

## ADVERTISEMENT

### Notice to Bidders

Sealed bids, subject to the conditions herein, will be received until **1:30pm, Tuesday, August 22, 2023**, at the Pitt-Greenville Airport, 400 Airport Road, Unit A, Greenville, NC 27834, and then opened and publicly read for furnishing all labor and materials and performing all work connected with: **Taxiway A South Rehabilitation** as indicated in the plans and specifications prepared by Talbert & Bright, Inc. dated July 2023.

The project shall consist of furnishing all labor, materials, and equipment and performing all work required to satisfactorily complete the **Taxiway A South Rehabilitation** project. Items of work include erosion control installation, asphaltic milling, asphaltic pavement and overlay, pavement removal, cured-in-place pipe lining, pavement marking, taxiway edge light modifications, signage modifications, seeding, mulching, sodding, and incidental items.

Bid Forms, Plans, Specifications, and Contract Documents are on file at Pitt-Greenville Airport Director's Office; Talbert & Bright, Inc., 4810 Shelley Drive, Wilmington, North Carolina; and with the online plan room Construct Connect, [www.constructconnect.com](http://www.constructconnect.com); and may be obtained from Talbert & Bright, Inc., 4810 Shelley Drive, Wilmington, North Carolina, 28405 between the hours of 8:00 a.m. and 5:00 p.m., Monday through Friday upon the non-refundable payment of one hundred dollars (\$100.00) for a PDF copy set of plans and specifications, which will be sent via email. For faster service, please email a copy of your request to [bids@tbiilm.com](mailto:bids@tbiilm.com), including a copy of your check with the Contractor's name and contact person, mailing and shipping address, phone and fax numbers, e-mail address, Airport, and project name for which you are requesting documents. Any subsequent addenda will only be issued directly to Construct Connect and to Talbert & Bright, Inc. registered plan holders.

Each bid must be accompanied by a Bid Bond, a deposit of cash or by a certified check payable to Pitt County-City of Greenville Airport Authority, and drawn on some bank or trust company authorized to do business in the State of North Carolina, for an amount equal to 5% of the total base bid, as a guarantee that if the bid is accepted, the required Contract will be executed and the required Performance Bond and Payment Bond furnished within fifteen (15) days after receipt of written notice of formal award of Contract.

***IMPORTANT NOTICE TO BIDDERS: Each bidder for this project shall be registered as a prequalified bidder with the NCDOT at the time of bid opening. All subcontractors for the project should be registered as a pre-qualified subcontractor with the NCDOT at the beginning of the project. The proposed Contract for this project is subject to the Disadvantaged Business Enterprise Program Bid Conditions contained in Appendix 'C' and to the Federal Contract Provision Requirements contained in Appendix 'D' of the Contract Documents.***

Prospective bidders should read the instructions for preparing bids in Section 20 of the project specifications carefully before submitting their bids.

Envelopes containing proposals must be sealed, addressed to Kim W. (Bill) Hopper, Executive Director, Pitt-Greenville Airport, 400 Airport Road, Greenville, NC 27834 and marked on the envelope as follows:

**“PROPOSAL FOR TAXIWAY A SOUTH REHABILITATION”**

**TITLE VI SOLICITATION NOTICE**

**The Pitt County-City of Greenville 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 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.**

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
- 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.

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.

The requirements of 49 CFR part 26 apply to this contract. It is the policy of the Pitt-Greenville 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.

#### **NOTICE OF 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:	<b>31.7%</b>
Goals for female participation in each trade:	<b>6.9%</b>

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 non-federally 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 Greenville, Pitt County, North Carolina.

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.

#### **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.

### **Federal Solicitation Notice by Reference**

Bidders are hereby notified by reference that Federal Contract Provisions are included in

this solicitation, located in Appendix 'D' of the Project Manual, including Buy American Preferences, Civil Rights – Title VI Assurances, Davis Bacon Requirements, Debarment and Suspension, Lobbying of Federal Employees, Recovered Materials, and other Provisions.

The Pitt County-City of Greenville Airport Authority hereby notifies all bidders that in regard to any contract entered into pursuant to this advertisement, that 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 **11.1%** (Combined Goal) of the dollar value of the prime contract for each project or schedule of work to Disadvantaged Business Enterprises (DBE). Only firms certified as an DBE by the NCDOT Unified Certification Program may be applied to the goal. 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 competitor will be required to submit with the bid information concerning the DBEs 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 nonresponsive.

All proposals shall be prepared on the basis of the Minimum Wage Rates as established by the Secretary of Labor and as included in Appendix 'D' of these specifications.

It is the intent of Pitt County-City of Greenville Airport Authority to award all schedules of work; however, the award of this contract is contingent upon the availability of Federal, State, and Local funds.

Pitt County-City of Greenville Airport Authority reserves the right to reject any or all proposals.

Mr. K. William Hopper, Executive Director  
Pitt-Greenville Airport