

RESOLUTION NO. 103 (2025/2026)

Resolution to provide for a notice of hearing on proposed plans, specifications, form of contract and estimate of cost for the 2026/27 Street Reconstruction Program – 2<sup>nd</sup> Street from Lincoln Way to N Avenue, 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 WHKS & Co., (the “Project Engineers”), which may be hereafter referred to as the “2026/27 Street Reconstruction Program – 2<sup>nd</sup> Street from Lincoln Way to N Avenue” (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. July 27, 2026, 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  
2026/27 STREET RECONSTRUCTION PROGRAM –  
2<sup>ND</sup> STREET FROM LINCOLN WAY TO N AVENUE  
NEVADA, IA**

Notice is Hereby Given: That at 6:00 PM, at the Council Chambers, City Hall, 1209 6th Street, Nevada, IA 50201 on July 27, 2026, 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 2026/27 Street Reconstruction Program – 2<sup>nd</sup> Street from Lincoln Way to N Avenue (the “Project”).

The Project shall consist of:

The extent of the work involved is the furnishing of labor and new materials for the construction of new pavement and watermain, not limited to PCC or asphalt paving, curb and gutter, storm and sanitary structure replacement, new storm pipe, new driveway pavement, new sidewalk pavement, and new watermain and appurtenances. 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.

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Erin Mousel, 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 2:00 p.m., on July 21, 2026, 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. July 27, 2026, 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**  
**2026/27 STREET RECONSTRUCTION PROGRAM –**  
**2<sup>ND</sup> STREET FROM LINCOLN WAY TO N AVENUE**  
**NEVADA, IOWA**

ON PROPOSED PLANS, SPECIFICATIONS, FORM OF CONTRACT, AND ESTIMATE OF COST FOR CONSTRUCTION OF 2026/27 STREET RECONSTRUCTION PROGRAM - 2<sup>nd</sup> STREET FROM LINCOLN WAY TO N AVENUE, IN AND FOR THE CITY OF NEVADA, IOWA, AND THE TAKING OF BIDS FOR SAID IMPROVEMENTS

Sealed proposals, subject to the conditions contained herein, will be received by the City Clerk of the City of Nevada, at the City Clerk's office in City Hall, 1209 6th Street, Nevada, IA 50201, until 2:00 P.M. on the 21<sup>st</sup> day of July, 2026 for:

Construction of "2026/27 Street Reconstruction Program – 2nd St from Lincoln Way to N Avenue", as hereinafter described in general and as described in detail in the plans and specifications now on file in the office of the City Clerk, Nevada, Iowa.

Proposals received will be opened, read aloud, tabulated, and referred to the City Council for consideration at 2:00 P.M. on the 21<sup>st</sup> day of July, 2026. Bids will be acted upon by the City Council at a meeting beginning at 6:00 p.m. on 27th day of July, 2026, in the Council Chambers at City Hall, 1209 6th Street, Nevada, IA 50201. Prior thereto, at said time specified above at the City Council Chambers in said City Hall, a hearing will be held on the proposed plans, specifications, form of contract, and estimate of cost for said Improvements, and at said hearing any interested person may appear and file objections thereto.

The extent of the work involved is the furnishing of labor and new materials for the construction of new pavement and watermain, not limited to PCC or asphalt paving, curb and gutter, storm and sanitary structure replacement, new storm pipe, new driveway pavement, new sidewalk pavement, and new watermain and appurtenances.

The Proposal shall be made out on the form furnished by the City of Nevada and obtained from WHKS & Co., Engineers, Planners, and Surveyors, and must be accompanied in a sealed envelope by either: (1) a certified check, or a cashier's check drawn on an Iowa bank, or a bank chartered under the laws of the United States, in an amount of 5% of bid amount; or (2) a certified share draft drawn on a credit union in Iowa or chartered under the laws of the United States, in an amount of 5% of bid amount; or (3) a bid bond executed by a corporation authorized to contract as a surety in the State of Iowa, in the penal sum of 5% of bid amount.

The bid security shall be made payable to the City of Nevada.

The bid security must not contain any conditions either in body or as an endorsement thereon. The bid security shall be forfeited to the City as liquidated damages in the event the successful bidder fails or refuses to enter into contract within ten (10) days after the award of contract and post bond satisfactory to the City insuring the faithful fulfillment of the contract and the maintenance of said work, if required, pursuant to the provisions of this notice and the other contract documents. The City will accept bid bond forms that meet the Requirements of Iowa Code, Section 26.8.

Sales Tax Exemption. Contractors and subcontractors shall not include sales tax for material purchases. At the time of the contract acceptance by the City Council, the prime contractor and all subcontractors will be issued a certificate of exemption.

Bidders shall not be permitted to withdraw their bids for a period of thirty (30) days after the same are opened.

By virtue of statutory authority, a preference will be given to products and provisions grown and coal produced within the State of Iowa.

In accordance with Iowa statutes, a resident bidder shall be allowed a preference as against a nonresident bidder from a state or foreign country if that state or foreign country gives or requires any preference to bidders from that state or foreign country, including but not limited to any preference to bidders, the imposition of any type of labor force preference, or any other form of preferential treatment to bidders or laborers from that state or foreign country. The preference shall be equal to the preference given or required by the state or foreign country in which the nonresident bidder is a resident. In the instance of a resident labor force preference, a nonresident bidder shall apply the same resident labor force preference to a public improvement in this state as would be required in the construction of a public improvement by the state or foreign country in which the nonresident bidder is a resident.

Bidders will be required to complete a Bidder Status Form from the Iowa Department of Labor regarding the Contractor's resident status within the State of Iowa. Failure to submit a fully completed Bidder Status Form with the bid may result in the bid being deemed nonresponsive and rejected.

The right is reserved, as the interest of the Owner may require, to reject all bids, any unresponsive bid and to waive technicalities in bids received.

All work shall be completed on or before the 6th day of November, 2026 if contractor chooses to begin work in 2026; otherwise the completion date will be November 12th, 2027.

Payment to the Contractor for said Project will be made in cash derived from the proceeds of the issuance of bonds as may be legally used for such purposes, governmental grants and/or from cash on hand. Any combination of the above methods of payment may be used at the discretion of the Owner.

The Contractor will be paid each month ninety-seven (97) percent of the Engineer's estimate of the value of acceptable work completed at the end of the preceding month. Final payment will be made in accordance with Iowa Code chapters 26 and 573, as amended. No partial or final payment will be due until the Contractor has certified to the City that the materials, labor and services involved in each estimate have been paid for in accordance with the requirements stated in the specifications.

The successful bidder will be required to furnish a bond in an amount equal to one hundred (100) percent of the contract price, said bond to be issued by a responsible surety approved by the Owner and which shall guarantee a faithful performance of the Contract and the terms and conditions therein contained and shall guarantee the prompt payment of all materials and labor and protect and save harmless the Owner from claims and damages of any kind caused by the operations of the Contractor and shall also guarantee the maintenance of the improvements constructed for a period of FOUR (4) year(s) after completion and acceptance by the Owner.

Plans and specifications governing the construction of the proposed improvements have been prepared by WHKS & Co., Engineers, Planners, and Surveyors, which plans and specifications and the proceedings of the Owner referring to and defining said proposed improvements are hereby made a part of the Notice by reference, and the proposed contract shall be executed in compliance therewith. Copies of said plans and specifications are now on file with the City Clerk and at the offices of WHKS & Co., and may be examined by the bidders.

Plans and specifications are available to download free of charge by clicking on the "Letting Info" link at [www.whks.com](http://www.whks.com) and choosing this project from the list, eBidDoc 10250460 or at [www.questcdn.com](http://www.questcdn.com). Plans

and specifications for private use may also be obtained from WHKS & Co., Engineers, Planners, and Surveyors, 1421 S Bell, Suite 103, Ames, IA 50010, for a refundable deposit of \$250. If the plans and specifications are not returned to WHKS & Co. within fourteen (14) days after the award of the project and in reusable condition, the deposit shall be forfeited. Published upon order of the City Council of the City of Nevada.

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

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Erin Mousel, 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 June 22, 2026.

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Ryan Condon, Mayor

Attest:

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Erin Mousel, City Clerk

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On motion and vote, the meeting adjourned.

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Ryan Condon, Mayor

Attest:

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Erin Mousel, 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 2026/27 Street Reconstruction Program – 2<sup>nd</sup> Street from Lincoln Way to N Avenue 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 \_\_\_\_\_, 2026.

\_\_\_\_\_  
Erin Mousel, 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 2026/27 Street Reconstruction Program – 2<sup>nd</sup> Street from Lincoln Way to N Avenue, 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 \_\_\_\_\_, 2026.

\_\_\_\_\_  
Erin Mousel, 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 2026/27 Street Reconstruction Program – 2<sup>nd</sup> Street from Lincoln Way to N Avenue, 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 \_\_\_\_\_, 2026.

\_\_\_\_\_  
Erin Mousel, 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 2026/27 Street Reconstruction Program – 2<sup>nd</sup> Street from Lincoln Way to N Avenue, 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 \_\_\_\_\_, 2026.

WITNESS MY HAND this \_\_\_\_ day of \_\_\_\_\_, 2026.

\_\_\_\_\_  
Erin Mousel, 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).**