

RESOLUTION NO. 089 (2024/2025)

Resolution to provide for a notice of hearing on proposed plans, specifications, form of contract and estimate of cost for the Oak Park Estates Trail, 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 "Oak Park Estates Trail" (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. June 9, 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
OAK PARK ESTATES TRAIL
NEVADA, IA**

Notice is Hereby Given: That at 6:00 PM, at the City Hall, Council Chambers, 1209 6th Street, Nevada, IA 50201 on June 9, 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 Oak Park Estates Trail (the "Project").

The Project shall consist of:

This project includes all materials, equipment, transportation and labor necessary for the construction of a trail between 6th Street and 8th Street in Nevada, Iowa. Project items include excavation, 6" thick HMA pavement, PCC curb ramps, retaining walls, traffic control, restoration, and associated work. Specific project location along with the kind and approximate quantity of materials to be used shall be as set forth in the Plans and Specifications.

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.

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 10:00 a.m., on June 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. June 9, 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 10% 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
OAK PARK ESTATES TRAIL
NEVADA, IOWA**

Time and Place for Filing Sealed Proposals. Sealed bids for the work comprising the improvement as stated below must be filed before 10:00 AM on June 3, 2025 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 10:00 AM on June 3, 2025 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 June 9, 2025 at 6:00 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 Within 10 days of Execution of Agreement, work shall be substantially complete on or before Substantial Completion Date, and shall be fully completed on or before September 30, 2025. Damages in the amount of Five Hundred & 00/100 Dollars (\$500.00) 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 Ten (10) 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: 319-841-4150 or e-mail request to kellijo.ernst@hrgreen.com. Plans and Specifications are available electronically.

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 6:00 PM on June 9, 2025 in the Council Chambers, City Hall, 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. This project includes all materials, equipment, transportation and labor necessary for the construction of a trail between 6th Street and 8th Street in Nevada, Iowa. Project item include excavation, 6" thick HMA pavement, PCC curb ramps, retaining walls, traffic control, restoration, and associated work. Specific project location along with the kind and approximate quantity of materials to be used shall be as set forth in the Plans and Specifications.

This project includes all materials, equipment, transportation and labor necessary for the construction of a trail between 6th Street and 8th Street in Nevada, Iowa. Project items include excavation, 6" thick HMA pavement, PCC curb ramps, retaining walls, traffic control, restoration, and associated work. Specific project location along with the kind and approximate quantity of materials to be used shall be as set forth in the Plans and Specifications.

The contract shall be awarded based on the base bid. City reserves the right to replace bid item 17 Segmental Block Retaining Wall, Rosetta Outcropping, with Alternate 1 bid item B-1 Segmental Block Retaining Wall, Standard Segmental Block after award.

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

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 May 12, 2025.

Ryan Condon, Mayor

Attest:

Kerin Wright, City Clerk

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On motion and vote, the meeting adjourned.

Ryan Condon, Mayor

Attest:

Kerin Wright, City Clerk

ATTESTATION CERTIFICATE:

STATE OF IOWA
STORY COUNTY
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 form of contract, and estimated cost for the construction of the Oak Park Estates Trail 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 _____, 2025.

Kerin Wright, City Clerk

NOTICE OF HEARING PUBLICATION CERTIFICATE:

STATE OF IOWA
STORY COUNTY
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, form of contract and estimated cost for the Oak Park Estates Trail, 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 _____, 2025.

Kerin Wright, City Clerk

(Attach here publisher's affidavit of publication of the 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
STORY COUNTY
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 Oak Park Estates Trail, 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 _____, 2025.

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
STORY COUNTY
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 Oak Park Estates Trail, the Notice to Bidders provided for therein was posted on the website of the Iowa League of Cities and/or on the City's website on _____, 2025.

WITNESS MY HAND this ____ day of _____, 2025.

Kerin Wright, City Clerk

(Attach here the affidavit of posting of the Notice to Bidders from the Iowa League of Cities and/or a screenshot of the Notice to Bidders as posted on the City's website, showing the date of posting).