

# INVITATION FOR BIDS

**Eagle County Regional Airport  
Gypsum, Colorado  
AIP Project No. 3-08-0020-069-2023**

Sealed bids, subject to the conditions contained herein, for improvements to the Eagle County Regional Airport, Gypsum, Colorado, AIP Project No. 3-08-0020-069-2023 will be received by the Eagle County Regional Airport, Airport Administrations Office, Gypsum, Colorado, 81637, until Tuesday, February 27, 2024, at 10:00 A.M., and then publicly opened and read aloud.

The work involved will include the following:

## **Schedule I - Taxiway B Embankment & Drainage Improvements - Phase II**

The approximate quantities of major bid items involved in the proposed work are:

P-151a	Clearing and Grubbing	AC	7
P-152a	Embankment (Stockpiles within the Airport Perimeter Fence)	CY	20,000
P-152b	Embankment (Stockpiles outside the Airport Perimeter Fence)	CY	10,000
D-701a	Install 24-Inch RCP, Class V	LF	515
D-701b	Install 36-Inch FES, Class V	EA	870
D-751a	Install Storm Inlet (Type I)	EA	2
D-751b	Install Storm Manhole	EA	1
T-901a	Seeding with Hydromulch	AC	7

Construction for this project is expected to take 45 working day(s).

**Contract Documents.** The complete set of Specifications and Contract Documents can be downloaded from Quest Construction Data Network (QuestCDN) at [www.questcdn.com](http://www.questcdn.com) and/or <https://woolpert.com/markets/aviation> by selecting the “Project Bids” header and inputting **Quest Project #8946711** on the project search page beginning on January 29, 2024. Interested parties may view the bid documents at no cost prior to deciding to become a plan holder and bidding on the project. To be considered a plan holder, register with [www.questcdn.com](http://www.questcdn.com) for a free Regular membership and download the bid documents in digital form at a cost of twenty-two dollars (\$22.00). Downloading the documents and becoming a plan holder is required to bid as plan holder’s receive automatic notice of addendum(s) for this project and bid updates. **It is the bidder’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.** Contact QuestCDN Customer Support at 952-233-1632 or [info@QuestCDN.com](mailto:info@QuestCDN.com) for assistance in membership registration and downloading digital bidding documents.

**Pre-Bid Conference.** The pre-bid conference for this project will be held on February 13, 2024 at 10:00 A.M., in the Eagle County Regional Airport SRE Facility, Conference Room at the Eagle County

Regional Airport, 0221 Eldon Wilson Road, Gypsum, Colorado, 81637. All bidders are required to examine the site to become familiar with all site conditions prior to submitting their bid.

**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.

Bids may be held by Eagle County, Colorado (“Eagle County” or “Owner”) 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.

Eagle County reserves the right, in its sole discretion, to accept or reject any and all bids, to waive any informality or technicality in any bid, to negotiate contract terms with a bidder, to disregard all non-conforming, non-responsive or conditional bids and to postpone the award of the contract for a period not exceeding 120 calendar days after bid opening.

All questions regarding the bid are to be directed to Matt Gilbreath, P.E. with Jviation, Inc., 720 South Colorado Blvd., Suite 1200-S, Glendale, Colorado, 80246, (720) 544-6522, Fax: (303) 524-3031, or email Matt.Gilbreath@woolpert.com.

**Bid Bond.** Guarantee will be required with each bid as a certified check on a solvent bank or a Bid Bond in the amount of five (5) % of the total amount of the bid, made payable to the Eagle County, Colorado.

**Performance & Payment Bond.** The successful bidder will be required to furnish separate performance and payment bonds each in an amount equal to 100% of the contract price.

**Airport and Airway Improvement Act of 1982 as Amended.** In accordance with the Davis-Bacon Act, as amended, 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.

**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:** Eagle County, 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.

**DBE Requirement.** Required if Federal funds exceed \$250,000

**Bid Information Submitted as a matter of responsiveness:**

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 responsiveness, the Bidder or Offeror must submit the following information with its proposal on the forms provided herein:

- (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; and
- (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.

The bidder shall make good faith efforts, as defined in Appendix A of 49 CFR Part 26, Regulations of the Office of the Secretary of Transportation, to subcontract 3.62 % of the dollar value of the prime contract to small business concerns owned and controlled by socially and economically disadvantaged individuals (DBE). In the event that the bidder for this solicitation qualifies as a DBE, the contract goal shall be deemed to have been met. Individuals who are rebuttably presumed to be socially and economically disadvantaged include, women, Black Americans, Hispanic Americans, Native Americans, Asian-Pacific Americans, and Asian-Indian Americans. The apparent successful bidder will be required to submit information concerning the DBE's that will participate in this contract. The information will include the name and address of each DBE, a description of the work to be performed by each named firm, and the dollar value of the contract. If the bidder fails to achieve the contract goal stated herein, it will be required to provide documentation demonstrating that it made good faith efforts in attempting to do so. A bid that fails to meet these requirements will be considered non-responsive. Those firms currently certified as DBE's by the Colorado Department of Transportation are eligible to participate as DBE's on this contract. A list of these firms can be obtained from the State, the consulting engineer, or the Sponsor.

**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

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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

funds may not be obligated unless all iron, steel and manufactured goods used in AIP funded projects are produced in the United States, unless the Federal Aviation Administration 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.

The bidder or offeror must complete and submit the certification of compliance with FAA's Buy American Preference, BABA and Made in America laws included herein with their bid or offer. The Airport Sponsor/Owner will reject as nonresponsive any bid or offer that does not include a completed certification of compliance with FAA's Buy American Preference and BABA.

The bidder or offeror certifies that all constructions materials, defined to mean an article, material, or supply other than an item of primarily iron or steel; a manufactured product; cement and cementitious materials; aggregates such as stone, sand, or gravel; or aggregate binding agents or additives that are or consist primarily of: non-ferrous metals; plastic and polymer-based products (including polyvinylchloride, composite building materials, and polymers used in fiber optic cables); glass (including optic glass); lumber; or drywall used in the project are manufactured in the U.S.

#### **Trade Restriction Certification**

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 § 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.

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“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.

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.

### **Notice Of The Requirement For Affirmative Action To Ensure Equal Employment Opportunity**

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:	10.2 %
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 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 Colorado, Eagle County, Town of Gypsum.

### **Federal Fair Labor Standards Act (Federal Minimum Wage)**

All contracts and subcontracts that result from this solicitation incorporate by reference the provisions of 29 CFR part 201, et seq, 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.

### **Certification of Offeror/Bidder Regarding Debarment**

By submitting a bid/proposal under this solicitation, the bidder or offeror certifies that neither it nor its principals are presently debarred or suspended by any Federal department or agency from participation in this transaction.

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

- Trade Restriction Certification

- Lobbying Federal Employees
- Recovered Materials
- Government-wide Requirements for Drug-free Workplace
- Other Federal Provisions included in Part A of the Special Provisions

Eagle County, Colorado  
Gypsum, Colorado