

**ADVERTISEMENT FOR BIDS
WHITE SULPHUR SPRINGS AIRPORT IMPROVEMENTS
WHITE SULPHUR SPRINGS, MEAGHER COUNTY, MONTANA
A.I.P. 3-30-0083-015-2025**

Separate sealed bids will be received by **Meagher County** until **2:00 p.m.**, local time, **January 29, 2025**. All bids will be received by Meagher County, and publicly opened, and read aloud at **Robert Peccia & Associates, 3147 Saddle Drive, Helena, Montana 59601**, for the White Sulphur Springs Airport Improvements Project to include the following:

- ➔ Crack seal, paint removal, seal coat, and remark Runway 1-19, Taxiways and connectors, Aprons, and Taxilanes; and
- ➔ Apply coal tar sealant at aircraft parking and fueling locations

This work is to include all tools, equipment, materials, and labor to complete this project.

**NOTICE OF REQUIREMENT FOR AFFIRMATIVE ACTION TO ENSURE EQUAL
EMPLOYMENT OPPORTUNITY
41 CFR Part 60-4, Executive Order 11246**

1. The Offeror's or Bidder's attention is called to the "Equal Opportunity Clause" and the "Standard Federal Equal Employment Opportunity Construction Contract Specifications" set forth herein.
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: **4.1%** (Applied to Meagher County)

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 covered area, it shall apply the goals established for such 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 nonfederally involved construction.

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

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

4. As used in this notice and in the contract resulting from this solicitation, the "covered area" is
State: **Montana** County: **Meagher** City: **White Sulphur Springs**

CIVIL RIGHTS – TITLE VI ASSURANCE
49 USC § 47123, FAA Order 1400.11

Meagher County, Montana in accordance with the provisions of Title VI of the Civil Rights Act of 1964 (78 Stat. 252, 42 USC §§ 2000d to 2000d-4) and the Regulations, hereby notifies all bidders or offerors that it will affirmatively ensure that for 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.

DISADVANTAGED BUSINESS ENTERPRISE
49 CFR Part 26

The requirements of 49 CFR part 26 apply to this contract. It is the policy of **Meagher County, Montana** to practice nondiscrimination based on race, color, sex, or national origin in the award or performance of this contract. The Owner encourages participation by all firms qualifying under this solicitation regardless of business size or ownership.

FEDERAL FAIR LABOR STANDARDS ACT
29 USC § 201, 29 USC § 200.430

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

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

TRADE RESTRICTION CERTIFICATION
49 USC § 50104, 49 CFR Part 30

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

- 1) 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 as published by the Office of the United States Trade Representative (USTR);
- 2) 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 included on the list of countries that discriminate against U.S. firms as published by the USTR; and
- 3) has not entered into any subcontract for any product to be used on the Federal project that is produced in a foreign country included on the list of countries that discriminate against U.S. firms published by the USTR.

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

The Offeror/Contractor must provide immediate written notice to the Owner if the Offeror/Contractor learns that its certification or that of a subcontractor was erroneous when submitted or has become erroneous by reason of changed circumstances. The Contractor must require subcontractors provide immediate written

notice to the Contractor if at any time it learns that its certification was erroneous by reason of changed circumstances.

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

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

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

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

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

This project is subject to the Federal provisions, which are hereby incorporated by reference within this Advertisement For Bids: Buy American Preference, Civil Rights – Title VI Assurances, Davis Bacon Requirements, Debarment and Suspension, Lobbying and Influencing Federal Employees, Procurement of Recovered Materials, and Government-wide Requirements for Drug-free Workplace, which are incorporated by reference. Failure to comply with the terms of these contract provisions may be sufficient grounds to: 1.) Withhold progress payments or final payment, 2.) Terminate the contract, 3.) Seek suspension/debarment, or 4.) Any other action determined to be appropriate by the Sponsor/Owner or the FAA.

-- (End of Clauses) --

Bids will be received on a price basis as described in the Contract Documents. Bid security in the amount of not less than ten percent (10%) of the amount of the bid, which shall be: (1) lawful money of the United States; or (2) a Cashier's Check, Certified Check, Bank Money Order or Bank Draft, in any case drawn and issued by a federally chartered or state chartered bank insured by the federal deposit insurance corporation; or (3) a bid bond, guaranty bond, or surety bond executed by a surety corporation authorized to do business in the State of Montana. The bid security shall be made payable to the Owner and failure to enter into a formal contract will result in the Owner retaining the bid security. The successful bidder will be required to enter into a formal contract within the bid period listed in the Contract Documents. Bidder shall be required to provide an insurance certification(s), to furnish a Performance Bond, and furnish a labor and materials Payment Bond within ten (10) calendar days from the date the Notice of Award is received. The bonds shall each be equal to 100 percent of the contract amount. The successful Bidder is required to comply with Montana's Contractor Registration Law in accordance with Title 39, Chapter 9, MCA.

Contract Documents may be inspected at many plan exchanges, and at the office of the consulting engineer, **Robert Peccia & Associates**, (3147 Saddle Dr. / P.O. Box 5653, Helena, MT 59604). They may be reviewed, downloaded, and printed at no cost under the “PROJECTS BIDDING” tab at www.rpa-hln.com.

All bids must be submitted in a Bidding Documents booklet, provided by the Engineer upon receipt of \$25.00 (non-refundable). Alternate forms or copies of the Bidding Documents booklet will not be acceptable. The Planholders List will include only the purchasers of Bidding Documents booklets.

Hard copies of the Contract Documents (including a Bidding Documents booklet) printed by the Engineer are available upon receipt of \$200.00 (non-refundable) for each complete set.

No pre-bid conference will be held for this project. However, potential bidders are encouraged to visit the site and contact the Engineer (mwilder@rpa-hln.com or 406-447-5000) with any questions.

Faxed bids will not be accepted or considered. The Owner reserves the right to reject any and all bids, to waive informalities, and to reject nonconforming, irregular, non-responsive, or conditional bids. Bids may be held by the Owner for a period not to exceed **90** days from the date of the opening for the purpose of reviewing the bids and investigating the qualifications of the bidder and/or determining bid award based upon available funding prior to award of the Contract.

January 9, 2025

MEAGHER COUNTY

By /s/ Rod Brewer, County Commissioner, Meagher County

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White Sulphur Springs: *Meagher County News* (Thursdays):

First Publication: January 9, 2025 (Thursday)
Second Publication: January 16, 2025 (Thursday)
Third Publication: January 23, 2025 (Thursday)

Bid Opening: January 29, 2025 @ 2:00 p.m.