



## COMMUNITY DEVELOPMENT

Planning,  
Zoning,  
Building Safety,  
Construction Inspection Services,  
Public Health,  
Housing Inspections,  
Code Enforcement

## MEMORANDUM

**To:** Mayor and City Council Members  
**Cc:** Gregg Mandsager, City Administrator  
**From:** Steven Boka, Director of Community Development  
**Date:** June 30, 2011  
**Re:** Mad Creek Flood Project – 2<sup>nd</sup> St Apts. Parking Lot improvements

**INTRODUCTION:** The City of Muscatine has entered into a Cooperation Agreement with the United States Army Corps of Engineers (USACE) for the design and construction of improvements to the Mad Creek Levee. As a part of the Project, the City Council approved a resolution establishing temporary and permanent easements from the owners of the apartment building located at 903 East 2<sup>nd</sup> Street. That agreement required the city to construct and pay for parking lot improvements being lost as a part of the Project.

**BACKGROUND:** During their June 16<sup>th</sup> meeting, City Council approved a resolution setting a public hearing on the plans, specifications, form of contract, engineers estimate, and establishing a bid opening date for the project known as the "2<sup>nd</sup> Street Apartments Parking Lot Improvements". Following the public hearing scheduled for July 7<sup>th</sup>, the City Council will have the opportunity to approve a resolution approving the plans & specs and formally setting a bid opening date for this portion of the Mad Creek Levee improvement Project.

**RECOMMENDATION/RATIONALE:** Therefore, it is recommended that City Council approve the attached resolution approving the plans, specifications, form of contract, engineers cost estimate and establishing a bid opening date for the project known as the "2nd Street Apartment Parking Lot Improvements".

## BACKGROUND INFORMATION:

## 1. Resolution

**RESOLUTION NO. \_\_\_\_\_**

**A RESOLUTION APPROVING THE PLANS, SPECIFICATIONS, FORM OF CONTRACT, COST ESTIMATE, AND ESTABLISHING A BID OPENING DATE FOR THE "2<sup>ND</sup> STREET APARTMENT PARKING LOT IMPROVEMENTS PROJECT"**

**WHEREAS**, the City Council for the City of Muscatine, Iowa, has authorized the preparation of plans and specifications, form of contract and cost estimates for improvements for a portion of the Mad Creek Levee Improvement Project known as the "2<sup>nd</sup> Street Apartment Parking Lot Improvements"; and

**WHEREAS**, the City Council has conducted a public hearing concerning the improvements; and

**WHEREAS**, the City Council has reviewed and approved the plans, specifications, form of contract and cost estimate of \$49,500.00 for the 2<sup>nd</sup> Street Parking Lot Improvements; and

**WHEREAS**, the City Council wishes to establish a bid opening date for said improvements,

**NOW, THEREFORE, BE IT RESOLVED** by the City Council for the City of Muscatine, Iowa, hereby approves the plans, specifications, form of contract, and engineers cost estimate and hereby establishes a bid opening date of July 25, 2011, 10:00 A.M. (CDT) for the improvement project identified as the "2<sup>nd</sup> Street Apartment Parking Lot Improvements". Said bid opening shall be conducted by the Director of Finance in the City Hall Council Chambers.

**PASSED, APPROVED, AND ADOPTED** by the City Council for the City of Muscatine, Iowa, on this, the 7th day of July 2011.

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Richard O'Brien, Mayor

ATTEST:

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Gregg Mandsager, City Clerk

**NOTICE TO BIDDERS**  
**CITY OF MUSCATINE, IOWA**  
**2ND STREET APARTMENT PARKING LOT IMPROVEMENTS**

**Project Description:** This project involves the construction of a 10 space parking lot, along with the removal of existing parking lot pavement, and restriping the existing parking lot. Work will include but is not limited to clearing/grubbing, excavation, subgrade preparation, 6" modified subbase, 6" PCC pavement, pavement marking, and sodding.

**Time and Place for Filing Sealed Proposals:** Sealed bids for the work comprising each improvement as stated below must be filed before 10:00 A.M. according to the clock at the office of the City Finance Director on Monday July 25, 2011, in the office of the City Finance Director. 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 and bids tabulated at 10:00 A.M. on Monday July 25, 2011, in the City Council Chambers for consideration by the City of Muscatine City Council at its meeting on Thursday August 4, 2011. The City of Muscatine reserves the right to reject any and all proposals including without limitation, nonconforming, nonresponsive, unbalanced, or conditional bids. The City of Muscatine reserves the right to defer acceptance of any bid for a period of sixty (60) calendar days after receipt of bids, and no bid may be withdrawn during this period.

**Time for Commencement and Completion of Work:** Work on the improvement shall be commenced immediately upon approval of the contract by the Council and shall be performed regularly and diligently throughout the duration of the project. The contractor shall substantially complete the project by October 28, 2011. Should the contractor fail to complete the work in this timeframe, liquidated damages of \$1,000 per calendar day will be assessed for work not completed within the designated contract term.

**Bid Security:** Each Form of Proposal shall be accompanied in a separate envelope bid security in the minimum amount of five percent (5%) of the total bid and as further defined in Division 1 Section 05 of the Instructions to Bidders.

**Contract Documents:** Plans, specifications and proposal forms may be obtained from the office of Anderson-Bogert Engineers & Surveyors, Inc., 4001 River Ridge Drive NE, Cedar Rapids, Iowa, 52402, telephone no. (319) 377-4629, for a deposit of \$25.00, which shall be refunded upon return of the contract documents, if returned within fourteen (14) days after award of the project. If contract documents are not returned in a timely manner and in a re-usable condition, the deposit shall be forfeited.

**Required Bonding:** Each successful bidder will be required to furnish a corporate surety bond in an amount equal to 100% of its contract price. Said bond shall be issued by a responsible surety approved by the City of Muscatine 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 Muscatine 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 two years from and after acceptance of the contract.

Sales Tax Exemption: The City of Muscatine will provide each Contractor and Subcontractor for this project with a certificate of exemption and an authorization letter which can be presented to material suppliers which will allow the Contractor/Subcontractor to purchase building materials used in this contract exempt from Iowa sales tax and any applicable local option sales tax and school infrastructure local option tax. Complete information on qualifying materials and supplies can be found at [www.state.ia.us/tax](http://www.state.ia.us/tax), the Iowa Department of Revenue and Finance (IDRF) Website. Links can be found in the Business Taxes and Local Government categories. Bids submitted for this project should be submitted on this basis.

Preference for Iowa Products and Labor: The Contractor shall give preference to Iowa domestic labor in the construction or building of such public improvement or works in accordance with the Code of Iowa Section 73.

Published upon order of the City Council of Muscatine, Iowa.

CITY OF MUSCATINE, IOWA

BY: \_\_\_\_\_  
Gregg Mandsager, City Administrator