

# REQUEST FOR BIDS/INVITATION FOR BIDS

Malden Regional Airport  
Malden, Missouri  
State Block Grant Project No. 23-079A-1

Sealed bids will be received until 11:00 a.m., Wednesday, December 6, 2023, and then publicly opened and read by the City of Malden at Malden Regional Airport, Airport Conference Room, 3077 Mitchell Drive, Malden, MO 63863, Call in # (937) 240-2430, ID:205502686#, for furnishing all labor, materials and equipment and performing all work necessary to

Schedule I - Construct Apron Perimeter Fence  
Schedule II - Construct Gravel Parking Lots

**Contract Documents.** The complete set of Specifications and Contract Documents can be downloaded from Jviation, Inc.'s bid site (<http://bid.jviation.com>), beginning on November 1, 2023. In order to submit a responsive bid as a Prime Contractor and to receive all necessary addendum(s) for this project, you must be on the Planholder's List. To view all planholder documents (contract documents, plans and addendums) you must fill out the online form located at (<https://jviation.com/bid-request>). By filling out and submitting this form, you agree to be publicly listed on the bid site with your contact information as a planholder for all projects requested. **It is the planholder's responsibility to review the site for addendums and changes before submitting their proposal. This includes review for environmental changes. Environmental changes during construction could take up to four weeks for approval.** For additional information, please contact us via email at [bid.info@Woolpert.com](mailto:bid.info@Woolpert.com) or contact Laura Koonce at [Laura.Koonce@woolpert.com](mailto:Laura.Koonce@woolpert.com).

\*Note that contractors will NOT be automatically added to new projects. You will need to re-submit the online form for access to new projects. Once granted access, additional projects will use your same login credentials. **Note:** Plan ahead when submitting the online request form and allow up to 2 business days for approval and access to projects.

**Pre-Bid Conference.** The pre-bid conference for this project will be held on Wednesday, November 15, 2023 at 11:00 a.m., at Airport Conference Room; Call in # (937) 240-2430, ID:338131902#. All bidders are required to examine the site to become familiar with all site conditions.

**Bid Conditions.** The bidder is required to provide all information as required within the Contract Documents. The bidder is required to bid on all items of every schedule or as otherwise detailed in the Instructions to Bidders.

Each proposal must be accompanied by a bid guaranty in the amount of five (5) percent of the total amount of the bid. The bid guaranty may be by certified check or bid bond made payable to City of Malden.

Bids may be held by City of Malden for a period not to exceed 120 calendar days from the date of the bid opening for the purpose of evaluating bids prior to award of contract.

The right is reserved, as City of Malden may require, to reject any and all bids and to waive any informality in the bids received.

Construction for this project is expected to take **60** calendar day(s).

In accordance with the Davis-Bacon Act, and the Missouri Prevailing Wage Law, the Contractor will be required to comply with the wage and labor requirements and to pay minimum wages in accordance with the schedule of wage rates established by the United States Department of Labor and the Missouri Division of Labor Standards, respectively. The highest rate between the two (Federal and State) for each job classification shall be considered the prevailing wage.

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**Equal Employment Opportunity and Affirmative Action Requirement.** The proposed contract is under and subject to 41 CFR Part 60-4 and Executive Order 11246 of September 24, 1965, as amended, and to the equal opportunity clause and the Standard Federal Equal Employment Opportunity Construction Contract specifications including the goals and timetables for minority and female participation.

**Title VI Solicitation Notice:** The City of Malden, 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 no businesses will be discriminated against on the grounds of race, color, national origin (including limited English proficiency), creed, sex (including sexual orientation and gender identity), age, or disability in consideration for an award.

**DBE Requirement.**

**Bid Information submitted as a matter of responsibility:**

The Owner’s award of this contract is conditioned upon Bidder or Offeror satisfying the good faith effort requirements of 49 CFR §26.53.

As a condition of responsibility, every Bidder or Offeror must submit the following information on the forms provided herein within five days after bid opening..

- (1) The names and addresses of Disadvantaged Business Enterprise (DBE) firms that will participate in the contract;
- (2) A description of the work that each DBE firm will perform;
- (3) The dollar amount of the participation of each DBE firm listed under (1);
- (4) Written statement from Bidder or Offeror that attests their commitment to use the DBE firm(s) listed under (1) to meet the Owner’s project goal;
- (5) Written confirmation from each listed DBE firm that it is participating in the contract in the kind and amount of work provided in the prime contractor's commitment; and
- (6) If Bidder or Offeror cannot meet the advertised project DBE goal, evidence of good faith efforts undertaken by the Bidder or Offeror as described in appendix A to 49 CFR part 26. The documentation of good faith efforts must include copies of each DBE and non-DBE subcontractor quote submitted to the bidder when a non-DBE subcontractor was selected over a DBE for work on the contract.

**FAA Buy American Preference**

The Contractor certifies that its bid/offer is in compliance with 49 USC § 50101, BABA and other related Made in America Laws,<sup>1</sup> U.S. statutes, guidance, and FAA policies, which provide that Federal funds may not be obligated unless all iron, steel and manufactured goods used in AIP funded projects are produced in the United

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<sup>1</sup> Per Executive Order 14005 “Made in America Laws” means all statutes, regulations, rules, and Executive Orders relating to federal financial assistance awards or federal procurement, including those that refer to “Buy America” or “Buy American,” that require, or provide a preference for, the purchase or acquisition of goods, products, or materials produced in the United States, including iron, steel, and manufactured products offered in the United States.

96 States, unless the Federal Aviation Administration has issued a waiver for the product; the product is listed as  
97 an Excepted Article, Material Or Supply in Federal Acquisition Regulation subpart 25.108; or is included in the  
98 FAA Nationwide Buy American Waivers Issued list.  
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100 The bidder or offeror must complete and submit the certification of compliance with FAA's Buy American  
101 Preference, BABA and Made in America laws included herein with their bid or offer. The Airport  
102 Sponsor/Owner will reject as nonresponsive any bid or offer that does not include a completed certification  
103 of compliance with FAA's Buy American Preference and BABA.  
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105 The bidder or offeror certifies that all constructions materials, defined to mean an article, material, or supply  
106 other than an item of primarily iron or steel; a manufactured product; cement and cementitious materials;  
107 aggregates such as stone, sand, or gravel; or aggregate binding agents or additives that are or consist primarily  
108 of: non-ferrous metals; plastic and polymer-based products (including polyvinylchloride, composite building  
109 materials, and polymers used in fiber optic cables); glass (including optic glass); lumber; or drywall used in the  
110 project are manufactured in the U.S.  
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### 113 **Trade Restriction Certification**

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115 By submission of an offer, the Offeror certifies that with respect to this solicitation and any resultant  
116 contract, the Offeror –

- 117 1) is not owned or controlled by one or more citizens of a foreign country included in the list of  
118 countries that discriminate against U.S. firms as published by the Office of the United States Trade  
119 Representative (USTR);
- 120 2) has not knowingly entered into any contract or subcontract for this project with a person that is a  
121 citizen or national of a foreign country included on the list of countries that discriminate against  
122 U.S. firms as published by the USTR; and
- 123 3) has not entered into any subcontract for any product to be used on the Federal project that is  
124 produced in a foreign country included on the list of countries that discriminate against U.S. firms  
125 published by the USTR.

126 This certification concerns a matter within the jurisdiction of an agency of the United States of America and  
127 the making of a false, fictitious, or fraudulent certification may render the maker subject to prosecution  
128 under Title 18 USC § 1001.

129 The Offeror/Contractor must provide immediate written notice to the Owner if the Offeror/Contractor  
130 learns that its certification or that of a subcontractor was erroneous when submitted or has become  
131 erroneous by reason of changed circumstances. The Contractor must require subcontractors provide  
132 immediate written notice to the Contractor if at any time it learns that its certification was erroneous by  
133 reason of changed circumstances.

134 Unless the restrictions of this clause are waived by the Secretary of Transportation in accordance with 49  
135 CFR § 30.17, no contract shall be awarded to an Offeror or subcontractor:

- 136 1) who is owned or controlled by one or more citizens or nationals of a foreign country included on the  
137 list of countries that discriminate against U.S. firms published by the USTR; or  
138 2) whose subcontractors are owned or controlled by one or more citizens or nationals of a foreign  
139 country on such USTR list; or  
140 3) who incorporates in the public works project any product of a foreign country on such USTR list.

141 Nothing contained in the foregoing shall be construed to require establishment of a system of records in  
142 order to render, in good faith, the certification required by this provision. The knowledge and information  
143 of a contractor is not required to exceed that which is normally possessed by a prudent person in the  
144 ordinary course of business dealings.

145 The Offeror agrees that, if awarded a contract resulting from this solicitation, it will incorporate this  
146 provision for certification without modification in all lower tier subcontracts. The Contractor may rely on  
147 the certification of a prospective subcontractor that it is not a firm from a foreign country included on the  
148 list of countries that discriminate against U.S. firms as published by USTR, unless the Offeror has  
149 knowledge that the certification is erroneous.

150 This certification is a material representation of fact upon which reliance was placed when making an award.  
151 If it is later determined that the Contractor or subcontractor knowingly rendered an erroneous certification,  
152 the Federal Aviation Administration (FAA) may direct through the Owner cancellation of the contract or  
153 subcontract for default at no cost to the Owner or the FAA.

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155 **Notice Of The Requirement For Affirmative Action To Ensure Equal Employment Opportunity**  
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- 157 1. The Offeror's or Bidder's attention is called to the "Equal Opportunity Clause" and the "Standard  
158 Federal Equal Employment Opportunity Construction Contract Specifications" set forth herein.
- 159 2. The goals and timetables for minority and female participation, expressed in percentage terms for the  
160 Contractor's aggregate workforce in each trade on all construction work in the covered area, are as follows:

161 **Timetables**

162 Goals for minority participation for each trade: 2.3%

163 Goals for female participation in each trade: 6.9%

164 These goals are applicable to all of the Contractor's construction work (whether or not it is Federal or  
165 federally assisted) performed in the covered area. If the Contractor performs construction work in a  
166 geographical area located outside of the covered area, it shall apply the goals established for such  
167 geographical area where the work is actually performed. With regard to this second area, the Contractor  
168 also is subject to the goals for both its federally involved and nonfederally involved construction.

169 The Contractor's compliance with the Executive Order and the regulations in 41 CFR Part 60-4 shall be  
170 based on its implementation of the Equal Opportunity Clause, specific affirmative action obligations  
171 required by the specifications set forth in 41 CFR 60-4.3(a) and its efforts to meet the goals. The hours of  
172 minority and female employment and training must be substantially uniform throughout the length of the  
173 contract, and in each trade, and the Contractor shall make a good faith effort to employ minorities and  
174 women evenly on each of its projects. The transfer of minority or female employees or trainees from  
175 Contractor to Contractor or from project to project for the sole purpose of meeting the Contractor's goals  
176 shall be a violation of the contract, the Executive Order and the regulations in 41 CFR Part 60-4.  
177 Compliance with the goals will be measured against the total work hours performed.

178 3. The Contractor shall provide written notification to the Director of the Office of Federal Contract  
179 Compliance Programs (OFCCP) within 10 working days of award of any construction subcontract in excess  
180 of \$10,000 at any tier for construction work under the contract resulting from this solicitation. The  
181 notification shall list the name, address, and telephone number of the subcontractor; employer identification  
182 number of the subcontractor; estimated dollar amount of the subcontract; estimated starting and  
183 completion dates of the subcontract; and the geographical area in which the subcontract is to be performed.

184 4. As used in this notice and in the contract resulting from this solicitation, the “covered area” is City of Malden,  
185 Dunklin, and state of Missouri.

186 **Federal Fair Labor Standards Act (Federal Minimum Wage)**  
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188 All contracts and subcontracts that result from this solicitation incorporate by reference the provisions of  
189 29 CFR part 201, et seq, the Federal Fair Labor Standards Act (FLSA), with the same force and effect as if  
190 given in full text. The FLSA sets minimum wage, overtime pay, recordkeeping, and child labor standards  
191 for full and part-time workers.

192 The Contractor and Consultant has full responsibility to monitor compliance to the referenced statute or  
193 regulation. The Contractor and Consultant must address any claims or disputes that arise from this  
194 requirement directly with the U.S. Department of Labor – Wage and Hour Division.

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196 **Certification of Offeror/Bidder Regarding Debarment**  
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198 By submitting a bid/proposal under this solicitation, the bidder or offeror certifies that neither it nor  
199 its principals are presently debarred or suspended by any Federal department or agency from  
200 participation in this transaction.

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202 **Other Federal Provisions** Award of contract is also subject to the following Federal Provisions:

- 203 • Civil Rights – Title VI Assurances
  - 204 • Lobbying Federal Employees
  - 205 • Recovered Materials
  - 206 • Other Federal Provisions included in Part A of the Special Provisions
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