

REQUEST FOR PROPOSALS

Re-BID NO. 23-02-2957KS

PROPOSAL DUE DATE : 5:00 PM MDST April 28, 2023

DESCRIPTION : The Employee Housing Program is seeking proposals for the Bulk Purchase and Delivery of New Residential Water Heaters (Natural Gas and Electric) meeting the Energy Star qualification for 75 housing units.

BID NUMBER : 23-02-2957KS

CONTACT PERSON : Myron Chee
Building Maintenance Supervisor
Email: cheemyron@navajo-nsn.gov
Phone Number: (928) 871-7684
Direct Number: (928) 871-6479
Fax Number: (928) 871-6697

RETURN RESPONSES TO :

Mailing Address : Employee Housing Program
P.O. Box 4278
Window Rock, Arizona 86515
Attn: Myron Chee
Re-Bid No. 23-02-2957KS

Physical Address : Employee Housing Program
5 ½ Manuelito Drive
Window Rock, AZ 86515
Re-Bid No. 23-02-2957KS

**REQUEST FOR PROPOSAL
FOR BULK NEW RESIDENTIAL WATER HEATERS
Re-BID NO. 23-02-2957KS**

Please Submit Four (4) sets of your Proposal

SECTION I

INFORMATION ONLY, A RESPONSE TO THIS SECTION IS NOT REQUIRED

- A. **ISSUING OFFICE:** This Request for Proposal (RFP) is issued by the Employee Housing Program, Navajo Nation, P.O. Box 4278, Window Rock, Arizona 86515. The contact person for this RFP is Myron Chee, Building Maintenance Supervisor.
- B. **PURPOSE:** This RFP provides prospective respondents with sufficient information to enable them to prepare and submit proposal for consideration.
- C. **SCOPE:** This RFP contains the instructions governing the proposal to be submitted and the material to be included therein, mandatory requirements which must be met to be eligible for consideration, and other requirements to be met by each proposal.
- D. **PROCUREMENT OF RFP:**
This procurement shall be conducted in accordance with all applicable Navajo Nation laws and regulations including the Navajo Business Opportunity Act. All applicable rules, regulations, and laws shall also be followed. Prospective Vendors shall familiarize themselves with Navajo Nation regulations prior to submitting responses to this RFP, and may request a copy of Navajo Nation procurement regulations from the DGS Administration or Employee Housing Program at any time up to the Deadline for Proposals.
- E. **SCHEDULE OF ACTIVITIES:**
- | | DEADLINE: |
|--|--------------------------------------|
| 1. Public Advertisement Begins | April 12, 2023 |
| 2. Proposals will be sent to vendors on our current listing | April 12, 2023 |
| 3. Prospective respondent's written question deadline
(No questions accepted after this date) | April 18, 2023 |
| 4. Responses to questions | April 18, 2023 |
| 5. Advertisement Closing | April 26, 2023 |
| 6. Due date for proposals | April 28, 2023
5 p.m. MDST |
| 7. Opening of proposals and evaluation by
Review Team on or by | May 1-3, 2023 |
| 8. Award date for contract on or by
Pending Legislative Review-164 process | May 4-10, 2023 |

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- F. **INQUIRIES:** Prospective respondents shall make written questions concerning this RFP to obtain clarification of requirements through e-mail to Myron Chee, Building Maintenance Supervisor, cheemyron@navajo-nsn.gov. No inquiries will be accepted after the inquiry deadline listed in section E. NOTE: Inquires shall reference Bulk New Residential Appliances Re-Bid Number No. 23-02-2957KS.
- G. **ADDENDUM OF SUPPLEMENT TO THIS REQUEST FOR PROPOSALS:** In the event that it becomes necessary to revise any part of this RFP, an addendum will be issued.
- H. **PROPOSAL SUBMISSION:** Proposal must be received on or before 5:00 p.m., April 28, 2023 (MDST). Respondents who are mailing their proposals should allow sufficient time for mail delivery to ensure receipt by the time specified. If mailed, it is recommended that proposals be sent by certified mail to the address indicated on the cover sheet of the RFP. No electronic submittals. **Late proposal will not be accepted.**
- I. **FOUR SETS OF PROPOSAL ARE REQUIRED:** Four sets of the proposal must be delivered in a sealed envelope. The outside of the envelope should be clearly marked with the project name- “Bulk New Residential Water Heaters Re-Bid Number No.23-02-2957KS ” –and the name and address of the firm submitting the proposal.

Proposal Format:

Bidders shall provide information in the following format:

Part A. Written Proposal

- a. **Section 1:** Cover Letter and Bidder overview*
- b. **Section 2:** Company Credentials, Qualification and Staff Resume
- c. **Section 3:** Bulk Order, Purchase, Delivery Experience
- d. **Section 4:** List of similar services provided to other clients on Navajo Nation in proportion to requested services for the last five years.
- e. **Section 5:** Signed W-9 Form and Suspension/Debarment Form
- f. **Section 6:** Certification of Insurance

Part B. Cost Proposal (Sealed separately in envelope)

- g. State total cost for Part I.

***Vendor must include a statement in Cover Letter (Section I) that they agree to terms of the sample Navajo Nation contract template (see attached).**

- J. **COST PROPOSAL:** Cost proposals shall be **sealed separately and not part of the proposal.** Only when respondents have met the minimum qualification will the cost

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proposals be opened. If respondent fails to submit cost separately from proposal will result in respondent deemed non-responsive.

- K. **REJECTION OF PROPOSALS:** Employee Housing Program reserves the right to reject any and all proposals. This RFP may be canceled at any time and all proposals may be rejected in whole or in part when the EHP Building Maintenance Supervisor determines it is in the best interest of the Navajo Nation.
- L. **PROPRIETARY INFORMATION:** Any restriction on the use of data contained within any proposals must be clearly stated in the proposal itself. Proprietary information submitted in response to this RFP will be handled in accordance with applicable purchasing procedures. Each and every page of the proprietary material must be labeled or identified with the word “proprietary”.
- M. **RESPONSE MATERIAL OWNERSHIP:** All material submitted regarding this RFP shall become property of The Navajo Nation and will not be returned to the respondent. Responses received will be retained by EHP and may be reviewed by any person after final selection has been made, subject to paragraph L above. EHP has the right to use any or all system ideas presented in reply to this RFP, subject to limitations in paragraph L above. Disqualification or non-selection of a respondent or proposal does not eliminate this right.
- N. **INCURRING COSTS:** EHP is not liable for any cost by the respondents prior to issuance of a contract.
- O. **ACCEPTANCE TIME:** EHP intends to make a vendor selection within reasonable timeframe after the closing date for receipt of proposals.
- P. **SUFFICIENT APPROPRIATION:**
A contract awarded as a result of this RFP is contingent upon the availability of funds. A contract may be terminated or reduced in scope if sufficient funds do not exist. Sending written notice to the Vendor shall affect such termination or reduction in scope. The DGS Division Director’s decision to terminate or reduce the scope due to insufficient appropriations shall be accepted as final by the Vendor.
- Q. **EVALUATION PROCEDURES AND CRITERIA.**
1. An evaluation team will judge the proposals received in accordance with the general criteria used herein. The team may request oral presentations by respondents. Respondents should be prepared to provide any additional information the team feels necessary for the fair evaluation of proposals.
 2. Failure of a respondent to provide any information requested in the RFP may result in disqualification of the proposal. All proposals must be endorsed with the signature of

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a responsible official having the authority to bind the respondent to the execution of a contract.

3. The sole objective of the review team will be to select the respondent who is most responsive to the needs of EHP. The specifications in this RFP represent the minimum performance necessary for a response. On the basis of the evaluation criteria established in this RFP the review team will select and recommend the respondent who best meets this objective. If there is only one responsive bid, the DGS Division Director may elect to evaluate RFP solely.
4. Evaluation Criteria: The following criteria will be used by an adhoc committee in the selection process for contract award. Vendors and proposals will be evaluated to determine the best opportunity for DGS.

Qualifying Point Criteria:

- a. Company Credentials & qualifications in performing the services sought. 0-25 points
- b. Resume or other description of qualifications of relevant experience and knowledge. 0-15 points
- c. Responsiveness to Scope of Work 0-15 points
- d. List of similar services provided to other clients on Navajo Nation in proportion to requested services for the last five years. 0-15 points
- e. Navajo Nation vendor, Priority 1 or 2 0-10 points

Subtotal, possible points 80*

*Must obtain a minimum of 35 points to qualify for opening of cost proposal.
Otherwise, respondent is disqualified.

Cost Point Criteria:

- f. Delivery of all services at a reasonable cost. 0-20 points

Total possible points=100

- R. **STANDARD CONTRACT:** The Navajo Nation reserves the right to incorporate standard contract provision into any contract negotiations as a result of a proposal submitted in response to the RFP (see attached contract template).

TAX: All appropriate taxes should be included in cost of services including the Navajo Sales Tax. All work performed within the territorial jurisdiction of the Navajo Nation is

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subject to the Navajo Sales Tax of 6% (24 N.N.C. Section 601 et. seq.).

S. **TERM:** The term of this contract will be for a period of five (5) months from date of award.

T. **SOVEREIGNTY:** The Navajo Nation will not relinquish any of its sovereignty rights.

U. **COMPLIANCE WITH LAWS AND REGULATIONS:**

The successful Vendor shall comply with all Federal, Tribal, State, and Local laws, regulations and Navajo Nation rules and policies pertaining to work under its charge, and shall, at its expense, procure any permits that may be required.

V. **INDEMNIFICATION:**

To the fullest extent permitted by law, or as otherwise defined in the Contract, the successful Vendor shall indemnify and hold harmless the Navajo Nation and its officials, employees and agents from and against all claims, liens or demands that result in losses, liabilities, defense costs and expenses (including but not limited to attorney's fees and costs of litigation) arising out of the term, conditions and performance under the contract. The Vendor further agrees to indemnify and hold harmless the Navajo Nation, its agents, or employees, against claims or liability arising from or based upon the violation of any federal, state, county, city, or other applicable laws, bylaws, ordinances, or regulations by the Vendor, its agents, associates, or employees.

The indemnification provided above shall obligate the Vendor to defend at its own expense or to provide for such defense, at the Navajo Nation's option, of any and all claims of liability and all suits and actions of every name and description that may be brought against the Navajo Nation which may result from the operations and activities under any Contract resulting from this RFP.

The award of this Contract to the Vendor shall obligate the Vendor to comply with the foregoing indemnity provision.

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**SECTION II
SCOPE OF WORK**

A. BACKGROUND

The Mission of Employee Housing Program is to promote revitalization of housing for a better living environment and provide services in an effective manner. The vision statement is to provide quality living through excellence.

The Employee Housing Program in coordination with the Employee Housing Committee serve the Navajo Nation employees in providing housing units during their employment. The program serves and provides 150 housing units located in Window Rock and Fort Defiance, Arizona, and Mexican Springs and Shiprock, New Mexico.

Employee Housing Program is soliciting for proposal of seeking to purchase and delivery of new energy efficient water heaters which includes natural gas and electric for (75) housing unit located in the Window Rock and Fort Defiance, Arizona, Area and Mexican Springs and Shiprock, New Mexico Area. Employee Housing Program has not had upgraded water heaters in over 40 plus years. The water heaters in the housing units have been with the housing since the sixties.

B. RESPONDENT REQUIREMENTS:

All respondents must have, as a minimum, the capabilities listed herein and the bid proposals submitted must reflect in detail the inclusion of these services as well as the degree of expertise in utilizing these capabilities.

C. INFORMATION TECHNOLOGY (IT) CONSULTANT SERVICES WILL CONSIST OF THE FOLLOWING:

Employee Housing Program is seeking proposals to purchase and deliver new energy efficient water heater units which includes natural gas and electric on 75 housing units.

Part I: Scope of Work

The services of the contractor are to be of a scope and quality performed in a reasonable, diligent, and careful manner. The purchase and delivery of new energy efficient water heaters shall be provided in accordance with the highest standards of professionalism, skill, workmanship, and applicable trade practice and shall conform to all applicable codes and regulations.

1. All residential water heaters shall be from the same manufacturer.
2. Complete an assessment on the condition of all water heater units. May be applicable industry code and compliance standards.
3. Upgrade water heater units and the repair/replacement of water supply lines and gas assemble in accordance with applicable industry code and compliance standards.

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4. Provide supplies, parts, and equipment for the water heater units.
5. Water heater units shall be delivered to the Employee Housing Program Maintenance Shop, uncrated inside of the building and fully assembled with the exception of applied parts, which shall be attracted at the place of installation.
6. A timeline of 38 water heaters will need to be completed by the end of 3rd quarter, and 37 water heaters will need to be completed by the end of 4th quarter, or on or before September 30, 2023.
7. Warranty Service: Extended warranty parts and labor (define maximum number of years available)
8. Ensure service cost such as unit cost, travel time, mileage, parts, and supplies are reasonable and are for the work completed for the applicable Navajo Nation Employee Housing Program.
9. Each scope of work shall include all applicable Navajo Sales Tax of 6% (24 N.N.C. Section 601 et. seq.) associated with each project (Section S, Page 6).
10. Contract is subject to availability of funds.
11. Water Heater Details
 - Gas Connector – ½” OD
 - ¾” Supply lines – Hot and Cold
 - 3-inch Exhaust Piping
 - 3-inch Elbows
 - 3-inch Collar Rings
 - Pressure Relieve Valve install (¾” copper piping drain to exterior along with fittings)
 - Drainage Pan
 - 240 Voltage Wiring for Electric Water Heater
 - Correct Gallon Size

Site Location:

Location	Housing Units	Total of Water Heater/Gallon		
			Size/Type	
Fort Defiance, AZ	Aspen Canyon Drive	4	40 gal	Natural Gas
Fort Defiance, AZ	Rio Puerco Drive	3	40 gal	Natural Gas
Fort Defiance, AZ	Sun Valley Drive	2	40 gal	Natural Gas
Window Rock, AZ	Airport/WR Airways	5	40 gal	Natural Gas
Window Rock, AZ	Bonito Apartment	9	40 gal	Electric
Window Rock, AZ	Bonito Trailers	4	40 gal	Electric
Window Rock, AZ	Chee Dodge Drive	7	40 gal	Natural Gas
Window Rock, AZ	Efficiency Apartments	9	40 gal	Natural Gas
Window Rock, AZ	Morgan Boulevard	4	40 gal	Natural Gas
Window Rock, AZ	Manuelito Drive	6	40 gal	Natural Gas
Window Rock, AZ	Navajo Hill Drive	5	40 gal	Natural Gas
Window Rock, AZ	Roswell Drive	6	40 gal	Natural Gas
Window Rock, AZ	Roswell Drive	2	30 gal	Natural Gas

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Window Rock, AZ	Tribal Hill Drive	7	40 gal	Natural Gas
Mexican Springs, NM	Mexican Springs	1	40 gal	Natural Gas
Shiprock, NM	Shiprock	1	40 gal	Natural Gas

Site Visits:

The Contractor is encouraged, but not mandatory, to make a site visit prior to submitting a bid proposal to familiarize themselves with the Residential Water Heater project. To schedule a site visit, contact the following individuals:

Myron Chee
Building Maintenance Supervisor
Employee Housing Program
cheemyron@navajo-nsn.gov

Shoanyah Karlsson
Senior Office Specialist
Employee Housing Program
slkarlsson@navajo-nsn.gov

Lucinda L. Shepherd
Employee Housing Manager
Employee Housing Program
llshepherd@navajo-nsn.gov

Office Telephone: (928) 871 – 7684
Program Email: employeehousing@navajo-nsn.gov

NAVAJO NATION CERTIFICATION
Regarding Debarment, Suspension, and
Contracting Eligibility

1. Applicant entity acknowledges that to the best of its knowledge that the Applicant entity, either in its present form or in any identifiable capacity, has not, in accordance with 12 N.N.C. § 361:
 - A. Been convicted of the commission of criminal offenses incident to obtaining or attempting to obtain a public or private contract or subcontract, or in the performance of any such contract or subcontract;
 - B. Been convicted of embezzlement, theft, forgery, bribery, falsification or destruction of records, receiving stolen property, or other offenses indicating a lack of business integrity or honesty, which currently, seriously, and directly affect responsibility as a Navajo Nation contractor;
 - C. Been convicted under antitrust statutes arising out of the submission of bids or proposals;
 - D. Violated contract provisions, including:
 - i. Deliberate failure, without good cause, to perform in accordance with the contract specifications or within the time limit provided in the contract,
 - ii. A recent record of failure to perform or of unsatisfactory performance with the terms of any contract, or
 - iii. Any other cause so serious and compelling as to affect responsibility as a Navajo Nation contractor, including debarment by another governmental entity.
2. Applicant acknowledges that if the Navajo Nation determines that the executed Certification provided herein is untrue or not wholly accurate, it shall be grounds for the Navajo Nation to terminate the contract and pursue other legal remedies, at the Navajo Nation's discretion.
3. Applicant certifies to the best of its knowledge that it is eligible to do business with the

Navajo Nation, in its present form or in any other identifiable capacity, pursuant to 12 N.N.C. § 1501 and 5 N.N.C. § 301. Applicant also acknowledges that per 12 N.N.C. § 1505, it will not be eligible to contract with the Navajo Nation if deemed ineligible by the appropriate department or entity of the Navajo Nation which receives the Applicant's request for consideration for a business opportunity.

Applicant Name

Name of individual signing on Applicant's behalf (print)

Applicant Address

Title of individual signing on Applicant's behalf

Applicant Address

Signature of individual signing on Applicant's behalf

Applicant Address

Date

Request for Taxpayer Identification Number and Certification

**Give Form to the
requester. Do not
send to the IRS.**

▶ Go to www.irs.gov/FormW9 for instructions and the latest information.

Print or type. See Specific Instructions on page 3.	<p>1 Name (as shown on your income tax return). Name is required on this line; do not leave this line blank.</p> <hr/> <p>2 Business name/disregarded entity name, if different from above</p> <hr/> <p>3 Check appropriate box for federal tax classification of the person whose name is entered on line 1. Check only one of the following seven boxes.</p> <p> <input type="checkbox"/> Individual/sole proprietor or single-member LLC <input type="checkbox"/> C Corporation <input type="checkbox"/> S Corporation <input type="checkbox"/> Partnership <input type="checkbox"/> Trust/estate </p> <p> <input type="checkbox"/> Limited liability company. Enter the tax classification (C=C corporation, S=S corporation, P=Partnership) ▶ _____ </p> <p>Note: Check the appropriate box in the line above for the tax classification of the single-member owner. Do not check LLC if the LLC is classified as a single-member LLC that is disregarded from the owner unless the owner of the LLC is another LLC that is not disregarded from the owner for U.S. federal tax purposes. Otherwise, a single-member LLC that is disregarded from the owner should check the appropriate box for the tax classification of its owner.</p> <p> <input type="checkbox"/> Other (see instructions) ▶ _____ </p>	<p>4 Exemptions (codes apply only to certain entities, not individuals; see instructions on page 3):</p> <p>Exempt payee code (if any) _____</p> <p>Exemption from FATCA reporting code (if any) _____</p> <p><small>(Applies to accounts maintained outside the U.S.)</small></p>
	<p>5 Address (number, street, and apt. or suite no.) See instructions.</p> <hr/> <p>6 City, state, and ZIP code</p> <hr/> <p>7 List account number(s) here (optional)</p>	<p>Requester's name and address (optional)</p> <hr/>

Part I Taxpayer Identification Number (TIN)

Enter your TIN in the appropriate box. The TIN provided must match the name given on line 1 to avoid backup withholding. For individuals, this is generally your social security number (SSN). However, for a resident alien, sole proprietor, or disregarded entity, see the instructions for Part I, later. For other entities, it is your employer identification number (EIN). If you do not have a number, see *How to get a TIN*, later.

Note: If the account is in more than one name, see the instructions for line 1. Also see *What Name and Number To Give the Requester* for guidelines on whose number to enter.

Social security number					
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Part II Certification

Under penalties of perjury, I certify that:

1. The number shown on this form is my correct taxpayer identification number (or I am waiting for a number to be issued to me); and
2. I am not subject to backup withholding because: (a) I am exempt from backup withholding, or (b) I have not been notified by the Internal Revenue Service (IRS) that I am subject to backup withholding as a result of a failure to report all interest or dividends, or (c) the IRS has notified me that I am no longer subject to backup withholding; and
3. I am a U.S. citizen or other U.S. person (defined below); and
4. The FATCA code(s) entered on this form (if any) indicating that I am exempt from FATCA reporting is correct.

Certification instructions. You must cross out item 2 above if you have been notified by the IRS that you are currently subject to backup withholding because you have failed to report all interest and dividends on your tax return. For real estate transactions, item 2 does not apply. For mortgage interest paid, acquisition or abandonment of secured property, cancellation of debt, contributions to an individual retirement arrangement (IRA), and generally, payments other than interest and dividends, you are not required to sign the certification, but you must provide your correct TIN. See the instructions for Part II, later.

Sign Here	Signature of U.S. person ▶	Date ▶
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General Instructions

Section references are to the Internal Revenue Code unless otherwise noted.

Future developments. For the latest information about developments related to Form W-9 and its instructions, such as legislation enacted after they were published, go to www.irs.gov/FormW9.

Purpose of Form

An individual or entity (Form W-9 requester) who is required to file an information return with the IRS must obtain your correct taxpayer identification number (TIN) which may be your social security number (SSN), individual taxpayer identification number (ITIN), adoption taxpayer identification number (ATIN), or employer identification number (EIN), to report on an information return the amount paid to you, or other amount reportable on an information return. Examples of information returns include, but are not limited to, the following.

- Form 1099-INT (interest earned or paid)

- Form 1099-DIV (dividends, including those from stocks or mutual funds)
- Form 1099-MISC (various types of income, prizes, awards, or gross proceeds)
- Form 1099-B (stock or mutual fund sales and certain other transactions by brokers)
- Form 1099-S (proceeds from real estate transactions)
- Form 1099-K (merchant card and third party network transactions)
- Form 1098 (home mortgage interest), 1098-E (student loan interest), 1098-T (tuition)
- Form 1099-C (canceled debt)
- Form 1099-A (acquisition or abandonment of secured property)

Use Form W-9 only if you are a U.S. person (including a resident alien), to provide your correct TIN.

If you do not return Form W-9 to the requester with a TIN, you might be subject to backup withholding. See What is backup withholding, later.