

**SECTION I  
NOTICE TO BIDDERS/INVITATIONS FOR BIDS**

**NOTICE OF PUBLIC HEARING ON PROPOSED PLANS, SPECIFICATIONS, FORM OF CONTRACT, AND ESTIMATE OF COST FOR CONSTRUCTION OF THE: "2024 APRON AND TAXIWAY JOINT REHABILITATION PROJECT, NORTHWEST IOWA REGIONAL AIRPORT, SPENCER, IOWA (FAA AIP NO. 3-19-0086-030)" AND FOR THE TAKING OF BIDS FOR SAID CONSTRUCTION.**

**NOTICE IS HEREBY GIVEN:**

That sealed bids will be received by the Spencer Municipal Airport Board of Trustees on behalf of the City of Spencer, Clay County, Iowa, at City Hall, 101 West 5<sup>th</sup> Street, Spencer, Iowa 51301 until **3:00 O'clock P.M. on the 6th day of June, 2024**, and shall be opened and reviewed at 3:00 O'clock P.M. on the same date and at the same location, for the construction of the following improvements in the said City, described in general as the 2024 APRON AND TAXIWAY JOINT REHABILITATION PROJECT, NORTHWEST IOWA REGIONAL AIRPORT, SPENCER, IOWA, in accordance with the plans and specifications now on file in the office of the City Clerk.

Said proposals received shall be considered and acted upon at 3:00 O'clock P.M. on the 10th day of June, 2024, at the Spencer Airport Board meeting located at the Spencer City Hall, 101 West 5th Street, Spencer, Iowa 51301.

In addition, the Spencer Municipal Airport Board of Trustees, City of Spencer, Clay County, Iowa, will hold a public hearing at the Spencer City Hall located at 101 West 5th Street, Spencer, Iowa at 3:00 O'clock P.M. on the 10th day of June, 2024, on the adoption of plans, specifications, form of contract and estimate of cost for the construction of the following improvements in the City, described in general as "2024 APRON AND TAXIWAY JOINT REHABILITATION PROJECT, NORTHWEST IOWA REGIONAL AIRPORT, SPENCER, IOWA", and at the said hearing any interested person may appear and file objections to the aforesaid improvements.

Each proposal/bid shall be made on the proposal form furnished by the Engineer for use on this project.

Each proposal/bid shall be submitted in a sealed envelope to the City Clerk on or before the time herein set for said letting.

The 2024 APRON AND TAXIWAY JOINT REHABILITATION PROJECT, NORTHWEST IOWA REGIONAL AIRPORT, SPENCER, IOWA, consists of:

Re-sealing existing PCC Pavement joints and random cracks and restoring deteriorated PCC pavement with full depth and partial depth patches.

Major items of construction and approximate quantities follows:

Full Depth PCC Finish Patch	18	Sq.Yd.
Reseal Transverse Joint	40,500	Ln.Ft.
Reseal Longitudinal Joint	17,500	Ln.Ft.
Seal or Reseal Random Crack	825	Ln.Ft.
Repair Edge Spall	30	Ln.Ft.
Partial Depth PCC Finish Patch	75	Sq.Ft.

**The Contractor shall have 20 calendar days to complete the work between the receipt of the Notice to Proceed (anticipated in July) and October 1, 2024 and shall complete the work covered by the contract on or before the 21st calendar day following the commencement of work at the site, or October 2, 2024, whichever comes first.**

**Intermediate work zone completion dates apply to this project and are listed on the Proposal Form. Restricted work dates are listed in Section S-100.19 "Contract Time and Restrictions for Special Events".**

Time is of the essence in the performance of this contract and the Contractor is responsible for the completion of the work within the Contract Time, including intermediate work zone calendar day completion times specified.

If the Contractor fails to substantially complete the work covered by this project within the Contract Time, or by the extended completion date as authorized in writing by the Owner, it is acknowledged and agreed to by the bidder that the Owner will suffer loss and non-penal Liquidated Damages will be valid.

A copy of the plans and specifications, and wage rate decision are on file at the office of the City Clerk, City Hall, Spencer, Iowa, and at the office of the Engineering firm of KRUSE, CATE & NELSON, P.C., 2303 West 18<sup>th</sup> Street, Spencer, Iowa, 51301 and may be obtained upon making a deposit of \$50.00. The entire deposit will be refunded provided the plans and specifications are returned in good condition within fifteen days after the date of the bid opening.

Electronic plans are available and may be obtained from the Engineer by telephone request at 712-262-3468.

Each proposal (bid) shall be accompanied by a cashier's check or certified check drawn on a solvent Iowa bank or a bank chartered under the laws of the United States; or a certified share draft drawn on a credit union in Iowa or a credit union chartered under the laws of the United States; or a bid bond in the form prescribed in the specifications and filed in an envelope separate from the one containing the proposal, sealed, and in the amount of not less than 5 percent of the amount of the bid. The outside of the envelope containing the bid security shall be marked:

BID SECURITY FOR: 2024 APRON AND TAXIWAY JOINT REHABILITATION  
PROJECT,  
NORTHWEST IOWA REGIONAL AIRPORT,  
SPENCER, IOWA

The check or share draft shall be made payable to the Treasurer, City of Spencer, Iowa. Said check or share draft may be cashed or the bid bond declared forfeited by the City of Spencer, Iowa, as liquidated damages in the event the bidder fails or refuses to enter into a contract and furnish the required surety bonds and certificate of insurance as required by the specifications within thirty days of the award of a contract.

The successful bidder, after the award of a contract, shall furnish the owner surety bonds which have been fully executed by the bidder and the surety guaranteeing the faithful performance of the contract and terms and conditions therein contained and shall protect and save harmless the City and Kruse, Cate and Nelson, P.C., Spencer, Iowa from claims and damages of any kind caused by the construction of said improvements and shall also guarantee the maintenance of said work in good repair not less than 12 months after acceptance thereof by the Airport Board. The bonds shall also guarantee the payment of all legal debts that may be incurred by reason of the Contractor's performance of the work. The surety bonds shall be on the attached Performance Bond Form and on the Payment Bond Form. The surety bonds shall each be in a sum equal to the full amount of the contract.

The Contractor shall observe the laws of the State of Iowa with reference to "Preference for Iowa Products and Labor" and "Occupational Safety and Health Standards".

Bidders shall be required to meet all Federal contract requirements contained in Part A of the Supplemental Provisions.

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:

- a. 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.
- b. 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:	0.4%
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.

The City of Spencer, in accordance with the provisions of Title VI of the Civil Rights Act of 1964 (78 Stat. 252, 42 U.S.C. §§ 2000d to 2000d-4) and the Regulations, hereby notifies all bidders that it will affirmatively ensure that any contract entered into pursuant to this advertisement, disadvantaged business enterprises will be afforded full and fair opportunity to submit bids in response to this invitation and will not be discriminated against

on the grounds of race, color, or national origin in consideration for an award.

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 contract. In accordance with 49 CFR Part 26.45, the sponsor has established a contract goal of 5.0% participation for small business concerns owned and controlled by certified socially and economically **Disadvantaged Business Enterprise (DBE)**. 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.

If the wage rate determination of the Department of Labor incorporated in these specifications does not include rates of classifications deemed appropriate by the bidder, the bidder is responsible for ascertaining the rates payable for such use in accomplishing the work. No inference concerning practice is to be drawn from their omission. Further, the omission does not, per se, establish any liability to the Government (or the Owner) for increased labor costs resulting from the use of such classifications.

Certification of Nonsegregated Facilities - 41 CFR Part 60: A certification of Nonsegregated 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.

- a. 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.

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 produced in the United States unless the Federal Aviation Administration has granted a formal waiver.

- a. 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.

The City of Spencer, Iowa has determined that all Contractors and Subcontractors that contract for work with the City and all employees of said Contractors and Subcontractors shall comply with Public Law 100-690, Title V, Subtitle D, USC 701 et seq. to insure a drug free workplace. Each bidder shall submit "evidence of competency" and "evidence of financial responsibility" to the

owner along with his bid on the specified date for opening bids, as described in Section 20-02 of the General Provisions.

**Bidders may submit evidence that he/she is prequalified with the Iowa Department of Transportation (IDOT) and is on the current "bidder's list" of the State of Iowa in lieu of the "evidence of competency" and "evidence of financial responsibility reports specified; however, the Owner reserves the right to request additional information after bids are opened and before a contract is awarded.**

By virtue of statutory authority, a preference will be given to products and provisions grown and coal produced within the State of Iowa; subject to Section 73.11 of the current Code of Iowa entitled "Inconsistency with federal law".

Out of state contractors (as defined by Section 103A.3 of the current Iowa Code) before commencing a contract in excess of five thousand dollars in value in Iowa, shall file a bond with the office of the Division of Labor Services of the Department of Employment Services in accordance with Section 91C.7 of the current Code of Iowa.

Verification of the filing of this bond shall be provided to the owner by the Contractor, in the form of a copy of said bond, before commencing work on the project. The "Notice to Proceed" will be withheld until said verification has been provided.

The Owner reserves the right to reject all bids.

The owner reserves the right to reject any irregular proposal and the right to waive technicalities if such waiver is in the best interest of the owner and conforms to local laws and ordinances pertaining to the letting of construction contracts.

The Owner reserves the right to defer acceptance of any proposal for a period not to exceed sixty (60) calendar days after the letting date.

Monthly estimates will be paid to the Contractor as the work progresses in amounts equal to ninety-five percent of the contract value of the work completed during the preceding calendar month.

The City of Spencer, Iowa, does not discriminate on the basis of race, color, national origin, sex, religion, age or disability in the admission or access to, or treatment or employment in, its programs or activities.

Spencer City Manager, City Hall, Spencer, Iowa 51301, has been designated to coordinate compliance with the non-discrimination requirements contained in section 35.107 of the Department of Justice regulations. Information concerning the provisions of the American with Disabilities Act, and the rights provided thereunder, are available from the ADA coordinator.

This Notice is given by order of the Spencer Municipal Airport Board of Trustees, Northwest Iowa Regional Airport, Spencer, Iowa.

By: Don Schoorman  
Chairperson, Spencer Municipal Airport Board of Trustees

Attest: Mary Beth Breidinger  
City Clerk, Spencer, Iowa

**END OF NOTICE**