

ADVERTISEMENT FOR BIDS

DRAIN IMPROVEMENTS

Separate sealed bids for the construction of a 2009 Drainage Improvements, according to the drawings and specifications on file in the office of the Executive Director will be received by the Municipal Airport Authority at its office until 10:00 A.M. on Monday, August 24, 2009, and then at said office publicly opened and read aloud. The Contract Documents may be examined at the following locations:

Ulteig Engineers, Inc. 3350 - 38th Avenue South, Fargo, ND 58104-7079 Phone No. 701-280-8500

Fargo-Moorhead Builders Exchange

Grand Forks Builders/Traders Exchange

Native American Business Development Center at United Tribes Technical College

MEDA Minority Contractors/AGC of MN Plan Room

Copies of the Contract Documents may be obtained through QuestCDN.com # 963435 for \$20.00 or at the office of Ulteig Engineers, Inc., located at 3350 – 38th Avenue South, Fargo, ND 58104 upon payment of \$100.00 for each set. Payment will not be refunded.

Bids shall be upon the basis of cash payment for the 2009 Drainage Improvements which includes traffic control, storm sewer installation, pavement removal, bituminous pavement, earthwork, seeding, mulching and incidentals.

Each Bid shall be accompanied by a separate envelope containing a Bidder's Bond in a sum equal to five percent of the full amount of the Bid, executed by the Bidder as principal and by a surety company authorized to do business in this state, conditioned that if the principal's Bid be accepted and the contract awarded to him, he, within fifteen days after Notice of Award, will execute and effect a contract in accordance with the terms of his Bid and a Contractor's Bond as required by law and the regulations and determinations of the governing board. The Bid Bond of the three lowest Bidders will be retained until the contract has been awarded and executed, but no longer than thirty (30) days. The Bid security is a guarantee that the Bidder will enter into contract for the work described in the Proposal.

All Bidders shall hold a valid North Dakota Contractor's license of the proper class and shall enclose a copy of the license or Certificate of Renewal of the license in the same envelope as the Bidder's Bond. A Contractor must be the holder of a license at least ten days prior to the date set for receiving Bids to be a qualified Bidder.

The successful Bidder will be required to furnish Contract Performance and Payment Bonds in the full amount of the contract.

No Bid will be read or considered which does not fully comply with the above provisions as to Bond and licenses, and any deficient Bid submitted will be resealed and returned to the Bidder immediately.

Required Labor and EEO Provisions:

1. The successful bidder will be required to comply with all applicable Federal Labor Laws, including the minimum wage rates decision of the United States Department of Labor which are contained in the advertised specifications.
2. Bidders and sub-bidders are required to comply with Title 29, Code of Federal Regulations (1518, 36 F.R. 7340) promulgated by the United States Secretary of Labor, in accordance with Section 107 of the contract work hours and safety standards act, (82 Stat. 96) not requiring any laborer or mechanic to work in surroundings or under working conditions which are unsanitary, hazardous, or dangerous to their health and safety.
3. The Municipal Airport Authority, in accordance with Title VI of the Civil Rights Act of 1964, 78 Stat. 252, 42 U.S.C. 200d to 200d-4 and Title 49, Code of Federal Regulations, Department of Transportation, Subtitle A, Office of the Secretary, Part 21, Non-discrimination in Federally-assisted programs of the Department of Transportation issued pursuant to such Act, hereby notifies all bidders that it will affirmatively ensure that in any contract entered into pursuant to this advertisement, minority business enterprises will be afforded full opportunity to submit in response to this invitation and will not be discriminated against on the grounds of race, color, religion, sex, or national origin in consideration for an award.
4. A Contractor having 50 or more employees who may be awarded a contract of \$50,000 or more and subcontractors having 50 or more employees and who may be awarded a subcontract of \$50,000 or more will be required to maintain an affirmative action program, the standards for which are contained in the advertised specifications (41 CFR 60-1.40).
5. Contractor will be required to submit a certification of nonsegregated facilities from all subcontractors for subcontracts exceeding \$10,000.
6. Contractors are subject to the Requirement for Affirmative Action to Ensure Equal Employment Opportunity (Executive Order 11246, as amended), provisions of which are contained in the advertised specifications.
7. The Municipal Airport Authority has established a Disadvantaged Business Enterprise (DBE) program in accordance with regulations of the U.S. Department of Transportation (DOT), 49 CFR Part 26. The Municipal Airport Authority has received Federal financial assistance from the Department of Transportation, and as a condition of receiving this assistance, the Municipal Airport Authority has signed an assurance that it will comply with 49 CFR Part 26.

8. It is the policy of the Sponsor to ensure that DBEs, as defined in Part 26, have an equal opportunity to receive and participate in DOT-assisted contracts. It is also the policy:
 - A. To ensure nondiscrimination in the award and administration of DOT assisted contracts.
 - B. To create a level playing field on which DBEs can compete fairly for DOT assisted contracts.
 - C. To ensure that the DBE Program is narrowly tailored in accordance with applicable law.
 - D. To ensure that only firms that fully meet 49 CFR Part 26 eligibility standards are permitted to participate as DBEs.
 - E. To help remove barriers to the participation of DBEs in DOT assisted contracts.
 - F. To assist the development of firms that can compete successfully in the marketplace outside the DBE Program.
9. The DBE Program shall apply to Project No. 3-38-0017-36.
10. The Municipal Airport Authority has an overall goal of 3.57%. The overall goal is 0% race neutral and 3.57% race conscious. The DBE contract goal for this project is 3.57%.
11. The apparent low bidder will be required to submit DBE participation information to the Municipal Airport Authority and the award of the contract will be conditioned upon satisfaction of the requirements established by Municipal Airport Authority.
12. The Bidder/proposer shall make good faith efforts, as defined in Appendix A of 49 CFR Part 26, Regulations of the Office of the Secretary of Transportation, to subcontract to small business concerns owned and controlled by socially and economically disadvantaged individuals (DBEs). In the event that the bidder for this solicitation qualifies as a DBE, the contract goal shall be deemed to have been met. Individuals who are rebuttably presumed to be socially and economically disadvantaged include women, Black Americans, Hispanic Americans, Native Americans, Asian-Pacific Americans, and Asian-Indian Americans. All competitors will be required to submit information concerning the DBEs that will participate in the contract. The information will include: (1) the name and address of each DBE; (2) a description of the work to be performed by each named firm; and (3) the dollar value of the work of the contract. If the bidder fails to achieve the contract goal stated herein, it will be required to provide documentation demonstrating that it made good faith efforts in attempting to do so. The bidder shall submit forms A and B contained in Section 00490, Utilization of Disadvantaged Business Enterprise, with their bid to be responsive. Form A shall be submitted in the Bid Bond envelope.

13. Contractors are subject to the provisions of 49 CFR Part 30, Denial of Public Works Contracts to Suppliers of Goods and Services of Countries That Deny Procurement Market Access to U.S. Contractors.

The work on the improvement is to be entirely completed by November 1, 2009.

The right of the Owner to reject any and all Bids is reserved.

Shawn A. Dobberstein, AAE
Executive Director