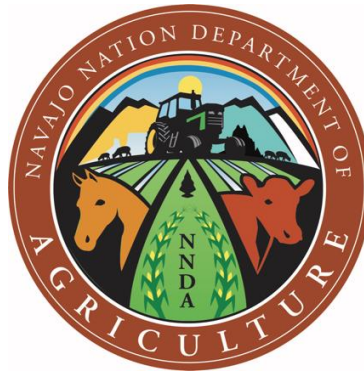


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DEPARTMENT OF AGRICULTURE

NAVAJO NATION DIVISION OF NATURAL RESOURCES

REQUEST FOR PROPOSAL

REBID BID NO. 23-12-3196KS

REBID: OF LIVESTOCK WEIGH AND PAY MARKETING SERVICES OR STOCKYARD FIRMS

INTRODUCTION:

The Navajo Nation Department of Agriculture (“NNDA”) is established under the Division of Natural Resources within the Executive branch of the Navajo Nation Government. NNDA is the lead agency in planning, coordinating and management of all programs, policies and regulatory provisions designed to protect and preserve Navajo rangelands, livestock, and agricultural resources.

NNDA provides technical assistance and educational outreach to Navajo ranchers, farmers and communities on various livestock and agricultural issues. NNDA also provides administrative guidance, and support services to District Grazing Committees, Farm Boards and Eastern Land Board Members, with an emphasis on regulatory oversight in accordance with the specified provisions of Title 3 of the Navajo Nation Code.

The NNDA is currently the lead agency for the Agricultural Infrastructure Fund which provides various program initiatives and specialized services, such as, incentive funds to help decrease pressure on forage by providing Emergency Livestock Incentive Programs, Drought Mitigation Incentive Programs, and/or Livestock Sale Programs. The NNDA will conduct, thru contractual services, agency sales within the Navajo Nation. These sales will add an incentive to livestock bought or sold by Navajo Nation livestock producers. The NNDA intends to hire agents and/or buyers who can design and implement a unique livestock weigh and pay system using a livestock fee schedule designed specifically to meet the requirements granted by the Navajo Nation Drought Mitigation Plan.

PROJECT DESCRIPTION:

NNDA is soliciting bid proposals from qualified weigh and pay marketing services or stockyard firms with expertise on all phases of the work associated with weigh and pay marketing services or stockyard sales. NNDA intends to procure a qualified Livestock Weigh and Pay Marketing Service Firm to provide Livestock sales and effective deployment of Navajo Nation Agriculture Infrastructure Funds. The selected firm will provide several services which include a Livestock Weigh and Pay sale, incentive payments and equine rescue payment which are all considered AIF payments to Navajo Nation livestock owners.

SCOPE OF WORK:

The selected agency or owner will need to demonstrate the following:

- a. Page Limit. The maximum page limit is four pages not including a cover letter.
- b. Minimum qualifications.
 - a. Description of Livestock weigh and pay services provided by the firm submitting qualifications, and physical location of the firm.
 - b. Resumes of key team members outlining their experience including licensed professional in the state of Arizona, Colorado, Utah, and New Mexico.
 - c. Demonstrate experience in the livestock weigh and pay services field.
 - d. Knowledge of sources of livestock breeds, class and markets, price trends for a variety of livestock which include sheep, goats, swine, cattle and equine.
 - e. Knowledge of Navajo Nation, Federal and state laws, regulations, and guidelines governing aspects of tribal operations relative to livestock sale methods and techniques, livestock inspections, purchasing, accounting and taxations.
 - f. Must be able to provide prompt payment for livestock purchases.
 - g. Must maintain accurate knowledge of any all-market reports for all livestock.
 - h. Must be knowledgeable and be able to explain any and all deductions associated with the weigh and pay sales, explanations include check offs, commission rates and yardage.
 - i. Must be able to keep accurate accounts and records necessary to fully and correctly disclose all transactions involved which includes true ownership details, accurate and true weight scale tickets and audit safeguards as well as providing any authorized PSD agent a reweight request of livestock or livestock carcass.
 - j. Must be a registered and bonded Market Agency Selling Livestock on Commission in the U.S. as well as being bonded with the Bureau of Indian Affairs, Navajo Regional Office -Gallup, NM
 - k. Must be able to provide a person who performs weighing services (weighers), and this person must also use accurate scales and abide by all regulations that are stated in the Packers and Stockyards Act (P&S Act).
 - l. Weighers must perform all sales using scales that weigh livestock, livestock carcasses or feed for purchase, sale acquisitions and payments.
 - m. Weighing services must install and maintain scales in accordance with the National Institute of Standards and Technology (NIST) handbook 44.
 - n. Weighers must demonstrate the ability to determine and record the true weight of livestock without prejudice or favor to any person. They must also

do so without regard for livestock ownership, price, condition, fil, shrink or other considerations.

NNDA intends to award the contract to the vendor that can establish a contractual relationship with a qualified vendor that can best provide NNDA with quality services as further described in this RFP.

SEQUENCE OF EVENTS:

This section contains the procurement schedule, an explanation of procurement events, and the general requirements governing this procurement. This Request for Proposals (“RFP”) states the instructions for submitting bids, the procedure, and criteria by which a vendor may be selected and the contractual terms by which NNDA intends to govern the relationship between it and the selected vendor.

All parties shall respond to the Time Schedule identified in the RFP Time Schedule:

- | | |
|--|-------------------------------|
| 1. RFP Issued | April 11 th , 2024 |
| 2. Proposal Due Date (5:00 P.M. – DST) | April 26 th , 2024 |
| 3. Proposal Evaluation and Selection | May 3 rd , 2024 |
| 4. Notice of Award to Vendor | March 6 th , 2024 |

RESPONDING TO THIS RFP:

Each Bidder shall submit their bidding proposal in the format supplied in this bid package with attached specifications. Each proposal shall be sealed in an envelope marked – “LIVESTOCK WEIGH AND PAY MARKETING SERVICES OR STOCKYARD FIRMS”. In addition, Bidder must visibly mark “PRIORITY 1” or “PRIORITY 2” on the envelope, if applicable under the Navajo Nation Business Opportunity Act.

1. **Statement of Qualifications:** Bidder’s Statement of Qualifications should clearly and accurately demonstrate the company’s capabilities to perform all functions necessary in executing a Livestock weigh and pay marketing service and or stockyard firm operation.
 - a. **Copies of Certifications/Licenses**
 - b. **Cover Letter**
 - c. **Price Proposal:** In one sealed envelope: Two (2) complete copies of your fee proposal with “PRICE PROPOSAL – Bidder Name” marked on outside of envelope.
 - d. **Experience and Resources:**
 - i. Describe your company and its capabilities. Identify specific members of the project team that will be providing services to the Department of Agriculture.
 - ii. Include company name, contact name, e-mail address and telephone number for organizations or businesses for which similar work has been performed within the past five (5) years.

- iii. Please indicate in-house or contracted installation and service. If in-house, indicate number of installation/service staff. If contracted, please list contractor(s) and length of relationship(s) or volume of work completed within the past five (5) years.
- e. **Past Projects:** Include a list of past projects completed with similar size, scope, and complexity.

DEFINITION OF PARTIES: The Navajo Nation Department of Agriculture will hereinafter be referred to as the Department of Agriculture. Respondents to the RFP shall be referred to as "Bidders". The Bidder to whom the contract is awarded shall be referred to as the "Contractor".

QUESTIONS AND CLARIFICATIONS: Between the time of issuance of the RFP, prospective Bidders are encouraged to call or e-mail the Program Manager concerning any questions about the scope of the project or the RFP Time Schedule.

RFP AMENDMENTS: Should any amendments change or clarify the RFP in a substantial manner, shall be forwarded by addenda to all recipients of the original RFP. If an amendment requires a time extension, the proposal submission date will be changed as part of the addenda. The Department of Agriculture will not be bound by oral responses to inquiries or written responses other than addenda.

COSTS OF PREPARATION: Bidder assumes all costs of preparation of the bid and any presentations necessary to the bidding process.

SUB-CONTRACTING: A person or entity that has been awarded by the General Contractor; the performance of part of the work or services of an existing contract entered between the general contractor and the (original) contracting party.

DEBARMENT: Submission of a signed bid in response to this solicitation is certification that the Bidder (or any subcontractor) is not currently debarred, suspended, proposed for debarment, declared ineligible or voluntarily excluded from participation in this transaction by any Tribal, State, or Federal Department or Agency. Submission is also agreement that the Department of Agriculture will be notified of any change in this status.

ERRORS: Bids may be withdrawn or amended by the Bidder at any time prior to the Bid Opening. After the Bid Opening, bids may not be amended. If a significant mistake has been made by an apparent low Bidder, the Bidder will be given the option of selling at the price given or withdrawing the bid. If an extension error has been made, the unit price will prevail.

NAVAJO NATION SALES TAX: All work performed within the NAVAJO NATION is subject to the 6% Navajo Sales Tax. On the invoice, Contractor shall identify the physical location of all work performed. The Navajo Nation shall withhold, from each payment to the Contractor, 6% of the TOTAL invoice amount associated with work performed on the Navajo Nation. This amount reflects the Sales Tax due on such invoice amount. This 6% shall be transferred to the Office of the Navajo Tax Commission ("ONTC") for the account of the Contractor. The Contractor will then indicate on the quarterly tax return required under the Navajo Sales Tax that this amount has previously been paid to the ONTC. It is hereby acknowledged that withholding amount pursuant to this section in no way removes responsibility from the Contractor as a taxpayer for timely filing of tax returns and timely payments of any amounts, which may be owed for taxes. GSA product is not subject to the Navajo Sales Tax.

PROPOSAL EVALUATION: The Selection Committee will review each Bidder's Statement of Qualifications proposal. During the evaluation process, Department of Agriculture reserves the right to request additional information or clarification from Bidders, or to allow corrections of errors or omissions.

AWARD OF BID – REJECTION OF BID: Department of Agriculture reserves the right to accept bids all or in part. Department of Agriculture 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 Navajo Nation. It is the intention to award the contract to the lowest responsible Bidder best meeting the requirements of the Department of Agriculture. Scholarships, donations, or gifts to the Department of Agriculture will not be considered in the evaluation of bids.

CRITERIA FOR SELECTION: Bidders are advised that only complete bids for all line-items specified will be accepted. Partial or incomplete bids will void the proposal in its entirety. Each proposal will be reviewed, and a determination will be made based on the following factors:

EVALUATION CRITERIA – 30 POINTS MAXIMUM

1. Ability to perform all functions necessary in executing a Livestock Weigh and Pay Marketing service/sales function. – **10 Points**
2. Demonstrated experience of the company in relation to the scope and quality of service provided to customers in the past. – **10 Points**
3. Cost – **10 Points**

ALL PARTIES RESPONDING TO THIS RE-BID NO. 23-12-3196KS ARE INSTRUCTED TO SUBMIT A SEALED BID PACKAGE TO THE FOLLOWING ADDRESS:

ATTN: RENELDA BEGAY – LIVESTOCK WEIGH AND PAY MARKETING SERVICES OR STOCKYARD FIRMS

Deliver to: **NAVAJO NATION DEPARTMENT OF AGRICULTURE
121 D FAIRGROUNDS HWY 264
WINDOW ROCK, ARIZONA 86515**

OR Mail to: **NAVAJO NATION DEPARTMENT OF AGRICULTURE
PO BOX 4889
WINDOW ROCK, ARIZONA 86515**

Contact Person:

Renelda Begay, *Principal Planner*
e-mail: renelda.begay@navajo-nsn.gov
phone: (928) 871-6605

Questions regarding this procurement will be accepted until April 25th, 2024. Any attempt by a Bidder to contact a member of the Department of Agriculture staff outside the RFP Process, in an attempt to gain knowledge or an advantage, may result in disqualification of Bidder.

The Navajo Nation reserves the right to waive any informalities or irregularities in this RFP; or reject any or all proposals, whenever such rejection is deemed in the best interest of the Navajo Nation.

Request for Taxpayer Identification Number and Certification

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

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

Before you begin. For guidance related to the purpose of Form W-9, see *Purpose of Form*, below.

Print or type. See <i>Specific Instructions</i> on page 3.	1	Name of entity/individual. An entry is required. (For a sole proprietor or disregarded entity, enter the owner's name on line 1, and enter the business/disregarded entity's name on line 2.)			
	2	Business name/disregarded entity name, if different from above.			
	3a	Check the appropriate box for federal tax classification of the entity/individual whose name is entered on line 1. Check only one of the following seven boxes.		4 Exemptions (codes apply only to certain entities, not individuals; see instructions on page 3): Exempt payee code (if any) _____ Exemption from Foreign Account Tax Compliance Act (FATCA) reporting code (if any) _____ <i>(Applies to accounts maintained outside the United States.)</i>	
	<input type="checkbox"/> Individual/sole proprietor <input type="checkbox"/> C corporation <input type="checkbox"/> S corporation <input type="checkbox"/> Partnership <input type="checkbox"/> Trust/estate <input type="checkbox"/> LLC. Enter the tax classification (C = C corporation, S = S corporation, P = Partnership) _____ Note: Check the "LLC" box above and, in the entry space, enter the appropriate code (C, S, or P) for the tax classification of the LLC, unless it is a disregarded entity. A disregarded entity should instead check the appropriate box for the tax classification of its owner. <input type="checkbox"/> Other (see instructions) _____				
	3b		If on line 3a you checked "Partnership" or "Trust/estate," or checked "LLC" and entered "P" as its tax classification, and you are providing this form to a partnership, trust, or estate in which you have an ownership interest, check this box if you have any foreign partners, owners, or beneficiaries. See instructions <input type="checkbox"/>		
	5	Address (number, street, and apt. or suite no.). See instructions.		Requester's name and address (optional)	
	6	City, state, and ZIP code			
7	List account number(s) here (optional)				

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.

Social security number											
					-				-		
or											
Employer identification number											
					-						

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

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.

What's New

Line 3a has been modified to clarify how a disregarded entity completes this line. An LLC that is a disregarded entity should check the appropriate box for the tax classification of its owner. Otherwise, it should check the "LLC" box and enter its appropriate tax classification.

New line 3b has been added to this form. A flow-through entity is required to complete this line to indicate that it has direct or indirect foreign partners, owners, or beneficiaries when it provides the Form W-9 to another flow-through entity in which it has an ownership interest. This change is intended to provide a flow-through entity with information regarding the status of its indirect foreign partners, owners, or beneficiaries, so that it can satisfy any applicable reporting requirements. For example, a partnership that has any indirect foreign partners may be required to complete Schedules K-2 and K-3. See the Partnership Instructions for Schedules K-2 and K-3 (Form 1065).

Purpose of Form

An individual or entity (Form W-9 requester) who is required to file an information return with the IRS is giving you this form because they

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