

## SECTION 00100 - NOTICE TO BIDDERS

Construct Taxilane to Hangars  
Le Mars Municipal Airport  
Le Mars, Iowa

**Time and Place for Filing Sealed Proposals.** Sealed bids for the work comprising the repair and improvement as stated below must be filed before 11:00am on May 15, 2024, in the office of the City Clerk, City Hall, 40 Central Avenue SE, Le Mars, Iowa 51031.

**Time and Place Sealed Proposals Will be Opened and Considered.** Sealed proposals will be opened and bids tabulated at 11:00 AM on May 15, 2024, in the office of the City Clerk, City Hall, 40 Central Avenue SE, Le Mars, Iowa 51031, for consideration by the City of Le Mars at its meeting at 12:00 PM on May 21, 2024, at City Hall, 40 Central Avenue SE, Le Mars, Iowa 51031. The City of Le Mars reserves the right to reject any and all bids, to waive informalities or technicalities in any bid, and to enter into such contract, or contracts, as it shall deem to be to the best interest of the City of Le Mars.

**Time for Commencement and Completion of Work.** Work on the improvement shall commence upon approval of the contract by the City Council and as stated in the Notice to Proceed. All work under the Contract must be substantially completed in Twenty-Two (22) Working Days for the Base Bid. Alternate Bid A shall be completed in Five (5) working days. Alternate Bid B shall be completed in Three (3) working days. Alternate Bid C shall be completed in Twenty (20) working days. No additional contract time will be given for Alternate Bid D, it shall be constructed concurrently with Alternate Bid C. Liquidated damages as set forth in Section 00500 – Contract.

Work on the contract shall not begin until on or after August 26, 2024. All work on the contract must be substantially completed allowing use of the taxiway in the calendar year 2024. Seeding and other final restoration work may be completed in the spring of 2025 but must be completed in the total number of working days allowed.

The hangars shown in the plans are intended to be constructed by others during the fall of calendar year 2024.

**Bid Security.** Each bidder shall accompany its bid with bid security, as defined in Iowa Code Section 26.8, as security that the successful bidder will enter into a contract for the work bid upon. The bidder's security shall be in an amount equal to 5% percent of the total amount of the bid. The bid shall contain no condition except as provided in the specifications.

If the bidder fails to execute the contract and to furnish an acceptable performance and payment bond or provide a Certificate of Insurance within ten (10) days after acceptance of the bid by the City of Le Mars, the bid security may be forfeited or cashed by the City of Le Mars as liquidated damages.

**Contract Documents.** Copies of the project documents are available for a price of \$25.00 per set. This fee is refundable, provided the plans and specifications are returned complete and in good usable condition, and they are returned within fourteen (14) calendar days after the award of the project. Please contact Bolton & Menk, Inc., at [cedarrapids@bolton-menk.com](mailto:cedarrapids@bolton-menk.com) to obtain a hard set of project documents. Complete digital project bidding documents are available at [www.bolton-menk.com](http://www.bolton-menk.com) or [www.questcdn.com](http://www.questcdn.com). You may view the digital plan documents for free by entering **Quest project #9034187** on the website's Project Search page. Documents may be downloaded for \$0.00. Please contact QuestCDN.com at 952-233-1632 or [info@questcdn.com](mailto:info@questcdn.com) for assistance in free membership registration, viewing, downloading, and working with this digital project information.

**Preference of Products and Labor.** By virtue of statutory authority, further preference will be given to products and provisions grown and coal produced within the State of Iowa, and to Iowa domestic labor, to the extent lawfully required under Iowa statutes. **Failure to submit a fully completed Bidder Status Form with the bid may result in the bid being deemed nonresponsive and rejected.**

**Sales Tax Exemption Certificates.** The bidder shall not include sales tax in the bid. The City of Le Mars will distribute tax exemption certificates and authorization letters to the Contractor and all subcontractors who are identified. The Contractor and subcontractor may make copies of the tax exemption certificates and provide a copy to each supplier providing construction materials. These tax exemption certificates and authorization letters are applicable only for this specific project under the Contract.

**Award of Contract.** All proposals submitted in accordance with the instructions presented herein will be subject to evaluation. Bids may be held by the City of Le Mars until August 15, 2024 for the purpose of conducting the bid evaluation.

The Owner will base the award of contract upon the lowest aggregate sum proposal submitted from those bidders the Owner confirms as being responsive and responsible. The right is reserved, as the City of Le Mars may require, to reject any and all bids and to waive any informality in the bids received.

Prospective Bidders are hereby advised that award of contract is contingent upon the owner receiving Federal funding assistance under the Airport Improvement Program.

**Federal Provisions (Applies to Base Bid, Alternate Bid A and Alternate Bid B)**

This project is subject to the following Federal provisions, statutes, and regulations:

**Equal Employment Opportunity - Executive Order 11246 and 41 CFR Part 60:** The Bidder's attention is called to the "Equal Opportunity Clause" and the "Standard Federal Equal Employment Opportunity Construction Contract Specifications" set forth within the supplementary provisions. The successful Bidder shall not discriminate against any employee or applicant for employment because of race, color, religion, sex, or national origin. The Contractor will take affirmative action to ensure that applicants are employed, and that employees are treated during employment without regard to their race, color, religion, sex, or national origin.

**Goals for Minority and Female Participation – Executive Order 11246 and 41 CFR Part 60:**

1. The Bidder's attention is called to the "Equal Opportunity Clause" and the "Standard Federal Equal Employment Opportunity Construction Contract Specifications" set forth within the supplementary provisions.
2. The goals and timetables for minority and female participation, expressed in percentage terms for the contractor's aggregate workforce in each trade on all construction work in the covered area, are as follows:

**Timetables:**

Goals for minority participation for each trade: **1.2 %**

Goals for female participation in each trade: **6.9 %**

These goals are applicable to all of the contractor's construction work (whether or not it is Federal or federally assisted) performed in the covered area. If the contractor performs construction work in a geographical area located outside of the geographical area where the work is actually performed. With regard to this second area, the contractor also is subject to the goals for both its Federally involved and non-federally involved construction.

**Certification of Non-Segregated Facilities – 41 CFR Part 60:** A certification of Non-segregated Facilities must be submitted prior to the award of a federally-assisted construction contract exceeding \$10,000 which is not exempt from the provisions of the Equal Opportunity Clause.

Contractors receiving federally assisted construction contract awards exceeding \$10,000, which are not exempt from the provisions of the Equal Opportunity Clause will be required to provide for the forwarding of the notice to prospective subcontractors for supplies and construction contracts where the subcontracts exceed \$10,000 and are not exempt from the provisions of the Equal Opportunity Clause. The penalty for making false statements in offers is prescribed in 18 U.S.C. 1001.

**Disadvantaged Business Enterprise – 49 CFR Part 26:** The contractor shall carry out applicable requirements of 49 CFR Part 26 in the award and administration of this DOT-assisted contracts. In accordance with 49 CFR Part 26.45, the sponsor has established a **contract goal of 2.5%** participation for small business concerns owned and controlled by certified socially and economically **Disadvantaged Business Enterprise (DBE)**. Goal only applies to work The bidder shall make and document good faith efforts, as defined in Appendix A of 49 CFR Part 26, to meet this established goal.

**Davis-Bacon Act, as amended – 29 CFR Part 5:** The Contractor is required to comply with wage and labor provisions and to pay minimum wages in accordance with the current schedule of wage rates established by the United States Department of Labor.

**Debarment, Suspension, Ineligibility and Voluntary Exclusion – 49 CFR Part 29:** The bidder certifies, by submission of a proposal or acceptance of a contract, that neither it nor its principals are presently debarred, suspended, proposed for debarment, declared ineligible, or voluntarily excluded from participation in this transaction by any Federal department or agency. Individuals or companies listed in the General Services Administration’s “Excluded Parties Listing System” will not be considered for award of contract.

**Foreign Trade Restriction – 49 CFR Part 30**

The Bidder and Bidder’s subcontractors, by submission of an offer and/or execution of a contract, is required to certify that it:

- a. Is not owned or controlled by one or more citizens of a foreign country included in the list of countries that discriminate against U.S. firms published by the Office of the United States Trade Representative (USTR);
- b. Has not knowingly entered into any contract or subcontract for this project with a person that is a citizen or national of a foreign country on said list, or is owned or controlled directly or indirectly by one or more citizens or nationals of a foreign country on said list;
- c. Has not procured any product nor subcontracted for the supply of any product for use on the project that is produced in a foreign country on said list.

**Buy American Certificate – Aviation Safety and Capacity Act of 1990:**

This contract is subject to the “Buy American Preferences” of the Aviation Safety and Capacity Act of 1990. Per Title 49 U.S.C. Section 50101, all steel and manufactured products installed under an AIP assisted project must be produce in the United States unless the Federal Aviation Administration has granted a formal waiver.

As a condition of bid responsiveness, Bidders must complete and submit as part of their proposal the enclosed Buy American certification. Bidder must indicate whether it intends to meet Buy America preferences by only installing steel and manufactured products produced with the United State of America; or if it intends to seek a permissible waiver to the Buy America requirements.

**PROJECT DESCRIPTION:** Construction of a portion of the parallel taxiway and a taxilane to new hangars.

This Notice is given by authority of the City of Le Mars

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Jan Feller, City Clerk