

*State of Iowa*  
*Iowa Department of Agriculture and Land Stewardship*  
***DIVISION OF SOIL CONSERVATION AND WATER QUALITY***

***THIS AGREEMENT***, made this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_, by and between the State of Iowa, acting through:

Iowa Department of Agriculture and Land Stewardship  
Division of Soil Conservation and Water Quality

hereinafter called the ***DIVISION***, and

\_\_\_\_\_  
(Name of Company)

\_\_\_\_\_  
(Address)

\_\_\_\_\_  
(City, State, Zip)

hereinafter called the ***CONTRACTOR***.

***WITNESSETH***: that the ***DIVISION*** agrees to pay the ***CONTRACTOR*** the contract price provided herein for the fulfillment of the work and performance of the covenants set forth herein, and the ***CONTRACTOR*** agrees to commence and complete the project described as follows:

Nutrient Reduction Wetland Project Construction Contract  
Section 29, Township 99 North, Range 11 West, Howard County, Iowa  
Project ID: How991129B  
Bid No. 25-08

for the sum of \_\_\_\_\_/100 Dollars (\$\_\_\_\_\_.\_\_) and all extra work in connection therewith as modified by approved Change Orders and Amendments, all in accordance with the terms and conditions herein contained; and to furnish at the ***CONTRACTOR'S*** own proper cost and expense, all materials, equipment, supervision, labor, insurance, and other accessories and services necessary to construct and complete, in a workmanlike manner, ready for continuous operation, the above-mentioned project. The work shall be performed in accordance with the requirements and provisions of the following documents, all of which are made a part hereof and collectively evidence and constitute the contract:

1. Notice-to-Bidders (*Document AA*)
2. Instructions to Bidders (*Document BB*)
3. Proposal and Schedule of Prices (*Document CC*)
4. This Instrument – Construction Contract (*Document DD*)
5. General Conditions (*Document FF*)
6. Special Conditions (*Document GG*)
7. Approved Change Orders (*Document HH*)
8. Approved Construction Contract Amendments (*Document II*)
9. Construction Specifications
10. Drawings, Sheet Numbers 1-12
11. Notice-of-Award (*Document LL*)
12. Construction Progress Schedule (*Document JJ*)
13. Notice-to-Proceed (*Document MM*)
14. Performance Bond (*Document NN*)
15. Addenda (when applicable)

The ***CONTRACTOR*** shall complete the Construction Progress Schedule (*Document JJ*) form provided within fourteen (14) days of the date that the Notice-of-Award is received. Should there be any reason why the Construction Progress Schedule

needs adjustment, those changes may be made by mutual agreement between the **DIVISION** and the **CONTRACTOR** as set forth in Paragraph 3-21 of Document FF. The Notice-to-Proceed will be issued within five (5) days of the execution of Contract, provided that the Construction Progress Schedule is approved by Division.

The **CONTRACTOR** shall schedule and attend a Preconstruction Conference with the **DIVISION** and the **ENGINEER**. The Preconstruction Conference shall be held within seven (7) days prior to the Construction Start Date specified in the accepted Construction Progress Schedule, or earlier by mutual agreement. No work may commence on site prior to the Preconstruction Conference. If the **CONTRACTOR** plans to adjust the Construction Start Date, this shall be communicated to the **DIVISION** as soon as possible to allow scheduling of the Preconstruction Conference.

The **CONTRACTOR** hereby agrees to complete the work within the contract period, or to pay liquidated damages. All work except for seeding must be completed by November 30, 2026, and the seeding must be completed by December 15, 2026.

It is understood that the **CONTRACTOR** consents to the jurisdiction of the courts of Iowa to hear, determine and render judgments as to any controversy arising hereunder, and that this contract shall be governed by, and construed according to the laws of the State of Iowa.

**IN WITNESS WHEREOF**, the parties hereto have executed this Agreement, in the day and year first aforementioned.

**FOR THE DIVISION**

\_\_\_\_\_  
**Grant D. Menke**, Deputy Secretary  
Iowa Department of Agriculture and Land Stewardship

\_\_\_\_\_  
(Date)

**FOR THE CONTRACTOR**

\_\_\_\_\_  
(Company Representative)

\_\_\_\_\_  
(Date)

\_\_\_\_\_  
(Name of Company)

\_\_\_\_\_  
(Address of Company)

\_\_\_\_\_  
(City, State, Zip Code)

Seal if by a corporation

Identification Number

Soc. Sec. No. \_\_\_\_\_

or

Fed. ID No. \_\_\_\_\_

Iowa Division of Labor

Public Registration No. \_\_\_\_\_

END OF DOCUMENT DD