



NORTHERN MARIANAS HOUSING CORPORATION

P.O. BOX 500514, Saipan, MP 96950-0514

Email: nmhc@nmhc.gov.mp

Website: <http://www.cnmi-cdbgdr.com>

INVITATION FOR BIDS (IFB)

(This ad is paid by NMHC by HUD funds)

NMHC IFB 2024-012

BID SUBMISSION DATE: August 29, 2024, 10:00 a.m.

PUBLIC SCHOOL SYSTEM (PSS) WILLIAM S. REYES (WSR) ELEMENTARY SCHOOL REHABILITATION PROJECT

Project Package will be available on July 15, 2024, at the NMHC Central Office in Garapan, Saipan, during regular working hours (7:30 a.m. to 4:30 p.m.) Monday thru Friday except CNMI holidays. A non-refundable payment of One-Hundred Dollars (\$100.00) is required for each set of the project package. Payment must be made payable to NMHC and receipt of payment must be presented when obtaining the project package at the reception counter.

Brief description of the project package is available on the NMHC Website at www.nmhc.gov.net or the CDBG-DR Website at www.cnmi-cdbgdr.com "Procurement Tab".

The provisions on the NMHC Procurement regulations, NMIAC 100-60-725 AND 100-60-730 Prohibiting Gratuities, Kickbacks and Contingent Fees shall apply.

A Mandatory Pre-Bid Conference will be held at the NMHC Central Office Conference located in Garapan, Saipan on **July 29, 2024, 10:00 a.m.** In addition, a Mandatory site Visit/Inspection of the project site will be conducted immediately after the Pre-Bid Conference. Failure to attend both the Mandatory Pre-bid conference and the Mandatory site Visit/Inspection will be considered a non-responsive bidder.

For more information, contact Mr. Jacob Muna, Office Manager, at (670) 234-9447 or via email at officemanager@nmhc.gov.net during business hours, 7:30am – 4:30pm Monday through Friday, except CNMI holidays.

/s/

Jesse S. Palacios
Corporate Director

/s/

Merced "Marcie" M. Tomokane
Chairwoman, NMHC Board of Directors



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PUBLIC SCHOOL SYSTEM (PSS) WILLIAM S. REYES (WSR) ELEMENTARY SCHOOL REHABILITATION PROJECT

The Northern Marianas Housing Corporation (NMHC) is soliciting competitive sealed bids from qualified firms for the PSS WSR Elementary School Rehabilitation Project.

The WSR Elementary School Rehabilitation Project is located in Chalan Kanoa, Saipan.

The work consists of furnishing all labor, tools, equipment, and materials for the construction of the WSR Elementary School Rehabilitation Project, Saipan, CNMI. The work includes, but is not limited to:

Mobilization and Demobilization.

Building B- Structural repair of concrete roof slab surface, soffit, and parapet, including repair of cracks and spalling, repair of reinforcing steel, topping on ponding areas on top of the roof slab, clearing and removal of dirt, and molds, and stains on roof slab surface; removal and installation of new 12"x12" Vinyl composite tiles including surface preparation, floor leveling, and baseboard (4" high painted) at Room B1 and B5; removal and installation of new ceiling light fixtures, outlets and switches, including replacement of wiring conduits and circuit breakers and connection to the main panel; and application of ceiling paint including surface preparation for Owner/s color selection, complete.

Building D- Remove and install new GA22 Butler (Rib) Type Roofing Sheets including gable roof edge metal flashing, fascia, and 12" ridge cap; 2'x2' acoustic ceiling system including frames, hangers, and other accessories; installation of new smoke detectors, complete in place.

Building E: Library & Office- Remove and install new GA 22; Butler (Rib) Type roofing sheet at Building E, including ridge cap, rafters, fascia, and 12" ridge cap; new tongue and groove wood decking boards at perimeter roof soffit (roof eaves); 2'x2' acoustic ceiling system including frames, hangers and other accessories; 5/8" thick fiber cement board suspended ceiling system; LED ceiling mounted lighting fixtures; and new rough-ins, wiring, conduits, and accessories for Fire Alarm and electrical work affected by roof replacement, complete in place.

Building F- Remove and install new duplex outlets/receptables, switches including replacement of wirings, conduits, fittings, junction boxes, circuits, and connection to the main panel; and new emergency exit light fixtures including support and hangers as needed, complete.

Building G- Remove and install new aluminum tubular guards/ railings at the 2nd-floor walkway, complete. (To match existing).

Building I- Remove and install new Butler (Rib) Type Roofing sheet materials, GA22 including fascia, 24" ridge cap, etc., and installation of solar panel base support, (Steel truss and purlins are to remain if in good condition or be replaced if damaged); 5" roof gutter system with 3"x4" aluminum downspout and concrete splash block; 5/8" thick cement fiber siding at perimeter soffit (roof eaves) and 5/8" thick gypsum board ceiling mounted on metal ceiling framing with painting, aluminum exterior doors with vision lite with door hardware and accessories, Aluminum frame sliding glass panel windows, accordion-type typhoon (hurricane) shutters, 12"x12" vinyl composite tiles, and application of paint for exterior side walls and interior walls.

Building I Covered Walkway- Replace covered walkway with steel framing and GA22, Butler (Rib) Type metal roofing with 5" GA22 aluminum gutter with 3" diameter PVC downspout and concrete splash block, including new columns/support and walkway extensions, complete-in-place.

Campus-Wide Free-Standing Walkways- Demolish and construct new walkway canopies with concrete footings, columns, beams, and galvanized hollow steel truss with GA22, 6G Butler (Rib) Type roofing sheets including flashing, fascia, ridge cap, 6" pre-painted seamless gutter with 3" diameter PVC downspout and concrete splash block and other accessories, complete-in-place.

Campus Wide Perimeter Chain Link Fence and Gates- Remove and install new 4-foot an d6-foot high chain link fence including post, top rail, horizontal brace, fabric, and all other accessories; 3 units of 12 ft wide vehicular gates at 6ft. high; 2 units of 12 ft. wide vehicular gates at 4 ft. high; 5 units of 3 ft. wide pedestrian gate at 6 ft. high, complete.

Maintenance Building- Remove and install new roofing sheets, wood frames/rafters, battens, stiffens/unities, flashing, fascia boards, and other accessories and new GA22, 6-G Rib-type roofing sheet and battens (purlins) at Gable Roof; existing rafters/truss to remain), complete in place.

Recreational Facilities- Remove and replace the aluminum 3-row bench with 15-foot long bleachers, complete in place.

Pump Room- Demolition of existing pump room and construction of new concrete slab and beam; CMU wall; and steel rafters and purlins with GA22 Butler (Rib) Type Roofing sheets; plastering and painting of CMU wall on both sides; installation of Aluminum Doors with louver including hardware and accessories; lighting Fixtures, switches, outlets, breakers, and wiring and connection to nearest panel board; and new Water tank and pump and its appurtenances, complete.

ADDITIVE:

Building B: Supply and application of roof (silicone) coating including repair of cracks roof slab cracks and surface preparation and semi-gloss latex paint for interior walls as specified on the construction drawing including surface preparation before application, complete-in-place

Building F: Remove and install new GA22: Rib type roofing sheet, including ridge cap, rafters, fascia, and provision for base of solar panel installation on new roof; new 1/2" thick cement board to the roof overhang (eaves); 6"- Gage 22; Pre-painted aluminum seamless gutter with 3"x4" rectangular aluminum downspout and concrete splash block; 12"x12" Vinyl Composite Tiles including preparation of the exposed floor slab surfaces and placing of high-strength self-leveling grout; 2'x2' acoustic ceiling tiles system including frames, hangers, and other accessories; 6-inch thick double wall using 5/8" thick fire-rated gypsum board including

metal studs and fiberglass batt insulation; ceiling mounted light fixtures including support and hangers as needed; aluminum doors with sight glass and frames with transom including hardware's (locket, steel plate, closer, kick down and wall door stopper, aluminum threshold, and accessories; and interior paint including surface preparation to receive paint and wall base paint, complete in place.

Canteen Building: Demolish the slab on grade and footings and construct the New Canteen Building as per drawings including concrete footings, slab, columns, beams, concrete counter, roof slab, and CMU walls including plastering, painting, and electrical works within the existing footprint, complete in place.

The project completion timeframe is three hundred twenty (320) calendar days. Liquidated damages of \$1,000.00 will be assessed for each calendar the project is not completed.

The Project Package will be available beginning **July 15, 2024**, at the NMHC Central Office in Garapan, Saipan, during regular working hours (7:30 a.m. to 4:30 p.m.) Monday thru Friday except CNMI holidays. A non-refundable payment of **One Hundred Dollars (\$100.00)** is required for each set of the project package. Payment must be made payable to NMHC and receipt of payment must be presented when obtaining the project package at the reception counter.

A Mandatory Pre-Bid Conference will be held at the NMHC Central Office in Garapan, Saipan on **July 29, 2024, 10:00 a.m.** In addition, a Mandatory site Visit/Inspection of the project site will be conducted immediately after the Pre-Bid Conference. Failure to attend both the Mandatory Pre-bid conference and the Mandatory site Visit/Inspection will be considered a non-responsive bidder.

For more information regarding bid submission, please refer to the instructions to bidders.

This project is funded by the U.S. Department of Housing and Urban Development (HUD) through the Community Development Block Grant-Disaster Recovery (CDBG-DR) program. Potential bidders are required to have an active Unique Entity Identification (UEI) registered with SAM.GOV.

Sealed bids must be marked **NMHC IFB 2024-011**. For Bidders within the CNMI, an original, three (3) copies of sealed bids and one (1) USB flash drive must be submitted to the NMHC Central Office, Garapan, Saipan MP 96950, **no later than 10:00 a.m. August 29, 2024**. Bids received after the date and time will not be accepted. Bidders located outside the CNMI may obtain an additional seven (7) working days for receipt of their bids by submitting a **Notice of Intent to Bid**. Notice of Intent to Bid must be received by the Procurement Officer no later than 10:00 a.m. local time, **August 29, 2024**, and must be transmitted via facsimile to (670) 234-9021, or via email to officemanager@nmhc.gov.net. For bidders outside the CNMI, an original, three (3) copies and one (1) USB Flash Drive of sealed bids must be postmarked by the U.S. Postal Services or the official government postal service of a foreign country no later than **August 29, 2024**, and must be received at NMHC no later than **September 09, 2024**. Note that failure to submit the required number of copies may be cause for rejection of a bid.

Bids will be publicly opened and read at the NMHC Central Office, Garapan, Saipan at **10:30 a.m. local August 29, 2024**. However, if notice of intent to bid is received from bidders outside the CNMI, bids will be opened at **2:00 p.m. local time on September 10, 2024**.

Bid Security: Bids shall be accompanied by a bid guarantee of not less than fifteen percent (15%) of the amount of the bid which may be a Bid Bond (form enclosed) in cash, by certified check, cashiers' check or other form acceptable to NMHC.

Bidding Procedures shall be in compliance with the NMHC Procurement Regulations (NMIAC § 100-60)

Breach of Ethical Standard

NMIAC § 100-60-725 (a) Gratuities and Kickbacks

Gratuities. It shall be a breach of ethical standards for any person to offer, give or agree to give any employee or former employee or for any employee or former employee to solicit, demand accept, or agree to accept from another person, a gratuity or an offer of employment in connection with any decision, approval, disapproval, recommendation, preparation of any part of a program requirement or purchase request, influencing the content of any specification or procurement standard, rendering of advice, investigation, auditing or any other advisory capacity in any proceeding or application, determination, claim or controversy, or other particular matter, pertaining to any program requirement or a contract or subcontract or to any solicitation or proposal therefor.

Kickbacks. It shall be a breach of ethical standards for any payment, gratuity, or offer of employment to be made by or on behalf of a subcontractor under a contract to the prime contractor or higher tier subcontractor or any person associated therewith as an inducement for the award of a subcontractor or order.

NMIAC 100-60-730 Prohibition Against Contingent Fees

Contingent Fees. It shall be a breach of ethical standards for a person to be retained, or to retain a person, to solicit or secure NMHC contracts upon an agreement or understanding for a commission, percentage, brokerage or contingent fee, except for retention of bona fide employees or bona fide established commercial selling agencies for the purpose of securing business.

NMHC hereby notifies all bidders that it will affirmatively ensure that, in any contracts entered into pursuant to this advertisement, small, minority businesses and women's business enterprises will be afforded equal opportunity to submit bids and will not be discriminated against on grounds of race, color, religion, sex, disabilities or national origin.

This project is also subject to Section of the Housing and Community Development Act of 1968 which requires the successful bidder to the "maximum extent feasible", take affirmative steps to provide training, contracting and employment opportunities and help ensure that the economic opportunities generated by these HUD funds are provided to local low-income residents in Saipan.

NMHC reserves the right to reject any and all proposals for any reason and to waive any defects in the bids if determined to be in its best interest. All bids received shall become the property of the NMHC.

/s/
Jesse S. Palacios
Corporate Director

/s/
Merced "Marcie" M. Tomokane
Chairwoman, NMHC Board of Directors

Northern Marianas Housing Corporation (NMHC)

PUBLIC SCHOOL SYSTEM (PSS) WILLIAM S. REYES (WSR) ELEMENTARY SCHOOL REHABILITATION PROJECT

INSTRUCTIONS TO BIDDERS

1. BID INFORMATION:

- A. Bid submission: August 29, 2024, no later than 10:00 a.m. Bids received after 10:00 a.m. will not be accepted. Bids will be publicly opened at 10:30 a.m. However, if NMHC receives a "Notice of Intent to Bid" on August 29, 2024, at 10 a.m. all bids will be publicly opened on September 10, 2024, at 2:00 p.m.
- B. One (1) original, three (3) copies, and, one (1) USB flash drive of bids shall be submitted on the forms furnished by the NMHC, and shall be sealed and addressed to the Mr. Jacob Muna, Office Manage/Procurement Officer, and Mr. Nobert I. Pangelinan CDBG-DR Procurement Officer Garapan, P. O. Box 500514, Saipan, MP 96950
- C. Attention is called to the fact that bidders not only offer to assume the obligations and liabilities imposed upon the Contractor in the form of the contract but expressly make certain of the representations and warranties made therein. No effort is made to emphasize any particular provision of the project documents, but bidders must familiarize themselves with every provision and its effect.

2. TIME OF COMPLETION:

- A. The Contractor shall complete the work no later than Three Hundred Twenty (320) calendar days after the established Notice to Proceed date.
- B. Failure to complete the work within the time specified, liquidated damages will be assessed in the amount of One Thousand Dollars (\$1,000.00) for each and every day the work is delayed beyond the established completion date.

3. SCOPE OF WORK:

Please see bid packet for the scope of work.

4. PREPARATION OF BIDS:

- A. The bidder must submit their bid/proposal on the forms furnished by NMHC All blank spaces on the bid proposal forms must be correctly filled in where indicated for each and every item for which a quantity is given, and the bidder must state the prices (both written in ink or typewritten) in words and numerals for which he proposes to do each item of the work contemplated or furnish each item of the materials required. In case of conflict between words and numerals, the words, unless obviously incorrect, will govern.

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- B. The bidder shall sign their bid/proposal in the blank space provided therefore, if this bid/proposal is made by a partnership or corporation, the name and address of the partnership or corporation shall be shown, together with the names and addresses of the partners or officers. If the bid/proposal is made by a partnership, it shall be signed by one of the partners; if made by a corporation, it shall be signed by one of the officers thereof.
- C. This bid/proposal packet contain the following documents:
1. Acknowledgement of receipt of bidding documents (This Form)
 2. Instruction to Bidders
 3. Bid Proposal
 4. Bid Form
 5. PSS MHS Rehabilitation Specifications and Plans
 6. Bid Bond Form
 7. Bid Schedule
 8. Instruction to provide your CNMI Business License (clear copy)
 9. Contractor's Assurances Form
 10. Non-Collusion Affidavit Form
 11. Statement of Bidder's Qualification Form
 12. Certification of Non-Segregated Facilities Form
 13. Certification of Bidder regarding FLSA & Davis-Bacon Act Form
 14. Contractors Statement Form
 15. Certification Regarding Drug-Free Workplace Requirements Form
 16. Equal Employment Opportunity Certification Form
 17. Small Minority Women-Owned Business Concern Representation Form
 18. NMHC Conflict of Interest Form
 19. NMHC Debarment Form
 20. Special Condition Project Sign Acknowledgment Form
 21. Provide List of Project References
 22. List of Equipment & Tools
 23. Current Employee Listing & List of Licensed Professionals
 24. Submittal Registry Log Template from Bidder
 25. List of Subcontractors (if any) Form
 26. List of Vendors (if any) Form
 27. Section 3 Business Plan/Business Certification
 28. Draft Contract Template with Exhibits A and B
 29. Payment and Performance Bond Forms
 30. Notification and Request for Approval New Sub-Contractor Forms
 31. Section 3 Information
 32. Section 3 Worker Self-Certification Forms
 33. Section 3 Worker Certification Employer Certification and Project Information Form
 34. Request for Information (RFI) Template Form
 35. Davis Bacon Labor Standards- Contractor's Guide
 36. General Decision Information

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37. Posters (Employee Rights under Fair Labor Standards Act; Equal Employment Opportunity; Employee Rights under the Davis-Bacon Act; Section 3 Posted Notice to Project Residents.

5. BID SUBMISSION DOCUMENT REQUIREMENTS:

- 1) Signed acknowledgement of Instruction to Bidders
- 2) Bid Proposal Form
- 3) Bid Form
- 4) Bid Schedule
- 5) Bid Bond- Ensure to completely fill-out the information on the form
- 6) CNMI Business License (clear copy)
- 7) Contractor's Assurances form
- 8) Non-Collusion Affidavit form
- 9) Statement of Bidder's Qualification form
- 10) Certification of Non-Segregated Facilities form
- 11) Certification of Bidder Regarding FLSA & Davis Bacon Act form
- 12) Contractors Statement form
- 13) Certification Regarding Drug-Free Workplace Requirements form
- 14) Equal Employment Opportunity Certification form
- 15) Small Minority Women-Owned Business Concern Representation form
- 16) NMHC Conflict of Interest form
- 17) NMHC Debarment form
- 18) Special Condition Project Sign Acknowledgement form
- 19) List of Project References form
- 20) List of Tools & Equipment form
- 21) Current Employee Listing (to include valid permits & identification) & List of Licensed Professionals
- 22) Submittal Registry Log Template from Bidder form
- 23) List of Subcontractors (if any) form
- 24) List of Vendors (if any) form
- 25) Section 3 Business Plan & Business Certification

26) Bidders are required to submit the following documents in a separate sealed envelope:

(Please write on the sealed envelope "CONFIDENTIAL".)

- a. Provide at least 3-performance evaluation reports from your previous clients;
- b. Letter of Recommendation from your previous clients;
- c. On-going and Completed Projects in the last 3-years with contract price;
- d. Provide Original Certificate of Good Standing from the CNMI Department of Labor (latest);
- e. Provide latest Original Tax Clearance from the CNMI Department of Revenue and Taxation
- f. Company Profile

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- g. Workers Compensation Insurance to include Workers Compensation Insurance Policy from the insurer.
- h. Provide last 3-months BGRT and Employer withholding Tax filings
- i. 3-Months Bank Statements (latest bank statement within 3-months); and
- j. Financial Statements from Calendar Year 2022 & 2023

(Note: NMHC will be requesting for additional documents from the selected responsive bidder.)

6. **BID GUARANTEE:**

- A. All bids exceeding \$25,000.00 shall be accompanied by a bid guarantee of not less than fifteen percent (15%) of the amount of the bid, which may be a bid bond (form enclosed), in cash, by certified check, cashiers' check or other forms acceptable to NMHC.
 - (1) the bidder shall not withdraw his bid for a period of ninety (90) days after the scheduled closing time for the receipt of bids;
 - (2) if a bid is accepted, the bidder will enter into a formal contract with the NMHC in accordance with the contract for construction included as part of the contract documents; and
 - (3) the required Performance Bond and labor/materials Payment Bond will be submitted upon execution of the contract.
- B. In the event of the withdrawal of said bid within the said period, the bidder shall be liable to the NMHC for the full amount of the bid guarantee as representing the damage to the NMHC on account of the default of the bidder in any particular case hereof. The bid guarantee shall be returned to bidders after NMHC and the accepted bidder have executed the contract and the NMHC has approved the executed Performance and Payment Bonds.
- C. A surety company shall hold a Certificate of Authority from the United States Secretary of the Treasury as an acceptable surety or other surety acceptable to the Attorney General. Checks or money orders submitted as a bid guarantee shall be made payable to the Northern Marianas Housing Corporation, P. O. Box 500514, Saipan, MP 96950.

7. **NON-COLLUSION AFFIDAVIT:**

- A. Each person submitting a bid for any portion of the work covered by the bid documents shall execute an affidavit, on the form provided with the bid package, to the effect that he has not colluded with any other person, firm, or corporation regarding any bid submitted. Such affidavit shall be attached to the bid.

8. **RIGHT TO ACCEPT AND REJECT BIDS:**

- A. The NMHC reserves the unqualified right, in its sole and absolute discretion, to reject any and all bids, or to accept that bid or combination of bids, if any, which in its sole and absolute

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judgment will under all circumstances best serve the NMHC 's interests. In the event that the successful bidder fails to execute the contract upon his part or furnish satisfactory surety upon the bond, the NMHC, after declaring forfeited the security deposit of such bidder, reserves the option to accept the bid of any other bidder within ten (10) days from such effect as to such bidder as though he were originally a successful bidder.

9. CONTRACT SECURITY:

- A. The successful bidder shall be required to furnish 100% of the price specified in the contract for Performance Bond and labor/materials Payment Bond. The Payment and Performance bonding company offered by the Contractor must be able to demonstrate that it possesses unencumbered assets in an amount equal to or greater than the amount required to be bonded. The bonding company must hold a Certificate of Authority from the CNMI Insurance Commissioner to do business in the CNMI. (Pursuant to NMIAC 100-60-301 (c) 1 & 2)

10. STATUTORY REQUIREMENTS:

- B. The Contractor and subcontractors employed in the completion of the project shall comply with all applicable Federal, State, and Local Laws and in particular the following Federal laws, Executive Orders, and regulations issued thereunder:
 1. The Contract Work Hours Standards Act, as amended (40 USC 327332);
 2. The Copeland "Anti-kickback" Act, as amended (40 USC 276) (18 USC874);
 3. Title VI and the Civil Act of 1964, as amended (42 USC 200 d-4) and Executive Order 11246 11375, as amended, and specifically to the following:
 - (a) The Contractor will not discriminate against any employee or applicant for employment because of race, color, sex, or national origin. The Contractor will take affirmative action to ensure the applicants are employed, and the employees are treated during employment, without regard to their race, color, sex, or national origin. Such action shall include, but not be limited to the following: employment, upgrading, demotion, or transfer; recruitment or recruitment advertising; layoff or termination; rates of pay or other forms of compensation; and selection for training, including apprenticeship.
 - (b) The Contractor agrees to post in conspicuous places, available to employees and applicants for employment, notices to be provided by the Contracting Officer setting forth the provisions of this nondiscrimination clause.
 - (c) The Contractor will, in all solicitations or advertisements for employee's place by or on behalf of the contractor, state that all qualified applicants will receive consideration for employment without regard to race, color, sex, religion, or national origin.
 - (d) The Contractor will send to each labor union or representative of workers with which he has a collective bargaining agreement another contract or understanding, a notice to be provided by the Agency Contracting Officer, advising the labor union or workers

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representative of the Contractor's commitment under Section 202 of Executive Order No. 11246 of September 24, 1965, and shall post copies of the notice in the conspicuous places available to employees and applicants for employment.

- (e) The Contractor will comply with all provisions of Executive Order No. 11246 of September 24, 1965, and of the rules, regulations, or relevant orders of the Secretary of Labor.
- (f) The Contractor will furnish all information and reports required by Executive Order No. 11246 of September 24, 1965, and the rules, regulations, and orders of the Secretary of Labor, and will permit access to his books, records, and accounts by the Contracting Agency and the Secretary of Labor for purposes of investigation to ascertain compliance with such rules, regulations, and orders, each contractor and subcontractor of Federally financed construction work is required to file an Equal Employment Opportunity Employer Information Report (EEO - 1 on standard Form 100) annually on March 31.
- (4) In the event of the Contractor's non-compliance with the non-discrimination clauses of this contract or with such rules, regulations, or orders, this contract may be canceled, be declared ineligible for further Government contracts in accordance with procedures authorized in Executive Order No. 11246 of September 24, 1965, or by rule, regulation, or order of the Secretary of Labor, or as otherwise provided by law.
- (5) The Contractor will include the provisions of paragraphs (1) through (7) in every subcontract or purchase order unless exempted by rules, regulations, or orders of the Secretary of Labor issued pursuant to Section 204 of Executive Order No. 11246 of September 24, 1965, so that such provisions will be binding upon each subcontractor or vendor. The Contractor will take such action with respect to any subcontractor purchase order as the Contracting Agency may direct as a means of enforcing such provisions, including sanctions for non-compliance: Provided, however, that in the event that the Contractor becomes involved in, or is threatened with litigation with subcontractor or vendor as a result of such direction by the Contracting Agency, the Contractor may request the Government to enter into such litigation to protect the interest of the Government.

11. **NON-DISCRIMINATION IN EMPLOYMENT:**

- C. Contracts for work under this proposal will obligate the Contractors and subcontractors not to discriminate in employment practices.
- D. Bidders must submit with their initial bid a signed statement as to whether they have previously performed work subject to the President's Executive Order No. 11246 (September 24, 1965).
- E. Bidders must, if requested, submit a compliance report concerning their employment practices and policies in order to maintain their eligibility to receive the award of the contract.

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- F. Successful bidders must, if requested, submit a list of all subcontractors who will perform work on the project and written signed statements from authorized agents of the labor pools with which they will or may deal from employees on the work together with supporting information to the effect that said labor pool's practices and policies are in compliance and are in conformity with Executive Order No. 11246 (September 24, 1965) and that said labor pools will affirmatively cooperate in or offer no hindrance to the recruitment, employment and equal treatment of employees seeking employment and performing work under the contract, or a certification as to what efforts have been made to secure such statements when such agents or labor pools have failed or refused to furnish same prior to the award of the contract.

12. ACCESS TO WORK:

- G. The Contractor shall provide access to the work at all times to the Contracting Officer whenever the work is in preparation or process and shall provide proper facilities for such access and inspection.

13. CONTRACTOR'S LICENSE:

- H. The Contractor is required to submit with his bid proposal proof of compliance with the licensing laws of the State, Territory, or County where incorporated or doing business and a copy of their CNMI business license.

14. CONTRACT:

- A. An award of the contract will not be made until after necessary investigations to the responsibility of the lowest bidder in accordance with the NMHC Procurement Regulations. Award of the contract will be made by NMHC to the lowest and most responsible bidder meeting the requirements of NMHC. The lowest bidder will be required to furnish NMHC with additional documents relative to the company's financial statement, availability of manpower with valid entry permits, and work authorization. If using contract workers including a Clearance Certification from the CNMI Department of Labor; Workers' Compensation Insurance; Clearance of tax liabilities from the Division of Revenue and Taxation; List of on-going or completed projects; List of machinery and other equipment; Payment and Performance Bond which will be obtained, within ten (10) calendar days after the issuance of an "Intent to Award or Request for Additional Documents" by NMHC.
- B. Pursuant to Executive Order No. 11246 as amended, on Equal Employment Opportunity a prime contractor and subcontractor who sign a contract on a federally assisted construction project are required under certain conditions to present written Affirmative Action Programs. At preconstruction conferences, the successful bidder and his known principal subcontractors shall be required to present and discuss the approach to be taken by the successful bidder and subcontractors to implement the requirements of affirmative

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action for equal employment and training in accordance with Executive Order No. 11246, as amended, as well as other Labor Standards, payroll, and record-keeping requirements.

- C. After the bids have been opened and declared, no bid shall be withdrawn except with the consent of NMHC, but the same shall be subject to acceptance of NMHC for a period of ninety (90) calendar days.

15. **DISQUALIFICATION OF BIDDERS:**

A. The NMHC reserves the right to disqualify bidders for any of the following reasons:

1. Bidders that are debarred or suspended from participating in any CNMI Government bidding or Federal bidding;
2. Evidence of collusion among bidders. Participants in such collusion will receive no recognition as a bidder for any future work of the NMHC until such participant shall have been reinstated as a qualified bidder;
3. Failure to conform to essential requirements of the invitation for bids such as specifications or time of delivery;
4. Imposition of conditions or restrictions in the bid which modify the requirement of the invitation or limit the bidder's liability to NMHC;
5. Unreasonable as to price;
6. A bid from a non-responsive bidder as defined in the NMHC Procurement Regulations NMIAC 100-60-245.

16. **METHOD OF AWARD:**

- A. Bidding procedure involving only a base bid If the base is within the amount of funds available to finance the construction contract, then a contract award will be made to that responsible bidder submitting the lowest base bid;
- B. Bidding procedure involving a base bid and alternate additive bids - If the base bid is within the amount of funds available to finance the construction contract and the NMHC wishes to accept alternate additive bids, then a contract award will be made to that responsible bidder submitting the lowest combined bid, consisting of the base bid plus alternate additive bids (applied in any numerical order in which they are listed on the bid form). Under this procedure, if the owner wishes to make an award on only the base bid, then the contract award will be made to that responsible bidder submitting the lowest base bid.
- C. Bidding procedures involving a base bid and alternate deductive bids – If the base bid is within the amount of funds available to finance the construction contract, then a contract will be made to that responsible bidder submitting the low base bid. If the base bid exceeds that amount of funds available or the construction contract, then the owner may award the contract to that responsible bidder submitting the lowest combined bid, consisting of the base

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bid with such alternate deductive bids (applied in any numerical order in which they are listed on the bid form) as are required to produce a new bid amount within the availability of funds.

17. ADDITIONAL REQUIREMENT:

A. This project is funded whole or in part by a grant from the U. S. Department of Housing and Urban Development (HUD), under its Community Development Block Grant (CDBG) provided to the Commonwealth. The contractor shall acknowledge that a project sign is located prominently at the project site prior to construction and shall be maintained for the duration of the construction period.

This project will be partially funded with Federal funds from the United States Department of Commerce, Economic Development Administration and therefore is subject to the Federal laws and regulations associated with that program.

B. Contractors and Subcontractors provide are must comply with regulations stipulated in the "Contractor's Assurances" incorporated as part of the bid documents, and must not discriminate on the basis of race, color, religion, gender, age, disability, or national origin in employment or provision of services.

C. Attention is called to Section 3 of the Housing and Community Development Act of 1968 which requires recipients of U.S. Department of Housing and Urban Development (HUD) funds and the contractors they do business with relative to the project, to help ensure that the economic opportunities generated by these HUD funds are provided to local low-income residents and the businesses that serve them "to the maximum extent feasible." All construction Contractors, to the maximum extent feasible, shall provide training, contracting, and employment opportunities to low-income residents residing in NMHC's projects.

D. The successful bidder will also be required to affirmatively ensure that, in any contract entered into pursuant to CDBG projects, Minority and/or Women's Business Enterprises (MBE/WBE) or General Contractors with MBE/WBE will be accorded full participation.

E. Attention is also called to the Labor Standard Provisions for Wage Rate Determination as noted in the Department of Labor General Decision. Bidders are advised that all wage rates for employees performing work, labor, and services on this project shall be paid no less than the minimum wage rate of \$7.25 per hour which took effect on September 30, 2018, as established by Federal law, or the U. S. Department of Labor General Decision No. CM20240002, whichever is greater.

F. Davis-Bacon and HUD-determined maintenance and nonroutine maintenance prevailing wage rate determinations which apply to ALL MANPOWER employed by Contractor and Subcontractor working on CDBG projects as administered by NMHC. These labor standards provisions provide payroll, record keeping, and prevailing wage rate requirements which are monitored throughout the duration of the project.

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G. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT - [Docket No. FR-6331-N-O1J - General Applicability Waiver of Build America, Buy America Provisions as Applied to Recipients of HUD Federal Financial Assistance.

I the undersigned, an official representative of _____
hereby acknowledge the receipt of enclose the following Bid documents for **NMHC IFB 2024-011**
from Northern Marianas Housing Corporation:

Authorized Rep. (Print & Sign):	Title:	Date:
Contact No.:		
Email Address:		