

RESOLUTION NO. 072 (2024/2025)

Resolution to provide for a notice of hearing on proposed plans, specifications, form of contract and estimate of cost for the Tributary to West Indian Creek Project (Project B), 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 form of contract prepared by HR Green, Inc. (the “Project Engineers”), which may be hereafter referred to as the “Tributary to West Indian Creek Project (Project B)” (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 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 14, 2025, at 6:00 p.m., in the City Hall, Council Chambers, Nevada, Iowa, is hereby fixed as the time and place of hearing on the Contract Documents. The foregoing date and time may be changed at the discretion of the City Clerk, and in compliance with the publication requirements pursuant to Iowa law.

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 hearing. The Notice of Hearing shall be in substantially the following form, with such conforming changes as approved by the Mayor and/or the City Clerk:

(Form of Notice of Hearing)

**NOTICE OF PUBLIC HEARING ON PROPOSED  
PLANS AND SPECIFICATIONS, FORM OF CONTRACT AND ESTIMATE OF COST FOR THE  
NEVADA, IA – SRF SPONSORED PROJECT  
TRIBUTARY TO WEST INDIAN CREEK (PROJECT B)  
NEVADA, IA**

Notice is Hereby Given: That at 6:00 PM, at the City Hall, Council Chambers, 1209 6<sup>th</sup> Street, Nevada, IA 50201 on April 14, 2025 the City Council of Nevada, IA (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 Nevada, IA – SRF Sponsored Project Tributary to West Indian Creek (the “Project”).

The Project shall consist of:

Measures to stabilize and restore a tributary to West Indian Creek including rock placement, grading, and vegetation seeding and establishment.

The Project is located along the tributary to West Indian Creek, south of Lincoln Highway, east of Dakota Ct., north of Apache and Story Street, west of West Indian Creek.

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 9:00 a.m., on April 3, 2025, at the office of the City Clerk, 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 14, 2025, at 6:00 p.m., in the City Hall, Council Chambers, Nevada, Iowa, is hereby fixed as the time and place that the Council will consider the bids received by the City Clerk in connection therewith. The foregoing dates and times may be changed at the discretion of the City Clerk, and in compliance with the public bidding requirements pursuant to Iowa law.

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, with such conforming changes as approved by the Mayor and/or the City Clerk:

(Form of Notice to Bidders)

**NOTICE TO BIDDERS  
NEVADA, IA – SRF SPONSORED PROJECT  
TRIBUTARY TO WEST INDIAN CREEK (PROJECT B)  
NEVADA, IA**

Time and Place for Filing Sealed Proposals. Sealed bids for the work comprising the improvement as stated below must be filed before 9:00 AM on April 3, 2025 in the office of the City Clerk, City Hall, 1209 6<sup>th</sup> Street, Nevada, IA 50201.

Time and Place Sealed Proposals Will be Opened and Considered. Sealed proposals will be opened and bids tabulated at 9:00 AM on April 3, 2025 in the office of the City Clerk, 1209 6<sup>th</sup> Street, Nevada, IA 50201 for consideration by the City Council of Nevada, IA at its meeting on April 14, 2025 at 6:00 PM in the City Hall, Council Chambers, 1209 6<sup>th</sup> Street, Nevada, IA 50201. The City of Nevada reserves the right to reject any and all bids.

The City of Nevada, 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 10 days after the execution of the agreement, work shall be fully completed on or before June 30, 2025. Damages in the amount of \$500 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., by e-mail request to kate.barnes@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 Nevada, IA 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 April 14, 2025 in the City Hall, Council Chambers, 1209 6<sup>th</sup> 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 «Owner» 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. Measures to stabilize and restore a tributary to West Indian Creek including rock placement, grading, and vegetation seeding and establishment.

This Notice is given by authority of the City of Nevada

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Kerin Wright, City Clerk  
Nevada, IA

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 10, 2025.

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Brian Hanson, Mayor

Attest:

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Kerin Wright, City Clerk

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On motion and vote, the meeting adjourned.

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Brian Hanson, Mayor

Attest:

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Kerin Wright, City Clerk