

Lohrville Fund Activity June 2024

CITY OF LOHRVILLE FUNDACTIVITY FOR MONTH ENDING JUNE 2024		
FUND	RECEIPTS	EXPENDITURES
General Fund	\$53,762.91	\$57,222.46
Road Use Tax	\$5,691.36	\$2,853.99
Employee Benefits	\$480.35	\$15,637.78
Emergency	\$63.20	\$2,601.06
Local Option Sales Tax	\$2,774.68	\$16,980.69
Debt Service	\$1,023.95	\$35,451.25
Water	\$24,692.17	\$20,517.85
2023 WA Main Proj	\$0.00	\$0.00
Sewer	\$129,045.39	\$118,014.42
Sewer Sinking Fund	\$9,576.67	\$114,920.04
Garbage	\$2,768.68	\$2,596.05
Total	\$229,879.36	\$386,795.59

Lohrville Council Meeting/Claims 7.09.24

**City Council Minutes City of Lohrville  
JJ Hands Library Conference Room July 9, 2024**

The regular city council meeting was held on Tuesday, July 9, 2024 at JJ Hands Library Conference Room. Mayor Donald Hobbs called the regular meeting to order at 6:00 p.m. with council members: Jay Cunningham, Dale Everhart, Briana Nelsen, Logan Mogler, Jill Parker answering roll call; also present Randy DeWitt and Johen McCullough.

Pledge of Allegiance was said by those present.

Motion by Nelsen, seconded by Parker to approve the agenda. All Ayes. MC.

Motion by Parker, seconded by Everhart to approve the consent agenda including the minutes from regular meeting held June 11, 2024; treasurer's report/monthly financial reports for June; July claims; June payroll; and building permits for privacy fence-204 2 nd Street and fence-401 Ash Street; as presented. All Ayes. MC.

Public forum: None.

Mayor Hobbs announced that now was the time and place for the public hearing for the city's intent to purchase land at the North Park of Lot Five (5) and part of Lot Six (6), Block Three (3), Crandall's Fifth (5 th Addition. No written or oral comments received. Mayor Hobbs closed the public hearing.

New Business:

Motion by Everhart, seconded by Mogler to approve Resolution #24-19 to purchase land at the North Park of Lot Five (5) and part of Lot Six (6), Block Three (3), Crandall's Fifth (5 th Addition and take assignment of Public Bidder Certificate #92121. Roll Call: Ayes: Mogler, Parker, Nelsen, Cunningham, Everhart; Nays: None. MC.

Motion by Parker, seconded by Everhart to approve Resolution #24-20 for library staff wages set by the library board for Jolene Beenen at \$15.00 per hour and Amya Meyer at \$11.00 per hour. Roll Call: Ayes: Parker, Everhart, Nelsen, Cunningham; Nays: None; Abstain (due to employee is parent): Mogler. MC.

Motion by Parker, seconded by Mogler to approve 2 nd reading of Ordinance #24-33 amending provisions pertaining to collection of solid waste fees. Roll Call: Ayes: Everhart, Nelsen, Cunningham, Mogler, Parker; Nays: None. MC.

Motion by Nelsen, seconded by Cunningham to waive the 3 rd reading of Ordinance #24-33 and pass as presented. Roll Call: Cunningham, Mogler, Everhart, Parker, Nelsen; Nays: None. MC.

Motion by Cunningham, seconded by Everhart to approve amended Resolution #24-17 to authorize City Clerk to make inter-fund transfer of the Emergency fund levy amended amount transferred to general fund. Roll Call: Ayes: Parker, Nelsen, Cunningham, Everhart, Mogler; Nays: None. MC.

Motion by Everhart, seconded by Parker to approve the sewer charge credit for 400 Elm Street for pool fill. All Ayes. MC.

Old Business:

Mogler said he had talked to GK Builders and Gemberling Excavating regarding sidewalk updates on 2 nd Street and water line options. DeWitt is working on getting bids for post office water line repairs. This work may begin in August or September.

No action on chloride compliance.

Property maintenance/abandoned properties lists were reviewed. Progress of properties which were notified has been noted.

Department Reports:

EMS: Mogler reported that the Fire Department will have a concession stand at the Fun Day in the Park on July 20.

Library: Clerk reported that a Dinosaur program will be held on July 22 and Back to School Bash is scheduled for July 29.

Public Works: DeWitt gave his monthly report to council. He will be attending training on July 15 & 16.

City Clerk: Clerk shared her review of classes attended at Clerk Academy. The Sheriff's 2 nd quarter report was given to council. A form showing IPAIT investments to date was given to council.

Lohrville Visions: Mogler informed council of Visions one more Breakfast fundraiser at Twin Lakes held on September 1; the group will have several activities at the Fun Day in the Park on July 22.

Mayor Hobbs informed council of the Iowa League of Cities Annual Conference held September 18-20 in Sioux City and invited them to attend.

Motion to adjourn at 6:28 p.m. by Cunningham, seconded by Mogler. All Ayes. Motion carried.

Donald Hobbs, Mayor		ATTEST: City Clerk, Kris Kavanaugh
<b>JULY CLAIMS</b>		
AFLAC	AFLAC	53.04
BLACKTOP SERV	STREET REPAIRS	30091.00
BOONE CO LANDFILL	FY25 LANDFILL FEES	1905.00
CAL CO REMINDER	HELP WANTED AD	114.00
COLUMN	PUBLISHING	217.79
COMPASS MINERALS	SALT	5089.86
CRS	GA/RECY P/U	2960.00
EFTPS	FED/FICA TAX	2649.46
FELD EQUIP.	EXT INSPCT/RECHRG	351.00
FOUNDATION ANALYT	TESTING	235.25
GENTRY HDW	FLAG POLE REP	34.98
GFC LEASING-WI	EQUIP LEASE	175.81
GK BUILDERS	CURB/GTR/SIDEWALK	7781.00
HACH	TESTING SUPL	599.01
IA DNR	FY25 WA SUPL FEE	41.80
IA LEAGUE OF CITIES	FY25 DUES	458.00
IA SMALL ENGINE	LAWN MOWER TRADE	953.50
IPERS	IPERS	1914.38
JBE, LLC	AFFIDAVIT OPER	575.00
KAVANAUGH, KRIS	REIMB-MILEAGE	85.76
MIDAMER ENERGY	UTILITIES	1755.27
MIDAS COG	FY25 DUES	440.68
NELSEN, CARL	TANK PUMPING	300.00
NEW COOP	SPRAY	224.80
OLSON ELEC,PLBG, HTG	COMM BLDG A/C REP	301.44
POSTMASTER	STAMPS	174.00
RICK PEUGH	QTR 2 CONSULTING	2000.00
STOMP CHOMP ROAR	PROG SUPL	650.00
TREAS ST OF IA	STATE TAXES	824.38
U.S. BANK	TRNG CABINETS-AMB	817.17
U.S. CELLULAR	CELL PHONE	58.61
WAHL-MCATEE	TIRE DISPOSAL	80.50
WEB-CAL	TELE/INTERNET	94.76
WEX	FUEL	585.23
WINDSTREAM	E-MAIL	12.88
	CLAIMS TOTAL	64605.36
	GENERAL FUND	39242.67
	AMBULANCE FUND	637.98
	ROAD USE TAX FUND	8655.44
	WATER FUND	9171.35
	SEWER FUND	2032.92
	LANDFILL/GRBG FUND	4865.00
PAYROLL		
6/20/2024	6/5/2024	6739.37 6568.46

Published in The Graphic-Advocate on July 17, 2024

Lake City Job Opening: Police

**Peace Officer Vacancy in the City of Lake City, Iowa**

The City of Lake City is seeking dedicated and motivated individuals to join our growing police department! We offer a rewarding career opportunity for those who are passionate about serving their community and upholding the law.

**Why Choose Lake City?**

- **Competitive Salary & Benefits:**
  - Starting pay of \$25 per hour for uncertified officers.
  - Certified Officers earn \$27 per hour and potentially more based on experience.
  - Generous benefits package including health insurance, dental insurance, vision insurance, paid time off, and IPERS retirement plan.
  - **Sign-on Bonus:** Up to \$5,000 sign-on bonus for certified officers with a 4-year contract.
  - **Relocation Assistance:** Up to \$3,000 to help cover moving expenses to Lake City within 3 months of hire (applicable to certified officers only). Residency is not required to be a police officer for the City of Lake City, however the relocation assistance is only available for certified officers relocating within the city limits.
- **Make a Lasting Impact:** Be part of a solution-oriented team that makes a positive difference in the lives of Lake City residents.

**Minimum Qualifications:**

- Must be at least 18 years of age.
- Possess a high school diploma or equivalent.
- Valid Iowa driver's license.
- U.S. Citizen or legal resident authorized to work in the U.S.
- Must meet the minimum law enforcement standards required by the State of Iowa

**Certified Officers:**

- Certified through the State of Iowa

**To Apply:**

Complete a Police Officer Application. Applications are available at City Hall located at 105 N. Center Street in Lake City, Iowa 51449. You can also call us at 712-640-6401 or email Officer Hale at Shale@lakecityiowa.com .

**Join us and build a rewarding career in law enforcement!**

The City of Lake City is an Equal Opportunity Employer. This job position will remain open until position(s) are filled.

Published in The Graphic-Advocate on July 17, 2024

Lohrville Ordinance No. 24-33

**ORDINANCE NO. 24-33 – AMENDING PROVISIONS IN CHAPTER 106-PERTAINING TO SOLID WASTE COLLECTION CHARGES OF THE CODE OF ORDINANCES OF THE CITY OF LOHRVILLE, IOWA**

**SECTION 1. ORDINANCE SECTIONS MODIFIED.** The Code of Ordinances of the City of Lohrville, Iowa, is hereby repealed and the following adopted in lieu thereof:

**106.08 (1) Schedule of Fees.** The fees for solid waste collection and disposal service, used or available, are:

A. Each 96- or 35-gallon trash container shall be charged \$15.00 per month until January 1, 2027, and \$16.00 per month after January 1, 2027 until January 1, 2029, with single-family households allowed a maximum of two trash containers per household.

B. For each two-yard dumpster shall be charged \$60.00 per month.

**SECTION 2. SEVERABILITY.** If any section, provision, or part of this ordinance shall be adjudged invalid or unconstitutional, such adjudication shall not affect the validity of the ordinance as a whole, or any provision thereof not adjudged invalid or unconstitutional.

**SECTION 4. WHEN EFFECTIVE.** This ordinance shall be in effect from and after its final passage, approval and publication as provided by law.

Passed by the City Council the 9 th day of July, 2024, and approved this 9 th day of July, 2024.

**A full copy of the ordinance as adopted is available for review at City Hall, Post Office or the JJ Hands Library. This ordinance becomes effective 30 days from publication of this notice.**

Published in The Graphic-Advocate on July 17, 2024

Lake City Minutes/Claims 7.01.24

**Lake City Council Proceedings-Monday, July 1, 2024**

These minutes are as recorded by the City Administrator/Clerk and are subject to Council approval at the next regular Council meeting.

The City Council of Lake City, Iowa met in regular session at 6:00pm with Mayor Schleisman. The following Council members were present: Vogt, Gorden, Daniel, Wilson, and Bruns. CA Matthews, Chief of Police Schaffer and City Attorney Lauver were also in attendance.

**Consent Agenda:** Daniel motioned to approve the consent agenda consisting of the following:

- Agenda
- Minutes: From the June 17, 2024 Regular Meeting
- Lake City Country Club Alcohol License
- Summary List of Claims

Seconded by Wilson. All Ayes. Nays-None. MC.

Public Hearing: None.

Citizens to Address the Council:

A representative from the Monday Club requested that the tree in the Town Square -that was knocked down due to the derecho- be replaced.

A resident requested a stop sign be placed at 708 S. Center Street.

**Council Agenda:**

- Discussion with Jeff Redenius: Update Municipal Code Concerning Junk Vehicles and Abandoned Vehicles. A brief discussion ensued between Council and Jeff Redenius. Mayor Schleisman requested that Jeff offer to help his neighbor with the repair of the vehicle. No action was taken.
- Discussion with Jeff Redenius: Landlords Contracts With the City to Keep Properties Clean. Redenius asked if there could be some sort of agreement between the city and property owners that are renting their properties to ensure properties are well-maintained so that valuations of surrounding properties are protected. Brief discussion occurred. Chief of Police Schaffer and City Attorney Lauver both noted that the city is looking at Denison's code to help with enforcement of properties. If the City were to adopt Denison's code violators would have the right to appeal to Council directly and if at that time they disagree with the decision of Council, it could then be taken to a magistrate. Vogt requested CA Matthews inquire via ClerkNet what cities have a rental inspection ordinance. Wilson wondered what percentage of homes in Lake City are rental properties.
- Request Savage Building Permit. Gorden motioned to approve the building permit. Seconded by Wilson. All Ayes. Nays-None. MC.
- Hull Building Permit. Bruns motioned to approve the building permit. Seconded by Daniel. All Ayes. Nays-None. MC.
- Resolution 2024-43: Resolution To Approve The Hiring Committee's Recommendation For The Position Of City Attorney. Bruns motioned to approve the Resolution. Daniel seconded. Roll Call Vote: Ayes: Vogt, Gorden, Bruns, Daniel, Wilson. Nays-None. MC.
- Resolution 2024-44: Resolution To Approve The Hiring Recommendation of Citizen Advisory Board and the Recommendation of the Chief of Police for the Position of Police Officer. Vogt motioned to table the Resolution. Seconded by Daniel. All Ayes. Nays-None. The Resolution was tabled.

**City Administrator Discussion/Action Items:** CA Matthews requested everyone keep their grass less than 8 inches tall and keep yards free of debris. CA Matthews shared a request from Aquatic Center Manager Bixens-tine to support the Calhoun County Fair Board with a few individual daily admission pool passes. Council indicated support for this.

**Mayor Discussion/Action Items:** Councilperson Gorden gave a brief update on the the progress of tree removal.

**Adjourn:** With no further business, Daniel motioned to adjourn the meeting. Seconded by Vogt. All Ayes. Nays-None. MC. The meeting adjourned at 6:28pm. The next scheduled regular meeting of Council will be Monday July 15, 2024 at 6pm.

Mike Schleisman, Mayor		Jacob Matthews, City Administrator/ Clerk
Claims Report 06/15/2024 To 06/27/2024		
Vendor Name	Vendor Total	
WELLMARK	\$17,991.50	
AXON ENTERPRISE, INC.	\$5,066.86	
CARROLL TIMES HERALD	\$84.00	
U.S. POSTAL SERVICE	\$247.94	
VISA	\$2,848.49	
SNYDER & ASSOCIATES	\$5,340.00	
STEWART MEMORIAL HOSPITAL	\$539.76	
AMAZON CAPITAL SERVICES, INC.	\$195.75	
ACCO UNLIMITED CORP	\$389.14	
LEVI ELLIS	\$240.00	
PEPSI	\$373.04	
SECURE SHRED SOLUTIONS LLC	\$44.00	
REDENIUS CHIROPRACTIC PLC	\$178.20	
POLICE LEGAL SCIENCES	\$640.00	
NORTHERN LIGHTS	\$1,118.23	
QUILL CORPORATION	\$109.45	
INFINITY TRUST	\$262.09	
BOMGAARS SUPPLY	\$301.92	
COLUMN SOFTWARE PBC	\$503.04	
MOODY, JUSTIN	\$150.00	
EMC NATIONAL LIFE COMPANY	\$77.50	
GORDEN'S TREE SERVICE, LC	\$4,800.00	
NICOLE BIXENSTINE	\$87.82	
VESTIS	\$70.20	
KENDALL & TAMI HOLM	\$60.00	
MICHELLE JOHNSON	\$75.00	
IOWA LAW ENFORCEMENT ACADEMY	\$150.00	
IOWA LEAGUE OF CITIES	\$1,334.00	
Resort Chairs	\$2,143.38	
CENGAGE LEARNING - GALE	\$817.04	
DANNETTE ELLIS	\$990.00	
HILDRETH COMPANY, INC.	\$2,000.00	
M&S DAISY HAULING	\$11,016.00	
CENTER POINT LARGE PRINT	\$249.10	
ACCESS SYSTEMS LEASING	\$176.41	
Payroll	\$27,663.66	
IPERS	\$7,256.89	
EFTPS	\$6,081.41	
STATE TAXES	\$1,335.29	
Total	\$103,547.11	

Published in The Graphic-Advocate on July 17, 2024

Calhoun Co. BOS Meeting/Claims 7.02.24

**Board of Supervisors Calhoun County Courthouse  
Rockwell City, Iowa Tuesday, July 02, 2024**

The Board of Supervisors of Calhoun County met with the following members present: Legore, Jacobs and Becker.

Everyone present stood and said the Pledge of Allegiance.

David George and Cory Ridgely were present.

Agenda additions: No additions or changes were made to the agenda.

Motion by Jacobs seconded by Becker to approve the agenda as is with no changes. Ayes all. Motion carried.

The minutes of the last meeting were read. It was moved by Becker seconded by Jacobs to approve the minutes. Ayes all. Motion carried.

Public comments: No one from the public presented any comments.

Motion by Legore seconded by Jacobs to approve tile outlet repair JT DD 12 Calhoun, 22 Webster, Section 27 Lincoln Township. Ayes: Legore, Jacobs. Abstain: Becker. Motion carried.

Motion by Becker seconded by Jacobs to approve payment for chemical treatment to drainage districts in Calhoun County and joint districts with Webster County for 2023 spray rotation.

The Compensation Board Resolution was briefly discussed. No action was taken.

Motion by Becker seconded by Jacobs to approve Resolution 2024-20. Ayes: Legore, Jacobs, Becker. Nays: None. Motion carried.

**RESOLUTION 2024-20**

**RESOLUTION TO AUTHORIZE DESTRUCTION OF ELECTION RECORDS IN THE COUNTY AUDITOR'S OFFICE**

WHEREAS, Section 331.323(2)(d) of the Code of Iowa states the Board of Supervisors may authorize a county officer to destroy records that are not required to be kept as permanent records per Iowa Code 50.9 and 50.13; and WHEREAS, the County Auditor's Office has identified records appropriately for destruction and has inventoried said records as follows:

- General Election -11/04/2014
- General Election – 11/08/2016
- General Election – 11/06/2018
- City/School Election -11/05/2019
- Primary Election – 06/07/2022
- Manson Northwest Webster CSD Special Election -03/14/2023
- Southeast Valley CSD Special Election-09/12/2023
- City/School Election-11/07/2023

THEREFORE BE IT RESOLVED by the Calhoun County Board of Supervisors that the County Auditor be authorized to destroy said records in an appropriate and secure manner.

Motion by Jacobs seconded by Becker to approve VA Quarterly Report from April through June 30, 2024. Ayes all. Motion carried.

Motion by Becker seconded by Jacobs to approve increasing the overall total limit on the County credit card to \$15,000 per month. Ayes Becker and Jacobs. Nays: Legore. Motion carried.

Motion by Jacobs seconded by Legore to approve Memorandum of Understanding with Community and Family Resources for FY 24/25. Ayes all. Motion carried.

Motion by Becker seconded by Jacobs to approve Chair to sign the signature page for Rolling Hills for FY24/25. Ayes all. Motion carried.

Motion by Becker seconded by Jacobs to adjourn until Tuesday, July 9, 2024 at 9:00 AM for their next regularly scheduled meeting. Ayes all. Motion carried.

Carl Legore, Chairman  
Scott Becker, Member

Scott Jacobs, Vice Chairman  
Robin D. Batz, County Auditor

Published in The Graphic-Advocate on July 17, 2024

Notice of Hearing & to Bidders: Somers CDBG

NOTICE OF HEARING AND NOTICE TO BIDDERS

NOTICE OF PUBLIC HEARING ON PROPOSED PLANS, SPECIFICATIONS, FORM OF CONTRACT, ESTIMATE OF COST, AND THE TAKING OF BIDS FOR THE 2024 MUNICIPAL WATER FILTRATION IMPROVEMENTS, CITY OF SOMERS, IA.

Sealed proposals will be received by the City of Somers at the Office of MER Engineering Inc., 109 Regency West Court, Fort Dodge, IA,50501 until 3:00 PM local time on August 1, 2024 for the "2024 Municipal Water Filtration Improvements, Somers, Iowa" and work incidental thereto as described in the Plans and Specifications now on file with the City of Somers, and the proposals will, at that time and place, be opened and read aloud. The council will review and act upon the bids received at their regular meeting at Somers Public Library, 516 6th Ave., Somers, IA 50586 at 6:30 P.M. on August 8, 2024. At said time and place, the City Council will also hold a Public Hearing to adopt the proposed plans, specifications, form of contract, and estimate of cost for the construction of said improvements, and at said Hearing any interested persons may appear and file objections thereto.

The work to be done under the proposed contract shall commence on written Notice to Proceed following award of such contract. The work shall be completed no later than June 30, 2025 or the bidder must pay as liquidated damages, the sum of Three Hundred dollars (\$300.00) for each calendar day that any work remains uncompleted beyond the completion date.

The water treatment plant will be open for viewing by bidders and suppliers from 2:00 PM to 3:00 PM on July 30, 2024.

Plans and Specifications governing the construction of said improvements have been prepared by MER Engineering, Inc., 109 Regency West Court, Fort Dodge, Iowa and are on file for public examination at MER Engineering, Inc, 109 Regency West Court, Fort Dodge, Iowa. Said Plans and Specifications are hereby made a part of this Notice by reference, and the proposed Contract shall be executed in compliance therewith. All bids are to be submitted on the form provided in the Specifications.

Copies of the Plans and Specifications may be obtained from the office of MER Engineering Inc., 109 Regency West Court, Fort Dodge, Iowa 50501 for a deposit of \$100.00 for each paper copy. This deposit will be refunded upon return of said Plans and Specifications in good reusable condition within fourteen (14) days after the project is awarded. If the Plans and Specifications are not returned in good condition within the fourteen (14) days allowed the deposit shall be forfeited.

Each proposal shall be accompanied by a bid bond, cashier's or certified check, or a credit union certified share draft, in a separate sealed envelope in an amount equal to five percent (5%) of the total amount of the proposal. If a bid bond is submitted, it must be on the form provided with the Contract Documents. The certified 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; the certified share draft shall be drawn on a credit union in Iowa or a credit union chartered under the laws of the United States; and such check or draft shall be made payable to the City of Somers as security that if awarded a contract by resolution of said Council, the Bidder will enter into a contract at the prices bid and furnish the required performance and maintenance bond and certificate of insurance. The certified or 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 or provide a certificate of insurance or file an acceptable performance and maintenance bond on the form provided in the specifications within ten (10) days after the acceptance of the Bidder's proposal by resolution of said Council. No bidder may withdraw a proposal within sixty (60) days after the date set for opening bids.

Pursuant to 875 Iowa Administrative Code, Chapter 156, each proposal shall be accompanied by a Bidder Status Form.

By virtue of statutory authority, 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; provided that the award of contract will be made to the lowest responsible bidder submitting the lowest responsive bid, which shall be determined without regard to state or local law whereby preference is given on factors other than the amount of the bid.

Contract shall be subject to the requirements of the Clean Air Act, the Federal Water Pollution Control Act, and the regulations of the Environmental Protection Agency that are applicable.

All work and materials shall comply with the proposed plans, specifications and proposed form of contract now on file with the City Clerk, Somers, Iowa. Said documents are by reference made a part hereof, as though fully set out and incorporated herein.

The project is located in the City Park, Somers, IA 50586.

The project includes but is not limited to the following major items of work: Replacement of the filtration equipment (Three 30" pressure filters with automatic controls) Replacement of the existing plant controls. Replacement of the water process piping, valves, meters and appurtenances. Construction of a backwash absorption field.

Payment to the Contractor will be made in cash from such funds as are legally available.

This project is being financed in part with a Community Development Block Grant (CDBG) and a State Revolving Fund (SRF) Loan. Any bidder or equipment supplier whose firm or affiliate is listed on the U.S. General Services Administration Excluded Parties List System will be prohibited from the bidding process. Contractors will be required to comply with Davis-Bacon wage requirements.

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. 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 within thirty (30) days of acceptance by the Council. Such monthly payments shall 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 not 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.

A Sales Tax Exemption Certificate will be available from the City for all materials purchased for incorporation into the Project.

The successful bidder will be required to furnish a bond in an amount equal to one hundred per cent (100%) of the Contract price, said bond to be issued by a responsible surety, approved by the Municipality and shall guarantee the faithful performance of the Contract and the terms and conditions therein contained and shall guarantee the prompt payment of all materials and labor and protect and save harmless the Municipality and the Engineer from all claims and damages of any kind caused by the operation of the Contractor, and shall also guarantee the maintenance of the work contracted for a period of two (2) years from the time of acceptance of the improvements by the Municipality.

CDBG Section 3

A. The work to be performed under this contract is subject to the requirements of Section 3 of the Housing and Urban Development Act of 1968, as amended, 12 U.S.C. 1701u (Section 3). The purpose of Section 3 is to ensure that employment and other economic opportunities generated by HUD assistance or HUD-assisted projects covered by Section 3, shall, to the greatest extent feasible, be directed to low- and very low-income persons, particularly persons who are recipients of HUD assistance for housing.

B. The parties to this contract agree to comply with HUD's regulations in 24 CFR part 75, which implement Section 3. As evidenced by their execution of this contract, the parties to this contract certify that they are under no contractual or other impediment that would prevent them from complying with the part 75 regulations.

C. The contractor agrees to post copies of a notice advising workers of the Contractor's commitments under Section 3 in conspicuous places at the work site where both employees and applicants for training and employment positions can see the notice. The notice shall describe the Section 3 preference, shall set forth minimum number and job titles subject to hire, availability of apprenticeship and training positions, the qualifications for each; and the name and location of the person(s) taking applications for each of the positions; and the anticipated date the work shall begin.

D. The contractor agrees to provide written notice of employment and contracting opportunities to all known Section 3 Workers and Section 3 Businesses.

E. The contractor agrees to employ, to the greatest extent feasible, Section 3 workers or provide written justification to the recipient that is consistent with 24 CFR Part 75, describing why it was unable to meet minimum numerical Section 3 Worker hours goals, despite its efforts to comply with the provisions of this clause.

F. The contractor agrees to maintain records documenting Section 3 Workers that were hired to work on previous Section 3 covered projects or activities that were retained by the contractor for subsequent Section 3 covered projects or activities.

G. The contractor agrees to post contract and job opportunities to the Opportunity Portal and will check the Business Registry for businesses located in the project area.

H. The contractor agrees to include compliance with Section 3 requirements in every subcontract for Section 3 projects as defined in 24 CFR part 75, and agrees to take appropriate action, as provided in an applicable provision of the subcontract upon a finding that the subcontractor is in violation of the regulations in 24 CFR part 75. The contractor will not subcontract with any subcontractor where the contractor has notice or knowledge that the subcontractor has been found in violation of the regulations in 24 CFR part 75.

I. The contractor will certify that any vacant employment positions, including training positions, that are filled (1) after the contractor is selected but before the contract is executed, and (2) with persons other than those to whom the regulations of 24 CFR part 75 require employment opportunities to be directed, were not filled to circumvent the contractor's obligations under 24 CFR part 75.

J. The contractor will certify that they have followed prioritization of effort in 24 CFR part 75.19 for all employment and training opportunities. The contractor will further certify that it meets or exceeds the applicable Section 3 benchmarks, defined in 24 CFR Part 75.23, and if not, shall describe in detail the qualitative efforts it has taken to pursue low- and very low-income persons for economic opportunities.

K. Noncompliance with HUD's regulations in 24 CFR part 75 may result in sanctions, termination of this contract for default, and debarment or suspension from future HUD assisted contracts.

This improvement project is being constructed and paid for pursuant to the provisions of Chapter 384 of the Code of Iowa.

The Municipality reserves the right to reject any or all proposals and to waive informalities and technicalities as it shall deem for the best interest of the City.

Published upon order of the City Council of the City of Somers, Iowa.  
CITY OF SOMERS, IOWA  
BY: Annette Zinnel, City Clerk



