

068 Delmer Miller stated that the City should be thinking about getting a different dump truck. The Mayor had received a notice that the State would be selling a large group of vehicles on Saturday September 17th.

Motion by Robert Weiland to have Delmer Miller go to a sale of State Equipment to look for a used dump truck. Seconded by Harold Veatch Carried.

Motion by Kenneth Perry to approve the application of Josephine Parkia dba Jo-Bob's Lounge for a Liquor License. Seconded by Harold Veatch. Carried.

There was discussion about spraying and fertilizing the City Park as it is in bad shape. Gene Jacobsen was to check and see if we need a Licensed sprayer or if it can be done by the City.

There being no further business Kenneth Perry made the Motion to Adjourn. Seconded by Harold Veatch. Carried.

Ralph D Means

Ralph D. Means, Mayor

Evelyn M Rohner

Attest: Evelyn M. Rohner, Clerk

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Fontanelle, Iowa
September 9, 1983

The City Council of the City of Fontanelle, Iowa, met in Special session at the City Hall, in the City, on the 9th day of September, 1983, at 1:00 o'clock p.m. The Mayor presided and the roll being called, the following named Council Members were present: Gene Jacobsen, Denny Sickles and Kenneth Perry. Absent: Harold Veatch and Robert Weiland.

ACKNOWLEDGEMENT OF NOTICE OF SPECIAL MEETING

We, the undersigned, being all the members of the Council, do acknowledge due, timely and legal receipt of Notice of Special Meeting for the called purpose of considering all matters pertaining to the construction of Community Center and Fire Station improvements, including directing publication of notice of hearing and taking of bids therefor; and for the consideration of such other business as may come before the meeting and do hereby consent that the meeting be held.

Denny Sickles
Gene Jacobsen
Kenneth Perry

The Council took up and considered the proposed construction of the Community Center and Fire Station improvements.

Council Member Denny Sickles introduced the following resolution hereinafter set out entitled: "Resolution to provide for a notice of hearing on proposed plans, specification, proposed form of contract and estimated cost for the construction of Community Center and Fire Station improvements, and the taking of bids therefore" and moved its adoption, seconded by Council Member Kenneth Perry. After due consideration thereof by the Council, the Mayor put the question on the motion and the roll being called, the following named Council Members voted: AYE: Gene Jacobsen, Denny Sickles and Kenneth Perry.

NAY: None

Whereupon, the Mayor declared the said motion duly carried and the said resolution adopted, as follows:

RESOLUTION NO. 83.16

TO PROVIDE FOR A NOTICE OF HEARING ON PROPOSED PLANS AND SPECIFICATIONS AND PROPOSED FORM OF CONTRACT, ESTIMATED COST AND SALE AND ISSUANCE OF PROJECT NOTES FOR THE CONSTRUCTION OF COMMUNITY CENTER AND FIRE STATION IMPROVEMENTS AND THE TAKING OF CONSTRUCTION BIDS THEREFOR.

WHEREAS, the City of Fontanelle, Iowa, has determined that it is necessary and desirable that a public improvement be constructed as described in the proposed plans and specifications and form of contract prepared by McClure Engineering Company, the engineers for the City, which proposed plans, specifications and form of contract and estimated cost are on file with the Clerk and which public improvement may be hereafter referred to as the Community Center and Fire Station 1983 Project (and is sometimes hereinafter in this resolution referred to as the "Project"; and

WHEREAS, it is necessary to fix a time and place of public hearing on the proposed plans, specifications and form of contract and estimated cost for the Project and to advertise for sealed bids for the Project;

NOW, THEREFORE, Be It Resolved by the Council of Fontanelle, Iowa, as follows:

Section 1. That the detailed plans and specifications, notice of hearing and notice to bidders and form of contract and estimate of cost, referred to in the preamble hereof be and the same are hereby approved.

Section 2. That the Project is necessary and desirable for the City and it is in the best interests of the City to proceed toward the construction of the Project.

Section 3. That the amount of the bid security to accompany each bid is hereby fixed at 10% of the amount of the proposal.

Section 4. That the 6th day of October, 1983 at 7:00 o'clock p.m. at the City Hall, in the City, is hereby fixed as the time and place of hearing on the proposed plans, specification, form of contract, estimated cost and sale and issuance of Project Notes for the Project, and also as the time and place of taking construction bids in connection therewith.

Section 5. That the Clerk is hereby authorized and directed to give notice of the aforementioned hearing and taking of bids by publication of such notice in the FONTANELLE OBSERVER, a newspaper of general circulation in the City, which publication shall be made not less than four nor more than twenty days prior to the time of the said hearing, all in conformity with Chapters 362 and 384 of the Code of Iowa. The said notice shall be in the form substantially as attached to this resolution.

Section 6. That all provisions set out in the following form of notice are hereby recognized and prescribed by this Council and that all resolutions or orders or parts thereof, to the extent the same may be in conflict herewith, are hereby repealed.

Passed and approved this 9th day of September, 1983.

Ralph D Means
Ralph D. Means, Mayor

Evelyn M. Rohner
Attest: Evelyn M. Rohner, Clerk

On Motion by Denny Sickles, seconded by Gene Jacobsen and vote, the meeting adjourned.

Ralph D Means
Ralph D. Means, Mayor

Attest: Evelyn M. Rohner, Clerk

NOTICE OF HEARING
AND
NOTICE OF LETTING

Sealed bids will be received by the Council of the City of Fontanelle, Iowa, at the City Hall, untill 7:00 o'clock p.m., on the 6th day of October, 1983, and shall be opened and considered by the Council at the same time and place for the construction of an improvement project described in general as "Fontanelle, Iowa, Community Center and Fire Station 1983", in accordance with the plans and specifications now on file in the Fontanelle, Iowa, City Hall, and at the aforementioned time and place, the Council shall also consider and hold a public hearing on the plans, specifications, form of contract, estimed cost for the construction of the aforementioned improvements and on the sale and issuance of Project Notes to pay a portion of the cost thereof. At the aforementioned hearing, any interested person may appear and file objections to said plans, specifications, for of contract, estimated cost, and sale and issuance of such Notes. The extent of the work involved consists of the construction of a 50 ft. by 100 ft. steel building, together with related subsidiary and incidental work.

The construction for which bids will be received shall be as follows:

A nominal 50 ft. x 100 ft., steel frame and steel shell Community Center and Fire Station, together with mechanical and electrical work grading, drainage, lighting and other related and incidental work.

All work is to be done in strict compliance with the plans and specifications prepared by Mc Clure Engineering Company of Fort Dodge, Iowa which have heretofore been approved by the City Council and are now on file for public examination in the office of the City Clerk. All proposals and bids in connection therewith shall be submitted to the Clerk of said City of Fontanelle, Iowa, on or before the time herein set for said hearing and letting.

Each proposal shall be made on a form furnished by the City and must be accompanied by a certified or cashier's check drawn on an Iowa Bank or bank chartered under the laws of the United States or bid bond in the form prescribed in the specifications executed by a corporation authorized to contract as a surety in Iowa, in an envelope separate from the one containing the proposal, and in an amount equal to ten per cent (10%) of the amount of the proposal, made payable to the City Treasurer as liquidated damages in the event the successful bidder fails to enter into a contract within ten days and post bond satisfactory to the City insuring the faithful fulfillment of the contract and maintenance of said improvement, as required by the specifications.

The successful bidder shall be required to furnish a corporate surety bond in an amount equal to 100% of its contract price, said bond to be issued by a responsible surety approved by the City Council and shall

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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 from claims and damages of any kind caused by the operations of the contractor and shall also guarantee the maintenance of the improvements in good repair for a period of one (1) year from and after the completion and acceptance by the City.

The City will receive and consider bids on the project and award a single contract for the work to the lowest responsible bidder. Names of subcontractors, if any, shall be listed on the proposal.

Plans and specifications are on file in the office of the City Clerk and may be seen at the office of the Engineer, Fort Dodge, Iowa. A copy of the plans and specifications may be obtained from the office of the Engineer, McClure Engineering Company, 705 First Avenue North, Fort Dodge, Iowa, upon a deposit of \$40.00 of which \$20.00 will be refunded to bonafide bidders upon the return of the plans and specifications in good condition within ten (10) days after the date set for the receiving of bids.

The work under the proposed contract shall begin within fifteen (15) days of the date on which the contract is awarded and shall be completed by April 4, 1984.

Minimum wage rates to be paid to laborers and mechanics have been determined by the Department of Labor and are listed in the Special Provisions. The contractor will be required to comply with the wage and labor requirements and pay minimum wages in accordance with the schedule of wage rates.

The above project may be paid for in part with financing assistance from the United States of America, acting through United States Department of Housing and Urban Development, hereinafter referred to as HUD, and the Office for Planning and Programming, hereinafter referred to as OPP, utilizing Community Development Block Grant funds. Other funds will include cash from the City derived from the sale of General Obligation Bonds.

Payment to the contractor will be made in cash from such fund or funds as are legally available for such purpose, including but not limited to, the proceeds of the sale of General Obligation Bonds, the proceeds of governmental grants, and the proceeds of the private sale of Project Notes, as authorized by House File 377 of the Acts of the 70th General Assembly of the State of Iowa, issued in anticipation of the receipt of proceeds from the sale of General Obligation Bonds, the proceeds of governmental grants, or any combination thereof, together with revenue from other sources which may be received with respect to the project. The Project Notes shall draw interest at a rate or rates to be set by the Council at the time of their issuance.

Payment to the contractor will be made in monthly estimates and one final payment. Monthly estimates will be equivalent to ninety-five per cent (95%) of the contract value of the work completed during the preceding calendar month. Estimates will be prepared on the first day of each month by the contractor, subject to the approval of the Engineer, who will certify each approved estimate to the City Council for payment on or before the 15th day of the month in question. Such monthly payments will in no way be construed as an act of acceptance for any of the work partially or totally completed.

Final payment to the contractor will be made no earlier than thirty-one (31) days from and after the final acceptance of said work by the City, subject to the conditions and in accordance with the provisions of Chapter 573 of the Code of Iowa. No such partial or final payment will be due until the contractor has certified that the materials, labor and services involved in each instance have been paid for in accordance with the requirements stated in the specifications.

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

Before final payment will be made, the contractor shall file, in duplicate, with the City Clerk, an itemized statement showing the amount of Iowa Sales Tax, or use tax, if any, and to whom paid, on all materials which have become part of this contract. In addition, the contractor shall submit lien waivers certifying that the materials, labor and services involved in each instance have been paid for in accordance with the requirements stated in the specifications.

The contractor shall agree to comply with the following provisions:

- (a) Section 3 of the Housing and Urban Development Act of 1968.
- (b) Civil Rights Act of 1964-Title VI Clause
- (c) Section 109 of Title I of the Housing and Community Development Act of 1974.
- (d) Age Discrimination Act of 1975, as Amended.
- (e) Section 504 of the Rehabilitation Act of 1973
- (f) Davis-Bacon Fair Labor Standards.

- (g) Copeland Anti-Kickback Act
- (h) Contract Work Hours and Safety Standards Act
- (i) For Contracts in Excess of \$10,000 the Contractor is Required to Comply with Executive Orders 11246 and 11375.

The City hereby reserves the right to reject any or all bids and to waive informalities as it shall deem to be for the best interest of the City. This notice is given by order of the City Council of the City of Fontanelle, Iowa

CITY OF FONTANELLE, IOWA

Ralph D Means

By: /s/ Ralph D. Means, Mayor

Attest: /s/ Evelyn Rohner
City Clerk

STATE OF IOWA
COUNTY OF ADAIR SS:
CITY OF FONTANELLE

I, the undersigned, Clerk of the aforementioned City, do hereby certify that the transcript hereto attached is a true and correct and complete copy of all the records of the City's Council relating to fixing a time and place of hearing on proposed plans, specifications, and form of contract, and estimated cost for the construction of the Project and directing publication of notice of the time and place fixed therefor.

WITNESS my hand and the seal of the City hereto affixed this 9th day of September, 1983.

(SEAL)

Evelyn M Rohner
Clerk

STATE OF IOWA
COUNTY OF ADAIR SS:
CITY OF FONTANELLE

I, the undersigned, Clerk of the aforementioned City, do hereby certify that pursuant to the resolution of its Council fixing a date of hearing on the proposed plans, specifications and form of contract and estimated cost for the Project, the notice, of which the printed slip attached to the publisher's affidavit herto 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 and the seal of the aforementioned City hereto affixed this 27th day of September, 1983.

(SEAL)

Evelyn M Rohner
Clerk