

**NOTICE TO BIDDERS AND**  
**NOTICE OF PUBLIC HEARING**

**HAWKEYE POND IMPROVEMENTS**  
**PHASE 3 – POND DREDGING, SHORELINE RESTORATION & FISH HABITAT**

CITY OF ANKENY, IOWA PUBLIC IMPROVEMENT PROJECT

Public Hearing on Proposed Contract Documents and Estimated Costs for Improvement

Notice is hereby given that a public hearing will be held by the **City of Ankeny, Iowa** on the proposed Contract Documents (plans, specifications, and form of contract), and estimated total cost for the **2020 Hawkeye Pond Improvements Phase 3 – Pond Dredging, Shoreline Restoration & Fish Habitat** project at its meeting at **5:30 P.M. on the 3<sup>rd</sup> day of August, 2020**. Due to public health concerns related to COVID-19, this meeting of the City Council will be conducted electronically, pursuant to Iowa Code Section 21.8, as holding the meeting in person is impossible or impractical. Interested persons may attend or participate in the meeting by the following methods:

1. Join from PC, Mac, Linux, iOS or Android: <https://meetings.ringcentral.com/j/1497587288>
2. If you are not at a computer, you may use one of the two options below for audio only:  
Or iPhone one-tap: US: +1(720)9027700, 1497587288# (US Central)  
Or Telephone: US: +1(720)9027700 (US Central)  
Meeting ID: 149 758 7288

Pre-Bid Meeting

A pre-bid meeting will be held at **10:00 A.M. on the 16<sup>th</sup> day of July, 2020** at the project site. This is not a mandatory meeting.

Time and Place for Filing Sealed Proposals

Sealed bids for the work comprising the improvements as stated below must be filed before **10:30 A.M.** according to the clock in the Ankeny Public Services Building, 220 West First Street, Ankeny, Iowa, 50023 on the **28<sup>th</sup> day of July, 2020**, at the reception desk in said Ankeny Public Services Building. Hand-delivered bids will be received by a City of Ankeny staff person at the front doors to the Public Services Building from 10:00 A.M. to 10:30 A.M. on July 28, 2020. If a bidder will be submitting a bid by hand delivery prior to 10:00 A.M. on July 28, 2020 that bidder needs to contact Nick Lenox at (515) 963-3576 or [NLenox@ankenyiowa.gov](mailto:NLenox@ankenyiowa.gov) to make arrangements for delivery and receipt of the bid. Bids received after the deadline for submission of bids as stated herein shall not be considered and shall be returned to the late bidder unopened.

Time and Place Sealed Proposals Will be Opened and Considered

Sealed proposals will be opened by the City Clerk and bids tabulated at **10:30 A.M. on the 28<sup>th</sup> day of July, 2020**. The bid opening will be conducted electronically and interested persons may attend the bid opening by the following methods:

1. Join from PC, Mac, Linux, iOS or Android: <https://meetings.ringcentral.com/j/1491246946>

2. If you are not at a computer, you may use one of the two options below for audio only:  
Or iPhone one-tap: US: +1(720)9027700, 1491246946# (US Central)  
Or Telephone: US: +1(720)9027700 (US Central)  
Meeting ID: 149 124 6946

Bids will be considered by the City of Ankeny City Council at its meeting at **5:30 P.M. on the 3<sup>rd</sup> day of August, 2020**. As stated herein, this meeting will be conducted as an electronic meeting and interested persons may attend or participate in the meeting by using the methods described in the public hearing section of this Notice. The City Council may award a Contract at said meeting, or at such other time and place as shall then be announced.

#### Commencement of Work

Work on the improvement shall be commenced any time after a written Notice to Proceed is issued, **no later than August 17, 2020**, and shall be completed as stated below. The Notice to Proceed will be issued after the preconstruction conference, which is expected to occur in August 2020.

#### Contract Documents

An electronic copy of the Contract Documents is available at [www.ankenyiowa.gov/bid-documents](http://www.ankenyiowa.gov/bid-documents) for no cost. Project information, estimated total cost, and planholder information is available for no cost at the same link. Downloads of the Contract Documents require the user to register for a free membership at [www.QuestCDN.com](http://www.QuestCDN.com).

Paper copies of the Contract Documents are available from the City of Ankeny Parks and Recreation Department, 220 West First Street, Ankeny, Iowa 50023, for a fee of Fifty Dollars (\$50.00) per set. This fee is refundable, provided the following conditions are met: (1) The Contract Documents are returned complete and in a reusable condition, and (2) they are returned within fourteen (14) calendar days after the award of the project. You must call 515-963-3576 in advance to reserve a paper copy.

#### Preference of Products and Labor

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 allowed 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.

**Failure to submit a fully completed and accurate Bidder Status Form with the Proposal may result in the Proposal being deemed non-responsive and may result in the Proposal being rejected.**

## General Nature of the Public Improvement

### **HAWKEYE POND IMPROVEMENTS PHASE 3 – POND DREDGING, SHORELINE RESTORATION & FISH HABITAT**

**The pond improvements project includes the dredging of the existing pond, storm water pipe, shoreline stabilization treatments, trail improvements, earthwork activities at the spoils disposal location, and other associated improvements including surface restoration, and miscellaneous associated work necessary to complete the project. Add Alternate #1 includes the addition of fish habitat to the pond.**

## Bid Security

Each Bidder shall accompany its bid with bid security as defined in Iowa Code Section 26.8, as security that the successful Bidder will enter into a Contract for the work bid upon and will furnish after the award of Contract a corporate Surety Bond, in a form acceptable to the City of Ankeny, for the faithful performance of the Contract, in an amount equal to one hundred percent (100%) of the amount of the Contract. The Bidder's security shall be equal to 10% of the contractor's bid amount, and shall be in the form of a cashier's check or a certified check drawn on an FDIC insured bank in Iowa or on an FDIC insured bank chartered under the 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 City of Ankeny. The bid shall contain no condition except as provided in the specifications.

The City of Ankeny reserves the right to defer acceptance of any bid for a period of thirty (30) calendar days after receipt of bids and no bid may be withdrawn during this period.

## Performance, Payment, and Maintenance Bond

Each successful Bidder will be required to furnish a corporate Surety Bond in an amount equal to one hundred percent (100%) of its Contract price. Said Bond shall be issued by a responsible Surety approved by the City of Ankeny 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 Ankeny 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 **one (1)** year from and after acceptance of the Contract.

## Title VI Compliance

The City of Ankeny, Iowa, in accordance with the provisions of Title VI of the Civil Rights Act of 1964 (78 Stat. 252, 42 U.S.C. §§ 2000d to 2000d-4) and the Regulations, hereby notifies all bidders that it will affirmatively ensure that any contract entered into pursuant to this advertisement, disadvantaged business enterprises will be afforded full and fair 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.

### Payment

Payments will be made on the basis of estimates prepared by the Contractor and approved by the Engineer, solely for the purpose of payment; approval by the Engineer, or the City Council, shall not be deemed as approval or acceptance of the workmanship or materials. The Contractor will be compensated for 95% of the work completed during a payment period, with the remaining 5% being retained in accordance with the Iowa Code. Regular payments approved by the Engineer will be made following the next scheduled City Council meeting. The retainage payment will be released following acceptance of the project by the City of Ankeny and the provisions stipulated in the Iowa Code.

### Sales Tax Exemption

The City of Ankeny will issue a sales tax exemption certificate to the Contractor for all material purchased for incorporation into the project. Tax exemption certificates are applicable only for the specific project for which the tax exemption certificate is issued.

### Completion of Work

The Contractor shall substantially complete the project no later than **June, 30 2021**. Substantially complete shall be defined as all grading, shoreline stabilization, and trail construction being completed. Should the Contractor fail to substantially complete the work in this timeframe, liquidated damages of **Five Hundred Dollars (\$500.00) per calendar day** will be assessed for work not completed within the designated Contract term(s).

The Contractor shall fully complete the project no later than **September 1, 2021**. Fully complete shall be defined as all surface restoration being completed, and all improvements being ready for final acceptance. Should the Contractor fail to fully 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(s).

The City of Ankeny 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.

This Notice is given by authority of the City Council of the City of Ankeny, Iowa.

Dated at Ankeny, Iowa, this **6th day of July, 2020**.

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Gary Lorenz, Mayor

ATTEST:

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Denise Hoy, City Clerk

Posted to the Iowa League of Cities and the Master Builders of Iowa websites the **10<sup>th</sup> day of July, 2020**.

Published in the Des Moines Register the **17<sup>th</sup> day of July, 2020**.