

REQUEST FOR PROPOSAL
FOR AIR TRANSPORTATION CONSULTANT SERVICES, BID NO. 23-10-3142KS

SECTION I

INFORMATION ONLY, A RESPONSE TO THIS SECTION IS NOT REQUIRED

- A. **ISSUING OFFICE:** This Request for Proposal (RFP) is issued by the Navajo Nation Air Transportation Program (NAT), Division of General Services (DGS), Navajo Nation, P.O. Box 9000, Window Rock, Arizona. The contact person for this RFP is Shawnevan Dale, Executive Director, DGS.
- 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 Executive Director at any time up to the Deadline for Proposals.
- E. **SCHEDULE OF ACTIVITIES:**
- | | DEADLINE: |
|--|--------------------------------|
| 1. Public Advertisement | October 25, 2023 |
| 2. Proposals will be made available to all interested parties | October 25, 2023 |
| 3. Prospective respondents written question deadline (No questions accepted after this date) | November 3, 2023 |
| 4. Responses to Questions | November 9, 2023 |
| 5. Due Date for Proposals | November 13, 2023
(4pm MST) |
| 6. Opening of Proposals and evaluation by Review Team or Executive Director | November 15, 2023 |
| 7. Award Date for the Contract (Pending Legislative Review – 164 Process) | November 27, 2023 |
- F. **INQUIRIES:** Prospective respondents shall make written questions concerning this RFP to obtain clarification of requirements through e-mail to Shawnevan Dale, Executive Director, DGS at sdale@navajo-nsn.gov No inquiries will be accepted after the inquiry

deadline listed in section E. NOTE: Inquires shall reference Navajo Air Transportation Consultant Services Bid Number No. 23-10-3142KS.

- 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 4:00 p.m., November 13, 2023 (MST). 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 proposals will not be accepted.
- I. **FOUR (4) SETS OF PROPOSAL ARE REQUIRED:** Four (4) sets of the proposal must be delivered in a sealed envelope. The outside of the envelope should be clearly marked with the project name- “NAT Consultant Services Bid Number No. 23-10-3142KS” – 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: Aircraft Maintenance & Service 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 Navajo Nation Suspension/Debarment Form (<https://www.nnooc.org/wp-content/uploads/documents/purchasing-forms/04/Navajo%20Nation%20Debarment%20and%20Suspension%20Form.pdf>)
- f. Section 6: Certification of Insurance

Part B. Cost Proposal (Sealed separately in envelope)

- g. Provide two cost proposals:
 - 1 Hourly Services with anticipated hours
 - 2 One-flat Rate Fee for services (Inspection, Drafting of Aviation Services RFP).

***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. Only when respondents have met the minimum qualification will the cost proposals be opened. If respondent fails to submit cost separately from proposal will result in respondent deemed non-responsive.
- K. **REJECTION OF PROPOSALS:** DGS 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 Executive Director 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 NAT/DGS and may be reviewed by any person after final selection has been made, subject to paragraph L above. NAT/DGS 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:** NAT/DGS is not liable for any cost by the respondents prior to issuance of a contract.
- O. **ACCEPTANCE TIME:** NAT/DGS intends to make a vendor selection within five (5) working days 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 effect such termination or reduction in scope. The DGS Executive 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 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 NAT. 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 Executive Director may elect to evaluate RFP solely.
4. Evaluation Criteria: The following criteria will be used by an ad hoc committee in the selection process for contract award. Vendors and proposals will be evaluated to determine the best opportunity for NAT.

Qualifying Point Criteria:	
a. Company Credentials & Qualification in performing the services sought.	0-15 Points
b. Resume or other description of qualification of relevant experience and knowledge.	0-15 Points
c. Responsiveness to Scope of Work	0-25 Points
d. List of similar services provided to other clients within the past 5 years.	0-10 Points
e. Navajo Nation vendor, Priority 1 or 2	0-10 Points
Subtotal, possible points*	70 Points
Cost Point Criteria:	
f. Delivery of all services at a reasonable cost	0-30 Points
Total Possible Points	100 Points

*Must obtain a minimum of 50 points to qualify for opening of cost proposal. Otherwise, respondent is disqualified.

- 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).
- S. **TERMS AND CONDITIONS:** The payment procedures established by the Division of Finance shall be adhered to and to begin whenever goods are delivered and accepted.
- T. **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 subject to the Navajo Sales Tax of 6% (24 N.N.C. Section 601 et. seq.).

U. **TERM:** The term of this contract will be for a period of one year from date of award.

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

W. **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.

X. **INDEMINIFICATION:**

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.

Y. **CONFLICT OF INTEREST AND ETHICAL CONSIDERATIONS.**

A conflict of interest or the appearance of a conflict of interest may occur if you are directly or indirectly involved with an organization that has submitted a proposal for evaluation. You may be disqualified as a potential Vendor in subsequent RFP if you conduct yourself in a way that could create the appearance of bias or unfair advantage with or on behalf of any competitive proposer, potential proposer, agent, subcontractor, or other business entity, whether through direct association with contract representatives, indirect associations, through recreational activities or otherwise.

Examples of potential biasing affiliations or relations are listed below:

1. Your solicitation, acceptance, or agreement to accept from anyone any benefit, pecuniary or otherwise, as consideration for your decision or recommendation as it pertains to your evaluation of any proposal.

2. Your affiliation with a bidding company or institution. For example, a conflict may exist when you:
 - (a) are employed by or are being considered for employment with the company or institution submitting any bid or hold a consulting, advisory, or other similar position with said company or institution;
 - (b) hold any current membership on a committee, board, or similar position with the company or institution;
 - (c) hold ownership of the company or institution, securities, or other evidences of debt;
 - (d) are currently a student or employee in the department or school submitting a proposal, such as the case.
3. Your relationship with someone who has a personal interest in the proposal.

This includes any affiliation or relationship by marriage or through family membership, any business or professional partnership, close personal friendship, or any other relationship that you think might tend to affect your objectivity or judgment or may give an appearance of impropriety to someone viewing it from outside the relationship.

SECTION II

A. BACKGROUND

The Navajo Air Transportation (NAT) under the Division of General Services is responsible for providing safe, efficient and reliable air transportation for tribal budgeted entities; all Navajo Nation Departments and Programs, grant and contract funded programs, enterprises and authorities of the Navajo Nation.

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. NAVAJO AIR TRANSPORTATION (NAT) CONSULTANT SERVICES WILL CONSIST OF THE FOLLOWING:

Navajo Air Transportation (NAT) under the Division of General Services is seeking bids in response to Aircraft Consultant Services. NAT utilizes two Beechcraft King Air aircrafts for its fleet. The fleet consist of a King Air C90 and King Air 350. Central operations are located in Window Rock, AZ 86515 in Northeast Arizona. There are four (4) additional landing strips in various location.

The current air fleet is grounded and inoperable. The planes have been idle for about four (4) years. The C90 has had its engine rebuilt but lacks the documentation for receiving a Standard Type Certificate (STC) from the Federal Aviation Administration.

The Aviation Consultant shall review available documents, assess plane conditions, review work completed by Engine Mechanic, and Develop a scope of work so that the Navajo Nation may issue a Request for Proposals to bring the Navajo Air Transportations' fleet into compliance and Air Worthiness.

- Consultant shall provide Technical Support to the Navajo Air Transportation Department and provide guidance in the development of a scope of work.
- Consultant shall provide technical review of current plane status and develop written report.
- Consultant shall assist in the development to a Scope of Work to get the planes operational, obtain a Supplement Type Certificate, and other air worthiness certificates.
- Consultant shall provide list of all problems from a thorough visual inspection of east aircraft (C90 and 350).
- Consultant shall provide a Plan (Next Steps) to assist the Navajo Air Transportation in hiring an Aviation Services Company.

COST PROPOSAL

Provide two cost proposals, one on an hourly basis and the second on a flat fee basis (**sealed separately**):

- Hourly Services with anticipated hours
- One-flat Rate Fee for services (Inspection, Drafting of Aviation Services RFP).
(Please include 6% NN Sales Tax.)

**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> <p>2 Business name/disregarded entity name, if different from above</p> <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 <input type="checkbox"/> Limited liability company. Enter the tax classification (C=C corporation, S=S corporation, P=Partnership) ▶ _____ <i>Note:</i> 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. <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> <p>6 City, state, and ZIP code</p> <p>7 List account number(s) here (optional)</p> <p style="text-align: right;">Requester's name and address (optional)</p>
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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					
<table style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 25%; border: 1px solid black; height: 20px;"></td> <td style="width: 5%; border: 1px solid black; text-align: center;">-</td> <td style="width: 25%; border: 1px solid black; height: 20px;"></td> <td style="width: 5%; border: 1px solid black; text-align: center;">-</td> <td style="width: 40%; border: 1px solid black; height: 20px;"></td> </tr> </table>		-		-	
	-		-		
OR					
Employer identification number					
<table style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 25%; border: 1px solid black; height: 20px;"></td> <td style="width: 5%; border: 1px solid black; text-align: center;">-</td> <td style="width: 70%; border: 1px solid black; height: 20px;"></td> </tr> </table>		-			
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Part II Certification

Under penalties of perjury, I certify that:

- 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
- 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
- I am a U.S. citizen or other U.S. person (defined below); and
- 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.