**INVITATION/ADVERTISEMENT TO BID**

Notice is hereby given that:

**Pembina Gorge Foundation**

Will accept sealed bids for the construction of:

**Pembina Gorge Mountain Biking Trails**

**Walhalla, North Dakota**

All work shall be in accordance with the plans, drawings, and specifications on file with the **Pembina Gorge Foundation.**

One single prime proposal will be received for all categories of work at the offices of the Pembina Gorge Foundation / Frost Fire Park, PO Box 888, Walhalla, ND 58282, until **1:00 p.m., C.T., Monday, August 10th, 2020.**

The nature of the work and the type and location of the work is as follows:

(1) Approximately 1.94 miles of DH mountain bike trails (4 trails total) and approximately 2’-4’ wide trail easy terrain skills trail, and associated improvements at Frost Fire Park, Walhalla, North Dakota; (2) Mobilization and Demobilization; (3) Clean up and disposal of any construction waste and materials.

The work required under the contract must be completed by August 15, 2021.

The contract documents, plans, drawings, and specifications (the “Bid Documents”) may be obtained from Natalie Gebur, General Manager, Pembina Gorge Foundation – Frost Fire Park, 11950 County Rd 55, Walhalla, ND 58282, 701-549-3600.

Email: [gm@frostfirepark.org](mailto:gm@frostfirepark.org).

Bid Documents may be seen and examined, by appointment, at the offices of Natalie Gebur, General Manager, Frost Fire Park – Lodge, 11950 County Rd 55, Walhalla, ND 58282, 701-549-3600 or downloaded at [www.frostfirepark.org](http://www.frostfirepark.org).

All questions and requests for clarification regarding this invitation must be addressed to Natalie Gebur, General Manager, Pembina Gorge Foundation – Frost Fire Park, 11950 County Rd 55, Walhalla, ND 58282, 701-360-0688 or 701-549-3600 on or before August 3rd, 2020 at 1:00 pm.

All envelopes submitting the sealed bids shall conspicuously note thereon the following information: **Bid For Pembina Gorge Mountain Bike – Phase II**

**PO Box 888**

**Walhalla, North Dakota 58282**

**Project Number #202010**

**Dated the\_\_\_ day of , 2020**

All envelopes submitted for a bid shall be securely attached together.

All sealed bids shall be opened at the offices of Pembina Gorge Foundation, 11950 County Rd 55, Walhalla, ND 58282 at **1:30 pm, Monday, August 10th, 2020.**

In addition to the items specified in the Contract Documents, each bid must be accompanied by a separate envelope containing a bidder’s bond in a sum equal to five percent (5%) of the full amount of the bid, executed by the bidder, as principal, and by a surety, authorized to do business in the State of North Dakota, conditioned that if the principal’s bid is accepted and the contract awarded to the principal, the principal within ten (10) days after notice of award, shall execute a contract in accordance with the terms of the bid and a contractor’s bond as required by law and the regulations and determinations of the Pembina Gorge Foundation in accordance with the Recreational Trails Program.

Each bidder shall have a valid North Dakota contractor’s license of the proper class for the full amount of the bid, as required by § 43-07-05 of the North Dakota Century Code. No bid shall be read or considered unless a copy of a valid North Dakota contractor’s license or certificate of renewal thereof is enclosed in the envelope containing the bid bond.

§ 48-01.2-10 Unless otherwise provided under this chapter, a governing body authorized to enter a contract for the construction of a public improvement in excess of one hundred thousand dollars shall take from the contractor a bond before permitting any work to be done on the contract. The bond must be for an amount equal at least to the price stated in the contract. The bond must be conditioned to be void if the contractor and all subcontractors fully perform all terms, conditions, and provisions of the contract and pay all bills or claims on account of labor performed and any supplies, and materials furnished and used in the performance of the contract, including all demands of subcontractors. The requirement that bills and claims be paid must include the requirement that interest of the amount authorized under section 13-01-14 be paid on bills and claims not paid within ninety days. The bond is security for all bills, claims, and demands until fully paid, with preference to labor and material suppliers as to payment. The bond must run to the governing body, but any person having a lawful claim against the contractor or any subcontractor may sue on the bond.

No bid will be read or considered if it does not fully comply with the terms hereof. Any deficient bid will be resealed and returned to the bidder immediately.

All contracts shall contain a provision requiring compliance with Executive Order 11246, entitled “Equal Employment Opportunity,” as amended by Executive Order 11375 and as supplemented in Department of Labor regulations (42 CFR Part 60).

The Pembina Gorge Foundation reserves the right to reject any bid or to waive irregularity in the bids and in the bidding. The Pembina Gorge Foundation further reserves the right to hold all legitimate bids for a period of sixty (60) days after the date fixed for the opening thereof.

The Pembina Gorge Foundation in accordance with Title VI of the Civil Rights Act of 1964, 78 Stat. 252, 42 U.S.C 2000d to 2000d-4 and Title 49, Code of Federal Regulations, Department of Transportation, Sub Title A, Office the Secretary, Part 21, Nondiscrimination in Federally assisted programs of the Department of Transportation issued pursuant to such Act, hereby notifies all bidders that it will insure that in any contract entered into pursuant to this advertisement, minority business enterprises will be afforded full opportunity to submit bids in response to this invitation and will not be discriminated against on the grounds of race, color, or national origin in consideration for an award.

**DATED** the 14th day of July 2020

Natalie Gebur

/s/ General Manager

**Authority,**

Pembina Gorge Foundation