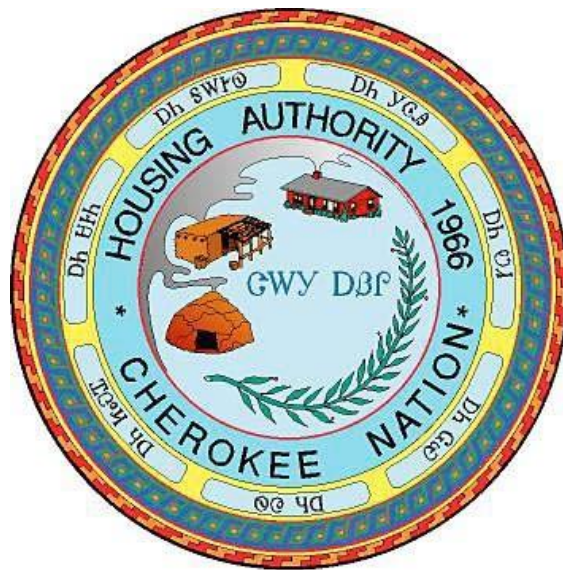


**HOUSING AUTHORITY OF THE CHEROKEE NATION (HACN)
REQUEST FOR SEALED BIDS**

**MOBILE HOMES, INCLUDING DELIVERY AND SETUP
Solicitation 2022-001-042**



**HACN Contracts Office: 09/19/2022
Bid Due Date: Friday, October 7, 2022**

www.cherokeebids.org

**HOUSING AUTHORITY OF THE CHEROKEE NATION
P.O. Box 1007
Tahlequah, OK 74465
(918) 456-5482**

HOUSING AUTHORITY OF THE CHEROKEE NATION
BID REQUEST
MOBILE HOMES WITH DELIVERY AND SETUP

The Housing Authority of the Cherokee Nation (HACN) is accepting bids from interested parties to provide, deliver, and set up 2-bedroom, 2 bath, or 3-bedroom, 2 bath mobile homes. The homes will be delivered and set-up at designated sites throughout the fourteen (14) county Cherokee Nation Reservation.

Interested parties should provide their bid to furnish all labor, quality control, materials, supplies, and supervision to provide the mobile home, delivery, and set-up at sites established by the HACN. The HACN understands that each site is unique, so bidders should provide standard delivery and set-up fees. 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 and delivery time into consideration. The successful bidder will be issued an agreement and a purchase order incorporating the bid response. The HACN reserves the right to make multiple awards.

Bids are due October 7, 2022 by 5:00 p.m. CT

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 e-mailed to tonya.lockwood@hacn.org. The subject line of the email must state: HACN Bid for Mobile Homes. It is the bidder's responsibility to ensure delivery of bids by **October 7, 2022 by 5:00 p.m. CT**. 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 writing to tonya.lockwood@hacn.org.

- a) To be given consideration, questions and interpretation requests must be received no later than **September 26, 2022 by 5:00 p.m. CT**.
- b) Any and all such answers and interpretations and any supplemental instructions will be in the form of written addenda to the bid which, if issued, will be communicated in written format to all prospective bidders no later than **September 30, 2022 at 5:00 p.m. CT** via a posting with the bid announcement on the Cherokee Nation bid website, www.cherokeebids.org.
- c) No answers or interpretation of the bid documents will be made to any bidder orally.
- d) Failure of any bidder to receive any such addendum or interpretation shall not relieve such bidder from any obligation under his bid as submitted. All addenda so issued shall become part of the contract documents.

Bid Acceptance: Bids will be accepted from Indian and Non-Indian bidders. The HACN reserves the right to reject any and all bids. The 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 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 the 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.

TERO Requirements: Cherokee Nation TERO Office requirements apply to award of agreement; including fee of ½ of 1% of contract award. Successful bidder must complete required TERO paperwork and pay all applicable fees for this project in accordance with the current Legislative Act. Please contact Cherokee Nation Tribal Employment Rights Office (T.E.R.O.) at (918) 453-5000 with any questions. The successful bidder must have fees and all paperwork submitted to TERO for the agreement to be considered fully executed.

Laws and Regulations: The bidder's attention is directed to the fact that all applicable state laws, municipal ordinances, and the rules and regulations of all authorities having jurisdiction over construction of the project shall apply to the contract throughout, and they will be deemed to be included in the contract the same as though written out in full.

Wage Rates: The HACN requests the wages for any future contract/project follow the Davis-Bacon Wage Scale, if applicable to the services/work being provided. Awarded parties will be required to maintain wage rates paid to employees for any future awarded project and have reports available upon request. Contractors should also be mindful of 40 U.S.C.A. §3702 & §3704 - Department of Labor regulations regarding work hours and conditions. Cherokee Nation TERO law and fees may be applicable to any future agreement(s).

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 the Housing Authority of the Cherokee Nation's Contracts Department, Attention: Tonya Lockwood no later than **September 26, 2022 by 5:00 p.m. CT.** The HACN 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 HACN employee.

Only written communications from the designated Contact Person at the HACN may be considered a duly authorized expression on behalf of the HACN 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 HACN 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 HACN all such information and data for this purpose as the HACN may request. The HACN reserves the right to reject any bid if the evidence submitted by, or investigation of, such bidder fails to satisfy the HACN 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.

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 also be acceptable to HACN. Any proposed subcontracts must be approved by the HACN, and the TERO office must be consulted prior to the subcontractor being on site to ensure all appropriate forms, paperwork, and approvals are in place. Successful bidder will be required to complete the Request for Acceptance of Subcontractor at time of contract signing if subcontractor to be utilized. All sums due to any suppliers or subcontractors must be paid or will be paid within ten (10) days of receipt of any money received from the HACN under any executed Agreement.

Method of Award – Lowest Bid That Contains Lowest Most Responsive/Reasonable Offer From Qualified Bidder: After consideration of price and other factors, the project 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 HACN to accept. 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 in accordance with HACN Policy & 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 sealed 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 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.

General Information: HACN reserves the right to waive any informalities or to reject any and all bids. The award 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 the 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.

Drug Free Workplace and Tobacco Free Workplace: 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. The HACN will consider lack of enforcement or lax enforcement of the statement by Contractor a default of the contract. The Contractor further agrees to provide all persons engaged in performance of the contract with a copy of the statement. A copy of the bidder's Drug Free Workplace statement shall be included with the proposal or else the successful bidder will be deemed to accept and agree to use the statement provided by HACN. The Contractor understands and recognizes that all 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.

Contractor's Insurance Requirements: Before performing contractual services on behalf of or for the HACN, compliance with the following insurance requirements must be verified:

** Provide an original Certificate of insurance naming the HACN as a certificate holder and additional insured with respect to general liability, automobile liability, and builders risk policies, as their interest may appear with respect to the operations defined in this bid packet. The certificate shall reflect that coverage has been placed with an AM Best Rated Carrier of at least A IX and will contain the following information for each required coverage:

- 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) Thirty-day notice of cancellation, except ten-day cancellation clause will apply for nonpayment of premium.

** Required Coverages:

- 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. Contractor's worker's compensation policy shall include a waiver of subrogation in favor of Housing Authority of the Cherokee Nation.

- 2) General Liability:
Coverages:
Commercial (including products/completed operations) with specific reference made to coverage for lead abatement (as this is usually excluded under standard commercial general liability policies). In addition to the additional insured endorsement, the commercial general liability policy shall also include a waiver of subrogation in favor of Housing Authority of the Cherokee Nation
Limits of Liability:
Bodily Injury and Property Damage Combined: \$1,000,000 per occurrence and \$2,000,000 general aggregate limit

- 3) Automobile Coverage:
Vehicles Covered:
All Autos
Hired Autos
Non-owned Autos

Limits of Liability: Bodily Injury and Property Damage Combined: \$500,000

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 for the type and in the same amounts as specified above, or (2) insure the activities of this subcontractors in his own policy. Each subcontractor policy must also name Housing Authority of the Cherokee Nation as an additional insured with respect to general liability and auto liability.

Bid Responses:

Bidder should quote both a mobile home that includes 2 bedrooms and 2 bathrooms and 3 bedrooms and 2 baths.

Homes should be low or mid-quality and approximately 16' X 80'.

It is unknown at this time how many mobile homes will be needed. Please quote one 2-bedroom and one 3-bedroom.

Site work will be the responsibility of the HACN unless the bidder is specifically asked to perform site work.

Interested parties are to provide a response on the following mandatory bid response sheet as outlined in the bid packet.

All parties are to include product specifications with bid submittal for the HACN's review.

As homes are needed, home delivery sites will be communicated to the successful bidder(s).

MANDATORY BID RESPONSE SHEET MOBILE HOMES, DELIVERY & SET-UP

The Bidder agrees to perform all work as shown and called for in the scope of work and specifications. The work will be completed within the specified number of working days of acceptance of this bid, a fully executed contract, and receipt of a Notice to Proceed. The Bidder agrees to furnish all labor and materials for the Base Bid for the sum of:

MOBILE HOME: \$ _____ 2BR, 2BA

MOBILE HOME: \$ _____ 3BR, 2BA

DELIVERY FEE: \$ _____

SET-UP FEE: \$ _____

NUMBER OF HOMES AVAILABLE FOR IMMEDIATE DELIVERY: _____

NORMAL/STANDARD LEAD TIME: _____

ALL REQUIREMENTS FULLY MET & INCLUDED: _____ YES _____ NO

NOTE TO BIDDERS REGARDING INDIAN PREFERENCE: (Check One)

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

Major Cherokee Employer: _____ Yes _____ No
(Bidder must contact TERO at 918-453-5000 for this preference)

SUBMITTED:

Company Name

Company Address

Company Address

Authorized Signature

Print Name & Title