

**NOTICE TO BIDDERS
FOR
PASSENGER TERMINAL SITE PREPARATION
AT DES MOINES INTERNATIONAL AIRPORT**

Time and Place for Filing Sealed Proposals. Sealed bids for the work comprising each improvement as stated below must be on file before 11:00 a.m. on October 27, 2022 in the office of the Executive Director, Des Moines International Airport, 2nd Floor, Room 207, 5800 Fleur, Drive, Des Moines, Iowa, 50321. Bids received after the deadline for submission of bids as stated herein shall not be considered and shall be returned to the late bidder unopened.

Accessibility for Individuals with Disabilities. The Des Moines Airport Authority is pleased to provide accommodations to individuals with disabilities or groups and encourages participation. To better serve you, please notify us at least three business days in advance when possible at 515-256-5100, should special accommodations be required.

Time and Place Sealed Proposals Will be Opened and Considered. Sealed proposals will be opened and bids tabulated October 27, 2022 in the Board Room, Conference Center, 2nd Floor, Des Moines International Airport, 5800 Fleur, Drive, Des Moines, Iowa, 50321, for consideration by the Des Moines Airport Authority Board (Board) at its meeting on November 8, 2022. The Board may award a Contract at said meeting, or at such other time and place as shall then be announced.

General Nature of Public Improvement

Passenger Terminal Site Preparation

Contract#: 2022-26-20

Demolition of existing aircraft hangar (DSM Building #10), miscellaneous demolition and relocation of aircraft hangar Building #9; site preparation, new roof, overhead doors, and building automation for relocated Building #9, demolition of concrete slabs for Building #9, Building #10, and former Building #7, demolition and removal of 27,000 SY of airfield and parking lot pavement, installation of 2,250 LF of relocated perimeter security fencing, approximately 90,000 CY of embankment construction at future terminal building, 1,100 LF of relocated storm and sanitary sewer, 1,750 LF of 2 – 4" communication conduits, installation of 1,000 LF of 48 inch storm sewer, installation of 1,400 LF of 10 inch sanitary sewer, and relaying power to Building #8 from a new Mid-American transformer.

The Engineer's opinion of probable construction cost for the Work is \$4,800,000 to \$5,300,000.

Commencement of Work. Work on the improvements shall be commenced any time after a written Notice to Proceed is issued and shall be completed as stated below. The Notice to Proceed will be issued after the preconstruction conference in March 2023, Submittal and Acceptance of the Contractors Safety Plan Compliance Document, and submittal of all required insurance certifications

Bid Security and Bonds. 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 and will furnish after the award of Contract corporate Surety Performance and Payment Bond(s), in a form acceptable to the Board, for the faithful performance of the Contract, in an amount equal to one hundred percent (100%) of the amount of the Contract. The Bidder's security shall be in the amount of five (5%) percent of the Bid and shall be in the form of a cashier's check or a certified check drawn on an FDIC insured bank in Iowa or on an FDIC insured bank chartered under the laws of the United States; or a certified share draft drawn on a credit union in Iowa or chartered under the laws of the United States; or a Bid Bond on the form provided in the Contract Documents with corporate Surety satisfactory to the Board. The bid shall contain no condition except as provided in the specifications.

Performance, Payment, and Maintenance Bonds. Each successful Bidder will be required to furnish corporate Surety Bonds in an amount equal to one hundred percent (100%) of its Contract price. Said Bonds shall be issued by a responsible Surety approved by the Des Moines Airport Authority and shall guarantee the faithful performance of the Contract and the terms and conditions therein contained and shall guarantee the prompt payment of all material and labor, and protect and save harmless the Des Moines Airport Authority from claims and damages of any kind caused by the operations of the Contract and shall also guarantee the maintenance of the improvement caused by failures in materials and construction for a period of one (1) year from and after acceptance of 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 Des Moines Airport Authority for a period not to exceed 30 days from the date of the bid opening for the purpose of conducting the bid evaluation. Prospective Bidders are hereby advised that award of contract is contingent upon the Owner receiving Federal funding assistance under the Airport Improvement Program. Awarded Bidder may be required to hold their bid open for a period of up to 120 days following letting.

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 Des Moines Airport Authority may require, to reject any and all bids and to waive any informality in the bids received.

Contract Documents. A copy of said plans, specifications, and form of contract, and estimated total cost is now on file in the office of the Director of Engineering and Planning and may be examined at the Des Moines International Airport, 2nd Floor, Room 207, 5800 Fleur, Drive, Des Moines, Iowa.

Copies of the Bidding & Contract Documents may be obtained at Beeline and Blue, 2507 Ingersoll Avenue, Des Moines, IA 50312 (515-244-1611 or www.beelineandblue.com), in accordance with the Instructions to Bidders. A record of plan holders will be updated daily and posted on Beeline and Blue's Online Plan room. Documents are available at a cost of fifty dollars (\$50.00), which is refundable, provided the following conditions are met: (1) The Contract Documents are returned complete and in a reusable condition, and (2) they are returned within fourteen (14) calendar days after the award of the project.

Sales Tax. The bidder should not include sales tax in the bid. A sales tax exemption certificate will be available for all material purchased for incorporation in the project.

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

DAVIS BACON REQUIREMENTS: (29 CFR PART 200 APPENDIX II(D))

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.

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 **7.00%** percent participation for small business concerns owned and controlled by certified socially and economically disadvantaged 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.

TITLE VI SOLICITATION NOTICE

The Des Moines Airport Authority, 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.

AFFIRMATIVE ACTION REQUIREMENT

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:

<u>Timetables</u>	
Goals for minority participation for each trade	4.5%
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 is also subject to the goals for both federally funded and non-federally funded construction regardless of the percentage of federal participation in funding.

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 shall 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, 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 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 Polk County, Iowa.

BUY AMERICAN CERTIFICATION – 49 USC PART 50101:

The contractor agrees to comply with 49 USC Part 50101, which provides that Federal funds may not be obligated unless all steel and manufactured goods used in AIP-funded projects are produced in the United States, unless FAA has issued a waiver for the product; the product is listed as an Excepted Article, material Or Supply in Federal Acquisition Regulation subpart 25.108; or is included in the FAA Nationwide Buy American Waivers Issued list.

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.

Award of Contract is also subject to the following Federal Provisions. Refer to Supplementary Provision A, and the Attachment to Supplementary A for entirety of Federal Provisions.

- Access to Records and Reports (Reference 2 CFR § 200.326, 2 CFR § 200.333)
- Breach Of Contract Terms. (Reference 2 CFR § 200 Appendix II(A))
- Civil Rights - General. (Reference: 49 USC § 47123)
- Clean Air And Water Pollution Control. (Reference: 2 CFR § 200 Appendix II(G))
- Contract Workhours And Safety Standards Act Requirements. (Reference: 2 CFR § 200 Appendix II (E))
- Copeland "Anti-Kickback" Act (Reference: 2 CFR § 200 Appendix II(D), 29 CFR Parts 3 & 5)
- Debarment And Suspension (Non-Procurement). (Reference: 2 CFR Part 180 (Subpart C), 2 CFR Part 1200, Dot Order 4200.5)
- Distracted Driving (Reference Executive Order 13513 and DOT Order 3902.10)
- Energy Conservation Requirements. (Reference 2 CFR § 200 Appendix II(H))
- Equal Employment Opportunity. (Reference 2 CFR 200, Appendix II(C), 41 CFR § 60-1.4, 41 CFR § 60-4.3, Executive Order 11246)
- Federal Fair Labor Standards Act (Federal Minimum Wage) (Reference: 29 USC § 201, Et Seq.)
- Lobbying And Influencing Federal Employees. (Reference: 31 USC § 1352 – Byrd Anti-Lobbying Amendment, 2 CFR part 200, Appendix II(J), and 49 CFR Part 20, Appendix A)
- Occupational Safety And Health Act Of 1970 (Reference 20 CFR Part 1910)
- Procurement of Recovered Materials (Reference 2 CFR § 200.322 and 40 CFR Part 247)
- Right To Inventions. (Reference 2 CFR § 200 Appendix II(F), and 37 CFR § 401)
- Seismic Safety (Reference 49 CFR Part 41)
- Termination Of Contract. (Reference 2 CFR § 200 Appendix II(B) and FAA Advisory Circular 150/5370-10, Section 80-09))
- Trade Restriction (Reference: 49 USC § 50104, and 49 CFR Part 30)
- Veteran's Preference (Reference: 49 USC § 47112(C))

Completion of Work. The project shall occur during the 2023 construction season. The Phase 1 work (installation of relocated AOA fence) has an early start date of April 3, 2023, and a late start date of April 10, 2023. Phase 1 has a duration of 20 calendar days. Phase 1A in-line drain installation has a duration of 7 calendar days, and must occur at the start of Phase 1. Phase 2 (the primary construction phase) may start immediately after Phase 1 is complete. Phase 2 has a duration of 120 calendar days, along with a completion date of August 29, 2023. Phase 2A established a date for the relocation of Building #9. Building #9 must be relocated by June 9, 2023. Phase 2B work (sanitary and storm sewer installation inside the AOA fence) must be completed concurrent with Phase 2, and has a duration of 40 calendar days. Phase 3 work (relocated AOA fence installed in Phase 1) has a start date of September 4, 2023, and a completion date of September 18, 2023 (duration of 15 calendar days). Also, relocated Building #9 (Building #44B) must be ready for occupancy by the end of Phase 3.

A pre-bid conference will be held at 1:30 pm on Tuesday, October 18, 2022 at the Cloud Room of the Des Moines International Airport, 5800 Fleur Drive. An online option to join the pre-bid conference via Microsoft Teams or conference call will also be available. Bidders wanting to join the meeting via MS Teams, please email a request to Andrew.Snyder@foth.com and an Outlook meeting invite will be returned with link for the virtual meeting. Bidders wanting to join the meeting via conference call (audio only), please call (920) 455-8872 and enter the Conference ID: 216 806 991# when prompted. Bidders are strongly encouraged to attend the pre-bid conference, and visit the project site.

The Des Moines Airport Authority reserves the right to reject any or all bids, to waive informalities, and to enter into such contract, or contracts, as it shall deem to be in the best interest of the Authority.

This Notice is given by authority of the Des Moines Airport Authority.