

**Notice to Bidders
(Solicitation for Bids)**

Notice is hereby given that the Tulsa Airports Improvement Trust (“TAIT”) will receive sealed bids until 1:30 pm (Local Time) on Thursday, August 31, 2023, at the office of the TAIT, Room A211, Airline Terminal Building, 7777 Airport Drive, Tulsa, Oklahoma for:

General Aviation & Federal Inspection Services Facility

at Tulsa, Oklahoma and at 1:30 pm (Local Time), the proposals will be publicly opened and read aloud in the Airport Conference Room.

The TAIT anticipates this contract will be funded in part by Federal Aviation Administration Airport Infrastructure and Supplemental Discretionary grants.

The TAIT seeks an experienced qualified firm(s) to provide all material, labor, supervision, tools, equipment, and incidentals necessary for the new construction of the General Aviation & Federal Inspection Services (GAF-FIS) Facility. The GAF-FIS Facility is a new two story, 45,650 SF terminal expansion to the existing Tulsa International Airport. The new addition includes a small concourse and gate on the second level with a baggage claim and the new FIS Facility on Level One. The project consists of demolition, concrete, structural steel, precast concrete panels, CMU, aluminum curtainwall system, interior framing and finishes, fire sprinkler systems, baggage handling system, MEP, Security and Technology components.

A Pre-Bid Conference will be held on Thursday, August 3, 2023 at 1:30 pm (Local Time). Attendance is mandatory for prime contractors. Remote participation is available via Microsoft Teams. Request details from BrianAussieker@tulsaairports.com .

Bid documents (Project Manual) will be available Monday, July 24, 2023. Request a free copy by emailing BrianAussieker@tulsaairports.com. Documents may be viewed in the office of the TAIT Engineer (address above) and at Southwest Construction News Service, 5031 South 33rd West Avenue, Suite #210, Tulsa, OK 74107, Tel: 918 493 5066.

Bids received more than ninety-six (96) hours, excluding Saturdays, Sundays, and holidays, before the time set for opening of bids, as well as bids received after the time set for opening of bids, will not be considered and will be returned unopened.

All bids must be accompanied by a certified or cashier’s check, Bidder’s Bond, or irrevocable letter of credit in the amount of not less than five percent (5%) of the bid, made payable to TAIT; and in the event TAIT shall award the contract to the bidder and the bidder shall fail, within fifteen (15) days from the making of such award, to enter into the contract and furnish the bonds and insurance as required, the amount of the certified check shall be retained by TAIT as liquidated damages; or, if a bid bond or letter of credit is submitted, the amount thereof shall then be immediately due and payable.

By submitting a bid the Contractor certifies that it, and its proposed subcontractors, has under its direct control or at his disposal the personnel, equipment and materials required to execute the Project work as specified. Lack of such control or availability of personnel, equipment and materials shall constitute failure to properly execute the contract.

The bidder to whom a contract is awarded will be required to furnish public liability and workmen's compensation insurance; performance, statutory and maintenance bonds acceptable to TAIT, in conformity with the requirements of the proposed contract documents. The performance, statutory and maintenance bonds shall be for one hundred percent (100%) of the contract price.

The TAIT reserves the right to reject any or all bids and to waive any minor technicalities in bidding. No bid may be withdrawn for a period of sixty (60) days after the opening thereof.

Award of contract is subject to the following Federal provisions:

- 2 CFR Part 200, Appendix II(D) and 29 CFR Part 5 – Davis Bacon Requirements
- 2 CFR Part 180 (Subpart B), 2 CFR Part 200, 2 CFR Part 1200, and DOT Order 4200.5 – Debarment and Suspension
- 49 USC § 50101 – Buy American Preferences
- 31 USC § 1352, 2 CFR part 200, Appendix II(I), and 49 CFR part 20, Appendix A – Lobbying and Influencing Federal Employees
- 2 CFR § 200.323, 2 CFR Part 200, Appendix II(J), 40 CFR Part 247, and 42 USC § 6901, et seq (Resource Conservation and Recovery Act (RCRA)) – Recovered Materials
- 49 CFR § Part 26 Federal Aviation Administration - Disadvantaged Business Enterprise Participation (“DBE”)

Title VI Solicitation Notice:

The TAIT, 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, businesses 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.

Disadvantaged Business Enterprise Requirements for Responsiveness:

DBE: It is the policy of Tulsa Airports Improvement Trust (“TIAT”) to ensure that Disadvantaged Business Enterprise firms (“DBE”) have a fair and equal opportunity to participate in TAIT’s contracts. Specifically, it is the goal of TAIT to ensure that, to the extent reasonably possible and consistent with other legal requirements; (a) DBEs are not discriminated against in the award and administration of TAIT contracts; (b) A level playing field has been created where a DBE can compete fairly, and (c) any barriers to the participation of DBE’s in TAIT contracts removed. Only a Bidder or subconsultant of the bidder whom are certified as DBE in TAIT work performance, both participants, shall be counted towards meeting the aspirational goal. Any work performed by a non-DBE bidder or non-subcontractor shall not be counted. TAIT has set the aspirational DBE goal for this project at **9.0%**. (9.0% of the dollar value of the contract).

As a matter of responsiveness, firms must complete and submit the “TAIT DBE Forms and Attachments” in forms provided, with its submittal. Firms and firms’, subcontractor/subconsultant who are submitting as DBE’s must be in good standing prior to the date submittals are due. DBE’s are recognized as being certified by the Oklahoma Department of Transportation, (“OKDOT”). The demonstration of Good Faith efforts shall be taken in accordance with CFR 49 Part 26.53; Appendix A, to TAIT bids. If you have any questions about TAIT’s DBE Program, please contact Sandra Charon, TAIT’s DBE Liaison Officer, at 918-838-5000 or view TAIT’s Disadvantaged Business Enterprise Program at www.flytulsa.com .

Federal Fair Labor Standards Act (Federal Minimum Wage) Requirements:

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.

**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:	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 Oklahoma, Tulsa County, and City of Tulsa.

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.

Dated at Tulsa, Oklahoma this 23rd day of July 2023.
Tulsa Airports Improvement Trust