

PROCEEDINGS TO SET DATE FOR  
HEARING AND LETTING

Nevada, Iowa

March 25, 2024

The City Council of the City of Nevada, Iowa, met at the City Hall, Nevada, Iowa, on March 11, 2024, at 6:00 o'clock p.m.

The Mayor presided and the roll being called, the following named Council Members were present and absent:

Present: \_

Absent: \_

The City Council took up and considered the proposed **Harrington Park (Project C), SRF Sponsored Project**. Council Member \_ introduced the resolution next hereinafter set out and moved its adoption, seconded by Council Member \_. After due consideration thereof by the Council, the Mayor put the question upon the adoption of the said resolution and the roll being called, the following named Council Members voted:

Ayes: \_

Nays: \_

Whereupon, the Mayor declared the said motion duly carried and the said resolution adopted, as follows:

RESOLUTION NO. 065 (2023/2024)

Resolution to provide for a notice of hearing on proposed plans, specifications, forms of contract and estimate of cost for the **Harrington Park (Project C), SRF Sponsored Project** and the taking of bids therefor

WHEREAS, it has been proposed that the City Council of the City of Nevada, Iowa (the "City"), undertake the authorization of a public improvement to be constructed as described in the proposed plans and specifications and forms of contract prepared by HR GREEN (the "Project Engineers"), which may be hereafter referred to as the "Harrington Park (Project C), SRF Sponsored Project" (and is sometimes hereinafter referred to as the "Project"), which proposed plans, specifications, notice of hearing and letting, and forms 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 Nevada, 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. April 8, 2024, at 6:15 p.m., at the Council Chambers, City Hall, Nevada, 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 HARRINGTON PARK (PROJECT C)  
SRF SPONSORED PROJECT  
CITY OF NEVADA, IOWA

Notice is Hereby Given: That at 06.00 PM, at the City Hall, Council Chambers, 1209 6th Street, Nevada, IA 50201 on April 8, 2024, the City Council of the City of Nevada, 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 Harrington Park (Project C) (the "Project").

The Project shall consist of:

Formation of a constructed wetland

A copy of the proposed Contract Documents is 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.

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Kerin Wright  
City Clerk

Section 5. The City Council hereby delegates to the City Clerk the duty of receiving bids for the construction of the Project before 3:00 p.m. on April 10, 2024, in the office of the City Clerk, City Hall, Nevada, Iowa. At such time and place, the City Council hereby delegates to the City Clerk and/or the Project Engineers the duty of opening and announcing the results of the bids received. April 22, 2024, at 6:00 p.m., at the Council Chambers, City Hall, in the City, is hereby fixed as the time and place that the Council will consider the bids received by the City Clerk in connection therewith.

Section 6. The amount of the bid security to accompany each bid is hereby fixed at 5% of the total amount of the bid.

Section 7. The City Clerk and/or the Project Engineers are hereby directed to give notice of the bid letting for the Project by posting notice (the "Notice to Bidders") at least once, not less than thirteen (13) and not more than forty-five (45) days prior to the date set for receipt of bids, in each of the following three places: (i) in a relevant contractor plan room service with statewide circulation; (ii) in a relevant construction lead generating service with statewide circulation; and (iii) on an internet site sponsored by either the City or a statewide association that represents the City. The Notice to Bidders shall be in substantially the following form:

(Form of Notice to Bidders)

**NOTICE TO BIDDERS  
HARRINGTON PARK (PROJECT C)  
SRF SPONSORED PROJECT  
CITY OF NEVADA, IOWA**

Time and Place for Filing Sealed Proposals. Sealed bids for the work comprising the improvement as stated below must be filed before 3:00 PM on April 10, 2024 in the office of the City Clerk, City Hall, 1209 6th Street, Nevada, IA 50201.

Time and Place Sealed Proposals Will be Opened and Considered. Sealed proposals will be opened and bids tabulated at 3:00 PM on April 10, 2024 in the office of City Clerk, City Hall, 1209 6th Street, Nevada, IA 50201 for consideration by the City Council of City of Nevada, Iowa at its meeting on April 22, 2024 at 06.00 PM. The City of Nevada, Iowa reserves the right to reject any and all bids.

The City of Nevada, 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 ensure 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.

Time for Commencement and Completion of Work. Work on the improvement shall commence within 10 days of the date specified on the Notice to Proceed. Notice to Proceed shall be no later than June 3, 2024, work shall be substantially complete on or before December 31, 2024, and shall be fully completed on or before March 31, 2025. Damages in the amount of \$1,000 per day will be assessed for each day the work remains incomplete.

Bid Security. Each bidder shall accompany its bid with bid security, as defined in Section 26.8 of the Iowa Code in an amount equal to 5% percent of the total amount of the bid.

Contract Documents. Copies of the Plans and Specifications for this project may be obtained from HR Green, Inc., 8710 Earhart Lane SW Cedar Rapids, IA 52404, Ph: 319-841-4000 or e-mail request to kslaymaker@hrgreen.com. Plans and Specifications are available at no cost

Public Hearing on Proposed Contract Documents and Estimated Costs for Improvement. A public hearing will be held by the City Council of the City of Nevada, Iowa on the proposed contract documents (plans, specifications and form of contract) and estimated cost for the improvement at its meeting at 06.00 PM on April 8, 2024 in the City Hall, Council Chambers, 1209 6th Street, Nevada, IA 50201.

Preference of Products and Labor. Preference shall be given to domestic construction materials by the contractor, subcontractors, material, men, and suppliers in performance of the contract and, further, 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.

Sales Tax Exemption Certificates. The bidder shall not include sales tax in the bid. The City of Nevada, Iowa will distribute tax exemption certificates and authorization letters to the Contractor and all subcontractors who are identified. The Contractor and subcontractor may make copies of the tax exemption certificates and provide a copy to each supplier providing construction materials. These tax exemption certificates and authorization letters are applicable only for this specific project under the Contract.

General Nature of Public Improvement.

Formation of a constructed wetland

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

The City does hereby reserve the right to reject any or all bids, to waive informalities, and to enter into such contract, or contracts, as it shall deem to be in the best interest of the City.

Published upon order of the City Council of the City of Nevada, Iowa.

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Kerin Wright, City Clerk  
City of Nevada, Iowa

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.

Passed and approved March 25, 2024.

\_\_\_\_\_  
Brett Barker, Mayor

Attest:

\_\_\_\_\_  
Kerin Wright, City Clerk

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On motion and vote, the meeting adjourned.

\_\_\_\_\_  
Brett Barker, Mayor

Attest:

\_\_\_\_\_  
Kerin Wright, City Clerk

**ATTESTATION CERTIFICATE:**

STATE OF IOWA  
COUNTY OF STORY  
CITY OF NEVADA

SS:

I, the undersigned, City Clerk of the City of Nevada, Iowa, do hereby certify that the transcript hereto attached is a true, correct and complete copy of all the records of the City relating to fixing a time and place of hearing on the proposed plans, specifications and forms of contract, and estimated cost for the construction of the **Harrington Park (Project C), SRF Sponsored Project** and directing publication of a Notice of Hearing announcing the time and place fixed therefor; and fixing a time and place for the taking of bids for the construction of the Project and directing posting of a Notice to Bidders announcing the time and place fixed therefor.

WITNESS MY HAND this \_\_\_\_ day of \_\_\_\_\_, 2024.

\_\_\_\_\_  
Kerin Wright, City Clerk

**NOTICE OF HEARING PUBLICATION CERTIFICATE:**

STATE OF IOWA  
COUNTY OF STORY  
CITY OF NEVADA

SS:

I, the undersigned, City Clerk of the City of Nevada, Iowa, do hereby certify that pursuant to the resolution of its City Council fixing a date of hearing on the proposed plans and specifications, forms of contract and estimated cost for the **Harrington Park (Project C), SRF Sponsored Project**, the Notice of Hearing, of which the printed slip attached to the publisher's affidavit hereto attached is a true and complete copy, was published on the date and in the newspaper specified in such affidavit, which newspaper has a general circulation in the City.

WITNESS MY HAND this \_\_\_\_ day of \_\_\_\_\_, 2024.

\_\_\_\_\_  
Kerin Wright, City Clerk

**(Attach here publisher's affidavit of publication of Notice of Hearing.)**

**(PLEASE NOTE: Do not date and return this certificate until you have received the publisher's affidavit and have verified that the Notice of Hearing was published on the date indicated in the affidavit, but please return all other completed pages to us as soon as they are available.)**

**NOTICE TO BIDDERS POSTING CERTIFICATE – CONTRACTOR PLAN ROOM/LEAD GENERATING SERVICE:**

STATE OF IOWA  
COUNTY OF STORY  
CITY OF NEVADA

SS:

I, the undersigned, City Clerk of the City of Nevada, Iowa, do hereby certify that pursuant to the resolution of its City Council setting the date of the bid letting for the **Harrington Park (Project C), SRF Sponsored Project**, the Notice to Bidders, of which the printed slip attached to the affidavit hereto attached is a true and complete copy, was posted on the date and in the relevant contractor plan room service/construction lead generating service specified in such affidavit, which contractor plan room service/construction lead generating service has a statewide circulation.

WITNESS MY HAND this \_\_\_\_ day of \_\_\_\_\_, 2024.

\_\_\_\_\_  
Kerin Wright, City Clerk

**(Attach here the affidavit of posting of the Notice to Bidders from the contractor plan room service/construction lead generating service.)**

**(PLEASE NOTE: Do not date and return this certificate until you have received the affidavit of posting from the contractor plan room service/construction lead generating service and have verified that the Notice to Bidders was posted on the date indicated in the affidavit, but please return all other completed pages to us as soon as they are available.)**

**NOTICE TO BIDDERS POSTING CERTIFICATE – SPONSORED INTERNET SITE:**

STATE OF IOWA  
COUNTY OF STORY  
CITY OF NEVADA

SS:

I, the undersigned, City Clerk of the City of Nevada, Iowa, do hereby certify that pursuant to the resolution of its City Council setting the date of the bid letting for the **Harrington Park (Project C), SRF Sponsored Project**, the Notice to Bidders provided for therein was posted on the City's website on \_\_\_\_\_, 2024 and/or on the website of the Iowa League of Cities on \_\_\_\_\_, 2024.

WITNESS MY HAND this \_\_\_\_ day of \_\_\_\_\_, 2024.

\_\_\_\_\_  
Kerin Wright, City Clerk

**(Attach here the affidavit of posting of the Notice to Bidders from the Iowa League of Cities, if applicable or attach here a screenshot of the Notice to Bidders, as posted, from the City's website, showing the date of such posting)**

**Reminders:: Harrington Park (Project C), SRF Sponsored Project**

The materials attached include the following items:

1. Resolution setting the date for the hearing and letting; approving the form of notice of hearing (the "Notice of Hearing") on proposed plans, specifications, proposed forms of contract and estimated cost (the "Contract Documents") set forth in Section 4 of the Resolution; and approving the form of notice to bidders (the "Notice to Bidders") set forth in Section 7 of the Resolution.
2. Attestation Certificate attesting to the validity of the transcript.
3. Publication Certificate covering publication of the Notice of Hearing, to which the publisher's affidavit of publication, together with a clipping of the notice as published, should be attached.

The Notice of Hearing must be published at least once, not less than four (4) and not more than twenty (20) days prior to the date of the said hearing in a legal newspaper of general circulation in the City. .

4. Posting Certificates covering the posting of the Notice to Bidders in the three places designated by Section 26.3 of the Code of Iowa, to which an affidavit of posting, together with a proof of the Notice to Bidders as posted, should be attached.

The Notice to Bidders must be posted in each of the following three places:

- (i) in a relevant contractor plan room service with a statewide circulation;
- (ii) in a relevant construction lead generating service with a statewide circulation; and
- (iii) on an internet site sponsored by either the City or a statewide association that represents the City (i.e. the Iowa League of Cities).

The Notice to Bidders must be posted not less than thirteen (13) and not more than forty-five (45) days prior to the date designated for receiving bids. The Notice to Bidders should be provided to the Construction Update Network and League by no later than March 26, 2024.

In order to meet the requirement of items (i) and (ii) in the paragraph above, the engineer will arrange for the Notice to Bidders to be posted on the Construction Update Network hosted by the Master Builders of Iowa. Further, it is our understanding that to comply with item (iii) in the paragraph above, the City Clerk will arrange for the Notice to Bidders to be posted on either the City's website or the website of the Iowa League of Cities.