

December 5, 2025

VIA EMAIL

Susi Lampe
City Clerk/City Hall
Independence, Iowa

Re: 2026 Street Rehabilitation Project
Our File No. 419440

Dear Susi:

We have prepared and attach the necessary proceedings to enable the City Council to act at the December 8, 2025, meeting to set a date, time and place for the hearing and letting for the 2026 Street Rehabilitation Project.

The materials attached include the following items:

1. Resolution setting the dates for the hearing and letting; approving the form of notice of hearing (the “Notice of Hearing”) on proposed plans, specifications, proposed form of contract and estimated cost (the “Contract Documents”) set forth in Section 4 of the Resolution; and approving the form of notice to bidders (the “Notice to Bidders”) set forth in Section 7 of the Resolution.
2. Attestation Certificate attesting to the validity of the transcript.
3. Publication Certificate covering publication of the Notice of Hearing, to which the publisher’s affidavit of publication, together with a clipping of the notice as published, should be attached.

The Notice of Hearing must be published at least once, **not less than four (4) and not more than twenty (20) days prior to the date of the said hearing** in a legal newspaper of general circulation in the City. **The last date on which this notice can be effectively published is February 5, 2026.** As soon as the notice appears in the newspaper, please email a copy to lemke.susan@dorsey.com.

4. Posting Certificates covering the posting of the Notice to Bidders in the three places designated by Section 26.3 of the Code of Iowa, to which an affidavit of posting, together with a proof of the Notice to Bidders as posted, should be attached.

The Notice to Bidders must be posted in each of the following three places:

- (i) in a relevant contractor plan room service with a statewide circulation;
- (ii) in a relevant construction lead generating service with a statewide circulation; and
- (iii) on an internet site sponsored by either the City or a statewide association that represents the City (i.e. the Iowa League of Cities).

The Notice to Bidders must be posted not less than thirteen (13) and not more than forty-five (45) days prior to the date designated for receiving bids. The last date on which this notice can be effectively posted is January 22, 2026. The Notice to Bidders should be provided to the Construction Update Network by no later than January 21, 2026.

It is our understanding that, in order to meet the requirement of items (i) and (ii) in the paragraph above, the engineer will arrange for the Notice to Bidders to be posted on the Construction Update Network hosted by the Master Builders of Iowa. Further, it is our understanding that to comply with item (iii) in the paragraph above, the City Clerk will arrange for the Notice to Bidders to be posted on City's website.

Please return one fully executed copy of these proceedings to our office.

If you have any questions, please contact Emily Hammond or me.

Best regards,

John P. Danos

Attachments

cc: Matt Schimtz
Michelle Nejd
Mark Crawford

PROCEEDINGS TO SET DATE FOR
HEARING AND LETTING

419440 -109 (NHL)

Independence, Iowa

December 8, 2025

The City Council of the City of Independence, Iowa, met at the City Hall Council Chambers, Independence, Iowa, on December 8, 2025, at 5:30 p.m.

The Mayor presided and the roll being called, the following named Council Members were present and absent:

Present: _____

Absent: _____.

The City Council took up and considered the proposed 2026 Street Rehabilitation Project. Council Member _____ introduced the resolution next hereinafter set out and moved its adoption, seconded by Council Member _____. After due consideration thereof by the Council, the Mayor put the question upon the adoption of the said resolution and the roll being called, the following named Council Members voted:

Ayes: _____

Nays: _____.

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

RESOLUTION NO. 2025-_____

Resolution to provide for a notice of hearing on proposed plans, specifications, form of contract and estimate of cost for the 2026 Street Rehabilitation Project, and the taking of bids therefor

WHEREAS, it has been proposed that the City Council of the City of Independence, 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 Crawford Engineering & Surveying, Inc. (the “Project Engineers”), which may be hereafter referred to as the “2026 Street Rehabilitation Project” (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 Independence, 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. February 9, 2026, at 5:30 p.m., at the City Hall, Independence, Iowa, is hereby fixed as the time and place of hearing on the Contract Documents.

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 said hearing. The Notice of Hearing shall be in substantially the following form:

(Form of Notice of Hearing)

**NOTICE OF PUBLIC HEARING ON PLANS, SPECIFICATIONS, FORM OF CONTRACT
AND ESTIMATED COST FOR THE**

**2026 Street Rehabilitation
Independence, Iowa**

NOTICE IS HEREBY GIVEN: The City of Independence, Iowa, will hold a public hearing on the proposed plans, specifications, form of contract, and estimated cost for the **2026 Street Rehabilitation project**, in accordance with the provisions of Chapter 26, Code of Iowa, at **5:30 p.m. on February 9, 2026**, at the Independence City Hall, 331 First Street East, Independence, Iowa 50644. Bid Proposals will be acted upon at that time or at such time as may then be fixed. At said hearing, any interested person may appear and file objections thereto.

The scope of the project is as follows:

Project Description: Crack and Seal existing pavement, Hot Mix Asphalt (HMA) overlay of pavement, and miscellaneous related work including curb & gutter replacement and HMA milling on the following streets and avenues in the City of Independence, Buchanan County, Iowa:

12th Avenue NW from 3rd Street NW to North City Limit
O'Brien Court NW from 12th Avenue NW to North End
9th Street NW from City Limits to 9th Avenue NW
9th Avenue NW from 7th Street NW to North City Limit
3rd Street SW from 7th Avenue SW to 6th Avenue SW
17th Street SE from 175 feet East of Highway 150 to East 1,150 feet thereof
2nd Street NE from 7th Avenue NE to 8th Avenue NE
2nd Street NE from 298 feet West of CL 11th Avenue to East 613 feet thereof
3rd Street NE from 4th Avenue NE to 5th Avenue NE
5th Street NE from 5th Avenue NE to 6th Avenue NE
5th Street NE from 7th Avenue NE to 8th Avenue NE
11th Avenue NE from 2nd Street NE to 3rd Street NE

This Notice is given by authority of the **City of Independence, Iowa**

Matthew Schmitz, City Manager

Section 5. The City Council hereby delegates to the City Clerk the duty of receiving bids for the construction of the Project until 11:00 a.m., on February 4, 2026, at the City Hall, Independence, Iowa. At such time and in the office of the City Clerk, 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. February 9, 2026, at 5:30 p.m., at the City Hall, in the City, is hereby fixed as the time and place that the Council will consider the bids received in connection therewith.

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:

(Form of Notice to Bidders)

NOTICE TO BIDDERS

Sealed bids will be received by the City of Independence, Iowa, at City Hall, Independence, Iowa, until 11:00 o'clock AM on February 4, 2026, for the **2026 Street Rehabilitation** project. 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.

Sealed proposals will be opened and bids tabulated at 11:00 AM on February 4, 2026, in the office of the City Clerk, City Hall, Independence, Iowa, for consideration by the City Council at its meeting at 5:30 PM on February 9, 2026, at City Hall, Independence, Iowa.

Electronic copies of the contract documents are available from the Engineer, Crawford Engineering & Surveying, Inc. Contact Crawford Engineering & Surveying, Inc. at 319-334-7077 for electronic distribution of plans and specifications.

By virtue of statutory authority, a preference will be given to products and provisions grown and coal produced within the State of Iowa, and to Iowa domestic labor, to the extent lawfully required under Iowa statutes.

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.

General Nature of the Public Improvement

**2026 Street Rehabilitation
Independence, Iowa**

Crack and Seat existing pavement, Hot Mix Asphalt (HMA) overlay of pavement, and miscellaneous related work including curb & gutter replacement and HMA milling on the following streets and avenues in the City of Independence, Buchanan County, Iowa:

12th Avenue NW from 3rd Street NW to North City Limit
O'Brien Court NW from 12th Avenue NW to North End
9th Street NW from City Limits to 9th Avenue NW
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5th Street NE from 5th Avenue NE to 6th Avenue NE
5th Street NE from 7th Avenue NE to 8th Avenue NE
11th Avenue NE from 2nd Street NE to 3rd Street NE

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 Jurisdiction, for the faithful performance of the contract, in an amount equal to 100% of the amount of the contract. The bidder's security shall be in an amount equal to Five Percent (5%) of the total amount of the bid, as fixed in the Instruction to Bidders 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 Jurisdiction. The bid shall contain no condition except as provided in the specifications.

The **City of Independence**, Iowa, 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.

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 Independence**, Iowa, 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 Independence**, Iowa, 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 four (4) years from and after acceptance of the contract.

The **City of Independence**, Iowa, in accordance with Title VI of the Civil Rights Act of 1964, 78 Stat. 252, 42U.S.C. 2000d to 2000d-4 and Title 49, Code of Federal Regulations, Department of Transportation, Subtitle A, Office of the Secretary, Part 21, Nondiscrimination in Federally-assisted programs of the Department of Transportation issued pursuant to such Act, hereby notifies all bidders that it will affirmatively insure that in any contract entered into pursuant to this advertisement, minority 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.

Work on the project will commence upon the issuance of a written notice to proceed. Contractor shall fully complete the project by (no later than) **October 1, 2026**. Should the contractor fail to complete the work in this time frame, liquidated damages of **\$500.00** per calendar day will be assessed for work not completed within the designated contract term.

The **City of Independence**, Iowa, does hereby reserve the right to reject any or all bids and to waive informalities.

This Notice is given by authority of the **City of Independence, Iowa**.

/s/ Matthew Schmitz, City Manager

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 December 8, 2025.

Mayor

Attest:

City Clerk

....

On motion and vote, the meeting adjourned.

Mayor

Attest:

City Clerk

ATTESTATION CERTIFICATE:

STATE OF IOWA
COUNTY OF BUCHANAN
CITY OF INDEPENDENCE

SS:

I, the undersigned, City Clerk of the City of Independence, 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 Street Rehabilitation Project 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 _____, 2025.

City Clerk

NOTICE OF HEARING PUBLICATION CERTIFICATE:

STATE OF IOWA
COUNTY OF BUCHANAN
CITY OF INDEPENDENCE

SS:

I, the undersigned, City Clerk of the City of Independence, 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 Street Rehabilitation Project, 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.

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
COUNTY OF BUCHANAN
CITY OF INDEPENDENCE

SS:

I, the undersigned, City Clerk of the City of Independence, Iowa, do hereby certify that pursuant to the resolution of its City Council setting the date of the bid letting for the 2026 Street Rehabilitation Project, 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 _____, 202__.

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
COUNTY OF BUCHANAN
CITY OF INDEPENDENCE

SS:

I, the undersigned, City Clerk of the City of Independence, Iowa, do hereby certify that pursuant to the resolution of its City Council setting the date of the bid letting for the 2026 Street Rehabilitation Project, the Notice to Bidders provided for therein was posted on the City's website on _____, 202__.

WITNESS MY HAND this ____ day of _____, 202__.

City Clerk

(Attach here a screenshot of the Notice to Bidders from the City's website, showing the date of posting)