



NICE Community Schools

Office of the Superintendent

300 Westwood Drive

Ishpeming, MI 49849

Phone: (906) 485-1021 - FAX: (906) 485-4095



May 20, 2020

To whom it concerns:

The NICE Community School District is soliciting bids for 2020 School Building and Site Bonds to be issued for the purpose of financing school building and site projects. The Solicitation for Bids is enclosed.

You may submit bids via fax to (906) 485-4095, provided they are received prior to the deadline. I encourage you to confirm the receipt of your faxed bid by calling the Business Office at (906) 485-1021.

Thank you in advance for your bid.

Respectfully,

Bryan DeAugustine, Superintendent
NICE Community School District

cc: File

SOLICITATION FOR BIDS

NOT TO EXCEED \$2,500,000

**NICE COMMUNITY SCHOOL DISTRICT
COUNTIES OF MARQUETTE AND BARAGA
STATE OF MICHIGAN**

**2020 SCHOOL BUILDING AND SITE BONDS
(GENERAL OBLIGATION - LIMITED TAX)**

Unconditional and firm bids for the above Bonds will be received by NICE Community School District, Marquette and Baraga Counties, Michigan (the "Issuer") at the administrative offices of the Issuer, 300 S. Westwood Drive, Ishpeming, Michigan 49849-2922, on Tuesday, the 9th day of June, 2020, until 2:00 o'clock in the p.m., prevailing Eastern Time, at which time and place said bids will be publicly opened and read. **Award of the bids will be considered by the Issuer's Board of Education or Administration by no later than 12:00 noon on Tuesday, June 16, 2020. Bids submitted must be firm and subject to acceptance by the Issuer for that period of time.**

FAXED BIDS: Bidders may submit signed bids via facsimile transmission to the Issuer at (906) 485-4095, provided that the faxed bids are received prior to the time and date fixed for receipt of bids. Bidders submitting faxed bids bear the full risk of failed or untimely transmission of their bids. Bidders are encouraged to confirm the timely receipt of their full and complete bids by telephoning the Issuer at (906) 485-1021.

BOND DETAILS: Annual installments of principal and interest will be due beginning no later than one (1) year after the date of delivery/funding, with annual interest thereon, based upon a 360-day year, 30-day month.

Bidders are encouraged to provide alternate bids for:

- 1. Bonds with a final maturity date on or before July 1, 2024; and**
- 2. Bonds with a final maturity date on or before July 1, 2025.**

PURPOSE AND SECURITY: The Bonds are being issued for the purpose of financing certain school building and site improvements (the "Project"). The Issuer has pledged its limited tax full faith and credit for the payment of the principal and interest on the Bonds, payable from ad valorem taxes which will be levied within the authorized constitutional and statutory tax rate limitations of the Issuer for such purposes, and an irrevocable appropriation of a sufficient amount of taxes will be made each year from said millage rate for the payment of the principal and interest on the Bonds as due, subordinate only to any first liens on said funds pledged for the payment of state aid notes, lines of credit, or tax anticipation notes heretofore or hereafter issued. The Issuer reserves the right to issue additional bonds of equal standing. Because the Issuer does not have the power to levy taxes for the payment of the Bonds in excess of its constitutional or statutory tax rate limitations, the Bonds will be limited tax general obligations of the Issuer, and,

if tax collections are insufficient to pay the principal of or interest on the Bonds when due, the Issuer pledges to use any and all other resources available for the payment of the Bonds, including state school aid, if available.

INTEREST RATE AND BIDDING DETAILS: The Bonds shall bear interest at a rate or rates not exceeding five percent (5%) per annum, to be fixed by the bids therefor. All Bonds maturing in any one year must carry the same interest rate. The purchase price of the Bonds shall be not less than 99% of the par value.

OPTIONAL REDEMPTION: The Bonds may be prepaid in whole or in part at any time without penalty, with funds withdrawn from the Issuer's cash reserves.

AWARD OF BONDS: The Bonds will be awarded to the Bidder whose unconditional and firm bid produces the lowest dollar cost to the Issuer. Any and all fees or charges of the Bidder must be incorporated into the interest rate. When the delivery date is established, the Bidder will provide a payment schedule consistent with the above-referenced details.

LEGAL OPINION: Bids shall be conditioned upon the unqualified approving opinion of Thrun Law Firm, P.C., East Lansing, Michigan, bond counsel, the original of which will be furnished without expense to the Purchaser of the Bonds at the delivery thereof. The fees of Thrun Law Firm, P.C. for services rendered in connection with such approving opinion are expected to be paid from Bond proceeds. Except to the extent necessary to issue its approving opinion as to the validity of the above Bonds, Thrun Law Firm, P.C. has not been requested to examine or review, and has not examined or reviewed, any financial documents, statements or other materials that have been or may be furnished in connection with the authorization, marketing or issuance of the Bonds and, therefore, has not expressed and will not express an opinion with respect to the accuracy or completeness of any such financial documents, statements or materials.

TAX MATTERS: In the opinion of bond counsel, assuming continued compliance by the Issuer with certain requirements of the Internal Revenue Code of 1986, as amended (the "Code"), interest on the Bonds is excluded from gross income for federal income tax purposes, as described in the opinion, and the Bonds and interest thereon are exempt from all taxation in the State of Michigan, except inheritance and estate taxes and taxes on gains realized from the sale, payment or other disposition thereof. The Issuer has covenanted to comply with certain requirements of the Code necessary to continue the exclusion of interest on the Bonds from gross income for federal income tax purposes. **The Issuer has designated the Bonds as "QUALIFIED TAX-EXEMPT OBLIGATIONS" within the meaning of the Code.**

NO OFFICIAL STATEMENT: The Issuer will **NOT** issue an Official Statement with respect to the Bonds.

CONTINUING DISCLOSURE: The Issuer will **NOT** enter into a continuing disclosure agreement/undertaking with respect to the Bonds.

SOPHISTICATED INVESTOR CERTIFICATION: By submitting a bid, the bidder represents to the Issuer that it intends to hold the Bonds for its own account with no present intention to reoffer the Bonds unless the bidder has notified Issuer's counsel, in writing, at least 72 hours before the bid deadline that the bidder intends to reoffer the Bonds.

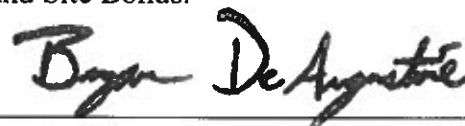
CLOSING DOCUMENTS: Drafts of all closing documents, including the form of Bond and bond counsel's legal opinion, may be requested from Thrun Law Firm, P.C. Final closing documents will be in substantially the same form as the drafts provided. Closing documents will not be modified at the request of a bidder, regardless of whether the bidder's proposal is accepted.

DELIVERY OF BONDS: The Issuer will furnish Bonds ready for execution at its expense. Bonds will be delivered without expense to the Purchaser at a place to be mutually agreed upon with the Purchaser. The usual closing documents, including a certificate that no litigation is pending affecting the issuance of the Bonds, will be delivered at the time of the delivery of the Bonds. If the Bonds are not tendered for delivery by twelve o'clock, noon, prevailing Eastern Time, on the 45th day following the date of sale, or the first business day thereafter if the 45th day is not a business day, the Purchaser may on that day, or any time thereafter until delivery of the Bonds, withdraw the proposal by serving notice of cancellation in writing, on the undersigned. Accrued interest to the date of delivery of the Bonds shall be paid by the Purchaser at the time of delivery. Payment for the Bonds shall be made in federal reserve funds.

BIDDER CERTIFICATION - NOT "IRAN-LINKED BUSINESS": By submitting a bid, the bidder shall be deemed to have certified that it is not an "Iran-Linked Business" as defined in Act 517, Public Acts of Michigan, 2012; MCL 129.311, et seq.

THE RIGHT IS RESERVED TO REJECT ANY OR ALL BIDS.

ENVELOPES containing the bids should be plainly marked "Proposal for NICE Community Schools District 2020 School Building and Site Bonds."



Authorized Officer