

**2010 Legal and Public Notices**

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**ADVERTISEMENT FOR BID NOTICE TO BIDDERS**

**CONSTRUCTION**

**CONTRACT BID PACKAGE**

The Yankton County Commission, herein called the Owner, located in Yankton County, State of South Dakota, shall receive sealed bids for single prime contract for furnishing all labor, materials, tools, equipment and services necessary for **New Yankton County Highway Maintenance Building, Yankton, South Dakota, until 10:00 a.m., Local Time on Friday, the 17th day of September 2010, at the County Commission Meeting Room, Yankton County Courthouse, Yankton, South Dakota, at which time and place all bids shall be publicly opened and read aloud.**

Single prime Contract shall be awarded on the classes of work as follows:

**New Yankton County Highway Maintenance Building**

**Notice: The pre-qualification requirement of general contractors, as originally stipulated by The Yankton County Commission has been set aside to allow all general contractors that comply with the bidding requirements, stated in the project manual, to bid The Work.**

All bids shall be made in accordance with the contract documents. Mailed bids shall be submitted in a sealed envelope addressed to the Paula Jones, Yankton County Auditor, Yankton County Courthouse, P.O. Box 137, Yankton, SD 57078. Sealed bids may be hand delivered to the County Auditors Office, 321 West 3rd St. Yankton, South Dakota.

Full responsibility for the timely delivery of mailed bids prior to the deadline for receiving bids rests with the bidder.

Contract documents, including bid proposal forms, drawings and project manual, have been placed on file and may be examined and obtained at the office of Marquis X Erickson, Architect, 334 Walnut St., Yankton, SD 57078, (605) 664-0232, Plains Builders Exchange, Sioux Falls, South Dakota, Sioux Falls Builders Exchange, Sioux Falls, South Dakota and Sioux City Construction League, Sioux City, Iowa.

Interested contractors shall be issued one complete set of documents for preparation of bids for a plan deposit of \$150.00. Plan

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deposit shall be refunded upon return of construction documents in good, unmarked, condition within 10 days after the bid opening.

The successful bidder shall receive three (3) sets of construction documents free of charge. Additional sets of documents may be purchased for non-refundable costs of reproduction from the Architect.

Each bidder must deposit bid security with the bid, payable to Yankton County and shall be one of the following:

1. Certified check, cashier's check or draft drawn on a State or National Bank in the amount of ten percent (10%) of the bidders base bid.
2. Bid Bond, issued by a Surety authorized to do business in the State where the project is located and acceptable to the Owner in the amount of ten percent (10%) of the bidders base bid.

It shall be the bidder's responsibility to make inquiry as to any addenda issued.

The successful bidder shall be required to furnish a contract performance bond and a labor and materials payment bond in the penal amount of one hundred percent (100%) of the contract price as originally bid or subsequently modified.

No Bidder may withdraw a bid until thirty (30) days after the bid opening, without a written request explaining the cause of withdrawal and without written consent of the Owner after reviewing the cause.

**Required completed forms which must accompany Bid are as follows:**

00301 - Bid form; Bid package; New Yankton County Highway Maintenance Building Bid Security (see explanation above)

The Owner reserves the right to reject any and all bids or parts thereof, and to waive any irregularities of any bid. The Owner also reserves the right to award the contract to the lowest responsible bidder as may be determined by the Owner.

/s/ Paula Jones,  
Yankton County Auditor  
Yankton County Commission  
Yankton, South Dakota

# Judge: Military's Ban On Gays Is Unconstitutional

RIVERSIDE, Calif. (AP) — A federal judge in Southern California on Thursday declared the U.S. military's ban on openly gay service members unconstitutional because it violates the First Amendment rights of gay and lesbians.

U.S. District Judge Virginia Phillips granted a request for an injunction halting the government's "don't ask, don't tell" policy for gays in the military.

Phillips said the policy doesn't help military readiness and instead has a "direct and deleterious effect" on the armed services.

The lawsuit was the biggest legal test of the law in recent years and came amid promises by President Barack Obama that he will work to repeal the policy.

Government lawyers argued Phillips lacked the authority to issue a nationwide injunction and the issue should be decided by Congress.

The injunction was sought by the Log Cabin Republicans, a 19,000-member group that includes current and former military members.

Government lawyers argued that Phillips lacked the authority to issue a nationwide injunction and Congress should decide the policy's fate.

The U.S. House voted in May to repeal the policy, and the Senate is expected to address the issue this summer.

"Don't ask, don't tell" prohibits the military from asking about the sexual orientation of service members but requires discharge of those who acknowledge being gay or are discovered engaging in homosexual activity, even in the privacy of their own homes off base.

Log Cabin Republicans said more than 13,500 service members have been fired since 1994.

Attorney Dan Woods, who represents the group, contended in closing arguments of the nonjury trial that the policy violates gay military members' rights to free speech, due process and open association.

He also argued that the policy damages the military by forcing it to reject talented people as the country struggles to find recruits in the midst of a war.

U.S. Department of Justice attorney Paul G. Freeborne argued that the policy debate is political and the issue should be decided by Congress rather than in court.

Six military officers who were discharged under the policy testified during the trial. A decorated Air Force officer testified that he was let go after his peers snooked through his personal e-mail in Iraq.

Lawyers also submitted remarks by Obama stating "don't ask, don't tell" weakens national security.

# Pastor Backs Down From Burning Qurans

BY STEPHEN HUDAK  
© 2010, The Orlando Sentinel

GAINESVILLE, Fla. — The Gainesville, Fla., pastor who planned a Quran burning announced Thursday that he will cancel the event, which had been scheduled for Saturday's anniversary of the Sept. 11, 2001, terrorist attacks.

Terry Jones made the announcement with Imam Muhammad Musri, president of the Islamic Society of Central Florida, outside Jones' Dove World Outreach Center, a tiny non-denominational church in central Florida.

The two announced they would fly to New York City this weekend to talk to Imam Feisel Abdul Rauf, the Muslim cleric behind the proposed mosque and 13-story community center planned near ground zero. Jones said Musri told him that Rauf had agreed to relocate the controversial mosque. But the New York imam and developer behind the mosque denied any deal.

Despite the flurry of confusion, Jones reiterated that the plan is off to burn the holy books, saying, "Right now we are not even entertaining the idea" of reinstating it.

Earlier Thursday, Defense Secretary William Gates phoned Jones and "expressed his grave concern that going forward with the Quran burning would put at risk the lives of our forces around the world, especially those in Iraq and Afghanistan, and he urged the Pastor not to proceed with it," according to the Pentagon.

Jones' plan to set fire to the Quran — a text considered by more than a billion people to be the final word of God — ignited an international firestorm and had been decry by a wide spectrum of military, political and religious leaders, including President Barack Obama, Army Gen. David Petraeus, Secretary of State Hillary Clinton, Pope Benedict XVI and the GOP's 2008 presidential ticket, Sen. John McCain and former Alaska Gov. Sarah Palin.

## NATION/WORLD DIGEST

### Three Shot At Kraft Plant In Penn.

PHILADELPHIA (AP) — Philadelphia police say a woman who shot three people inside a Kraft Foods Inc. facility in the city's northeast section has been taken into custody.

Police Lt. Frank Vanore (yuh-NOR) tells The Associated Press the woman called 911 on her cell phone from inside the plant of the nation's largest food manufacturer Thursday night and turned herself in. It's unknown if she's an employee.

Police say no deaths are known. The conditions of the wounded haven't been determined.

Television footage shows workers leaving the Northfield, Ill.-based company's plant, which used to be known as the Nabisco factory.

Several telephone calls and e-mails to Kraft haven't been returned. Kraft makes products such as Oreo cookies, Philadelphia cream cheese and Oscar Mayer bacon.

### EPA Seeks Info On Hydraulic Fracturing

WASHINGTON (AP) — The Environmental Protection Agency is asking nine natural gas companies to voluntarily disclose the chemical components used in a drilling technique called hydraulic fracturing.

The agency says the information is important as it conducts a study of the controversial drilling practice, also known as "fracking." Crews inject vast quantities of water, sand and chemicals underground to force open channels in sand and rock formations so oil and natural gas will flow.

The EPA is studying whether the practice affects drinking water and the public health. Letters were sent to nine leading national and regional hydraulic fracturing service providers, including Halliburton and Key Energy Services.

### HHS: Don't Blame Us For Your Rates

WASHINGTON (AP) — President Barack Obama's top health official is vowing "zero tolerance" for insurers that blame premium increases on the new health overhaul law.

In a strong letter to the insurance lobby, HHS Sec. Kathleen Sebelius said Thursday she's putting companies on notice that the administration "will not tolerate unjustified rate hikes" pinned on the health care law.

Sebelius warned that bad actors may be excluded from new health insurance markets under the law. They'd lose out on a big pool of customers.

An HHS official says the letter is a pre-emptive move, after officials got word that several smaller carriers around the country are blaming the law for rate increases. The administration says the cost of new benefits required by the law is "minimal."

### Swimmer In Texas Floodwaters Found Dead

SAN ANTONIO (AP) — Authorities say one of two swimmers swept away by floodwaters near San Antonio has been found dead, pushing up the death toll from flooding caused by the remnants of Tropical Storm Hermine.

Officials in New Braunfels say 23-year-old Derek Joel-Nelson Clemens was found dead Thursday in the swollen Guadalupe River. The search for his friend continues.

Both men went missing Wednesday as flash floods fueled by the storm hit parts of Texas before moving east.

In Oklahoma, a motorist drowned Thursday after trying to drive across a swollen creek. The Highway Patrol says 19-year-old Jackie Warford's vehicle was swept off a road in the eastern Oklahoma town of Stilwell.

Flash flooding has killed at least two motorists in Texas and others are still missing.

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**Draw A Holiday Scene On 8.5"x11" White Paper and Submit It To The Yankton Daily Press & Dakotan**

- Top drawings selected will be printed on Christmas cards. The cards will be sold with proceeds going to our Newspapers In Education Program
- The winners will be featured with their picture and first name in the Press & Dakotan and will receive a full package of the Christmas cards.
- Child's first name and age will be printed on the back of the Christmas Card.

Mail or bring to:  
Yankton Daily Press & Dakotan  
Holiday Card Contest  
319 Walnut, Yankton, SD 57078  
Any questions contact Noelle at 665-7811 ext. 112  
Please write child's first name, age, phone number and school on back of drawing.



Entry deadline September 30, 2010.  
Press & Dakotan staff will judge drawings.

**YANKTON DAILY Press & Dakotan**

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## The Prices Are Falling on These 2010 Closeouts!

<b>2010 Silverado</b> 1/2 Ton Crew Cab 4x4 UP TO \$12,000 OFF** MSRP... \$34,505 Northtown Discount... -\$3,000 Factory Rebate... -\$5,000 <b>Everyone Qualifies... \$26,505*</b> Retention Private Offer... -\$1,500** GM Card... -\$1,500** Business Choice... -\$500** GMAC Down Payment Assistance... -\$500** <b>May Qualify For... \$22,505*</b>	<b>2010 Traverse AWD 2LT</b> UP TO \$8,000 OFF** MSRP... \$40,800 Northtown Discount... -\$3,000 Factory Rebate... -\$2,000 <b>Everyone Qualifies... \$35,800*</b> Retention Private Offer... -\$1,500** GM Card... -\$1,000** GMAC Down Payment Assistance... -\$500** <b>May Qualify For... \$32,800*</b>	<b>2010 Lucerne CXL</b> UP TO \$11,000 OFF** MSRP... \$37,829 Northtown Discount... -\$2,500 Factory Rebate... -\$4,000 <b>Everyone Qualifies... \$31,329*</b> Retention Private Offer... -\$1,500** GM Card... -\$1,500** Buick Conquest... -\$1,000** GMAC Down Payment Assistance... -\$500** <b>May Qualify For... \$26,829*</b>	<b>2010 Tahoe 4x4s</b> 2 Choices! UP TO \$12,500 OFF** MSRP... \$51,975 Northtown Discount... -\$5,500 Factory Rebate... -\$3,000 <b>Everyone Qualifies... \$43,475*</b> Retention Private Offer... -\$1,500** GM Card... -\$2,000** GMAC Down Payment Assistance... -\$500** <b>May Qualify For... \$39,475*</b>
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**2011 Corvettes** MSRP \$53,095 **\$7,000 OFF** 1679

**2011 Regal CXL** 1641 **2011 Yukon Denali** 1691 **2011 SRX AWD** 1671

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