prior to the date of the said hearing. The Notice of Hearing shall be in substantially the following form:

(Form of Notice of Hearing)

**NOTICE OF PUBLIC HEARING ON PROPOSED PLANS AND SPECIFICATIONS,
FORM OF CONTRACT AND ESTIMATE OF COST FOR THE ENTERPRISE DRIVE
EAST PCC PAVING, SANITARY SEWER AND WATER MAIN CONSTRUCTION
PROJECT**

Notice Is Hereby Given: That at 6:30 p.m., at the City Hall, Independence, Iowa, on June 10, 2019, the City Council of the City of Independence, Iowa (the "City") will hold a public hearing on the proposed plans and specifications, form of contract and estimate of cost (the "Contract Documents") for the proposed Enterprise Drive East PCC Paving, Sanitary Sewer and Water Main Construction Project (the "Project").

The Project shall consist of PCC pavement, sanitary sewer, and water main construction on and along Enterprise Drive, beginning at its intersection with Highway 150 and terminating approximately 700 feet to the east thereof.

A copy of the proposed Contract Documents is also on file for public inspection in the office of the City Clerk.

At said hearing any interested person may file written objections or present oral comments with respect to the subject matter of the hearing.

Al Roder
City Manager

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 on the form provided in the contract documents with corporate surety satisfactory to the Jurisdiction. The bid shall contain no condition except as provided in the specifications.

The City of Independence, Iowa, reserves the right to defer acceptance of any bid for a period of sixty (60) calendar days after receipt of bids and no bid may be withdrawn during this period.

Each successful bidder will be required to furnish a corporate surety bond in an amount equal to 100% of its contract price. Said bond shall be issued by a responsible surety approved by the City of Independence, Iowa, and shall guarantee the faithful performance of the contract and the terms and conditions therein contained and shall guarantee the prompt payment of all material and labor, and protect and save harmless the City of Independence, Iowa, from claims and damages of any kind caused by the operations of the contract and shall also guarantee the maintenance of the improvement caused by failures in materials and construction for a period of two years from and after acceptance of the contract. The guaranteed maintenance period for new paving shall be four years.

The City of Independence, Iowa, in accordance with Title VI of the Civil Rights Act of 1964, 78 Stat. 252, 42U.S.C. 2000d to 2000d-4 and Title 49, Code of Federal Regulations, Department of Transportation, Subtitle A, Office of the Secretary, Part 21, Nondiscrimination in Federally-assisted programs of the Department of Transportation issued pursuant to such Act, hereby notifies all bidders that it will affirmatively insure that in any contract entered into pursuant to this advertisement, minority business enterprises will be afforded full opportunity to submit bids in response to this invitation and will not be discriminated against on the grounds of race, color, or national origin in consideration for an award.

Contractor shall fully complete the project by (no later than) November 1, 2019. Should the contractor fail to complete the work in this timeframe, liquidated damages of two hundred fifty dollars (\$250.00) per calendar day will be assessed for work not completed within the designated contract term.

The City of Independence, Iowa, does hereby reserve the right to reject any or all bids and to waive informalities.

This Notice is given by authority of the City of Independence, Iowa

/s/ Al Roder, City Manager

Section 8. All provisions set out in the attached forms of notice are hereby recognized and prescribed by the City Council and all resolutions or orders or parts thereof, to the extent the same may be in conflict herewith, are hereby repealed.

RESOLUTION NO. 2019-37 was passed and approved by a majority vote of the City Council of Independence, Iowa, on the 17th day of May, 2019.

Record of Voting:

Ayes: Hayward, Hill, Scharff, Hanna, Vaughn, and Kurtz.

Nays:

Absent: O'Loughlin

RESOLUTION NO. 2019-37 declared passed and adopted by the Mayor on this 17th day of May, 2019.



Bonita Davis, Mayor of the City of Independence, Iowa

ATTEST:



Susi Lampe, Deputy Clerk, City of Independence, Iowa