

Advertisement for Bids

Bismarck Airport
Bismarck, North Dakota

Sealed bids for the construction of airport improvements for Bismarck Airport, Bismarck, North Dakota will be received by the Board of City Commissioners, Bismarck, North Dakota in the office of the City Administrator until 3:00 PM CT on April 6, 2026. All bids will be publicly opened and read aloud at 4:00 PM CT, on April 6, 2026, at the office of the City Administrator, 221 North 6th Street, Bismarck, North Dakota.

The bid documents are to be mailed or delivered to City Administrator, 221 North 5th Street, Bismarck, North Dakota 58501 and shall be sealed and endorsed, "Airport Improvements, Apple Creek Outfall Improvements, Bismarck Airport" and shall indicate the type and number of contractor's license.

The proposed work includes the following:

Apple Creek Outfall Improvements including existing cable concrete mat and underdrain removal and disposal, excavation and embankment, geogrid, porous material, geotextile fabric, underdrain, cable concrete mat, sheet pile, riprap geotextile fabric, riprap, topsoiling, seeding, mulching, and miscellaneous items.

Plans and specifications are on file and may be seen at the office of Airport Director's Office, 2301 University Drive, Bismarck, North Dakota and at the office of KLJ, 400 East Broadway Avenue, Suite 600, Bismarck, North Dakota.

Complete digital project bidding documents are available at www.kljeng.com "Projects for Bid" or www.questcdn.com. You may download the digital plan documents for \$25.00 by inputting Quest project # 10075361 on the website's Project Search page. Please contact QuestCDN.com at 952-233-1632 or info@questcdn.com for assistance in free membership registration, downloading and working with this digital project information. An option paper set of project documents is also available for a non-refundable price of \$82.00 per set at KLJ, 400 East Broadway Avenue, Suite 600, Bismarck, North Dakota. 58501 for each set obtained. Contact KLJ at 701-355-8400 if you have any questions.

Each bid shall be accompanied by a separate envelope containing a Bid Bond in a sum equal to five percent (5%) of the maximum bid price, executed by the Bidder as principal and by a surety company authorized to do business in the State of North Dakota, payable to the City of Bismarck, conditioned that if the principal's bid be accepted and the contract awarded to him, he, within ten (10) days after Notice of Award has been executed, will execute and effect a contract in accordance with the terms of his bid and a contractor's bond as required by law and regulations and determinations of the governing board. The bid security of the two lowest bidders will be retained until the Notice of Award has been executed, but no longer than thirty (30) days. The bid security is a guarantee that the bidder will enter into contract for work described in the Proposal.

The Contractor shall also enclose within the Bid Bond envelope a copy of the bidder's North Dakota Contractor's License or a copy of their latest renewal certificate issued by the Secretary of State as per North Dakota Century Code 43-07-07 and 43-07-12. Any bid not containing this document shall not be acceptable and shall be returned to the Bidder.

The successful Bidder will be required to furnish a Contract Performance Bond and Payment Bond in the full amount of the Contract.

The Board of City Commissioners, Bismarck, North Dakota, reserves the right to hold all bids for a period of thirty (30) days after the date fixed for the opening thereof to reject any and all bids and waive defects and to accept any bids should it be deemed for the public good and also reserves the right to reject the bid of any party who has been delinquent or unfaithful in the performance of any former contract to the Owner.

The successful Bidder will have to obtain a statement from the Office of the State Tax Commissioner showing that all taxes due and owing to the State of North Dakota have paid before the contract can be executed.

TITLE VI SOLICITATION NOTICE

As a condition of a grant award, the Owner shall demonstrate that it complies with the provisions of Title VI of the Civil Rights Act of 1964 (42 U.S.C. §§ 2000d et seq) and implementing regulations (49 CFR part 21) including amendments thereto, the Airport and Airway Improvement Act of 1982 (49 U.S.C. § 47123), the Age Discrimination Act of 1975 (42 U.S.C. 6101 et seq.), Section 504 of the Rehabilitation Act of 1973 (29 U.S.C. § 794 et seq.), the Americans with Disabilities Act of 1990 (42 U.S.C. § 12101, et seq.), U.S. Department of Transportation and Federal Aviation Administration (FAA) Assurances, and other relevant civil rights statutes, regulations, or authorities, including any amendments or updates thereto. This may include, as applicable, providing a current Title VI Program Plan to the FAA for approval, in the format and according to the timeline required by the FAA, and other information about the communities that will be benefited and impacted by the project. A completed FAA Title VI Pre-Grant Award Checklist is required for every grant application, unless excused by the FAA.

The Owner shall affirmatively ensure that when carrying out any project supported by this grant that it complies with all federal nondiscrimination and civil rights laws based on race, color, national origin, sex, creed, age, disability, genetic information, in consideration for federal financial assistance. The Department's and FAA's Office of Civil Rights may provide resources and technical assistance to recipients to ensure full and sustainable compliance with Federal civil rights requirements. Failure to comply with civil rights requirements will be considered a violation of the agreement or contract and be subject to any enforcement action as authorized by law.

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 CONTRACT PROVISIONS

A full list of Federal Provisions by which the Bidder must comply, are incorporated by reference and contained within the specifications. Federal Contract Provisions are also available at http://www.faa.gov/airports/aip/procurement/federal_contract_provisions/ and include the following:

1. Civil Rights - General
2. Civil Rights – Title VI Assurance

A pre-bid meeting will be held on March 24, 2026 at 1:30 PM CT at the Bismarck Terminal, Second Floor, Conference Rooms A/B, Bismarck, North Dakota. Bring in your parking ticket to get it validated. No minutes will be taken or distributed. For those that want to attend remotely, the meeting information is as follows:

Join on your computer or mobile app:

Join on Microsoft Teams with the below information or via <https://tinyurl.com/p4yc4573>

Meeting ID: 250 806 183 561 53

Passcode: C744Hv38

Join with a video conferencing device:

Tenant key: webexsip@m.webex.com

Video ID: 114 316 619 7

Or call in (audio only):

701-526-4434

Phone Conference ID: 396 450 294#

Dated this 6 of March 2026.

*/s/*Jason Tomanek, City Administrator

Publication Dates: March 6, 2026
 March 13, 2026
 March 20, 2026

Jason Tomanek, City Administrator
City of Bismarck
Bismarck, North Dakota