

Notice to Bidders (Solicitation for Bids)

Notice is hereby given that the Tulsa Airports Improvement Trust (“TAIT”) will receive sealed bids until 1:00 pm (Local Time) on Wednesday, October 16th, 2024 at the office of the TAIT, Room A211, Airline Terminal Building, 7777 Airport Dr., Tulsa, Oklahoma for:

Jet Bridge Preconditioned Air (PCA) Units

at Tulsa, Oklahoma, and at 1:00 pm (Local Time) the proposals will be publicly opened and read aloud in the Conference Room.

The TAIT anticipates this contract will be funded in part by a Federal Aviation Administration Supplemental Discretionary Grant.

The TAIT seeks an experienced qualified firm(s) to provide all material, labor, supervision, tools, equipment, and incidentals necessary to manufacture, assemble, and install six (6) preconditioned air (PCA) units on specified passenger boarding bridges (PBB).

A Pre-Bid Conference will be held in a TAIT conference room (address above) at 1:00 am (local time) on Tuesday, October 1st, 2024. Remote participation is available via Microsoft Teams. Request details from Nathandick@tulsaairports.com or 918-838-5055. Pre-Bid attendance is NOT mandatory.

Bid documents will be available Monday, September 9th, 2024. Request a free copy by emailing Nathandick@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.

TAIT reserves the right to reject any or all bids and to waive any minor technicalities in bidding.

Title VI Solicitation Notice:

The Tulsa Airport Improvements Trust, 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.

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 nonfederal 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.

DBE Requirements for Selected Firm

The following information is provided to communicate expectations for the selected firm. This Agreement will be funded in part by a grant from the Federal Aviation Administration, therefore the requirements of Title 49 CFR Part 26, Participation by Disadvantaged Business Enterprises, applies to this Agreement. The Consultant shall carry out applicable requirements of 49 CFR Part 26 in the award and administration of an Agreement formed as a result of this selection process. **TAIT has set an aspirational DBE goal of 1.58% for the construction contract of The Jet-Bridge Preconditioned Air (PCA) Unit Project.** If a proposer or subconsultant of the proposer are certified as DBE, the work performed by both shall be counted towards meeting the aspirational goal. Any work performed by a non-DBE proposer or subconsultant does not qualify towards the DBE goal. As a condition of responsiveness to this Notice, firms must complete and submit the forms provided, “Bidders List”, “Utilization Statement”, “Schedule for Participation by DBE”, DBE Regular Dealer/Distributor Affirmation Form” and if applicable “Request for Good Faith Efforts Review” with its submittal. Firms and Firms’ subcontractor/subconsultant who are submitting as DBE’s must be certified DBE in the state of Oklahoma in good standing prior to the date submittals are due. TAIT recognizes DBE firm certifications by the Oklahoma Department of Transportation (OKDOT). For information regarding DBE firms recognized by TAIT, or if you have any questions about TAIT’S DBE program, please contact Sandra Charon, TAIT DBE Liaison Officer, at 918-838-5016. Consultant selection is conditioned upon the selected firm satisfying the good faith efforts requirement of 49 CFR § 26.53. The Consultant or Sub-Consultant shall not discriminate on the basis of race, color, national origin, or sex in the performance of this Agreement. Failure by the Consultant to carry out these requirements is a material breach of Agreement, which may result in the termination of this Agreement or such other remedy, as the TAIT deems appropriate.

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.

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.

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.

Additional Provisions

Award of contract is governed by all applicable local, State and Federal regulations. Contract will include the following federal provisions:

- 31 USC § 1352, 2 CFR part 200, Appendix II (J), and 49 CFR part 20, Appendix A – Lobbying Federal Employees
- 49 USC § 50104 and 49 CFR part 30 – Foreign Trade Restriction
- 49 USC § 50101 – Buy American Preferences
- 2 CFR part 180 (Subpart C), 2 CFR part 1200, & DOT Order 4200.5 – Debarment and Suspension
- 29 USC § 201, et seq and 2 CFR § 200.430 – Federal Fair Labor Standards Act (Federal Minimum Wage)
- 2 CFR § 200.322, 2 CFR Part 200, Appendix II(J), 40 CFR part 247, 42 USC § 6901, et seq (Resource Conservation and Recovery Act (RCRA)), and Solid Waste Disposal Act –Recovered Materials
- 2 CFR Part 200, Appendix II(D), 29 CFR Part 5, 49 USC § 47112(b), and 40 USC §§ 3141-3144, 3146, and 3147 – Davis-Bacon Requirements

Dated at Tulsa, Oklahoma this 28th day of August, 2024.
Tulsa Airports Improvement Trust