

CONTRACT DOCUMENTS AND SPECIFICATIONS

STP-ES-E-PA17(003)—8T-00

**HISTORIC HILLS AREA SIGNAGE PROJECT
CHARITON VALLEY PLANNING AND DEVELOPMENT
CLARKE, LUCAS, MONROE, DECATUR, WAYNE, APPANOOSE, DAVIS AND VAN BUREN
COUNTIES, IOWA**

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DIVISION 0
BIDDING AND CONTRACT REQUIREMENTS

SECTION 00010

NOTICE TO BIDDERS

Sealed proposals will be received on April 27, 2007 by the Chariton Valley Transportation Planning Affiliation/RPA-17 at the offices of Chariton Valley Planning and Development, 205½ N. 13th Street, Centerville, Iowa 52544, until **10:00 A.M. Central Time**, for a Federal Aid transportation enhancement project that involves construction of Historic Hills entryway signs in Appanoose, Clarke, Davis, Decatur, Lucas, Monroe, Van Buren, and Wayne counties in southern Iowa.

Plan, specifications, and proposal forms for the work may be seen and secured at the offices of Chariton Valley Planning and Development, 205 ½ N. 13th St., Centerville, Iowa 52544 until noon on the day previous to the letting.

Mailed bids are to be sent to the offices of Chariton Valley Planning and Development, 205 ½ N. 13th St., Centerville, Iowa 52544. Staff will be available at the offices of Chariton Valley Planning and Development the day previous to the letting and the day of the letting for the dropping off of bids during regular business hours 8:30 a.m. to 5:00 p.m.

Opening and reading of bids will be performed at the offices of Chariton Valley Planning and Development, Centerville, Iowa after 10:30 a.m. on the same date such bids are scheduled to be received, unless otherwise specified by Chariton Valley Planning and Development.

All proposals must be filed on the forms furnished by Chariton Valley Planning and Development, sealed and plainly marked. Proposals containing any reservations not provided for in the forms furnished will be rejected. Chariton Valley Planning and Development reserves the right to waive technicalities and to reject any or all bids.

Failure to execute a contract and file an acceptable Performance Bond and Certificate of Insurance within 30 days of the date of the approval for awarding the contract, as herein provided, will be just and sufficient cause for the denial of the award and the forfeiture of the proposal guarantee.

Chariton Valley Planning and Development hereby notifies all bidders that it will affirmatively ensure that in any contract entered into pursuant to this advertisement, disadvantaged 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.

The details of the project will be available to potential bidders three weeks prior to the letting date at the following locations:

- Posted on the Internet at www.charitonvalleyplanning.com
- Available by calling Chariton Valley Planning and Development at 641-437-4359
- Available for pickup at the offices of Chariton Valley Planning and Development at 205 ½ N. 13th St., Centerville, Iowa 52544.

Minimum wage rates for all Federal Aid projects have been predetermined by the Secretary of Labor and are set forth in the specifications. All Federal Aid projects are subject to the Work Hours Act of 1962, P.L. 87-581 and Implementing regulations.

The work under the proposed contract shall be commenced upon written Notice to Proceed following approval and signing of the contract, with an approximate start date of May 15, 2007, and shall be substantially complete November 30, 2007.

Published by order of the Chariton Valley transportation Planning Affiliation/RPA-17 and Chariton Valley Planning and Development.

END OF SECTION

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00010-1

INSTRUCTIONS TO BIDDERS

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1. DEFINITION OF TERMS

- 1.1. "Owner" and shall mean the Chariton Valley Planning and Development (CVPD) or an authorized representative of the CVPD.
- 1.2. "Person" shall mean any individual, partnership, society, association, joint stock company, corporation, estate, receiver, trustee, assignee or referee, whether appointed by a court or otherwise, and any combination of individuals.
- 1.3. "Bidder" shall mean any person who submits a proposal to furnish the work described in the Contract Documents.
- 1.4. "Contractor" shall mean the person(s) with whom the Owner may enter into contract(s) for the execution of the work specified.
- 1.5. "Subcontractor" shall mean the person supplying materials, labor, equipment and appurtenances for the work, such person having contractual relations with the Contractor(s), but not with the Owner.
- 1.6. "Engineer" and "Landscape Architect" shall mean Chariton Valley Rural Economic Development, Inc. or appointed firm.
- 1.7. "Work" shall mean the work to be done and the equipment, supplies and materials to be furnished under the contract, unless some other meaning is indicated by the context.

2. CONTRACT DOCUMENTS

- 2.1. Contract Documents, sometimes referred to as the "plans and specifications", shall mean and include the following parts as used herein:
 - 2.1.1. Instructions to Bidders
 - 2.1.2. Proposal
 - 2.1.3. Bid Bond
 - 2.1.4. Contract
 - 2.1.5. Performance, Payment, and Maintenance Bonds
 - 2.1.6. General Conditions
 - 2.1.7. Special Conditions
 - 2.1.8. Detailed Specifications
 - 2.1.9. Plan Sheets
 - 2.1.10. Numbered addenda Issued to the foregoing

3. METHOD OF BIDDING

- 3.1. Bidders shall submit a unit price bids as required for work covered by the plans and specifications. Prices shall cover complete work and include all costs incidental thereto, unless indicated otherwise.
- 3.2. Bids will be evaluated on the basis of the work shown on the plans and specifications. Low bidder will be determined based on lowest responsible bidder submitting the lowest responsive bid.
- 3.3. In the event of discrepancies between unit prices and unit price extensions listed in bidder's proposal, unit prices shall govern and unit price extensions and total bid shall be corrected, as necessary, for agreement with unit prices. The total price will be determined on the basis of corrected extensions of unit prices.

4. QUALIFICATIONS OF BIDDERS

- 4.1. Bidders shall be prepared to satisfy Owner as to integrity, experience, adequacy of equipment and personnel, and financial ability to perform work specified. The successful bidder shall be required to submit three references from comparable projects for review prior to contract approval.
- 4.2. If successful bidder is a non-Iowa corporation, they shall submit proof to Owner prior to execution of contract that they have been authorized by Secretary of State to do business in Iowa.

5. SPECIAL CONDITIONS

- 5.1. None

6. SUBMISSION OF BIDS

- 6.1. Submit bids in duplicate on proposal form exhibited herein. Submit in a sealed envelope. Envelope shall bear return address of the bidder and shall be addressed as follows:

To Proposal For:
Community Development Planner Historic Hills Area Signage Project
Chariton Valley Planning and Development
205 ½ N. 13th Street
Centerville, Iowa 52544

- 6.2. Bids shall be signed by a legally authorized representative of the Bidder.
- 6.3. Bids will be received at Chariton Valley Planning and Development, 205 ½ N. 13th St., Centerville, IA 52544

7. WITHDRAWAL OF BIDS

- 7.1. A bidder may withdraw their bid at any time prior to the scheduled closing time for the receipt of bids, but no bids shall be withdrawn for a period of 30 calendar days thereafter.

8. BID SECURITY

- 8.1. Each bid shall be accompanied by bid security in the form and amount as set out in the Bidding Proposal form.
- 8.2. Bid security shall be enclosed in a separate sealed envelope accompanying the bid submittal envelope.

- 8.3. The bid security shall be forfeited and become the property of the Owner in case the Bidder fails or refuses to enter into contract and to furnish bond within 10 calendar days after the proposal has been accepted.
- 8.4. Bid security of the unsuccessful bidders will be returned as soon as the successful bidders are determined or within 30 calendar days, whichever is sooner; bid security of successful bidders will be returned upon execution of contracts and furnishing of bonds.
- 8.5. Bidders shall use bid bond form included with specifications or corporate form approvable by the Owner.

9. EXAMINATION OF WORK

- 9.1. Bidders shall familiarize themselves with the specifications and with all conditions, which will affect construction. Submittal of a bid shall evidence that bidders have made a personal examination of the job and the physical conditions affecting the work.

10. EXECUTION OF CONTRACT

- 10.1. The successful Bidder shall enter into a written contract with the Owner, within 10 days after acceptance of the proposal on the forms included with these specifications, for the performance of the work awarded.

The Contract, when executed, shall be deemed to include the entire agreement between the parties hereto, and the Contractor shall not claim any modification thereof resulting from any representation or promise made at any time by any representative of the Owner or any other person.

11. CONTRACT TERMINATION

- 11.1. Provisions of law, as contained in Chapter 573A of the Code of Iowa, shall apply to and be a part of this contract. Chapter 573A provides for termination of contracts for construction of public improvements when construction or work thereon is stopped because of a national emergency. The provisions of Chapter 573A shall be binding upon all parties thereto, including subcontractors and sureties upon any bond given or filed in connection therewith.

12. TAXES

- 12.1. This project shall be bid tax exempt.
- 12.2. Income tax:
 - 12.2.1. Successful Bidder is subject to payment of Iowa income tax on income from this work in amounts prescribed by law.
 - 12.2.2. If successful Bidder is a non-Iowa partnership, individual or association they shall furnish evidence prior to execution of contract that bond or securities have been posted with the Iowa Department of Revenue in the amount required by law.

13. PREFERENCE FOR LABOR AND MATERIALS

- 13.1. Contractor shall observe the laws of the State of Iowa with regard to preference for labor and materials. So far as may be done under the law, Contractor shall give preference to labor residing in vicinity of project area, and to local concerns in purchase of materials, insurance and bonds.

- 13.2. Qualified Iowa designated targeted small businesses, minority business enterprises, women business enterprises and other disadvantaged business enterprises are encouraged to bid, or their use as subcontractors is encouraged.
- 13.3. Successful bidder shall submit a letter showing what efforts were taken to include qualified targeted small businesses in this project.

14. PAYMENT

- 14.1. Payment will be made in accordance with the payment provisions set out in the Notice of Hearing and Letting.
- 14.2. Payments will be made on the basis of estimates prepared by Contractor and approved by the Engineer, solely for the purpose of payment; approval by the Engineer, shall not be deemed approval or acceptance of workmanship or materials.
- 14.3. Pay quantities will be based on field measurements.

15. APPROVAL OF MATERIALS

- 15.1. Approval of substitutions of any materials or equipment other than that specified shall be obtained in writing from the Engineer. Otherwise, it will be assumed Contractor will furnish materials or equipment specified.

16. PERIOD OF GUARANTEES AND BONDS

- 16.1. Contractor shall guarantee all components against faulty workmanship and materials for a period of:

One (1) year

From the date of final acceptance, as provided for in the Code of Iowa. Surety maintenance bonds furnished by Contractor(s) shall run for like periods.

BIDDING PROPOSAL
For Locally Let Federal-aid Contracts

Type of Work Area Signage System - Highway Enhancement Project No. STP-ES-E-PA17(003)-BT-00
 Letting Date _____ Length (Miles) _____ City/County _____
 Location Chariton Valley Planning and Development, Centerville Iowa
 Description of Work: Historic Hills Area Signage System of brick piers with sign, landscaping plantings and site preparation

DBE Goal (%)	Amount of Proposal Guaranty	Working Day Contracts		Calendar Date Contracts	Liquidated Damages Per Day
		Working Days	Start Date	Completion Date	
	10% of bid amount	180			\$200.00

The bidder hereby certifies that no other principal is involved in or has an interest in this proposal; that the bidder has thoroughly examined the plans and specifications and this contract form and is aware of the special provisions contained herein; that the bidder has examined the site of the work and understands that the quantities of work required by the plans and specifications are approximate only and are subject to increases and decreases; that the bidder understands that all quantities of work actually required must be performed and that payment therefore shall be at the unit prices stipulated herein; that the bidder proposes to timely furnish the specified materials in the quantities required and to furnish the machinery, equipment, labor and expertise necessary to competently complete this project by the time specified; that no state or county official or employee has a direct or indirect interest in the contract which would cause violation of Iowa Code Section 314.2; that the bidder has made no agreement with any supplier of motor fuel or special fuel which will result in violation of Iowa Code Section 452A.17(8).

If this bid is accepted, Bidder agrees: to perform all "extra work" required to complete the project at unit prices or lump sums to be agreed upon in writing prior to commencement of such "extra work" or, if prior agreement cannot be reached, to perform the work on a "force-account basis" as provided in the specifications; to execute the formal contract within thirty days of the date of approval for award or to forfeit the proposal guaranty furnished herewith; to begin work in accordance with the contract documents and to either complete the work within the contract period or pay liquidated damages, which shall accrue at the daily rate specified above, for each additional working day the work remains uncompleted; and to furnish a performance bond in an amount equal to the contract award as security for the full and complete performance of the contract in accordance with the plans and specifications.

Enclosed herewith is a certified check, credit union share draft, cashier's check, bank draft on a solvent bank or a bid bond in the penal sum shown in the contract document as a proposal guaranty. It is understood by bidder that the said guaranty document shall be retained by the Contracting Authority as a forfeiture in the event the formal contract is not executed or performance bond is not furnished if the award is made to the undersigned.

The signing of this Bid Document shall serve as an unsworn declaration that, I (the owner, partner, President, other corporate officer, or an authorized representative) hereby certify under penalty of perjury under the laws of the United States and the State of Iowa that I have read, understand, and accept the Bidding Certifications and other provisions contained in the Proposal Notice and the DBE Contract Provisions (if a DBE goal has been set).

Proposal of _____
 Name of Bidder _____

 Street Address _____

 City _____ State _____ Zip Code _____
 Federal Tax I.D. No. _____

Signatures are to be by authorized agent. If joint venture, each shall sign.

 Signature _____ Date _____ Signature _____ Date _____

