REQUEST FOR BIDS



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

RFB for the Construction of Sixteen (16)
3- & 4-Bedroom home located in Adair, Craig, Delaware,
Mayes, Muskogee, Rogers and Sequoyah Counties within
Cherokee Nation Reservation

Bid Solicitation: 2025-001-023

Bids Due: April 14, 2025, at 5:00 P.M.

Request for Bids Detailed Announcement

GENERAL:

The Housing Authority of the Cherokee Nation is seeking bids from qualified contractors for the construction of Sixteen (16) turn-key construction of 3-bedroom & 4-bedroom homes located in Adair, Craig, Delaware, Mayes, Muskogee, Rogers and Sequoyah Counties within the Cherokee Nation Reservation. Interested parties are to provide bids to furnish all necessary labor, quality control, licenses, materials, equipment, tools, supplies, permits, insurance, and supervision to complete the entire project and to perform the work require thereof within the time specified after receipt of the "Notice to Proceed". The project must be fully completed within 180 working days or \$1,000.00 per working day will be charged to the contractor for each day that work continues beyond the contract end date. Contract extensions will only be allowed under extenuating circumstances. The Scope of Work and Specifications are available in the bid packet, along with all information and all necessary form documents.

Bid will be awarded to the lowest, most responsive/responsible bidder. The subsequent contract must be fully executed within (10) ten days of award or the bid will become null and void, and the next lowest most responsive/responsible bid will be considered. Contract award will be subject to the availability of funds.

HACN reserves the right to reject any and all bids. HACN reserves the right to determine if a bid meets stated requirements, and to award a contract that is in the best interest of the HACN, considering but not limited to the total cost and capability of the bidder. Bidders are responsible for all costs associated with the preparation and submission of bids. No bidder may withdraw their bid within 30 days after closing date.

BID PACKET:

A <u>non-mandatory</u> pre-bid conference will be held <u>March 19, 2025 at 9:00 A.M.</u> located at the HACN Procurement & Contracts Office located at 5006 S. Muskogee Ave in Tahlequah, Oklahoma. If you do not attend the Pre-Bid, bid packets will be available on the Cherokee Nation Procurement Website, www.cherokeebids.org (this will be a large packet with several pages to print).

Bids will be accepted from Cherokee (Tribal) Indian and Non-Indian bidders who have picked up or downloaded a bid packet. Interested parties should visit the job sites and acquaint themselves with the exact nature of work to be performed following the pre-bid conference. To schedule a site visit contact Randy Bogart at (918) 316-9139.

The deadline for submitting bids is April 14, 2025, at 5:00 P.M. BIDS MUST BE RECEIVED ON OR BEFORE THE DEADLINE TO BE CONSIDERED. BIDS MUST BE CLEARLY MARKED "TURNKEY CONSTRUCTION RFB # 2025-001-023". Late bids will not be accepted and will be returned unopened.

Bids may be mailed to P.O. Box 1007 Tahlequah, OK 74465 ATTN: Baylee Scott, emailed to Baylee Scott at baylee Scott, at 5006 S. Muskogee Avenue, Tahlequah, OK 74464 by or before **April 14, 2025 at 5:00 P.M.**

For this project, Davis-Bacon *Wage Rate and General Contract Conditions* are applicable and included in the bid packet. Any state or Tribal law requiring the payment of wage rates that exceed the corresponding Federal rate is inapplicable and shall not be enforced.

Wage Rate #OK20250005 Modification Number 0, Publication Date 1/3/2025 Wage Rate # OK20250009 Modification Number 0, Publication Date 1/3/2025 Wage Rate # OK20250079 Modification Number 0, Publication Date 1/3/2025 Wage Rate #OK20250081 Modification Number 0, Publication Date 1/3/2025

General Conditions terms are defined form HUD-5370-EZ. Instructions to Bidders for Contracts Public and Indian Housing Programs form HUD-5369. Representations, Certifications, and Other Statements of Bidders, Public and Indian Housing Programs form HUD-5369-A.

INDIAN PREFERENCE:

Indian preference will be given only to contractors who provide proof of current certification from the Cherokee Nation Tribal Employments Rights Office (TERO) located in Tahlequah, OK. Proof of TERO certification must be included with the bid. This bid is subject to Section 7 (b) of the Indian Self- Determination and Education Assistance Act (25 U.S.C. 405 e), which requires in part, that to the greatest extent feasible, preference in the award of the contracts and subcontracts shall be given to Indian Organizations and Indian Owned Economic Enterprises. Cherokee Nation TERO requirements apply, including fee of ½ of 1% of contract award. The successful contractor must complete the 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. Please contact TERO at 918-453-5334 with any questions. The successful bidder must have all fees and paperwork submitted to TERO for a contract to be considered fully executed.

TERO information included in the packet, for any questions please contact them directly. It is presumed that you understand their requirements by submitting your bid.

Information for Bidders

Bid Documents

The Housing Authority of the Cherokee Nation (hereinafter "HACN") invites bids on the attached bid form. All sections of the form must be completed.

Bids prepared and submitted in accordance with these provisions may be considered informal; HACN may waive any informalities (immaterial variations) or reject any and all bids. Any bid may be withdrawn prior to the scheduled bid opening or authorized postponement. Any bid received after the specified deadline will not be considered and will be returned unopened.

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 that the bidder is properly qualified to carry out the obligations of the contract and to complete the work. Conditional bids will not be accepted.

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.

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.

Insurance Requirements: (For Successful Bidder Only)

Before performing contractual services on behalf of 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 as a certificate holder.

Certificate should read:

Housing Authority of the Cherokee Nation

Attn. Contracts Dept.

P.O. Box 1007

Tahlequah, Oklahoma 74465

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. **Exclusion Forms must be certified through the State of Oklahoma **

2. General Liability;

Coverage:

Comprehensive (including products/completed operations)

Limits of Liability:

Bodily Injury and Property Damage Combined: \$100,000

(Each Occurrence)

3. Automobile Coverage:

Vehicles Covered:

All Autos

Bodily Injury and Property Damage Combined: \$300,000

Hired Autos

Non-Owned Autos

Limits of Liability:

4. Builders Risk:

Builders Risk in the amount of the project is required for all development construction contracts and shall be supplied by the contractor. The Builders Risk Policy must be in effect for the entire term of the contract, including any approved extensions.

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.

Interpretation/Clarifications of the Bid Documents

Every request for interpretation of the meaning of the plans, specifications, or other pre-bid documents must be submitted in written format to Housing Authority of the Cherokee Nation. Requests may be e-mailed to baylee.scott@hacn.org or faxed to (918) 431-9306, Attention: Baylee Scott. No interpretation of the meaning of the plans, specifications, or other pre-bid documents will be made to any bidder orally.

To be given consideration, interpretation request must be received by <u>March 25,2025 at 2:00 p.m.</u>

Any and all such interpretations and any supplemental instruction will be in the form of written addenda to the specifications which, if issued, will be posted with bid announcement on the CHEROKEE NATION PROCUREMENT WEBSITE, www.cherokeebids.org under HACN Procurements. Clarifications to Interpretations for this bid shall be posted by March 28, 2025 at 2:00 p.m.

No additional interpretations will be addressed once HACN response is posted on the CN procurement website,

Failure of any bidder to receive any such addendum or interpretation shall not relieve the bidder from any obligation under his bid as submitted. All addenda become part of the contract documents.

The failure or omission of any bidder to examine any form, instrument or document shall in no way relieve any bidder from any obligation in respect of his bid.

The failure or omission of any bidder to examine any form, instrument or document shall in no way relieve any bidder from any obligation in respect of his bid.

Site Inspections

At the time of the opening of bids, each bidder will be presumed to have:

- Inspected the sites.
- Familiarized themselves with any existing conditions.
- Read and became thoroughly familiar with the plans and contract documents (including all addenda).

To schedule a Site Inspections please contact <u>Construction Manager</u>, <u>Randy Bogart at</u> (918) 316-9139.

The HACN reserves the right to reject any and all bids in connection with this RFB. At the execution of a contract, or at the rejection of all bids.

ADAIR COUNTY (3).

MANDATORY BID RESPONSE SPREADSHEET – HACN BID SOLICITATION # 2025-001-023

The General Contractor, as Bidder, agrees to perform all work as shown and called for in the scope of work and specifications for the HACN.

The work will be completed within 180 workdays of acceptance of this proposal, a fully executed contract, and receipt of a Notice to Proceed. The Bidder agrees to furnish all necessary labor, quality control, licenses, material, equipment, tools, supplies, permits, insurance and supervision to complete the entire project and to perform the work required thereof.

Ashley Sam – Unit 75423 3 BEDROOMS 4-BR - Gable Roof - \$
Demolition (existing foundation and septic system) \$
Total Bid Amount \$
https://maps.app.goo.gl/8WUtwgrXQxgB92Zq5
Rachel Howard – Unit 75388 3-BR - Gable Roof - \$
Demolition (existing structure and septic system) \$
Total Bid Amount \$
https://maps.app.goo.gl/DMz2DcRCuxZbKkdGA
Philip Pimentel – Unit 74930 4 BR - Gable Roof – Total Bid Amount \$
https://maps.app.goo.gl/YG8SAZgi3EzTvXAY8
DELAWARE COUNTY (7): Desiree Garner – Unit 75247 4-BR – Gable Roof – Total Bid Amount \$
No map available.
Taylor Cunningham – Unit 75271 3-BR – Gable Roof – Total Bid Amount \$

Kelby Jones – Unit 75437
4-BR – Gable Roof – Total Bid Amount \$https://maps.app.goo.gl/iKZDeVBEEiBaPivx8
THE STATE OF THE S
Adam Ellis – Unit 75433 3-BR – Gable Roof – Handicap Unit - \$
Demolition (existing mobile home and septic system) \$
Total Bid Amount \$
https://maps.app.goo.gl/rE2WMQZQgnLHxyQE8
Lindsey Bailey – Unit 75404 4-BR – Gable Roof – Total Bid Amount \$
Brenda Lashbrook – Unit 75439 4-BR – Gable Roof – Total Bid Amount \$ No map available.
Jonni Tacker – Unit 75390 3-BR – Hip Roof – Total Bid Amount \$
MAYES COUNTY (1): Shaina Turner – Unit 75434
4-BR – Gable Roof – \$
Demolition (existing structure and septic system) \$
Total Bid Amount \$
No map available.
MUSKOGEE COUNTY (1): Chris Adams – Unit 75392 3-BR – Gable Roof – Total Bid Amount \$
ROGERS COUNTY (2): Jordon King – Unit 75425 3-BR – Gable Roof – Total Bid Amount \$

Robin Mount – Unit 75443 3-BR – Gable Roof – Total Bid Amount \$	
https://maps.app.goo.gl/Dpi6bZygSvf3JouE	DA
SEQUOYAH COUNTY (1)	
Heather Barnes - Unit 75352	
4-BR – Gable Roof – Total Bid Amount \$.07
https://maps.app.goo.gl/6S8U6tt3PLd7sKC	<u>121</u>
Septic Systems and Wells will be provided via a	separate bid (bid form provided by HACN).
NOTE TO BIDDERS REGARDING (CHEROKE	EE) TRIBAL OR INDIAN PREFERENCE:
TERO Certified Contractor:YES	NO (check one)
(Proof of Certification must accompany all bids	5)
By signing this bid document, I un	
been completed, I will be held to a	1-Year Warranty Period.
SUBMITTED BY:	
COMPANY NAME	COMPANY ADDRESS
PRINT NAME & TITLE	AUTHORIZED SIGNATURE
THE CONTRACTOR OF THE CONTRACT	AOTHORIZED GIONATORE
EMAIL ADDRESS	PHONE NUMBER
DATE	

Please mark one and sign:

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.
- 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.

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: Signature

Date

Statement on Providing Cherokee (Tribal) and Indian Preference In Employment and Training Opportunities

The Housing Authority of the Cherokee Nation has determined that all bidders for this solicitation shall, to the greatest extent feasible, comply with Cherokee (Tribal) and Indian Preferences in providing training and employment opportunities.

Detail your employment and training opportunities and plans to p implementing the contract:	
Provide the number or percentage of Indians anticipated to be er	mployed and trained.
If less than 100% Indian for new hires explain why:	
Provide a list of all core crew members (owners, supervisors, key	y positions):
Describe the methods that will be used to train Indian employees	3:
Comparable statements from all subcontracts must be submitted	
Company Name	
Signature	Date

Statement on Providing Cherokee (Tribal) or Indian Preference In the Award of Subcontracts

The Housing Authority of the Cherokee Nation has determined that all bidders under this solicitation shall, to the greatest extent feasible, comply with Cherokee (Tribai) and Indian Preference in the awarding of all subcontracts under the contract.

Awards of subcontracts shall be made to the qualified Indian Enterprise or organization with the lowest responsive bid if that bid is no more than "X" higher than the total bid price of the lowest responsive bid from any qualified bidder. In accordance with paragraph V of the HACN Procurement Policy, for any solicitation of a purchase exceeding \$150,000 that is based on price and other factors, Indian preference will be given based on the following criteria:

When the lowest responsive bid is:	X: THE LESSER OF:
At least \$150,000 but less than \$200,000	4.5% of that bid or \$8,000
At least \$200,000 but less than \$300,000	4% of that bid or \$10,500
At least \$300,000 but less than \$400,000	3.5% of that bid or \$12,000
At least \$400,000 but less than \$500,000	3% of that bid or \$15,000
At least \$500,000 but less than \$1,000,000	2.5% of that bid or \$20,000
At least \$1,000,000 but less than \$2,000,000	2% of that bid or \$30,000
At least \$2,000,000 but less than \$4,000,000	1.5% of that bid or \$40,000
At least \$4,000,000 but less than \$7,000,000	1% of that bid or \$52,500
\$7,000,000 or more	.75% If that bid or \$75,000

If no responsive proposal by a qualified Indian-Owned economic enterprise or organization is within the stated range of the total price of the lowest responsive proposal from any qualified enterprise, award shall be made to the bidder with the lowest price.

All bidders must submit with their proposal documentation of the bids or quotations received in subcontracts awarded to a non-Indian enterprise or a non-Indian organization. Failure by the bidder to provide such information shall render the proposal non-responsive and the bidder ineligible for award.

Detail your plans to provide Cherokee (Tribal) Indian Preference in the award of subcontraction		
	A The state of the	
	•	
Company Name	·	
Signature	Date	

PREPARATION OUTLINE

The following information must be submitted and signed as indicated with bid. All information must be submitted for any bid to be considered responsive and responsible.

- a. Preparation Outline (this form, must be signed and dated)
- b. Mandatory Bid Response Form
- c. TERO Certification (Bidder to provide if applicable)
- d. Statement on Providing Cherokee (Tribal) and Indian Preference in Employment and Training Opportunities
- e. Statement on Providing Cherokee (Tribal) and Indian Preference in the Award of Subcontracts
- f. Non-Collusive Affidavit
- g. Previous Work History Form
- h. Contractors Drug Free Workplace Statement or Agreement to follow HACN Drug Free Workplace statement (Copy of contractors or signed statement to agree to HACN) must be included in bid.
- By signing below, I have reviewed all posted pre-bid minutes and Interpretations & Clarification.

SPECIAL INSTRUCTIONS

** Be advised that all responsive proposals will be evaluated as outlined in this solicitation packet.

	MANUFACTURE AND ADDRESS OF THE PARTY OF THE
Authorized Signature	Title
Photogramma and the state of th	MARKATANA A STATE OF A PROPERTY OF A STATE O
Company Name	Date

Bidder only:

- a. Labor Information Form (to be provided by HACN)
- b. W-9 Form (to be provided by HACN)
- c. New Contractors must complete a Vendor Registration form (provided by HACN)
- d. Core Crew Listing, Proof of CDIB or Tribal Membership cards (If Applicable, Licenses for trade. Ex. HVAC, Plumbing, Roofing, Electrical, Pest, (pre-treat)
- e. Request for Acceptance of Sub-Contractors, Subcontract Agreement and all applicable licenses, insurances and Core Crew list
- f. Insurance Certificates (General Liability, Auto, & Workers Comp) Builders Risk in the amount of the project
- g. Drug Free and Tobacco Free Workplace Certification

Closing documents required for final draw:

- a. Final Davis- Bacon payrolls
- b. Lien releases for all subcontractors and suppliers
- c. Final DEQ filed paperwork (if applicable)
- d. Certificate of Release from General Contractor
- e. Serial numbers (appliances, HVAC, water heater)
- f. Color selections
- g. As-Built drawing for each unit
- h. Account numbers for all utilities

NON-COLLUSIVE AFFIDAVIT

State of	Maria de ma	
County of	1 - 1 - 1 - 1 - 1 - 1 - 1 - 1 - 1 - 1 -	replacement of the control of the co
	-	y sworn, deposed and says
that he/she is a partner or officer of the	firm of	maranumanumanumanumanumanuma berira etira
the party making and foregoing propose not collusive or sham; that said bidder is directly or indirectly, with any bidder or bidding, and has not in any manner, directlusion or communication or conference or any other bidder, or to fix overhead, any other bidder, or to secure any advantage of the collusion, or any person interest statements in said proposal or bid are to	has not colluded, or person, to put in a rectly or indirectly, s ace, with any persor profit or cost eleme intage against the le sted in the propose	onspired, connived or agreed, sham bid or to refrain from ought by agreement or n to fix the bid price of affiant of said bid price, or that of dousing Authority of the
Signe	d:	TO THE STATE OF THE PERSON OF
	(Bidder, if the bid i	s an individual;
	Partner, if the bid	is a partnership;
	Officer, if the bid i	s a corporation)
Subscribed and sworn to before me this	day of	, 20
My commission expires	, 20	
Notary Public Signature		
Commission Number	and the state of t	

BID SOLICITATION #2024-001-023- SUPPLEMENTAL BID INFORMATION ON SEPTIC SYSTEMS

The General Contractor, as Bidder, agrees to perform all work as shown and called for in the Scope of Work and Specifications for the HACN.

	includes Perc Test, Lateral Field of up to e and all DEQ required paperwork.
	\$
 Aerobic System - that includes Per up to 11,544 Square ft. of surface a DEQ required paperwork. 	c Test/Soil Profile and up to 3 Sprinkler Heads application, including any Rock Clause and all \$
Additional line item for each addition	onal sprinkler heads per Perc/Soil Profile
Additional line item for Nitrogen Re	eduction System \$
has been received and APPROVED by	ems will ONLY begin after DEQ Perc/Profile the Construction Manager of the HACN and in hand. CONTRACTOR MUST CONTACT TION.
COMPANY NAME	ADDRESS
PRINT NAME & TITLE	AUTHORIZED SIGNATURE
EMAIL ADDRESS	DATE

BID SOLICITATION #2024-001-023 - SUPPLEMENTAL BID INFORMATION ON WELL SYSTEMS

Contractor will be responsible for drilling the well, submitting all well drilling reports, test pump data sheets and performing all chemical analysis and Bac T testing. Testing must be performed by a certified laboratory. Contractor will be responsible for getting the Electric to the site for the completion of the well and the labor and materials to connect the well from the well house to the home.

Well drilling cost:
Indicate your cost for 150' minimum charge \$
Cost per additional foot beyond 150' \$ per foot
Steel Casing (20ft. minimum charge) \$
Cost per additional foot beyond 20 ft. \$ per foot
Cement grout per well-\$
Completion of each well system \$ includes the following: (Beyond drilling)
54x80 panel walk in well house, use pit less adaptor on well and build well house and top out away from casing/drill site minimum 20 ft. surge suppressor/lighting arrester for all components including pump. Chemical analysis and Bac T testing.
Well drilling and completion may be negotiated with the awarded contractor or removed from the

scope of work; this will be clarified with the interpretations.