

**RESOLUTION ORDERING CONSTRUCTION OF THE MARSHALLTOWN SOUTH SEVENTH AVENUE EXTENSION PROJECT, SETTING PUBLIC HEARING ON PROPOSED PLANS, SPECIFICATIONS, FORM OF CONTRACT AND ESTIMATED COST AND DIRECTING PUBLICATION OF NOTICE TO BIDDERS**

**WHEREAS**, there is now on file in the office of the City Clerk proposed plans, specifications, form of contract, and estimated costs for the Marshalltown South 7<sup>th</sup> Avenue Extension Project, in the City of Marshalltown, Iowa, as is fully set forth in the plans and specifications for Project No ECO22001; and

**WHEREAS**, the cost of the said improvement is in excess of \$25,000 and a public hearing on the plans, specifications, form of contract and the estimated cost of said improvement is required by law and that notice thereof shall be given as required by law; and

**WHEREAS**, it is intended that the cost of said improvement shall be paid from such funds as the City may legally use for such purposes or from the proceeds from the issuance of such bonds as may be legally issued for said purposes or any combination of the above methods of financing.

**NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF MARSHALLTOWN, IOWA:**

**Section 1.** This Council does hereby order the construction of the Marshalltown South 7<sup>th</sup> Avenue Extension Project in the City of Marshalltown, Iowa, which public improvement is fully and particularly described in the plans and specifications for Project No. ECO22001, now on file in the office of the City Clerk of Marshalltown, Iowa.

**Section 2.** That the method of construction shall be by contract in accordance with the plans and specifications and general stipulations for the said improvement approved by the City Council.

**Section 3.** The Contractor will be paid in monthly estimates for work completed as set out in the specifications. The project shall begin on or near the appropriate starting date as specified on the form of proposal and shall be completed within the specified number of calendar days also indicated thereon.

**Section 4.** That the said improvements shall be paid for from such funds of the City as may be legally used for such purposes, or from the proceeds of the issuance of such bonds as may be legally issued for such purposes or from any combination of such methods of financing and will be paid in accordance with the Notice to Bidders duly published in connection therewith. The Finance Director shall establish on the books a Marshalltown South 7<sup>th</sup> Avenue Extension Project fund and the bond proceeds or such funds of the City as may be legally used for such purposes are hereby appropriated to pay all costs of the improvements including legal publication, bond, design, engineering, survey and inspection, contract and contingency cost as estimated by the Engineer. The Finance Director is directed to advance all sums necessary from the project fund, and to set up on the books the obligations and receivables of the fund.

**Section 5.** The City Clerk is hereby directed to publish notice of hearing on plans, specifications, and form of contract and estimated cost in the manner provided by law for the public improvement outlined herein and that any person interested therein may appear and make objections thereto, if any he has. This Council will meet in the Council Chamber, Second Floor, 10 West State Street at Marshalltown, Iowa, at 5:30 P.M., local time on September 26, 2022, for the purpose of hearing all of said objections so made and for taking final action upon the plans, specifications, and form of contract now on file.

**Section 6.** The City Clerk is further directed to advertise for bids in the manner provided by law for the construction of said improvements, setting forth in said notice such necessary pertinent information as will advise prospective bidders thereof together with the proposed manner of payment of the work to be constructed and that such bids be filed and received in the office of the City Clerk of Marshalltown, Iowa, up to 10:00 o'clock A.M., local time, on October 4, 2022. The bids will be opened, read, and tabulated by the City Engineer or his designate at that time and will be acted upon by the City Council of said City at a meeting to be held in the Council Chambers, Second Floor, 10 West State Street, Marshalltown, Iowa, at 5:30 o'clock P.M., local time, on October 10, 2022, or at such later time and place as may then be fixed for considering such bids as shall be filed in connection with the improvement herein ordered and in compliance with the notice of taking bids therein, hereby ordered to be published.

Passed this 12<sup>th</sup> day of September 2022, and signed this \_\_\_\_\_ day of September 2022.

CITY OF MARSHALLTOWN, IOWA

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Joel T.S. Greer, Mayor

ATTEST:

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Alicia Hunter, City Clerk