

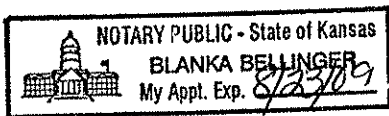
Airport Sponsor Certifications

The Sponsor hereby certifies to the following:

1. The funding request contained in this grant application is based upon competitive bids that were received on 1 May 2009 and the associated bid tabulation is hereby attached to this certification. The Sponsor complied with all State and local procurement laws and regulations applicable to competitive bidding.
2. The Sponsor hereby acknowledges FAA's need to approve and issue, as appropriate, any waiver to the Buy American Preference Requirement (BAPR) (49 USC 50101). Additionally, the Sponsor understands that any waiver request issued to the BAPR under the American Recovery and Reinvestment Act of 2009 requires specific information related to the waiver request, if granted, to be published in a Federal Register Notice. Accordingly, so as to not delay the processing of the subsequent Grant Offer and resulting contract documents between the Sponsor and the lowest responsible bidder, attached hereto are all Request for Waiver to the BAPR necessary to complete this project.
3. The Sponsor further certifies that it will issue a Notice to Proceed to the contractor (or equipment supplier in the case of equipment acquisition) within 30 days of issuance of a Grant Offer.
4. Pursuant to Title XV, Subtitle A, section 1511 of the American Recovery and Reinvestment Act (Pub. L. 111-5 (Feb. 17, 2009) ("ARRA"), I R. Lee Metcalfe, hereby certify that the infrastructure investment funded by ARRA has received the full review and vetting required by law and that I accept responsibility that such investment is an appropriate use of taxpayer dollars. I further certify that the specific information required by section 1511 concerning each such investment (a description of the investment, the estimated total cost, and the amount of ARRA funds to used) is enclosed and is provided on the Johnson County Airport Commission website, available to the public at [<http://jcac.jocogov.org>] and linked to Recovery.gov.

I understand that the Sponsor making application for ARRA funding may not receive ARRA infrastructure investment funding unless this certification is received by the FAA with the ARRA grant application and posted on the Sponsor's website.

(SEAL)



Attest:

Blanka Bellinger

Johnson County Airport Commission

(Name of Sponsor)

A handwritten signature in black ink, appearing to read "R. Lee Metcalfe".

(Signature of Sponsor's Designated Official Representative -- Must be Governor, Mayor or Chief Executive)

By: R. Lee Metcalfe

(Typed Name of Sponsor's Designated Official Representative)

Title: Executive Director

(Typed Title of Sponsor's Designated Official Representative)

CERTIFICATE OF SPONSOR'S ATTORNEY

I Cynthia Dunham, acting as Attorney for the Sponsor do hereby certify:

That in my opinion the Sponsor is empowered to certify to the above representations under the laws of the State of Kansas. Further, I have examined representations and documentation as attached and Sponsor's official representative has been duly authorized and that the execution thereof is in all respects due and proper and in accordance with the laws of the said State.

Dated at this 14th day of May 2009.

By: Cynthia Dunham
(Signature of Sponsor's Attorney)



May 4, 2009

Mr. Brett Wood
 Purchasing Administrator
 Office of Financial Management, Purchasing Division
 Johnson County Administration Building
 111 South Cherry, Suite 2400
 Olathe, Kansas 66061

Engineer's Recommendation for Airfield Improvements for the Northeast Apron (A1)
 Slurry Seal Project at Johnson County Executive Airport
 AIP No. 3-20-0062-23
 Bid Request No. 2009-023
 B&McD No. 51994

Dear Mr. Wood:

Burns & McDonnell has tabulated and confirmed the bids received for the
 aforementioned project and dated May 1, 2009. The tabulation summary of bids is in
 Table A. A detailed tabulation of bids is enclosed for your review.

TABLE A

BID TABULATION SUMMARY	
For the	
NORTHEAST APRON (A1) SLURRY SEAL PROJECT	
Bidder/Engineer	Base Bid/Estimated Cost
<i>Musselman & Hall, LLC.</i>	<i>\$54,996.00</i>
<i>Tandem Paving Co., Inc.</i>	<i>\$61,852.50</i>
<i>Inland Corporation</i>	<i>\$74,493.00</i>
<i>Vance Brothers, Inc.</i>	<i>\$137,034.00</i>
<i>Burns & McDonnell (Engineer)</i>	<i>\$156,213.13</i>

There were no discrepancies between any of the tabulated bid values and the submitted bid values. As a part of our bid review process, Burns & McDonnell performed several tasks to verify the validity of each proposal. Details of these evaluations are described herein as follows:

Bid Tabulation: All Bidders proposal values match the tabulated values calculated by the engineer.



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DBE Participation: The apparent low bidder, Musselman & Hall, LLC (M&H) did not provide any DBE participation with their Bid. However, they did provide copies of the Kansas Department of Transportation's, (KDOT) approved list of DBE contractors with annotations of date, contact person and response of contact person. In reviewing the DBE contractors identified, the work they are approved to perform is identified as excavation, highway, street, bridge, tie reinforcement steel and concrete related tasks. In lieu of the information provided, neither DBE contractor is certified by KDOT to perform tasks that would be associated with a slurry seal or coal tar project.

Tandem Paving Co. Inc. (TPC) did not provide any DBE participation with their Bid. However, they did provide a letter stating general information regarding their DBE practices.

Both Inland Corporation and Vance Brother, Inc. were able to meet the DBE requirement for this project.

In addition, Burns & McDonnell performed a review of Appendix A of 49 CFR Part 26 (Guidance Concerning Good Faith Efforts), paragraphs IV and V and compared the information provided by TPC and M&H. Our review evaluated the following:

Paragraph IV.A: Soliciting through all reasonable and available means (e.g. attendance at the pre-bid meetings, advertising and/or written notices) the interest of all certified DBEs who have the capability to perform the work of the contract. The bidder must solicit this interest within sufficient time to allow the DBEs to respond to the solicitation. The bidder must determine with certainty if the DBEs are interested by taking appropriate steps to follow up initial solicitations.

BMcD Opinion: M&H attended the prebid meeting. TPC did not attend the prebid meeting. Although stated in their letter, TPC did not provide any physical evidence of their efforts to obtain potential DBE participation.

Paragraph IV.B: Selecting portions of the work to be performed by DBEs in order to increase the likelihood that the DBE goals will be achieved. This includes, where appropriate, breaking out contract work items into economically feasible units to facilitate DBE participation, even when the prime contractor might otherwise prefer to perform these work items with its own forces.

BMcD Opinion: Neither M&H or TPC provided information regarding the types of work potential DBE's may be asked to perform for this project.

Paragraph IV.C: Providing interested DBEs with adequate information about the plans, specifications, and requirements of the contract in a timely manner to assist them in responding to a solicitation.

BMcD Opinion: There is no substantial evidence available to evaluate this element of criteria for both M&H and TPC.



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Paragraph IV.E: Effectively using the services of available minority/women community organizations; minority/women contractors' groups; local, state, and Federal minority/women business assistance offices; and other organizations as allowed on a case-by-case basis to provide assistance in the recruitment and placement of DBEs.

BMcD Opinion: Based on the information provided, M&H with their KDOT documentation has provided evidence of attempting to meet this requirement. TPC has not provided substantial evidence of meeting this criterion.

Paragraph V: In determining whether a bidder has made good faith efforts, you may take into account the performance of other bidders in meeting the contract. For example, when the apparent successful bidder fails to meet the contract goal, but others meet it, you may reasonably raise the question of whether, with additional reasonable efforts, the apparent successful bidder could have met the goal. If the apparent successful bidder fails to meet the goal, but meets or exceeds the average DBE participation obtained by other bidders, you may view this, in conjunction with other factors, as evidence of the apparent successful bidder having made good faith efforts.

BMcD Opinion: The apparent low Bidder and the second apparent low Bidder did not meet the DBE requirement established for this project nor did they meet the average of those Bidders able to meet the established goal.

Based on the review of the project's DBE requirement, only the third and fourth Apparent Low Bidders were able to meet the criteria. As a result, it is reasonable to remove the Apparent Low and Second Low Bidders from further consideration. Hence, the third Apparent Low Bidder should be evaluated for the remaining project criteria.

On May 4, 2009, a telephone interview was conducted with the third Apparent Low Bidder, Inland Corporation. This interview was performed for the purposes of reviewing their bid and confirming their understanding of project requirements. Inland Corporation confirmed the following information:

1. Inland Corporation is agreeable to starting the work immediately.
2. They do not have any concerns regarding the elements of work as described on the Contract Drawings or in the Project Manual.
3. They will complete the work within the calendar days specified for this project.
4. They are prequalified with the Kansas Department of Transportation.

Confirmation was provided with their Bid.

Inland Corporation has provided the following supporting documentation concerning their bid and this project:



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1. Evidence of past experience on similar work.
2. A listing of plant and equipment immediately available for use on the project. The listing shall identify the type, the capacity and the present condition of the item(s).
3. A listing of key personnel that will be available for the project.

Based on the results of the tabulation of bids, review of the bid required documentation, and discussions with the Bidder that has met all of the criteria required for this Bid, Burns & McDonnell recommends award to Inland Corporation for the Base Bid in the tabulated amount of \$74,493.00.

I trust this information is sufficient for your purposes. If you should have any additional questions or comments regarding this information, please contact me at 816-822-3378.

Sincerely,

David G. Hadel, P.E.
Project Manager

enc

cc Mike Rottinghaus, FAA
→ Bob Perry, JCAC
 Sara Action, BMcD

51994 OJC NE RAMP SS Bid Recommendation 05-04-09 dgh.doc

