

Housing Authority of the Cherokee Nation
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REQUEST FOR BIDS

HACN

Housing Development Project

Labor and Material for road, sidewalk and aprons, curbs and gutters, detention pond and drainage project for 6 Newly Constructed houses located in Dogwood II Addition in Stilwell, Oklahoma
Adair County



Bid Due Date: December 5, 2023, at 10.00 A.M.

Housing Authority of the Cherokee Nation

P.O. Box 1007
Tahlequah, OK 74465-1007
(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 completion of Labor and Material for road, sidewalk and aprons, curbs and gutters, detention pond and drainage for 6 newly constructed homes located in Dogwood II Addition in Stilwell, Oklahoma Adair County.

TO BE CONSIDERED A RESPONSIVE/RESPONSIBLE BIDDER, THE WORK WRITE UP AND BID DOCUMENT MUST BE FULLY COMPLETED, FRONT AND BACK OF TERO CERTIFICATE MUST BE COMPLETED FOR PREFERENCE TO BE GIVEN. **Bids are due no later than 10:00 A.M. December 5, 2023, Contractor must self-perform all labor required; no subcontracting of labor will be allowed. CONTRACTOR must be completed no later than January 5, 2024, at 5:00 P.M.**

The lowest most responsive, responsible bid will be the determining factor in awarding this bid based on the Housing Authority of the Cherokee Nation Policy and Procedure. The successful bidder will be issued a purchase order incorporating the bid response. Bidder agrees to complete the HACN Development project in a timely manner in order not to hold up the entire project, Failure to comply and HACN reserves the right to award to the next lowest bidder anytime the need arises.

MANDATORY SUBMITTAL INFORMATION: Bid submittal requirements must be followed. Each bid must be submitted on the prescribed, required form with all areas completed, the envelope containing the bid and all other required, completed documents must be received on or before due date listed and **must be clearly identified “Bid Enclosed” Attn: Baylee Scott.** Bids may be hand delivered to the front door of the Contracts/Procurement office located at 5000 S. Muskogee Ave., (Hopkins Building) Tahlequah, Oklahoma 74464 or e-mailed to Baylee.scott@hacn.org **It is the bidder’s responsibility to ensure delivery of bids by December 5, 2023 by 10:00 A.M. Any bids received after the designated date and time will be ineligible for award.**

Bid Acceptance: Bids will be accepted from Cherokee Tribal, Indian and Non-Indian bidders. Tribal and Indian preference will be given ONLY to bidders who provide current certification from the Tribal Employment Rights Office (TERO) located at the Cherokee Nation of Oklahoma, P.O. Box 948, Tahlequah, Oklahoma, 74465, telephone number (918) 453-5000. Failure to submit the TERO certification with the bid, or within three (3) days of deadline may result in denial of Indian preference. 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. Housing Authority of the Cherokee Nation reserves the right to reject

any and all bids. Housing Authority of the Cherokee Nation 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 Housing Authority of the Cherokee Nation 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 specified date and time; any bid received after the stipulated date and time will be returned unopened. No bidder may withdraw their bid within 30 days after proposal due date.

Wage Rates #OK20230019 is applicable to this project.

Bidder must visit the job site and acquaint themselves with the exact nature of work to be performed. To schedule a site, visit on Monday December 4, 2023, contact Construction Supervisor, Randy Bogart at 918-316-9139, this is the only day that Randy will be available. At the time of the bid opening each bidder will be presumed to have inspected the site and familiarized themselves with any existing conditions. There will be no change orders to process based on mistaken quantity count, measurements, or dimensions. **SAMPLE Copy of the project outline is attached with a plat of the entire project. This will be a general layout of the project; you must meet with Randy to ensure understanding of what is required. He also has a large copy of plans for review.**

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, Oklahoma, telephone number (918) 453-5334. Proof of TERO certification (Copy of TERO Certificate (front & back) must accompany and be included in bid submittal.)

TERO requirements apply including fee of ½ of 1% of contract award. Successful bidder must complete TERO Labor Agreement and pay all applicable fees, including \$25 per day for every non-Indian employee working on this project in accordance with Legislative Act 01-14, contact TERO office @ 918-453-5334 with any questions.

Method of Award – Lowest Bid That Contains Lowest Most Responsive/Reasonable Offer from Qualified Bidder: After consideration of price and other factors, the purchase order will be awarded to the bidder whose bid is determined to be the lowest most responsive/reasonable offer and in the best interest of the HACN to accept in accordance with HACN Policy & Procedure. Award shall be made under unrestricted solicitations to the lowest, most responsive/reasonable bid from a qualified economic enterprise or organization within the maximum total budget price established for the specific project or activity being solicited. TERO Preference will be given only to bidders who provide proof of current TERO certification from the Cherokee Nation Tribal Employments Office (TERO).

Proof of TERO certification must accompany and be included in bid submittal.

Method of Payment – Contractor will be paid 100% of contract amount upon completion and acceptance of work and approved by the HACN Inspector and with all required paperwork submitted to the HACN. Or as negotiated with awarded contractor.

Debarment, Suspension, Proposed Debarment, and Other Responsibility

Matters: 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 Proposal, 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 antitrust 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 a governmental entity with, commission of any of the offenses enumerated in this provision. The responding party certifies they have not, within a three-year period preceding this Request for Proposal/ Request for Bids, 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 Housing Authority of the Cherokee Nation 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.

General Information: Housing Authority of the Cherokee Nation reserves the right to waive any informalities or to reject all bids. Award of purchase order will be to the lowest most responsible responsive bidder and will be subject to availability of funds. Indian preference will be given to Contractors certified as an Indian-Owned firm by the Cherokee Nation Tribal Employment Rights Office (T.E.R.O.). **Proof of certification must accompany all bids.** No bidder may withdraw their bid within thirty (30) days after bid opening date.

A prospective contractor seeking to receive Indian Preference under this contract must be certified as an Indian-owned firm by the Cherokee Nation Tribal Employment Rights Office (TERO) and submit proof of that certification with their bid.

Insurance Requirements – before performing contractual services on the behalf of or for the Housing Authority of the Cherokee Nation, 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. Waivers **MUST** be filed with the State of Oklahoma for each person on the core crew if not carrying Workers Comp. HACN will make the final determination on acceptance.

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:

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

Drug Free and Tobacco Free Workplace:

- a) Any Contractor performing work for the Housing Authority of the Cherokee Nation 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 Housing Authority of the Cherokee Nation 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 Nation.
- e) The Contractor understands and recognizes that all Housing Authority of the Cherokee Nation buildings, whether leased or owned, and the grounds surrounding those facilities are considered by the Nation to be a tobacco free workplace. The Contractor will ensure all employees, subcontractors, and other workers will abide by this policy.

Certification of Policy:

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

Or

I agree to the HACN's Drug/Tobacco Free Policy/Statement _____

Signature of Bidder **Date** _____

**AWARDED CONTRACTOR MUST SUBMIT REQUIRED DOCUMENTATION
WITHIN THREE (3) DAYS OF NOTIFICATION OF AWARD TO THE HOUSING
AUTHORITY OF THE CHEROKEE NATION DEPARTMENT, AS APPLICABLE
TO PROJECT**

INSURANCE CERTIFICATES – For General Contractor and all sub-contractors General Contractor will need to List HACN P.O. Box 1007 Tahlequah, Oklahoma 74465 as additional insured/certificate holder. – Subcontractor’s insurance certificates must list the General Contractor as the additional insured/certificate holder.

CORE CREW LIST – Copies of CDIB or Tribal Membership cards for all core crew members (General and Subcontractors)

LICENSES– specific for the job, Example – HVAC, Plumbing, Electrical, Termite Treatment, Roofing.

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

Housing Authority of the Cherokee Nation
MANDATORY BID RESPONSE SPREADSHEET

The Contractor shall verify, on the job site, all conditions, before submitting this bid. There will be no Change Order to prices based on conditions, Rock Clause will not be added. It is the contractor's responsibility to inspect the site and familiarize themselves with any existing conditions. **Mandatory site visit with HACN inspector or bid will be rejected.**

Contractors Bid shall include all, materials, tools, equipment, and labor to perform all work. Contractor is responsible for reviewing plans and specifications as outlined on the engineered plans and bidding accordingly. All engineered notes on the plans will act as the scope of work and shall be installed as designed.

Total bid for completing entire project with Asphalt.

TOTAL BID: \$ _____

Total Bid for completing entire project with Concrete.

TOTAL BID: \$ _____

The Contractor shall verify, on the job site, all conditions, before submitting this bid. There will be no Change Order to prices based on conditions. It is the contractor's responsibility to inspect the site and familiarize themselves with any existing conditions.

HACN will give you adequate notification to get this project added to your schedule, we expect all work to be completed no later than January 5, 2024.

(Cherokee) Tribal or Indian Preference: (Check one)

TERO Certified Contractor: _____ Yes _____ No
(Proof of certification must accompany all bids)
(Copy of Front & Back of TERO certificate)

SUBMITTED:

Company Name/Address/Title

Authorized Signature/Contact Phone Number