

**INVITATION TO BID
AIRPORT IMPROVEMENTS
BILLINGS LOGAN INTERNATIONAL AIRPORT
BILLINGS, MONTANA**

Notice is hereby given that sealed bids will be received and publicly opened at **2:00 p.m., local time on Tuesday, March 18, 2025** by the Billings City Clerk, via e-mail at bids@billingsmt.gov, or via mail or delivery at 316 N. 26th Street, Billings, MT, 59101 (P.O. Box 1178, Billings, MT 59103) for the construction of “Overlook Drive Overlay” to include the following:

Schedule 1 – Overlook Drive Rehabilitation

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

Bids must be sealed and delivered to the Billings City Clerk, at or before **2:00 p.m., local time on Tuesday, March 18, 2025** and marked **“Bid for Overlook Drive Rehabilitation at the Billings Logan International Airport.”** The bidder's name, address and state Contractor's Registration Number shall appear in the lower left-hand corner of the envelope.

Bids will be publicly opened and read aloud via Facebook Live on the City's Facebook page: <https://www.facebook.com/Billings-MT-City-Government-74352842013/>. Bid tabulations will be posted for public viewing after the bids have been opened.

Bid Bond. All bids must be accompanied by lawful monies of the United States or a Cashier's Check, a Certified Check, Bid Bond, Bank Money Order or Bank Draft, drawn and issued by a National Banking Association located in the State of **Montana**, or by any Banking Corporation incorporated under the Laws of the State of **Montana**, in an amount equal to not less than ten (10) percent of the total bid, payable to the order of the **City Of Billings** as liquidated damages in the event said successful bidder shall fail or refuse to execute the contract in accordance with the terms of their bid.

Performance and Payment Bond. After a contract is awarded, the successful bidder will be required to furnish a separate Performance and Payment Bond, each in the amount of one hundred percent (100%) of the contract.

Contract Documents. The contact person for this project is Heather Mosser, PE, at 406-656-6000. The Contract Documents consisting of half-size Drawings and Project Manual may be viewed or obtained by electronic documents online by the end of the day on February 28, 2025.

Electronic Transfer - Complete electronic Project Plans, Project Manual, and **“Bid Proposal Packet”** are available at the Morrison-Maierle, Inc. website www.m-m.net, by clicking on the “About” tab, scroll down to “Projects Bidding”, then click “view our current projects bidding page”. Documents can *only* be **viewed** on the Morrison-Maierle, Inc. website, and cannot be downloaded or printed without purchasing. To purchase and download the project documents in pdf format and be placed on the planholder's list, click “Download Project PDF” and sign on to QuestCDN.com. Plan documents and **“Bid Proposal Packet”** can be downloaded for a fee of **\$40**. Please contact QuestCDN at 952-233-1632 or email info@questcdn.com for assistance in the free membership registration, downloading, and working with this digital project information.

The Owner reserves the right to reject any or all bids and to waive irregularities.

The Bidder must supply all the information required by the bid documents and specifications.

FEDERAL SOLICITATION REQUIREMENTS

FUNDING FOR THIS CONTRACT IS FEDERALLY ASSISTED. Contractors at every tier must comply with applicable federal requirements, including but not limited to the Buy American Preference, Civil Rights – General, Davis Bacon Requirements, Governmentwide Debarment and Suspension, Lobbying of Federal Employees, and Procurement of Recovered Materials as contained in the bid documents.

TITLE VI SOLICITATION NOTICE: The Owner, 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, [select businesses, or disadvantaged business enterprises or airport concession 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.

Davis Bacon. 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 as referenced in the Contract.

NOTICE OF REQUIREMENT FOR AFFIRMATIVE ACTION TO ENSURE EQUAL EMPLOYMENT OPPORTUNITY:

The proposed contract is under subject to 41 CFR § 60-1.4 and Executive Order 11246 of September 24, 1965, and to the Equal Employment Opportunity (EEO) and Federal Labor Provisions. A Contractor having 50 or more employees and his subcontractors having 50 or more employees and who may be awarded a subcontract of \$50,000 or more will be required to maintain an affirmative action program, the standards for which are contained in the specifications. To be eligible for award, each bidder must comply with the affirmative action requirements which are contained in the specifications.

DISADVANTAGED BUSINESS ENTERPRISE:

The requirements of 49 CFR part 26 apply to this contract. It is the policy of the Billings Logan International Airport 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.

As required by 49 CFR Part 26, the Airport is required to create a bidders list, consisting of information about all DBE and non-DBE firms that bid or quote on DOT-assisted contracts. The purpose of this requirement is to allow use of the bidders list approach to calculating future overall DBE goals. As per the requirements of the Proposal section, all Prime Bidders submitting bids on this project must submit, with his or her bid, a list including the firm name, address, DBE/non-DBE status, race and gender information for the firm's majority owner, NAICS code applicable to each scope of work the firm sought to perform in its bid, age of the firm, annual gross receipts of the firm of all subcontractors and suppliers that bid or quote for work under this contract. Failure to provide this information, as outlined in the Proposal section, will make the bidder non-responsive and not eligible for award of the contract.

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.

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.

Contractor Registration. Contractors and any subcontractors doing work on this project will require registration with the Montana Department of Labor and Industry. Forms for registration are available from the Department of Labor and Industry, P.O. Box 8011, 1805 Prospect Avenue, Helena, Montana 59604-8011. Information on registration can be obtained by calling 1-800-556-6694. Contractors are required to have been registered with the Department of Labor

and Industry prior to bidding on this project.

Funding and Award. This contract will be funded in part by a grant from the Federal Aviation Administration. Therefore, award of the Contract by the Sponsor will be made subject to concurrence of FAA. Bidders may not withdraw Proposals for a period of **sixty (60)** days after the bid opening date.

Pre-bid Conference. The pre-bid conference is hereby established at **1:30 p.m., Monday, March 10, 2025**, at the Airport Operations Building, 2281 Overlook Drive (west of the terminal), upstairs conference room. Failure of the Contractor to thoroughly familiarize themselves with the scope of this project does not relieve the Contractor from the requirement of this Agreement.

Signed: /s/ Denise Bohlman
City Clerk
City of Billings
P.O. Box 1178
Billings, Montana 59103

First Publication: **February 28, 2025**
Second Publication: **March 7, 2025**
Third Publication: **March 14, 2025**