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June 20, 2016

To: Superintendents, Chief Administrators, Community College Presidents, Board Secretaries and Business Managers

Re: New *Notice to Bidders* Requirements

The 2016 Legislature passed SF 2170, which changes the *Notice to Bidders* process in Iowa Code §26.3 for informing the bidding community of your intent to solicit competitive bids for a public improvement project. The Iowa Association of School Boards and Master Builders of Iowa are partnering to help you understand and comply with the new law.

Under the new law, effective July 1, there is no longer a requirement to “publish” a *Notice to Bidders* in a local newspaper.

Instead, the *Notice to Bidders* must be “posted” in **three** separate online sources at least once. The postings must occur *not less than 13 days and not more than 45 days* before the date for the bid letting. (Note that the timeline has also changed from the previous law, which was not less than 4 days and not more than 45 days.)

The three required online postings are:

1. In a relevant contractor plan room service with statewide circulation;
2. A relevant construction lead generating service with statewide circulation; and
3. On your school district, AEA or community college website OR on a website sponsored by a statewide association that represents you as the governmental entity.

Provisions 1 and 2: To assist with the first two requirements, Master Builders of Iowa is providing IASB members free access to the Construction Update Network, a subscription-based project information provider for contractors and the bidding community. This program meets the definition of both **1.** a relevant contractor plan room, and **2.** a lead generating service.

When a bid letting date has been established and a **Notice to Bidders** must be issued, send the contents of your **Notice to Bidders** to MBI's Construction Update Network by email at mbiplanroom-dsm@mbionline.com.

The Construction Update Network will issue a confirmation-of-receipt email. This email will confirm **Notice to Bidders** compliance with Iowa Code §26.3, outlined above. The Construction Update Network will also archive all **Notice to Bidders** in case the documentation is needed at a later date.

Provision 3: To comply with the third required posting, the **Notice to Bidders** will need to be posted on your school district, AEA or community college's website **OR** members can use IASB's website if you are for any reason unable to post to your own website.

More information and instructions for use of the IASB posting process will be available on the IASB website beginning July 1, 2016. Those members using the IASB posting service will also receive a confirmation email to aid you in documenting compliance.

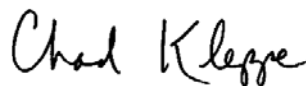
IASB and Master Builders of Iowa are working cooperatively to provide this **Notice to Bidders** service at no cost to IASB members, while creating a more efficient and effective means of notifying the bidding community.

For more information on this collaborative service, please contact IASB Deputy Executive Director/CFO Galen Howsare at ghowsare@ia-sb.org or MBI President/CEO Chad Kleppe at ckleppe@mbionline.com.

Sincerely,



Lisa Bartusek
Executive Director
Iowa Association of School Boards



Chad Kleppe
President/CEO
Master Builders of Iowa

Enclosure: **Notice to Bidders** Fact Sheet provided by Master Builders of Iowa

SPECIFICATIONS-

**Lake Mills CSD – Classroom Addition 2016
102 South 4th Avenue East, Lake Mills, IA 50450
Project Number 11376.01**

NOTICE OF PUBLIC HEARING & ADVERTISEMENTS FOR BIDS FOR THE PROPOSED LAKE MILLS CSD CLASSROOM ADDITION.

Notice is hereby given that the Lake Mills CSD will meet in the board room located at 102 South 4th Avenue East, Lake Mills, Iowa on September 12, 2016, at 6:00 p.m. at which time and place a hearing will be held on the proposed DRAWINGS, SPECIFICATIONS, form of CONTRACT for a Classroom Addition. Any interested party may appear to be heard. At the said time and place, the Lake Mills CSD will also receive and consider BIDS for said construction.

The proposed project consists of a new Classroom Addition located at the Lake Mills Schools, 102 South 4th Avenue East, Lake Mills, Iowa. The work to be done is as follows:

The Work consists of a new approximately 1,790 square foot addition complete with spaces for Classrooms, ADA restroom and storage. Construction will be concrete footings, foundation and floor slab on grade, concrete masonry walls with exterior masonry veneer, metal bar joist and deck roof framing. Gas fired and electric heating and cooling system, LED lighting, electrical, sewer and water utilities. Lump sum bids will be received for the work.

An optional pre-bid meeting for general contractors, subcontractors and suppliers and will be held at the Lake Mills CSD office of the superintendent, 102 South 4th Avenue East, Lake Mills, Iowa, on August 18, 2016 at 1:00 pm. A tour of the project site will be given after the pre-bid meeting.

The Owner will receive bids before August 25, 2016 at the Lake Mills CSD office of the superintendent, 102 South 4th Avenue East, Lake Mills, Iowa at 1:00 pm. Bids received after this time will not be accepted. Bids will be opened and publicly read aloud immediately after specified closing time.

All bids must be filed at the Lake Mills CSD office of the superintendent, Lake Mills, Iowa, on or before the time herein set.

All paper confirmations of the bids shall be on the form provided in the specifications. Each bid shall be accompanied by a bid bond, certified check, cashier's check or credit union certified share draft, in a separate sealed envelope in an amount equal to five percent (5%) of the total amount of the bid. The certified check or cashier's check shall be drawn on a bank in Iowa or a bank chartered under the laws of the United States of America; certified share draft shall be drawn on a credit union chartered under the laws of the United States. Bid security should be made payable to the Lake Mills CSD as security that if awarded a contract the bidder will enter into a contract at the prices bid and furnish the required Contractor's Bonds and Certificate of Insurance. The certified check, cashier's check, or certified share draft may be cashed, or the Bid Bond forfeited, and the proceeds retained as liquidated damages if the Bidder fails to execute a contract and file acceptable Certificate of Insurance within ten (10) days after the acceptance of the proposal by the Lake Mills CSD. No bidder may withdraw a proposal within forty-five (45) days after the date set for opening bids.

Within 24 hours of the opening of the bids, the "Form of Proposal for Unit Prices" shall be submitted electronically to the Architect's office by the low Bidder and any other Bidders requested by the Architect. Failure to submit this form by the time specified may result in a Bid being rejected as non-responsive.

Payment to the Contractor will be made in monthly estimates and one final payment. Monthly estimates will be equivalent to ninety-five percent (95%) of the contract value of the work completed during the preceding calendar month. Such payments will in no way be construed as an act of acceptance for any of the work partially or totally completed.

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Final payment to Contractor will be made no earlier than forty-five (45) days from and after final acceptance of work by the City of Clarksville, subject to the contract conditions and in accordance with the provisions of Iowa Code chapters 26 and 573.

Payment of the cost of said project will be made in cash used for said purposes.

The work under the contract shall commence on or before the date specified in the written 'Notice of Proceed' and shall be fully completed and ready for acceptance no later than the date specified by the Contractor on the proposal form.

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

The successful bidder shall be required to furnish a Contractor's Performance and Labor and Material Payment Bond on an approved AIA form in an amount equal to one hundred percent (100%) of the contract price. The bonds are to be issued by responsible surety, approved by the Owner, and shall guarantee the faithful performance of the contract and the terms and conditions therein contained and shall guarantee the prompt payment for and of all materials and protect and save harmless the Owner from all claims and damages of any kind caused by the operation of the Contractor, and shall guarantee the work contracted for a period of one (1) year from the date of final acceptance of the improvements by the Owner.

Plans and specifications governing construction of the proposed project have been prepared by Martin Gardner Architecture PC., Marion, Iowa. All materials and procedures shall be in strict accordance with said plans and specifications referred to and defining said proposed improvements and are hereby made a part of this Advertisement and of the proposed contract by reference, and that the contract shall be executed in compliance therewith.

Plans and specifications and proposed contract documents may be examined at the offices of the Architect, and other locations as outlined in the Construction Documents. Copies of the plans and specifications, form of contract and bid form may be obtained from Martin Gardner Architecture, P.C., 700 11th Street, Suite 200, Marion, IA 52302 or 11502 390th Street, Strawberry Point, IA 52076, 319-377-7604. The Architect's office will issue plans to all Contractors. A maximum of two sets of Construction Documents will be provided to each General Contractor upon delivery of a \$250 per set refundable deposit to the office of the Architect. All other Subcontractors and Suppliers may obtain one set of Construction Documents upon delivery of a \$250 per set refundable deposit to the office of the Architect. The drawings and specifications are available at the architect's website www.MartinGardnerArch.com. Plans and specifications to be viewed are in Adobe .pdf format and may be downloaded and printed. Be aware that no warranty as to the compatibility of your computer software or hardware with the files provided is made. Variations between the printed files provided above by the Architect and these electronic files may exist. In the event that a conflict does exist, the printed documents issued by the Architect will take precedence over the downloaded files.

The Lake Mills Community School District hereby reserves the right to reject any or all bids and to waive informalities and irregularities and to accept the lowest responsive and responsible bid.

Published upon order of the Lake Mills CSD

Jennifer Fjelstad,

Board Secretary, Lake Mills CSD

By _____

Attest: _____