

# Road Use Tax Bond Issuance

MINUTES TO SET DATE FOR HEARING  
ON ENTERING INTO A LOAN  
AGREEMENT

421033-45 (Road Use Tax)

North Liberty, Iowa

December 27, 2011

The City Council of the City of North Liberty, Iowa, met on December 27, 2011, at \_\_\_\_\_ o'clock a.m., at the \_\_\_\_\_, North Liberty, Iowa. The Mayor presided and the roll was called showing the following members of the Council present and absent:

Present: \_\_\_\_\_

Absent: \_\_\_\_\_.

Council Member \_\_\_\_\_ introduced the resolution hereinafter next set out and moved its adoption, seconded by Council Member \_\_\_\_\_; and 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 resolution duly adopted as follows:

RESOLUTION NO. 11-152

**TO FIX A DATE FOR A PUBLIC HEARING ON A LOAN AGREEMENT  
IN A PRINCIPAL AMOUNT NOT TO EXCEED \$2,200,000**

WHEREAS, the City of North Liberty, in the County of Johnson, State of Iowa (the “City”), proposes to enter into a Road Use Tax Revenue Loan Agreement (the “Loan Agreement”) payable from future road use tax revenues in a principal amount not to exceed \$2,200,000 pursuant to the provisions of Section 384.24A of the Code of Iowa for the purpose of funding the construction of a public works/street department facility, and it is necessary to fix a date of meeting of the Council at which it is proposed to take action to enter into the Loan Agreement and to give notice thereof as required by such law;

NOW, THEREFORE, Be It Resolved by the City Council of the City of North Liberty, Iowa, as follows:

Section 1. This Council shall meet on the 10th day of January, 2012, at the City Council Chambers, in the City, at 7 o'clock p.m., at which time and place a hearing will be held and proceedings will be instituted and action taken to enter into the Loan Agreement.

Section 2. The City Clerk is hereby directed to give notice of the proposed action on the Loan Agreement setting forth the amount and purpose thereof, the time when and place where the said meeting will be held, by publication at least once, and not less than 4 nor more than 20 days before the date of said meeting, in a legal newspaper which has a general circulation in the City. The notice shall be in substantially the following form:

NOTICE OF PROPOSED ACTION TO INSTITUTE PROCEEDINGS TO  
ENTER INTO A LOAN AGREEMENT AND BORROW MONEY  
IN A PRINCIPAL AMOUNT NOT TO EXCEED \$2,200,000

(ROAD USE TAX)

The City Council of the City of North Liberty, Iowa, will meet on the 10th day of January, 2012, at the City Council Chambers, in the City, at 7 o'clock p.m., for the purpose of instituting proceedings and taking action to enter into a loan agreement (the "Loan Agreement") in a principal amount not to exceed \$2,200,000 for the purpose of funding the construction of a public works/street department facility.

The Loan Agreement will not constitute a general obligation of the City, but will be secured solely and only with annual road use tax funds received by the City from the State of Iowa, which funds will be pledged for the full and prompt payment of the principal and interest payable under the Loan Agreement.

The Loan Agreement is proposed to be entered into pursuant to authority contained in Section 384.24A of the Code of Iowa.

At the aforementioned time and place, oral or written objections may be filed or made to the proposal to enter into the Loan Agreement. After receiving objections, the Council may determine to enter into the Loan Agreement, in which case, the decision will be final unless appealed to the District Court within fifteen (15) days thereafter.

By order of the City Council of the City of North Liberty, Iowa.

Tracey Mulcahey  
City Clerk

Section 3. All resolutions or parts of resolutions in conflict herewith are hereby repealed to the extent of such conflict.

Adopted at North Liberty, Iowa, this \_\_\_\_ day of \_\_\_\_\_, 20\_\_.

**CITY OF NORTH LIBERTY**

By: \_\_\_\_\_  
Thomas A. Salm, Mayor

Attest: \_\_\_\_\_  
Tracey Mulcahey, City Clerk

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On motion and vote, the meeting adjourned.

\_\_\_\_\_  
Thomas A. Salm, Mayor

Attest:

\_\_\_\_\_  
Tracey Mulcahey, City Clerk

STATE OF IOWA  
COUNTY OF JOHNSON  
CITY OF NORTH LIBERTY

SS:

I, the undersigned, City Clerk of the aforementioned City, do hereby certify that attached hereto is a true and correct copy of the proceedings of the Council relating to fixing a date for hearing on the Council's proposal to take action in connection with a Loan Agreement, as referred to therein.

WITNESS MY HAND this \_\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_.

\_\_\_\_\_  
Tracey Mulcahey, City Clerk

STATE OF IOWA  
COUNTY OF JOHNSON                   SS:  
CITY OF NORTH LIBERTY

I, the undersigned City Clerk, do hereby certify that the City of North Liberty is organized and operating under the provisions of Title IX of the Code of Iowa and not under any special charter and that such City is operating under the Mayor-Council form of government and that there is not pending or threatened any question or litigation whatsoever touching the incorporation of the City, the inclusion of any territory within its limits or the incumbency in office of any of the officials hereinafter named.

And I do further certify that the following named parties are officials of the City as indicated:

- |                         |                              |
|-------------------------|------------------------------|
| <u>Thomas A. Salm,</u>  | Mayor                        |
| <u>Ryan Heiar,</u>      | City Administrator           |
| <u>Tracey Mulcahey,</u> | City Clerk                   |
| <u>Debra Hilton,</u>    | City Treasurer               |
| <u>Gerald L. Kuhl,</u>  | Council Member/Mayor Pro-Tem |
| <u>Coleen Chipman,</u>  | Council Member               |
| <u>Terry Donahue,</u>   | Council Member               |
| <u>Chris Hoffman,</u>   | Council Member               |
| <u>Brian Wayson,</u>    | Council Member               |

WITNESS MY HAND this \_\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_.

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Tracey Mulcahey, City Clerk

**(PLEASE NOTE: Do not sign and date this certificate until you have checked a copy of the published notice and have verified that it was published on the date indicated in the publisher's affidavit.)**

STATE OF IOWA  
COUNTY OF JOHNSON  
CITY OF NORTH LIBERTY

SS:

I, the undersigned, City Clerk of the City of North Liberty, do hereby certify that pursuant to the resolution of its Council fixing a date of meeting at which it is proposed to take action to enter into a loan agreement, the notice, 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 \_\_\_\_\_, 20\_\_.

\_\_\_\_\_  
Tracey Mulcahey, City Clerk

**(Attach here the publisher's original affidavit with clipping of the notice, as published.)**

**SHIVE-HATTERY, INC.**  
 2834 Northgate Drive  
 Iowa City, Iowa 52245-9568  
 (319) 354-3040 FAX (319) 354-6921

**TABULATION OF BIDS**

Client: City of North Liberty  
 Project Name: Streets and Maintenance Facility  
 S-H Project #: 110390-0

Bid Date: December 15, 2011, 2:00 p.m.  
 Location: City Administration Building  
North Liberty, Iowa  
 Page: Page 1 of 2

NAME AND ADDRESS OF BIDDER			Garling Construction 1120 11th Street Belle Plaine, Iowa 52208	Apex Construction 4218 Yvette Street SW Iowa City, Iowa 52244-2297	Portzen Construction 205 Stone Valley Drive Dubuque, Iowa 52003	Todd Hackett Construction 2925 Cedar Street Suite #1 Muscatine, Iowa 52761	City Construction Group 409 Highway 1 West Iowa City, Iowa 52246	Tricon Construction 2245 Kerper Boulevard Suite 2 Dubuque, Iowa 52001	First Construction Group 3729 West Avenue Burlington, Iowa 52601	McComas-Lacina Construction 1310 Highland Court Iowa City, Iowa 52240								
<b>Bid Security - 5%</b>			<b>Yes</b>	<b>Yes</b>	<b>Yes</b>	<b>Yes</b>	<b>Yes</b>	<b>Yes</b>	<b>Yes</b>	<b>Yes</b>								
<b>Receipt of Addendum #1</b>			<b>Yes</b>	<b>Yes</b>	<b>Yes</b>	<b>Yes</b>	<b>Yes</b>	<b>Yes</b>	<b>Yes</b>	<b>Yes</b>								
<b>Receipt of Addendum #2</b>			<b>Yes</b>	<b>Yes</b>	<b>Yes</b>	<b>Yes</b>	<b>Yes</b>	<b>Yes</b>	<b>Yes</b>	<b>Yes</b>								
ITEM	DESCRIPTION	QUANTITY	UNIT PRICE	EXTENDED PRICE	UNIT PRICE	EXTENDED PRICE	UNIT PRICE	EXTENDED PRICE	UNIT PRICE	EXTENDED PRICE	UNIT PRICE	EXTENDED PRICE	UNIT PRICE	EXTENDED PRICE	UNIT PRICE	EXTENDED PRICE	UNIT PRICE	EXTENDED PRICE
<b>BASE BID</b>																		
1	All work indicated in the Bidding Documents	Plan LS	Lump Sum	\$1,870,000.00	Lump Sum	\$1,980,000.00	Lump Sum	\$2,006,000.00	Lump Sum	\$2,010,000.00	Lump Sum	\$2,064,600.00	Lump Sum	\$2,080,000.00	Lump Sum	\$2,114,079.00	Lump Sum	\$2,138,000.00
2	Allowance #1	Plan LS	Lump Sum	25,000.00	Lump Sum	25,000.00	Lump Sum	25,000.00	Lump Sum	25,000.00	Lump Sum	25,000.00	Lump Sum	25,000.00	Lump Sum	25,000.00	Lump Sum	25,000.00
3	Allowance #2	Plan LS	Lump Sum	13,000.00	Lump Sum	13,000.00	Lump Sum	13,000.00	Lump Sum	13,000.00	Lump Sum	13,000.00	Lump Sum	13,000.00	Lump Sum	13,000.00	Lump Sum	13,000.00
4	Allowance #3	Plan LS	Lump Sum	23,000.00	Lump Sum	23,000.00	Lump Sum	23,000.00	Lump Sum	23,000.00	Lump Sum	23,000.00	Lump Sum	23,000.00	Lump Sum	23,000.00	Lump Sum	23,000.00
<b>Total Base Bid Price</b>				<b>\$1,931,000.00</b>		<b>\$2,041,000.00</b>		<b>\$2,067,000.00</b>		<b>\$2,071,000.00</b>		<b>\$2,125,600.00</b>		<b>\$2,141,000.00</b>		<b>\$2,175,079.00</b>		<b>\$2,199,000.00</b>
<b>ALTERNATE BID</b>																		
1	Vehicle Wash Building	Add	Lump Sum	\$290,000.00	Lump Sum	\$302,000.00	Lump Sum	\$290,000.00	Lump Sum	\$315,000.00	Lump Sum	\$303,500.00	Lump Sum	\$300,000.00	Lump Sum	\$329,000.00	Lump Sum	\$348,000.00
2	Emergency Power	Add	Lump Sum	106,000.00	Lump Sum	108,500.00	Lump Sum	108,000.00	Lump Sum	111,000.00	Lump Sum	115,000.00	Lump Sum	110,000.00	Lump Sum	111,700.00	Lump Sum	107,000.00
3	Asphalt Training Pad	Add	Lump Sum	33,000.00	Lump Sum	38,500.00	Lump Sum	33,000.00	Lump Sum	33,600.00	Lump Sum	37,000.00	Lump Sum	34,000.00	Lump Sum	38,200.00	Lump Sum	36,100.00
4	Reduce Length of Base Bid Building	Deduct	Lump Sum	40,000.00	Lump Sum	50,000.00	Lump Sum	43,000.00	Lump Sum	46,000.00	Lump Sum	47,000.00	Lump Sum	44,000.00	Lump Sum	47,000.00	Lump Sum	47,000.00
5	Consolidate Electrical Services	Add	Lump Sum	39,000.00	Lump Sum	40,000.00	Lump Sum	39,000.00	Lump Sum	40,000.00	Lump Sum	39,000.00	Lump Sum	44,000.00	Lump Sum	40,300.00	Lump Sum	38,600.00

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 S-H Project #: 110390-0

Bid Date: December 15, 2011, 2:00 p.m.  
 Location: City Administration Building  
North Liberty, Iowa  
 Page: Page 2 of 2

NAME AND ADDRESS OF BIDDER		Woodruff Construction 1890 Kountry Lane Fort Dodge, Iowa 50501	Selzer Werderitsch Associates 2222 Heinz Road Iowa City, Iowa 52317	Calacci Construction 207 Scott Court Iowa City, Iowa 52245															
<b>Bid Security - 5%</b>		<b>Yes</b>	<b>Yes</b>	<b>Yes</b>															
<b>Receipt of Addendum #1</b>		<b>Yes</b>	<b>Yes</b>	<b>Yes</b>															
<b>Receipt of Addendum #2</b>		<b>Yes</b>	<b>Yes</b>	<b>Yes</b>															
ITEM	DESCRIPTION	QUANTITY	UNIT PRICE	EXTENDED PRICE	UNIT PRICE	EXTENDED PRICE	UNIT PRICE	EXTENDED PRICE	UNIT PRICE	EXTENDED PRICE	UNIT PRICE	EXTENDED PRICE	UNIT PRICE	EXTENDED PRICE	UNIT PRICE	EXTENDED PRICE	UNIT PRICE	EXTENDED PRICE	
<b>BASE BID</b>																			
1	All work indicated in the Bidding Documents	Plan LS	Lump Sum	\$2,165,000.00	Lump Sum	\$2,213,900.00	Lump Sum	\$2,539,000.00	Lump Sum		Lump Sum		Lump Sum		Lump Sum		Lump Sum		
2	Allowance #1	Plan LS	Lump Sum	25,000.00	Lump Sum	25,000.00	Lump Sum	25,000.00	Lump Sum	25,000.00	Lump Sum	25,000.00	Lump Sum	25,000.00	Lump Sum	25,000.00	Lump Sum	25,000.00	
3	Allowance #2	Plan LS	Lump Sum	13,000.00	Lump Sum	13,000.00	Lump Sum	13,000.00	Lump Sum	13,000.00	Lump Sum	13,000.00	Lump Sum	13,000.00	Lump Sum	13,000.00	Lump Sum	13,000.00	
4	Allowance #3	Plan LS	Lump Sum	23,000.00	Lump Sum	23,000.00	Lump Sum	23,000.00	Lump Sum	23,000.00	Lump Sum	23,000.00	Lump Sum	23,000.00	Lump Sum	23,000.00	Lump Sum	23,000.00	
<b>Total Base Bid Price</b>				<b>\$2,226,000.00</b>		<b>\$2,274,900.00</b>		<b>\$2,600,000.00</b>											
<b>ALTERNATE BID</b>																			
1	Vehicle Wash Building	Add	Lump Sum	\$336,000.00	Lump Sum	\$322,600.00	Lump Sum	\$430,000.00	Lump Sum		Lump Sum		Lump Sum		Lump Sum		Lump Sum		
2	Emergency Power	Add	Lump Sum	110,000.00	Lump Sum	109,500.00	Lump Sum	120,000.00	Lump Sum		Lump Sum		Lump Sum		Lump Sum		Lump Sum		
3	Asphalt Training Pad	Add	Lump Sum	28,000.00	Lump Sum	32,200.00	Lump Sum	50,000.00	Lump Sum		Lump Sum		Lump Sum		Lump Sum		Lump Sum		
4	Reduce Length of Base Bid Building	Deduct	Lump Sum	48,000.00	Lump Sum	49,400.00	Lump Sum	60,000.00	Lump Sum		Lump Sum		Lump Sum		Lump Sum		Lump Sum		
5	Consolidate Electrical Services	Add	Lump Sum	53,000.00	Lump Sum	39,500.00	Lump Sum	40,000.00	Lump Sum		Lump Sum		Lump Sum		Lump Sum		Lump Sum		