

# REQUEST FOR BIDS

## Installation of 6' Chain Link Fence & Gates



**Bids Due: December 12th, 2016 at 10:00 A.M.**

**Housing Authority of the Cherokee Nation  
P.O. Box 1007  
Tahlequah, OK 74465  
(918) 456-5482**

**Housing Authority of the Cherokee Nation  
BID REQUEST**

The Housing Authority of the Cherokee Nation is seeking bids from interested parties for the installation of 6' commercial grade chain link fencing and gates. This job location is at the end of 1300 Nola Street in Tahlequah, Oklahoma. Work will be completed according to the work write up. This job must be completed in 21 working days after receiving purchase order / notice to proceed. To be considered a responsive/responsible bidder, the mandatory bid response sheet must be fully completed. Bids are due no later than December 12th, 2016 at 10:00 A.M.

A purchase order will be issued to the responsible Contractor who provides the lowest, most responsive bid in accordance with the HACN Procurement Policy.

**MANDATORY SUBMITTAL INFORMATION:** Bids may be mailed to the Housing Authority of the Cherokee Nation, Attn: Herman Augerhole, P.O. Box 1007, Tahlequah, OK 74465. Bids may also be faxed to the attention of Herman Augerhole at 918-458-5637 or e-mailed to herman.augerhole@hacn.org. It is the bidder's responsibility to ensure delivery of bids by December 12th, 2016 at 10:00 A.M. Bids received after the deadline will not be considered.

**Bid Acceptance:** Bids will be accepted from Indian and Non-Indian bidders. HACN reserves the right to determine if a bid meets stated requirements, and to award a purchase order for the bid that is in the best interest of the HACN, including but not limited to the total cost and capability of the bidder. Bidders are responsible for any and all costs associated with the preparation and submission of bids. To be considered, bids must be received by the deadline; any late bids will be returned unopened. No bidder may withdraw their bid within 30 days after the due date. HACN reserves the right to reject any and all bids.

Bidders can direct questions to Brian Washington at 918-871-9169.

**Tribal and Indian Preference:** Indian preference will be given only to bidders who provide proof of current certification from the Cherokee Nation Tribal Employments Office (TERO) located in Tahlequah, OK. Proof of TERO certification must be included with the bid or provided within three (3) days. TERO requirements apply, including the fee of ½ of 1% of contract award. The successful bidder must complete the TERO Labor Agreement and pay all applicable fees, including \$25 per day per non-Indian employee working on this project. Please refer to Legislative Act 01-14 or contact the TERO office at (918) 453-5334 with any questions.

This contract is subject to Section 7(b) of the Indian Self-Determination and Education Assistance Act, which requires in part that to the greatest extent feasible, preference in the award of contracts and subcontracts shall be given to Indian Organizations and Indian Owned Economic Enterprises.

Wage Rate #OK 160005 applies to this project. Any state or Tribal law requiring the payment of wage rates that exceed the corresponding Federal rate is inapplicable and shall not be enforced.

The Contractor shall verify all quantities, measurements or dimensions, conditions, plans, scope of work, and write up before submitting a bid. Change Orders will not be approved based on mistaken quantity count, measurements or dimensions.

**Method of Award:** After reviewing all bids received, the purchase order will be awarded to the responsible bidder whose bid is determined to be the lowest and most responsive in accordance with the HACN Procurement Policy.

THE FOLLOWING FACTORS WILL BE GIVEN CONSIDERATION:

Number of Current, Pending Projects  
Previous Projects Completed on Time  
Quality of Work on Previous Projects

**Method of Payment:** Payment will be made after inspection (100%) and approval by HACN Inspector.

**Debarment, Suspension, Proposed Debarment, and Other Responsibility Matters:**

No Contracts/Purchase Orders shall be awarded to debarred, suspended, or ineligible contractors, under Executive Order 12549 (Debarment and Suspension). Contractors may be suspended, debarred, or determined ineligible by HUD regulations (24 CFR Part 24) or by other Federal agencies (e.g., Department of Labor, for violations of Labor Regulations) when necessary to protect the Housing Authority of the Cherokee Nation in its business dealings. The HACN may suspend or debar a contractor under state, local or tribal laws as applicable.

The responding party certifies to the best of its knowledge and belief that the person, the firm, or any of its principals are not presently debarred, suspended, proposed for debarment, or declared ineligible for the award of contracts by any Federal agency or Indian Tribe. The bidder will also certify they have not, within a three-year period preceding this Request for Bid:

- Been convicted of or had a civil judgment rendered against them for: commission of fraud or a criminal offense in connection with obtaining, attempting to obtain, or performing a public (Federal, State, Local or Tribal) contract or subcontract; violation of Federal or State anti-trust statutes relating to the submission of offers; or commissions of embezzlement, theft, forgery, bribery, falsifications or destruction of records, making false statements, and are not presently indicted for, or otherwise criminally or civilly charged by governmental entity with, commission of any of the offenses enumerated in this provision, or
- Had one or more contracts terminated for default by a Federal, State, Local or Tribal agency.

The responding party shall provide immediate written notice to the HACN if, at any time prior to contract award, the person learns its certification was erroneous when submitted or has become erroneous by reason of changed circumstances.

**Insurance Requirements (For Successful Bidder Only):** Before performing contractual services on the behalf of or for the HACN, compliance with the following insurance requirements must be verified. **Provide an original Certificate of Insurance naming the Housing Authority of the Cherokee Nation of Oklahoma as a certificate holder.**

The certificate should contain the following information:

- 1) Type of insurance
- 2) Policy number
- 3) Effective date
- 4) Expiration date
- 5) Limits of Liability (this amount is usually stated in thousands)
- 6) Ten-day cancellation clause

**\*\*Required Coverage:**

- 1) Worker's Compensation and Employer's Liability:  
Limits of Liability:  
Bodily Injury by Accident: \$100,000 each accident  
Bodily Injury by Disease: \$500,000 policy limit  
Bodily Injury by Disease: \$100,000 each employee  
Oklahoma Statute requires Worker's Compensation coverage for anyone with one (1) or more employees.
- 2) General Liability:  
Coverage:  
Comprehensive (including products/completed operations)  
Limits of Liability:  
Bodily Injury and Property Damage Combined: \$100,000.00  
(each occurrence)
- 3) Automobile Coverage:  
Vehicles Covered:  
All Autos  
Bodily Injury and Property Damage Combined: \$100,000  
Hired Autos  
Non-owned Autos  
Limits of Liability:

Bid Solicitation # 2017-001-024

Note: the Contractor shall either: (1) during the life of his subcontract, require each of his subcontractors to procure and to maintain Subcontractor's Public Liability and Property Damage Coverage or the same types of coverage in the same amounts as specified above, or (2) insure the activities of this subcontractors in his own policy.

**Subcontracts:**

The successful bidder is specifically advised that any person, firm, or other party to whom it is proposed to award a subcontract under this contract must be approved by the HACN, and the TERO office must be consulted prior to any subcontractor being on site to ensure all appropriate forms, paperwork and approvals are in place. The successful bidder will be required to complete the Request for Acceptance of Subcontractor at the time of the contract signing if a subcontractor is to be utilized. All sums due to any suppliers or subcontractors must be paid and Lien Waivers submitted to HACN prior to any draw being released to Contractor.

AWARDED CONTRACTOR MUST SUBMIT TO THE HOUSING AUTHORITY OF THE CHEROKEE NATION ALL REQUIRED DOCUMENTATION WITHIN THREE (3) DAYS OF NOTIFICATION OF AWARD:

- Insurance Certificates
- Core Crew List
- Special Trade Licenses (as applicable)

**\*\*FAILURE TO SUBMIT ALL PAPERWORK BY DEADLINE WILL RESULT IN AWARD BEING REVOKED\*\***

**Drug Free and Tobacco Free Workplace:**

- a) Any contractor performing work for the HACN agrees to publish a statement notifying all employees, subcontractors and other workers that the unlawful manufacture, distribution, dispensing, possession or use of a controlled substance is prohibited in the Contractor's workplace and specifying the actions that will be taken against violators of such prohibition.
- b) The HACN will consider lack of enforcement or lax enforcement of the statement by the Contractor a default of the contract.
- c) The Contractor further agrees to provide all persons engaged in performance of the contract with a copy of the statement.
- d) A copy of the Contractor's Drug Free Workplace Statement shall be included with any bid submitted or the Contractor will be deemed to accept and agree to use the statement provided by the HACN.
- e) The Contractor understands and recognizes that all HACN buildings, whether leased or owned, and the grounds surrounding those facilities are considered by the HACN to be a tobacco free workplace. The Contractor will ensure all employees, subcontractors, and other workers abide by this policy.

**Please mark one and sign:**

I have my own (Contractor's) Drug/Tobacco Free Policy/Statement \_\_\_\_\_  
(Attach your policy/statement and sign and date bottom)

I agree to the HACN's Drug/Tobacco Free Policy/Statement: \_\_\_\_\_

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**Signature** **Date**

## MANDATORY BID RESPONSE FORM

**Installation of 6' Chain Link Fence 9-Gauge  
With 3 strands Barb Wire on Top of Fence**

\$ \_\_\_\_\_

**Installation of Two 20' Double Drive Gates**

\$ \_\_\_\_\_

**GRAND TOTAL \$ \_\_\_\_\_**

### NOTE TO BIDDERS REGARDING INDIAN PREFERENCE

TERO Certified Contractor: \_\_\_\_\_ Yes \_\_\_\_\_ No  
(Proof of certification, both sides must accompany all bids)

SUBMITTED:

\_\_\_\_\_  
Supplier Name

\_\_\_\_\_  
Supplier Address

\_\_\_\_\_  
Authorized Signature

\_\_\_\_\_  
Phone Number