



**REQUEST FOR PROPOSAL**  
**BID# 23-08-3105LE ADDENDUM #1 (08.25.2023)**

The Navajo Nation Department of Water Resources ó Technical, Construction, and Operations Branch (NNDWR-TCOB) is seeking qualified contractors to replace approximately 2,500 feet of 72-inch diameter steel pipe and 140 feet of 30-inch diameter steel pipe for an irrigation project in Shiprock, New Mexico.

The proposal shall include one (1) original and three (3) duplicate copies of the following:

1. A narrative outlining the project approach, qualifications, current workload and capability;
2. A list of projects completed on the Navajo Nation;
3. A list of three references and phone numbers from recent clients;
4. Copy of License and Insurance Certifications;
5. W-9 and Navajo Nation Certification Regarding Debarment and Suspension forms;
6. Fee Schedule in its own sealed envelope inside the bid packet. Clearly indicate öFEE SCHEDULEö on the sealed envelope.

The contract will be awarded to the proposer who submits the best proposal in terms of: 1) Products and Services; 2) Experience; 3) Credentials; 4) Project Budget; and 5) Installation Plans (i.e., construction approach narrative) and Schedules. Adherence to the bid instructions is paramount, otherwise, Navajo Nation Business Regulatory Department will disqualify the bid for non-compliance.

Proposals shall be delivered, in person, in a sealed envelope to:

öHOGBACK CANAL STEEL SIPHONS CONSTRUCTION  
BID# 23-08-3105LE ö DO NOT OPENö  
Attn: Lorita Etsitty  
ADMINISTRATION BUILDING #1 ö 1<sup>ST</sup> FLOOR  
Window Rock Blvd  
Window Rock, Arizona 86515

or mailed to:

Navajo Nation Office of the Controller  
Purchasing Department  
Attn: Lorita Etsitty  
Administration Building #1  
Window Rock Blvd  
P.O. Box 3150  
Window Rock, Arizona 86515  
öHOGBACK CANAL STEEL SIPHONS CONSTRUCTION  
BID# 23-08-3105LE ö DO NOT OPENö

Drawings and Specifications can be requested from Mr. Francis Johnson, P.E., at [fjaansin@gmail.com](mailto:fjaansin@gmail.com). Bid documents are available online at [www.nnooc.org/request-for-proposals/](http://www.nnooc.org/request-for-proposals/). If there are any questions regarding this Request for Proposal call Lorita Etsitty at (928) 87166317 or Francis Johnson at (505) 3686 1018.

The Navajo Nation reserves the right to reject any and all proposals and may elect to award the contract not solely on the bid amount but the bidder's qualifications. The **revised** proposal due date is September **08**, 2023 at 5:00p.m. MDT.

## **INSTRUCTIONS TO BIDDERS AND GENERAL INFORMATION**

### **SCOPE OF WORK**

The Hogback Canal Steel Siphons project replaces two above-ground steel siphons and a flume. The Salt Creek Siphon is a 72-inch diameter steel pipe approximately 1,220 feet in length. The Jim Canyon Siphon is also a 72-inch diameter steel pipe approximately 1,250 feet long. The Helium Lateral Flume is a 36-inch diameter steel pipe flume about 140 feet long. These structures convey irrigation water in the Hogback Canal in Shiprock, New Mexico on the Navajo Nation. The siphons will be replaced with a 72-inch diameter buried HDPE pipe while the flume will be replaced with a 30-inch diameter steel pipe.

The Contractor will furnish all materials, labor and equipment for the project. All materials will be Made in the USA.

The complete scope of work is described in the attached Specifications including:

1. Demolition ó Demolish and remove the existing 72-inch diameter steel pipe and concrete saddle support structures for the Salt Creek and Jim Canyon Siphons as identified in the Drawings. The Supporting steel structure across the two washes will also be demolished and removed. Demolish and remove the concrete inlet and outlet structures. The steel pipe and associated steel structure will be salvaged to a local steel recycler. The concrete saddle support structures will be staged on site for future Owner's use. Demolish and remove the 36-inch steel pipe and the supporting steel structure for the Helium Lateral Flume. All other debris will be disposed of at an approved landfill by the Contractor.
2. Installation ó Furnish and install approximately 1,300 feet of new 1800-mm (or 72-inch) diameter buried HDPE pipe for the Salt Creek Siphon and approximately 1,300 feet of new 1800-mm (or 72-inch) diameter buried HDPE pipe for the Jim Canyon Siphon as shown in the Drawings. Installation also includes constructing new concrete inlet and outlet structures and associated manholes and pipe connections for the two siphons. Furnish and install approximately 150 feet of new 30-inch diameter steel pipe, a new supporting structure across the wash and concrete lining for the new spillway for the Helium Lateral Flume. All work includes earthwork, dewatering, hauling HDPE pipe to the construction site, unloading, handling, mechanical work, concrete work, welding, trenching, fusing, backfill, compaction and final grading. The installation will meet or exceed minimum design standards as described in the Drawings and Specifications.
3. Permit Requirements ó The Contractor will coordinate with the NNDWR to ensure all required permits, necessary clearances, easement, traffic control plan, safety plan, storm water pollution prevention plan, etc. as needed to execute the project are obtained prior to construction.
4. Project Management ó The Contractor shall perform project and budget management for the duration of the project and attend periodic project meetings as needed. Weekly progress reports shall be submitted to the NNDWR describing the work completed, schedule with critical path and percentage of work completed. The weekly certified payroll reports adhering to the Davis-Bacon prevailing wages will also be submitted by the Contractor to the Owner within 7 calendar days for review and certification.

The Navajo Nation will only issue a Notice to Proceed to the Contractor once all contract documents are approved by the Nation.

### **DRAWINGS & SPECIFICATIONS**

The installation of the new HDPE pipe will be according to the Drawings and Specifications. The Drawings and Specifications can be requested from Mr. Francis Johnson, P.E., NNDWR at [fjaansin@gmail.com](mailto:fjaansin@gmail.com).

### **PRE-BID MEETING**

A pre-bid meeting **was held** on August 16, 2023 at 10:00 am MDT at the Shiprock Irrigation Department conference room. A field visit to the project areas followed.

## AWARD OF BID & REJECTION OF BID

The NNDWR reserves the right to accept bids all or in part. At the time of acceptance, the NNDWR also reserves the right to increase or decrease quantities of any item at the same bid price.

The NNDWR reserves the right to reject any or all bids or to accept any bid that in its judgment will be in the best interest of the general public. It is the intention to award the contract to the best qualified bidder meeting the requirements.

## PREFERENCE OF NAVAJO AND INDIAN-OWNED BUSINESSES

Preference of Navajo and Indian-owned businesses will be given under the Navajo Nation Business Opportunity Act, 5 NNC §201 et. seq., and the Navajo Nation Procurement Act, 12 NNC §303. Evaluation points will be awarded to Navajo and minority respondents. Certification of Navajo Owned Business will be assured by certificate held by the Navajo Nation Business Regulatory Department.

## NAVAJO NATION SALES TAXES

All work performed within the territorial jurisdiction of the Navajo Nation is subject to the six percent (6%) Navajo Sales TAX. 24 N.N.C. § 601 et. seq. The Navajo Nation shall withhold from each payment to the "CONTRACTOR" 6% of the total invoice amount associated with work performed within the Navajo Nation. This amount reflects the Navajo Sales Tax due on such invoice amount. This 6% shall be transferred to the Office of the Navajo Tax Commission as a payment of the tax on behalf of the "CONTRACTOR".

## BID INSTRUCTIONS

Submit one (1) original Proposal and **three (3) duplicate copies**. Mark original as "ORIGINAL" and should contain signatures where a signature is required. Submit proposals in a sealed envelope, marked "HOGBACK CANAL STEEL SIPHONS CONSTRUCTION, BID# 23-08-3105LE & DO NOT OPEN".

The name and address of the bidding firm should be shown in the upper left-hand corner of the envelope. Each submittal must be signed in the firm or corporate name and must bear the longhand signature of a principal duly authorized to make contracts for the bidding party. The bidder's name must be fully stated. Where submittals are signed by an agent of the bidder, evidence of his/her authority to act as the bidder's agent shall accompany the proposal.

## AVAILABILITY OF BID DOCUMENTS

Bid Proposal documents are available on the web site at [www.nnooc.org](http://www.nnooc.org) and at the Navajo Nation Purchasing services located at the Administration Building #1 & 1<sup>st</sup> Floor, Window Rock Boulevard, Window Rock, Arizona 86515 between the hours of 8:00 AM and 5:00 PM MDT Monday through Friday. For more information, contact Lorita Etsitty at (928)871-6317.

## TIME AND PLACE FOR RECEIPT OF BIDS

Sealed bid proposals shall be delivered to the Navajo Nation Purchasing Services, Administration Building #1 & 1<sup>st</sup> Floor, Window Rock Boulevard, P.O. Box 3150, Window Rock, Arizona 86515 on or before 5:00 p.m. MDT on September 01, 2023.

## WITHDRAWAL OF BID

No bid proposal shall be withdrawn for a period of 60 calendar days after the opening of bids without the consent of the owner.

## DEVIATIONS

All specifications listed are intended to be preferred design and performance. Where deviations from the specification are necessary, bidder will render equivalent reliability or performance. If there is insufficient room for detailing deviation, please indicate "see deviation" and attach, clearly indicating the bullet number on any such attachments. Failure to detail all such deviations will provide a basis for rejections of the entire proposal. Substantial deviations will not be considered.

# SCHEDULE OF FEES

BID# 23-08-3105LE **ADDENDUM #1 (08.25.2023)**  
 HOGBACK CANAL STEEL SIPHONS CONSTRUCTION  
 SHIPROCK, NAVAJO NATION, NEW MEXICO

**NOTE: The currently available Davis-Bacon Prevailing Wages shall be used for all labor.**

NO.	ITEM	QUANTITY	COST	EXTENSION
<b>All Locations</b>				
1.	Mobilization & Demobilization	Lump Sum		
2.	Construction Staking, Testing & Traffic Control	Lump Sum		
3.	Storm Water Pollution & Prevention Plan (document, permitting and maintenance)	Lump Sum		
4.	Demolish, remove and salvage steel pipe per the Drawings and Specifications. This includes clearing and grubbing for all project routes.	Lump Sum		
5.	Remove all concrete pipe supports and aerial steel structures.	Lump Sum		
6.	Rock Excavation Allowance (estimated) to be used only if required.	2,000 CY		
7.	Revegetation of disturbed area along pipe alignment. Total approximate area 1,300ft x 50ft x 2 = 130,000 sq. ft. (3.0 acres)	3.0 acres		
<b>Salt Creek Siphon</b>				
8.	Furnish and install 1800-mm (or 72-inch) diameter HDPE pipe (SDR 21). This includes unloading, handling, electrofusion, trenching, bedding, compaction and backfilling as well as flanges and elbows per the Drawings and Specifications. Additional pipe length included (actual 1,242 ft.).	1,300 feet		
9.	Demolish and dispose of existing concrete inlet and furnish/install a new concrete inlet per the Drawings and Specifications.	1 each		
10.	Demolish and dispose of existing concrete outlet and furnish/install a new concrete outlet per the Drawings and Specifications	1 each		
11.	Furnish and install air vents per the Drawings and Specifications	4 each		
12.	Furnish and install manhole per the Drawings and Specifications	1 each		
13.	Install manhole drain features including earthwork, stainless steel pipe, filter fabric and rip rap per Detail A, Sheet D-104.	Lump Sum		
<b>Jim Canyon Siphon</b>				
14.	Furnish and install 1800-mm (or 72-inch) diameter HDPE pipe (SDR 21). This includes unloading, handling, electrofusion, trenching, bedding, compaction and backfilling as well as flanges and elbows per the Drawings and Specifications. Additional pipe length included (actual 1,235 ft.).	1,300 feet		

15.	Demolish and dispose of existing concrete inlet and furnish/install a new concrete inlet per the Drawings and Specifications. This work includes compacted fill with import material if required.	1 each		
16.	Demolish and dispose of existing concrete outlet and furnish/install a new concrete outlet per the Drawings and Specifications	1 each		
17.	Furnish and install air vents per the Drawings and Specifications	3 each		
18.	Furnish and install manhole per the Drawings and Specifications	1 each		
19.	Install manhole drain features including earthwork, stainless steel pipe, filter fabric and rip rap per Detail A, Sheet D-104. This includes roadway relocation.	Lump Sum		
<b>Helium Lateral Flume</b>				
20.	Furnish and install 30-inch diameter steel pipe per the Drawings and Specifications.	150 feet		
21.	Furnish and install piers for aerial steel pipe. This includes the concrete footing, concrete pier and steel pipe column per the Drawings and Specifications.	2 each		
22.	Furnish and install 6-inch thick concrete channel lining per the Drawings and Specifications	170 feet		
23.	Furnish and install concrete spillway per the Drawings and Specifications	1 each		
24.	Furnish and install concrete headwall per the Drawings and Specifications	2 each		
25.	Earthwork Excavation	100 CY		
26.	Earthwork Compacted Fill	40 CY		
27.	Furnish and install rip rap with filter fabric per the Drawings and Specifications	70 CY		
28.	Furnish and install concrete dip crossing per the Drawings and Specifications	2 each		
<b>Other</b>				
29.	Navajo Nation (Owner) Contingency (for use by Owner as required for unforeseen circumstances)	Lump Sum	\$75,000.00	\$75,000.00
<b>Subtotal</b>				
<b>Navajo Nation Tax (6%)</b>				
<b>Total</b>				

# Request for Taxpayer Identification Number and Certification

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

▶ Go to [www.irs.gov/FormW9](http://www.irs.gov/FormW9) for instructions and the latest information.

<b>Print or type.</b>	<b>See Specific Instructions on page 3.</b>	<p><b>1</b> Name (as shown on your income tax return). Name is required on this line; do not leave this line blank.</p> <hr/> <p><b>2</b> Business name/disregarded entity name, if different from above</p> <hr/> <p><b>3</b> Check appropriate box for federal tax classification of the person whose name is entered on line 1. Check only <b>one</b> 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><b>Note:</b> 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 <b>not</b> 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><b>4</b> 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 style="font-size: small;">(Applies to accounts maintained outside the U.S.)</p>
		<p><b>5</b> Address (number, street, and apt. or suite no.) See instructions.</p> <hr/> <p><b>6</b> City, state, and ZIP code</p> <hr/> <p><b>7</b> List account number(s) here (optional)</p> <hr/>	<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.

<b>Social security number</b>											
				-			-				
<b>or</b>											
<b>Employer identification number</b>											
				-							

## 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.

<b>Sign Here</b>	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](http://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.*

**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