

Advertisement for Bids Bismarck Airport Bismarck, North Dakota FAA AIP NO. TBD

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 February 27, 2023. All bids will be publicly opened and read aloud at 4:00 PM CT on February 27, 2023 at the office of the City Administrator, 221 North 5th 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 to Construct General Aviation Apron Expansion Phase 4, Bismarck Airport, AIP No. TBD" and shall indicate the type and number of contractor's license.

The proposed work includes the following: Construct General Aviation Apron Expansion Phase 4, including traffic control, pavement removal, earthwork, aggregate base course, drain tile, asphalt paving, concrete paving, geogrid, geotextile fabric, chain-link fence, electrical, 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 K.L.J. 4585 Coleman Street, 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 \$41.00 by inputting Quest project #8370453 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 \$137.00 per set at K.L.J., 4585 Coleman Street, Bismarck, ND 58503-0431 for each set obtained. Contact K.L.J. 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 this 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 sixty (60) 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 sixty (60) 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.

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:

- Goals for minority participation for each trade: 0.4%
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 non-federally 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 North Dakota, Burleigh County, City of Bismarck.

TITLE VI SOLICITATION NOTICE

The Board of City Commissioners, 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, or 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.

DISADVANTAGED BUSINESS ENTERPRISE

The Owner's award of this contract is conditioned upon Bidder or Offeror satisfying the good faith effort requirements of 49 CFR § 26.53.

As a condition of responsibility, every Bidder or Offeror must submit the following information on the forms provided herein within five days after bid opening.

- 1) The names and addresses of Disadvantaged Business Enterprise (DBE) firms that will participate in the contract;
2) A description of the work that each DBE firm will perform;
3) The dollar amount of the participation of each DBE firm listed under (1);
4) Written statement from Bidder or Offeror that attests their commitment to use the DBE firm(s) listed under (1) to meet the Owner's project goal;
5) Written confirmation from each listed DBE firm that it is participating in the contract in the kind and amount of work provided in the prime contractor's commitment; and
6) If Bidder or Offeror cannot meet the advertised project DBE goal, evidence of good faith efforts undertaken by the Bidder or Offeror as described in appendix A to 49 CFR part 26. The documentation of good faith efforts must include copies of each DBE and non-DBE subcontractor quote submitted to the bidder when a non-DBE subcontractor was selected over a DBE for work on the contract.

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.

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.

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. Buy American Preferences - Title 49 USC § 50101; Executive Order 14005, Ensuring the Future is Made in All of America by All of America's Workers; Bipartisan Infrastructure Law (Pub. L. No. 117-58), Build America, Buy America (BABA)
2. Civil Rights - Title VI Assurances - 49 USC § 47123 and FAA Order 1400.11
3. Davis Bacon Requirements - 2 CFR Part 200, Appendix II(D); 29 CFR Part 5; 49 USC § 47112(b); 40 USC §§ 3141-3144, 3146, and 3147; (Applicable to contracts exceeding \$2,000)
4. Debarment and Suspension - 2 CFR Part 180 (Subpart B); 2 CFR Part 200, Appendix II(H); 2 CFR Part 1200; DOT Order 4200.5; Executive Orders 12549 and 12689; (Applicable to contracts exceeding \$25,000)
5. Lobbying Federal Employees - 31 USC § 1352 - Byrd Anti-Lobbying Amendment; 2 CFR Part 200, Appendix II(I); 49 CFR Part 200, Appendix A; (Applicable to contracts exceeding \$100,000)
6. Procurement of Recovered Materials - 2 CFR § 200.323; 2 CFR Part 200, Appendix II(J); 40 CFR Part 247; 42 USC

§ 6901, et seq (Resource Conservation and Recovery Act (RCRA)); (Applicable to contracts exceeding \$10,000)
A pre-bid meeting will be held on February 7, 2023 at 10:00 AM CT. The venue will be determined at a later date and clarified via Addendum.
Dated this 20th of January 2023.
/s/Keith J. Hunke, City Administrator
Publication Dates: January 20, 2023, January 27, 2023, February 3, 2023
Keith J. Hunke, City Administrator
City of Bismarck
Bismarck, North Dakota
1/20, 27 & 2/3 - 55754

STATE OF NORTH DAKOTA COUNTY OF BURLEIGH DISTRICT COURT SOUTH CENTRAL JUDICIAL DISTRICT BNC National Bank, Plaintiff,

vs. Cory Gregory, Defendant. Civil No. 08-2022-CV-03081

SUMMONS

The Plaintiff to the above Defendants: [1] You are hereby summoned and required to appear and defend against the Complaint in this action, which will be filed with the clerk of this Court, by serving upon the undersigned an answer or other response within twenty-one days after the service of this Summons upon you, exclusive of the day of service. If you fail to do so, judgment by default will be taken against you for the relief demanded in the Complaint.

/s/ Robin Wade Forward Robin Wade Forward (ND #05324) STINSON LLP 424 South Third Street, Suite 206 Bismarck, ND 58504 Telephone: 701.221.8600 Facsimile: 701.221.8601 E-mail: rob.forward@stinson.com ATTORNEYS FOR PLAINTIFF 2/3, 10 & 17 - 56233

STATE OF NORTH DAKOTA IN DISTRICT COURT COUNTY OF BURLEIGH SOUTH CENTRAL JUDICIAL DISTRICT Name, Address, and Telephone No. of Attorney

Mary Maichel Guler (ID 04393) Geiermann Bergeson & Guler Law Offices, P.C. 125 Slate Drive, Suite 7, P.O. Box 2196 Bismarck, ND 58502-2196 (701) 223-1986 mguler@gbg-lawoffice.com Attorney for Personal Representative IN THE MATTER OF THE ESTATE OF ARNOLD P. SCHAFF, DECEASED Civil No. 08-2023-PR-00008

NOTICE TO CREDITORS

NOTICE IS HEREBY GIVEN that the undersigned has been appointed Personal Representative of the above Estate. All persons having claims against the said deceased are required to present their claims within three (3) months after the date of the first publication of this notice or said claims will be forever barred. Claims must either be presented to Patricia A. Schaff, Personal Representative of the Estate, and her attorney, Mary Maichel Guler, at PO Box 2196, Bismarck, ND 58502-2196, or filed with the Court. Dated this 16th day of January, 2023. /s/ Patricia A. Schaff PATRICIA A. SCHAFF, Personal Representative 1/20, 27 & 2/3 - 55772

ARLEN M. RUFF) State Bar ID No. 03610) KELSCH RUFF KRANDA NAGLE & LUDWIG) 103 Collins Avenue, PO Box 1266) Mandan, ND 58554) Telephone: (701) 663-9818) Fax: (701) 663-9810) Email: arlenruff@kelschlaw.com) Attorneys for: Estate) IN THE DISTRICT COURT OF BURLEIGH COUNTY, SOUTH CENTRAL JUDICIAL DISTRICT, STATE OF NORTH DAKOTA

In the Matter of the Estate of Eleanor L. Piehl, Deceased Probate No. 08-2023-PR-00020

NOTICE TO CREDITORS

NOTICE IS HEREBY GIVEN that the undersigned has been appointed personal representative of the above estate. All persons having claims against the said deceased are required to present their claims within three months after the date of the first publication or mailing of this notice or said claims will be forever barred. Claims must either be presented to Linda K. Wolski, personal representative of the estate at P.O. Box 1266, Mandan, North Dakota 58554-7266 or filed with the Court. Dated this 27th day of January, 2023. /s/ Linda K. Wolski Linda K. Wolski Personal Representative First Publication on the 3rd day of February, 2023. 2/3, 10 & 17 - 56172

PUBLIC HEARING NOTICE

Notice is hereby given that the Bismarck City Commission will hold a public hearing on Tuesday, February 14, 2023, at 5:15 p.m. in the Tom Baker Meeting Room, City-County Building, 221 North 5th Street, Bismarck, North Dakota, to consider the following items:

- Request of FRF Investments, LLP for approval of the annexation of Lot 12, Block 3; Lots 9-15, Block 4; Lot 16, Block 7; Lots 1-7, Block 8, Clear Sky Addition and a portion of Hermanson Drive adjacent to Lot 12, Block 3; Lot 15, Block 4; Lots 14-16, Block 7; and Lot 1 and Lot 21, Block 8; and a portion of Holmes Drive adjacent to Lot 12, Block 3; Lots 9-15, Block 4; Lot 16, Block 7; and Lots 1-7, Block 8, Clear Sky Addition. The property is located east of Bismarck, between East Main Avenue/County Highway 10 and Apple Creek Road, along the east side of 52nd Street SE.
• Request of Wilmend Development, LLC for approval of the annexation of Lots 1-2, Block 1 and Lot 1, Block 2, Boulder Ridge First Addition First Replat (a replat of Lots 13A, 14, 16, 17A, 26 and 27, Block 1, Boulder Ridge First Addition). The property is located in north Bismarck, along the north side of 43rd Avenue NE and the east side of North Washington Street.
At these hearings, the Bismarck City Commission will provide an opportunity for all interested parties to be heard with respect to these items. The City of Bismarck is encouraging citizens to provide their comments for this hearing via email to bismarckadmin@bismarcknd.gov. The comments will be sent to the City Commissioners and included with the minutes of the meeting. Please submit your written comments by 3:30 p.m. on the day of the meeting and reference the specific item your comment addresses, including the agenda item. Citizens may also appear via video or audio link for a 3-5-minute comment on this public hearing item by providing an e-mail address and contact information via email to bismarckadmin@bismarcknd.gov at least one business day before the meeting. A description of these requests may be viewed at our website at www.bismarcknd.gov or by contacting the Community Development Department - Planning Division at planning@bismarcknd.gov or 701-355-1840.
BOARD OF CITY COMMISSIONERS BISMARCK, NORTH DAKOTA Attest: Keith J. Hunke City Administrator Dated this 18th day of January, 2023. 2/3 & 10 - 55895

ARLEN M. RUFF) State Bar ID No. 03610) KELSCH RUFF KRANDA NAGLE & LUDWIG) 103 Collins Avenue, PO Box 1266) Mandan, ND 58554) Telephone: (701) 663-9818) Fax: (701) 663-9810) Email: arlenruff@kelschlaw.com) Attorneys for: Estate) IN THE DISTRICT COURT OF BURLEIGH COUNTY, SOUTH CENTRAL JUDICIAL DISTRICT, STATE OF NORTH DAKOTA

In the Matter of the Estate of Kenneth Paulson, Deceased Probate No. 08-2023-PR-00009

NOTICE TO CREDITORS

NOTICE IS HEREBY GIVEN that the undersigned has been appointed personal representative of the above estate. All persons having claims against the said deceased are required to present their claims within three months after the date of the first publication or mailing of this notice or said claims will be forever barred. Claims must either be presented to Kenda Senne and Timothy Paulson, co-personal representatives of the estate at P.O. Box 1266, Mandan, North Dakota 58554-7266 or filed with the Court. Dated this 18th day of January, 2023. First Publication on the 27th day of January, 2023. /s/ Kenda Senne Kenda Senne Co-Personal Representative /s/Timothy Paulson Timothy Paulson Co-Personal Representative 1/27, 2/3 & 10 - 55937

NOTICE OF PUBLIC MEETING CONCERNING REVIEW OF SOVEREIGN LAND PERMIT APPLICATION NO. S-2095 CONSTRUCTION OF A NEW BNSF BRIDGE OVER THE MISSOURI RIVER

Please take notice that under N.D.A.C. § 89-10-01-07, an information-gathering public meeting concerning Department of Water Resources' review of Sovereign Land Permit Application No. S-2398 will be held by the Department of Water Resources on Friday, March 3, 2023, from 9:00 a.m. to 11:00 a.m. CST at the Bank of North Dakota, Room 238. The meeting can also be accessed by teleconference by dialing (701) 328-0950 (conference ID: 967 753 295f), or video conference (voice and video communication) via the Microsoft Teams Application. Participants choosing to video conference can access the meeting from the Department of Water Resources' website at www.dwr.nd.gov and clicking the public meeting link on the homepage. The meeting will give the public and other interested parties an opportunity to provide information to the Department of Water Resources on BNSF's application to remove an existing rail bridge over the Missouri River in Burleigh and Morton Counties.

Participants are asked to provide their informational comments in writing and will be given an opportunity to provide verbal information. Written and electronic informational comments regarding the proposed project must be received by the Department of Water Resources, 1200 Memorial Highway, Bismarck, North Dakota 58504, no later than 5:00 p.m. CST on Friday, March 3, 2023, to be considered before final action on the application. Electronic informational comments are to be emailed to Jerry Heiser at gheiser@nd.gov. The Department of Water Resources will consider all information received when determining to grant, deny, or condition the application.

Individuals who need accommodations to participate in the meeting or have any questions are asked to contact Jerry Heiser of the Department of Water Resources, 1200 Memorial Highway, Bismarck, North Dakota 58504, (701) 328-4935 or gheiser@nd.gov. STATE OF NORTH DAKOTA /s/ Andrea Travnicek Andrea Travnicek, PhD, Director, Department of Water Resources Dated: 1/27/2023 Document electronically signed. 2/3 & 10 - 56151

NOTICE OF HEARING N.D. INDUSTRIAL COMMISSION OIL AND GAS DIVISION

The North Dakota Industrial Commission will hold a public hearing at 09:00 AM Tuesday, March 21, 2023 at N.D. Oil & Gas Division 1000 East Calgary Avenue, Bismarck, North Dakota. At the hearing the Commission will receive testimony and exhibits. Persons with any interest in the cases listed below, take notice. PERSONS WITH DISABILITIES: If at the hearing you need special facilities or assistance, contact the Oil and Gas Division at 701-328-8038 by Tuesday, March 14, 2023.

STATE OF NORTH DAKOTA TO:

Case No. 29888: Application of Blue Flint Sequester Company, LLC requesting consideration for the geologic storage of carbon dioxide in the Broom Creek Formation from the Blue Flint Ethanol Facility in the storage facility located in Sections 11, 12, 13, 14, and 24, Township 145 North, Range 83 West and Sections 6, 7, 8, 17, 18, and 19, Township 145 North, Range 82 West, McLean County, North Dakota pursuant to North Dakota Administrative Code Section 43-05-01. View the draft storage facility permit, fact sheet, and storage facility permit application at www.dmr.nd.gov/oilgas/BlueFlintSequesterCompany, LLC intends to capture carbon dioxide from the Blue Flint Ethanol Facility and sequester it in the Broom Creek Formation. The Commission will accept and consider written comments on the merits of the application and draft permit if received no later than 5:00 pm CDT March 20, 2023. Submit written comments to the Oil and Gas Division, 1016 East Calgary Avenue, Bismarck, North Dakota 58503-5512 or brkdrmas@nd.gov. Further draft permit information may be obtained from Tammy Madche, and further hearing information may be obtained from Bethany Kadmas, both at the North Dakota Oil and Gas Division, 1016 East Calgary Avenue, Bismarck, North Dakota 58503-5512, 701-328-8020. Blue Flint Sequester Company, LLC, 2841 3rd St. SW, Underwood, North Dakota 58576.

Case No. 29889: A motion of the Commission to consider the amalgamation of the storage reservoir pore space, in which the Commission may require that the pore space owned by nonconsenting owners be included in the geologic storage facility and subject to geologic storage, as required to operate the Blue Flint Sequester Company, LLC storage facility located in Sections 11, 12, 13, 14, and 24, Township 145 North, Range 83 West and Sections 6, 7, 8, 17, 18, and 19, Township 145 North, Range 82 West, McLean County, North Dakota, in the Broom Creek Formation, pursuant to North Dakota Administrative Code Section 43-05-01-09.1. Signed by, Doug Burgum, Governor Chairman, NDIC 2/3 - 56219

Case No. 29890: A motion of the Commission to determine the amount of financial responsibility for the geologic storage of carbon dioxide from the Blue Flint Ethanol Facility in the storage facility located in Sections 11, 12, 13, 14, and 24, Township 145 North, Range 83 West and Sections 6, 7, 8, 17, 18, and 19, Township 145 North, Range 82 West, McLean County, North Dakota, in the Broom Creek Formation, pursuant to North Dakota Administrative Code Section 43-05-01-09.1. Signed by, Doug Burgum, Governor Chairman, NDIC 2/3 - 56219