

STATE OF IOWA
IOWA DEPARTMENT OF AGRICULTURE AND LAND STEWARDSHIP
DIVISION OF SOIL CONSERVATION AND WATER QUALITY

Time and Date of Bid Opening: 3:00 p.m., August 4, 2023
Conference Room 2
IDALS-DSCWQ
502 East 9th Street
Des Moines, Iowa 50319

Project Description and Location: Van EE AML Reclamation Project
Sections 9 and 10, Township 74 North, Range 18 West
Marion County, Iowa

Proposal of: _____
Name of Bidder Company's Registered Name

Located at: _____
Business Address (Street, City, State, Zip Code) Telephone Number

| Amount of Proposal Guarantee | Description of Work | Specified Completion Date | Liquidated Damages Per Day |
|---------------------------------|---------------------|---------------------------|----------------------------|
| 10% of Base Bid | ALL | <u>December 31, 2024</u> | \$250 |

The undersigned hereby agrees, if awarded the contract, to execute the proposed contract and to furnish satisfactory performance bond in an amount not less than one hundred percent (100%) of the contract award within fourteen (14) days after the date of approval of award of the contract, and to provide all supervision, labor, materials, and equipment required to complete the project designated above, for the prices hereinafter set forth, in strict compliance with the Contract Documents prepared by the Iowa Department of Agriculture and Land Stewardship, Division of Soil Conservation and Water Quality.

The undersigned agrees, if awarded the contract, to commence the work after the preconstruction conference and within fourteen (14) calendar days of receipt of the Notice-to-Proceed. The undersigned further agrees to complete the work within the contract period, or to pay liquidated damages in the amount(s) stipulated herein for each calendar day the work remains uncompleted after the expiration of the contract period.

A proposal guarantee in the amount stipulated herein is included with this proposal, to be forfeited to the Iowa Department of Agriculture and Land Stewardship, Division of Soil Conservation and Water Quality, if the undersigned fails or refuses to execute the contract and furnish satisfactory performance bond, if awarded the contract.

The undersigned hereby acknowledges that Davis-Bacon Wage and Build America Buy America (BABA) requirements apply to this project.

By: _____
Signed

Title Date

In executing this proposal, Bidder acknowledges receipt of Addendum Number _____ dated _____

In executing this proposal, Bidder acknowledges receipt of Addendum Number _____ dated _____

In executing this proposal, Bidder acknowledges receipt of Addendum Number _____ dated _____

**THE FOLLOWING AFFIDAVIT MUST BE COMPLETED AND NOTARIZED
OR THIS BID WILL BE REJECTED**

AFFIDAVIT

The signatory, being duly sworn, does depose and say that the undersigned is an authorized representative of:

Name of Firm: _____

Located at: _____

hereinafter referred to as “Bidder” and does hereby affirm to have personal knowledge that said Bidder has thoroughly examined the Contract Documents, carefully prepared the proposal form, and has checked the same in detail before submitting; and that said Bidder, or the agents, officers, or employees thereof, have not, either directly or indirectly, entered into any agreement, participated in any collusion or fraud, or otherwise taken any action in restraint of free competitive bidding in connection with this bid.

Signed

Subscribed and sworn to before me this _____ day

of _____, 20__

Notary Signature

My Commission Expires _____, 20__

SCHEDULE OF PRICES

Name of Bidder:

Van EE AML Reclamation Project
 Sections 9 and 10, Township 74 North, Range 18 West, Marion County, Iowa
 Bid No. IA-112

| ITEM NO. | DESCRIPTION | SPECIFICATION | ESTIMATED QUANTITY | UNIT | UNIT PRICE | TOTAL |
|----------|---|---------------|--------------------|------|------------|-------|
| 1 | Mobilization | 02100 | 1 | LS | | |
| 2 | Site Clearing and Preparation | 02100 | 79.8 | ACRE | | |
| 3 | Off Site Waste Disposal | 02100 | 20 | TON | | |
| 4 | Impoundment Discharge | 02110 | 1 | LS | | |
| 5 | Hydrated Lime | 02110 | 10 | TON | | |
| 6 | Approved Sediment Control Measures - Silt Fence | 02120 | 2,900 | LF | | |
| 7 | Filter Sock | 02120 | 300 | LF | | |
| 8 | Stabilized Construction Entrance - Granular Surfacing | 02120 | 40 | TON | | |
| 9 | Excavation | 02200 | 810,571 | CY | | |
| 10 | Class 'E' Riprap | 02300 | 1,031 | TON | | |
| 11 | Stone Filter (3" Macadam Stone) | 02300 | 319 | TON | | |
| 12 | Terraces | 02300 | 8,143 | LF | | |
| 13 | Riser-Terrace (10") | 02300 | 13 | EA | | |
| 14 | Riser-Terrace (12") | 02300 | 5 | EA | | |
| 15 | DWPE Pipe (8") | 02300 | 2,194 | LF | | |
| 16 | DWPE Pipe (10") | 02300 | 1,197 | LF | | |
| 17 | Pipe Outlet (8") | 02300 | 6 | EA | | |
| 18 | Pipe Outlet (10") | 02300 | 2 | EA | | |
| 19 | Structure - Concrete Riser (48") | 02310 | 2 | EA | | |
| 20 | PPHP Pipe (12") | 02310 | 1,048 | LF | | |
| 21 | Mulch, Subgrade (5 Tons/Acre) | 02400 | 83.50 | ACRE | | |
| 22 | Wetland Undercut and Replacement | 02400 | 3.7 | ACRE | | |
| 23 | Agricultural Lime, Subgrade (40 Tons ECCE/Acre) | 02400 | 3,340 | TON | | |
| 24 | Agricultural Lime, Seeding (10 Tons ECCE/Acre) | 02400 | 779 | TON | | |
| 25 | Corner Post - Survey & Reinstall | 02500 | 1 | LS | | |
| 26 | Nitrogen, N (50 lbs/Acre, 30 lbs/Acre for Wetland Fertilizer) | 02700 | 4,027 | LBS | | |
| 27 | Phosphorus, P (100 lbs/Acre) | 02700 | 7,980 | LBS | | |
| 28 | Potassium, K (160 lbs/Acre) | 02700 | 12,768 | LBS | | |
| 29 | Permanent Seeding, Pasture Mix | 02700 | 64.9 | ACRE | | |
| 30 | Permanent Seeding, Upland Mix | 02700 | 3 | ACRE | | |
| 31 | Permanent Seeding, Wetland Mix | 02700 | 4.9 | ACRE | | |
| 32 | Permanent Seeding, Pollinator Mix | 02701 | 5.1 | ACRE | | |
| 33 | Mulch, Seeding (2 Tons/Acre) | 02700 | 77.9 | ACRE | | |

TOTAL BASE BID \$ _____

END OF DOCUMENT C

STATE OF IOWA
IOWA DEPARTMENT OF AGRICULTURE AND LAND STEWARDSHIP
DIVISION OF SOIL CONSERVATION AND WATER QUALITY

KNOW ALL MEN BY THESE PRESENT:

That we, _____ of _____ as **PRINCIPAL**,
and _____ of _____
as **SURETY(S)**, are hereby held and firmly bound unto the State of Iowa in the penal sum of
_____/100 Dollars (\$_____) for the payment, whereof,
the said **PRINCIPAL and SURETY(S)** bind themselves, their heirs, executors, administrators, successors and assigns,
jointly and severally, firmly by these present.

The conditions of this obligation are such that whereas the **PRINCIPAL** is herewith submitting to the State of Iowa, acting
by and through the Iowa Department of Agriculture and Land Stewardship, Division of Soil Conservation and Water
Quality, hereinafter called the **DIVISION**, its sealed contract for the following:

VAN EE AML Reclamation Project
Sections 9 and 10, Township 74 North, Range 18 West, Marion County, Iowa
Bid No. IA-112

NOW THEREFORE,

the conditions of this obligation are such that, if said proposal is rejected by the **DIVISION**, or if said proposal is accepted by
the **DIVISION** and the **PRINCIPAL** shall enter into a contract in the form specified by the **DIVISION** in accordance with
the terms of the Proposal and Schedule of Prices (*Document C*) and shall furnish a bond for the faithful performance of said
contract in the form specified by the **DIVISION**, this obligation shall be null and void. Otherwise, it shall remain in full
force and effect.

In the event that the said proposal is accepted by the **DIVISION** and the **PRINCIPAL** shall fail to enter into the contract as
defined herein or shall fail to furnish the performance bond as noted above, within thirty (30) days of the approval of the
award, the **PRINCIPAL and SURETY(S)** agree to forfeit to the **DIVISION** the penal sum herein mentioned, it being
understood that the liability of the **SURETY(S)** shall in no event exceed the penal sum or this obligation.

IN WITNESS WHEREOF,

the above bounden parties have executed this instrument under their several seals this _____ day of
_____, 2023, the name and corporate seal of each party being hereto affixed and these present
duly signed by its undersigned representative pursuant to authority of its governing body.

PRINCIPAL

By _____
Signature

Print Name

By _____
Signature

Print Name

SURETY

By _____
Signature

Print Name

If a partnership, all partners must sign.

END OF DOCUMENT D

STATE OF IOWA
IOWA DEPARTMENT OF AGRICULTURE & LAND STEWARDSHIP
DIVISION OF SOIL CONSERVATION AND WATER QUALITY

Bidder Name: _____

Project: VAN EE AML Reclamation Project
Sections 9 and 10, Township 74 North, Range 18 West, Marion County, Iowa

Address: _____

TO BE COMPLETED BY ALL BIDDERS

You are requested to provide the information on this form showing your Targeted Small Business Enterprises contacts made prior to your bid submission. This information is subject to verification and confirmation.

NOTE: The Department of Agriculture and Land Stewardship, Division of Soil Conservation and Water Quality, will not regard your acceptance or use of a low quote or bid from a non-targeted Small Business Enterprise on any subcontract item as evidence itself of any lack of good faith effort to solicit Targeted Small Business Enterprise subcontractors on this project. However, every effort shall be made to solicit quotes or bids on as many subcontractable items as necessary to evidence affirmative action in contracting.

TABLE OF INFORMATION SHOWING BIDDER'S PRE-BID TARGETED SMALL BUSINESS (TSB) ENTERPRISE CONTACTS

| Subcontractor | TSB | Date Contacted | QUOTES RECEIVED | | QUOTATION USED IN BIDS | |
|---------------|-----|----------------|-----------------|------|------------------------|---|
| | | | Yes/ No | Date | Yes/ No | Dollar Amount Proposed to be Subcontracted |
| 1. | | | | | | |
| 2. | | | | | | |
| 3. | | | | | | |
| 4. | | | | | | |
| 5. | | | | | | |

END OF DOCUMENT F

Davis Bacon Prevailing Wage Requirement Acknowledgement Form

Funding for The Iowa Department of Agriculture and Land Stewardship's Abandoned Mine Reclamation Program stems from grants received from the Federal Department of Interior (DOI), Office of Surface Mine Reclamation and Enforcement (OSMRE). As such, these funds fall under the provisions of the Davis Bacon Act and require that Davis Bacon Prevailing Wage Rates be implemented for this project.

Your signature on this form acknowledges that you have been provided the most recent wage determination rate for this project as issued by the Department of Labor.

Bidder's Signature

Date

Bidder's Printed Name

Bidder's Title

Bidder's Company Name

Bidder's Company Address

END OF DOCUMENT AC

BUILD AMERICA BUY AMERICA (BABA) STATEMENT

As required by Section 70914 of the Bipartisan Infrastructure Law (also known as the Infrastructure Investment and Jobs Act), P.L. 117-58, on or after May 14, 2022, none of the funds under a federal award that are part of Federal financial assistance program for infrastructure may be obligated for a project unless all of the iron, steel, manufactured products, and construction materials used in the project are produced in the United States, unless subject to an approved waiver. The requirements of this section must be included in all subawards, including all contracts and purchase orders for work or products under this program.

Recipients of an award of Federal financial assistance are hereby notified that none of the funds provided under this award may be used for a project for infrastructure unless:

1. all iron and steel used in the project are produced in the United States--this means all manufacturing processes, from the initial melting stage through the application of coatings, occurred in the United States;
2. all manufactured products used in the project are produced in the United States—this means the manufactured product was manufactured in the United States; and the cost of the components of the manufactured product that are mined, produced, or manufactured in the United States is greater than 55 percent of the total cost of all components of the manufactured product, unless another standard for determining the minimum amount of domestic content of the manufactured product has been established under applicable law or regulation; and
3. all construction materials are manufactured in the United States—this means that all manufacturing processes for the construction material occurred in the United States.

The Buy America preference only applies to articles, materials, and supplies that are consumed in, incorporated into, or affixed to an infrastructure project. As such, it does not apply to tools, equipment, and supplies, such as temporary scaffolding, brought to the construction site and removed at or before the completion of the infrastructure project. Nor does a Buy America preference apply to equipment and furnishings, such as movable chairs, desks, and portable computer equipment, that are used at or within the finished infrastructure project, but are not an integral part of the structure or permanently affixed to the infrastructure project.

For further information on the Buy America preference, please visit www.doi.gov/grants/BuyAmerica.

Additional information can also be found at the White House Made in America Office website:

www.whitehouse.gov/omb/management/made-in-america/.

Waivers

When necessary, recipients may apply for, and the Department of the Interior (DOI) may grant, a waiver from these requirements, subject to review by the Made in America Office. The DOI may waive the application of the domestic content procurement preference in any case in which it is determined that one of the below circumstances applies:

1. Non-availability Waiver: the types of iron, steel, manufactured products, or construction materials are not produced in the United States in sufficient and reasonably available quantities or of a satisfactory quality;
2. Unreasonable Cost Waiver: the inclusion of iron, steel, manufactured products, or construction materials produced in the United States will increase the cost of the overall project by more than 25 percent; or
3. Public Interest Waiver: applying the domestic content procurement preference would be inconsistent with the public interest.

There may be instances where an award qualifies, in whole or in part, for an existing DOI general applicability waiver as described at: www.doi.gov/grants/BuyAmerica/GeneralApplicabilityWaivers. If the specific financial assistance agreement, infrastructure project, or non-domestic materials meets the criteria of an existing general applicability waiver within the limitations defined within the waiver, the recipient is not required to request a separate waiver for non-domestic materials.

If a general applicability waiver does not already apply, and a recipient believes that one of the above circumstances applies to an award, a request to waive the application of the domestic content procurement preference may be submitted to the financial assistance awarding officer in writing. Waiver requests shall include the below information. The waiver shall not include any Privacy Act information, sensitive data, or proprietary information within their waiver request. Waiver requests will be posted to www.doi.gov/grants/buyamerica and are subject to public comment periods of no less than 15 days. Waiver requests will also be reviewed by the Made in America Office.

1. Type of waiver requested (non-availability, unreasonable cost, or public interest).
2. Requesting entity and Unique Entity Identifier (UEI) submitting the request.
3. Department of Interior Bureau or Office who issued the award.
4. Federal financial assistance listing name and number (reference block 2 on DOI Notice of Award)
5. Financial assistance title of project (reference block 8 on DOI Notice of Award).
6. Federal Award Identification Number (FAIN).
7. Federal funding amount (reference block 11.m. on DO Notice of Award).

8. Total cost of Infrastructure expenditures (includes federal and non-federal funds to the extent known).
9. Infrastructure project description(s) and location(s) (to the extent known).
10. List of iron or steel item(s), manufactured goods, and construction material(s) the recipient seeks to waive from Buy America requirements. Include the name, cost, countries of origin (if known), and relevant **PSC** or **NAICS** code for each.
11. A certification that the recipient made a good faith effort to solicit bids for domestic products supported by terms included in requests for proposals, contracts, and nonproprietary communications with the prime contractor.
12. A statement of waiver justification, including a description of efforts made (e.g., market research, industry outreach) by the recipient, in an attempt to avoid the need for a waiver. Such a justification may cite, if applicable, the absence of any Buy America-compliant bids received in response to a solicitation.
13. Anticipated impact if no waiver is issued.

Approved waivers will be posted at www.doi.gov/grants/BuyAmerica/ApprovedWaivers; recipients requesting a waiver will be notified of their waiver request determination by an awarding officer.

Questions pertaining to waivers should be directed to the financial assistance awarding officer.

Definitions

“Construction materials” includes an article, material, or supply that is or consists primarily of:

- non-ferrous metals;
- plastic and polymer-based products (including polyvinylchloride, composite building materials, and polymers used in fiber optic cables);
- glass (including optic glass);
- lumber; or
- drywall.

“Construction Materials” does **not** include cement and cementitious materials, aggregates such as stone, sand, or gravel, or aggregate binding agents or additives.

“Domestic content procurement preference” means all iron and steel used in the project are produced in the United States; the manufactured products used in the project are produced in the United States; or the construction materials used in the project are produced in the United States.

“Infrastructure” includes, at a minimum, the structures, facilities, and equipment for, in the United States, roads, highways, and bridges; public transportation; dams, ports, harbors, and other maritime facilities; intercity passenger and freight railroads; freight and intermodal facilities; airports; water systems, including drinking water and wastewater systems; electrical transmission facilities and systems; utilities; broadband infrastructure; and buildings and real property. Infrastructure includes facilities that generate, transport, and distribute energy.

“Project” means the construction, alteration, maintenance, or repair of infrastructure in the United States.

I have reviewed the content of Build America Buy America Statement form and to follow the guidance contained within.

Bidder’s Signature

Date

Bidder’s Printed Name

Bidder’s Title

Bidder’s Company Name

Bidders Company Address

END OF DOCUMENT AD