

Cherokee Nation

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REQUEST FOR BIDS

TRACK LOADER AND ATTACHMENTS
EQUAL TO OR BETTER



Bid Due Date: July 21, 2023

CHEROKEE NATION

P.O. Box 948
Tahlequah, OK 74465
(918) 453-5000

CHEROKEE NATION
BID REQUEST
TRACK LOADER AND ATTACHMENTS
EQUAL TO OR BETTER

The Cherokee Nation is accepting bids from interested parties for a new compact track loader and attachments. Interested parties are to provide a bid to furnish product equal to or better than the specifications provided. Interested bidders must follow all directions outlined in this bid packet including the utilization of mandatory bid response sheet to be considered fully responsive.

The lowest most responsive, responsible bid will be the determining factor in awarding this bid taking Indian Preference in accordance with Cherokee Nation Acquisition Management Policy and Procedures. The successful bidder will be issued a purchase order incorporating the bid response.

Bids are due Friday, July 21, 2023 by 5:00 p.m.

MANDATORY SUBMITTAL INFORMATION: Bid submittal requirements must be followed. Each bid must be submitted on the prescribed, required form with all areas completed. Bids may be faxed to the attention of Michelle Parsons at (918) 458-4493 or (918) 458-7695 or e-mailed to michelle-parsons@cherokee.org. It is the bidder's responsibility to ensure delivery of bid by Friday, July 21, 2023 by 5:00 p.m. Any bids received after the designated date and time will be ineligible for award.

Interpretation of the Bid Documents: All questions or requests for interpretation of the bid must be submitted in written format to Cherokee Nation Acquisition Management. Requests may be e-mailed to michelle-parsons@cherokee.org. Requests may also be faxed to (918) 458-4493 or (918) 458-7695, Attention: Michelle Parsons.

Bid Acceptance: Bids will be accepted from Indian and Non-Indian bidders. Cherokee Nation reserves the right to reject any and all bids. 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 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 stipulated date and time will be returned unopened. No bidder may withdraw their bid within 30 days after proposal due date.

TERO Certification: 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) 453-5000. Proof of TERO certification must accompany and be included in bid submittal.

Conflict of Interest and Restrictions: If any contractor, contractor's employee, subcontractor, or any individual working on the proposed contract may have a possible conflict of interest that may affect the objectivity, analysis, and/or performance of the contract, it shall be declared in writing and submitted to Cherokee Acquisition Management (Attn: Michelle Parsons) no later than on or before **Friday, July 21, 2023 by 5:00 p.m.** The NATION will determine in writing if the conflict is significant and material and if so, may eliminate the contractor from submitting a proposal.

Verbal Instructions: Interested parties shall not initiate or execute any negotiation, decision, or action arising from any verbal discussion with any Cherokee Nation employee. Only written communications from the designated Contact Person at Cherokee Nation may be considered a duly authorized expression on behalf of the NATION regarding this RFP. Additionally, only written communications from interested parties are recognized as duly authorized expressions on behalf of the vendor. The same instructions shall apply to any subsequent award and agreement communications.

Qualifications of Bidder: The NATION may make such investigations as deemed necessary to determine the ability of the bidder to perform the work, and the bidder shall furnish to the NATION all such information and data for this purpose as the NATION may request. The NATION reserves the right to reject any bid if the evidence submitted by, or investigation of, such bidder fails to satisfy the NATION such bidder is properly qualified to carry out the obligations of the contract and to complete the work contemplated therein. Conditional bids will not be accepted.

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 taking Indian Preference into consideration and in the best interest of the Nation to accept. Award shall be to the lowest, most responsive/reasonable bid in accordance with Cherokee Nation Acquisition Management Policy and Procedures. Indian/TERO Preference will be given only to bidders who provide proof of current TERO certification from the Cherokee Nation Tribal Employments Office (TERO) in accordance with current Cherokee Nation Policy. Proof of TERO certification must accompany and be included in bid submittal.

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, 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 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: Cherokee Nation reserves the right to waive any informalities or to reject any and all bids. Award of purchase order will be to the lowest most responsible responsive bidder and will be subject to availability of funds. All sums due to any suppliers utilized by successful bidders must be paid or will be paid within ten (10) days of receipt of any money received from the Cherokee Nation under any purchase order. 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.

MANDATORY BID RESPONSE SHEET
TRACK LOADER AND ATTACHMENTS
EQUAL TO OR BETTER

<u>Product Description</u>	<u>QTY</u>	<u>UNIT COST</u>	<u>TOTAL</u>
TRACK LOADER	1	_____	_____
CAT HM 415C MULCHER ATTACHMENT	1	_____	_____
CAT INDUSTRIAL GRAPPLE FORKS	1	_____	_____
SHIPPING (IF APPLICABLE)			_____
GRAND TOTAL BID			\$ _____

DELIVERY: MUST SPECIFY EARLIEST DELIVERY DATE

LEAD TIME ARO: _____

ALL SPECIFICATIONS ARE FULLY MET: _____ **YES** _____ **NO**

Cherokee Nation will consider bids for product equal to or better. If not bidding exact product, complete details and specifications for product must be submitted with bid.

NOTE TO BIDDERS REGARDING INDIAN PREFERENCE:

TERO Certified Contractor: _____ Yes _____ No
 (Proof of certification must accompany all bids)

SUBMITTED:

Company Name

Company Address

Authorized Signature

Print Name & Title

**Cherokee Nation Wildland Fire Management
Hazardous Fuels Reduction Program
Equipment Specifications (Compact Track Loader)**

Description of Use for Equipment

The piece of equipment and its' optional supporting attachments/implements will be used to complete project work throughout the reservation of the Cherokee Nation. The main use of the machines will be to thin, pile, masticate and mow undesirable timber, grass and other brushy vegetation, mostly Eastern Red Cedar and other unwanted woody ground vegetation, with the intention of hazard mitigation and ecosystem restoration. This machine and attachments will be required to treat a minimum of 500 acres per year of tribal lands. This machine will also be used to support prescribed fire projects in various capacities. These machines will be used year-round and in a variety of weather, vegetation, and ground conditions.

Desired Specifications of Machine and associated Implements

Compact Track Loaders are needed. The desired machine for the above tasks is a Cat 299D3 XE Land Management Compact Track Loader. This machine is desired so that it is compatible with machinery currently being operated/utilized within the Bureau of Indian Affairs Fuels Management program. The required specifications for the proposed Track Loader are as follows:

Tracked machine

Reduces ground pressure/disturbance

Optimal traction

Track system must be well protected with minimal voids between the drive gear and guide roller and the track itself.

Maximum ground pressure of 5.5 psi

Minimal horsepower

105+ net horsepower

Optimal time efficiency with the greater operating capacities.

Hydraulic System

High Flow

Capacity of 40 gpm at 4,000 psi

Able to adequately operate all attachment listed with the attachment section

Operator Cab

Climate Controlled Enclosed Operator Cab

Operator will have the capability to operate machine no matter the weather conditions.

Reduction of operator fatigue, resulting in safer and more efficient operations.

Noise level no more than 85 dB(A)

Cab with Rollover Protective Structures (ROPS)

Operator Controls

Joystick/Pilot Operator Controls

Allows inexperienced operators to learn how to run machine more easily.

Reduction of operator movement and fatigue, resulting in safer and more efficient operations.

Protection Package

Guards or safety features which protect the operator and the machine while working in dense rigid vegetation.

Field Service/Maintenance Service

Manufacturer or dealer provided field service/maintenance service able to perform route required maintenance or repair any mechanical failures that arise.

Service available throughout the Eastern Oklahoma Region.

Parts drop boxes located throughout Eastern Oklahoma Region.

Required Optional Equipment

Roof Mounted Auxiliary Hydraulic Cooler

Fire Suppression System

Minimum 50-gallon fuel tank

Machine must be eligible for maintenance and remote machine operating monitoring plans and extended warranty.

Track Loader Attachments

All the below attachments must be compatible with previously acquired Cat 299D3 Compact Track Loaders. The desired attachments for said compact track loader are as follows:

(1) Cat HM 415C mulcher attachment

(1) Cat Industrial Grapple Forks