



The Navajo Nation **DR. BUU NYGREN** *PRESIDENT*
Yideeskáadi Nitsáhákees **RICHELLE MONTOYA** *VICE PRESIDENT*

REQUEST FOR PROPOSAL
BID # 24-07-3413LE

The Navajo Nation Department of Water Resources – Technical, Construction, and Operations Branch (NNDWR-TCOB) is seeking qualified firms for design-build of the Yellowman Siphon Concrete Pipe Replacement project in Nenahnezad, NM.

The proposal shall include one (1) original and two (2) duplicate copies of the following:

1. A narrative outlining the project approach, qualifications, current workload and capability;
2. A list of past projects completed on the Navajo Nation;
3. Current Copy of License and Insurance Certification;
4. Current W-9 and Navajo Nation Certification Regarding Debarment and Suspension forms;
5. Fee Schedule in its own sealed envelope inside the bid packet clearly indicating “FEE SCHEDULE”.

The contract will be awarded to the firm with the best proposal in terms of: 1) Qualifications / Credentials; 2) Products and Services; and 3) Installation plans and schedule (i.e., construction approach narrative). 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:

“YELLOWMAN SIPHON REPLACEMENT PROJECT, BID # 24-07-3413LE – DO NOT OPEN”

Attn: Lorita Etsitty
ADMINISTRATION BUILDING #1 – 1st 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
P.O. Box 3150
Window Rock, Arizona 86515

“YELLOWMAN SIPHON REPLACEMENT PROJECT, BID # 24-07-3413LE – DO NOT OPEN”

Bid documents and supplemental information regarding the project is available online at www.nnooc.org/request-for-proposals/. If there are any questions regarding this Request for Proposal call Lorita Etsitty at (928) 871-6317 or Francis Johnson at (928) 206-7126

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 qualification. The proposal due date is August 23, 2024 at 5:00p.m. MDT.

INSTRUCTIONS TO BIDDERS AND GENERAL INFORMATION

PROJECT BACKGROUND

Yellowman Siphon is a combination of a 36-inch diameter buried HDPE and above-ground steel pipe located within the Nenahnezad Chapter of the Navajo Nation. The siphon conveys irrigation water via the Fruitland Canal to the Nenahnezad and San Juan chapters. The total length of Yellowman Siphon is approximately 10,000 feet.

The buried HDPE pipe (3,351 feet) was constructed in March 2022 replacing the above-ground steel pipe. The new HDPE pipe ended and tied into the 36-inch diameter concrete pipe entering the side of a hill before going into a tunnel. There was a leak in the vicinity of the termination point in the concrete pipe. The concrete was finally repaired after several attempts but the entire concrete pipe needs to be replaced.

An inspection of the interior of the concrete pipe revealed significantly deteriorated and separated joints in many locations. There are a total of 26 concrete pipe sections (8-foot sections) in place. All of the concrete pipe will be replaced. The total length of the concrete pipe is approximately 256 feet including elbows.

SCOPE OF WORK

The concrete pipe needs to be replaced because it has reached its economic life and has become uneconomical and very unreliable. The design-build project will complete the following:

Final Design

1. Complete a final design for replacing the concrete pipe. The design will include design reviews at 30%, 60% and 90% or as necessary. This will also include any survey requirements such as topography and of the existing structure.
2. The design drawings and specifications will be stamped by a Professional Engineer licensed in the State of New Mexico.
3. Perform project and budget management for the duration of the project including surveying, any required testing and a final construction schedule.
4. The Engineer in collaboration with the Department of Water Resources will provide construction oversight of the project.

Construction

1. The project will be constructed according to the final design.
2. Detach the connection to the HDPE pipe and uncover, remove and properly dispose of the existing concrete inlet structure and the buried concrete pipe up the hill.
3. Expose and remove the existing vertical airway that goes from inside the tunnel to the ground surface on the side of the hill and replace with a minimum 36-inch diameter manhole.
4. Furnish and install approximately 300 feet of new 36-inch diameter HDPE pipe from the end of the recently installed HDPE pipe, up the side of the hill and terminate at the existing outlet at the start of the tunnel. All work includes earthwork, unloading/handling HDPE pipe, mechanical work, concrete work, welding, trenching, fusing, backfilling, compaction, final grading and connecting back to the existing HDPE pipe. The installation will meet or exceed minimum design standards according to the final design and specifications.
5. The Contractor will coordinate with the Owner (Navajo Nation) to ensure all required permits, necessary clearances, easement, traffic control plan, safety plan, storm water pollution protection plan, etc. as needed to execute the project are obtained prior to construction.
6. The Contractor will provide all materials, freight, labor and equipment for the project.

7. Deliverables include as-built drawings, survey data, testing information and a final report.

The Owner will only issue a Notice to Proceed to the Contractor once the design-build contract is approved.

The Navajo Nation is not responsible for any “Down Time” including late delivery of materials, any act of negligence on the part of the supplier and any unforeseen occurrence. These are not billable to the Navajo Nation and will not be considered for payment.

DELIVERABLES

The Contractor shall provide the Owner with electronic and hard copies of the final design report. The final design report shall incorporate the comments from the 90% design review and include:

1. Final design drawings and specifications with Professional Engineer stamp.
2. Final project construction schedule.
3. Safety Plan, Temporary Traffic Control Plan, Storm Water Pollution Prevention Plan, Quality Control Plan.

The Contractor shall also provide final as-built drawings, survey data, testing information and a final report.

PRE-BID MEETING

A pre-bid meeting will be held at the Shiprock Irrigation Office conference room (see attached location map) on July 31, 2024 at 10:00 am MDT followed by a field visit to the project site. Contact Mr. Francis Johnson, P.E., at fjaansin@gmail.com for questions or additional information.

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 price bid.

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 contract to the bidder best 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 “YELLOWMAN SIPHON REPLACEMENT PROJECT, BID # 24-07-3413LE – 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/request-for-proposal/ and at the Navajo Nation Purchasing services located at the Administration Building #1 – 1st Floor, Window Rock Boulevard, Window Rock, Arizona 86515 between the hours of 8:00 AM and 5:00 PM 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 – 1st Floor, Window Rock Boulevard, P.O. Box 3150, Window Rock, Arizona 86515 on or before 5:00 p.m. MDT. on August 23, 2024.

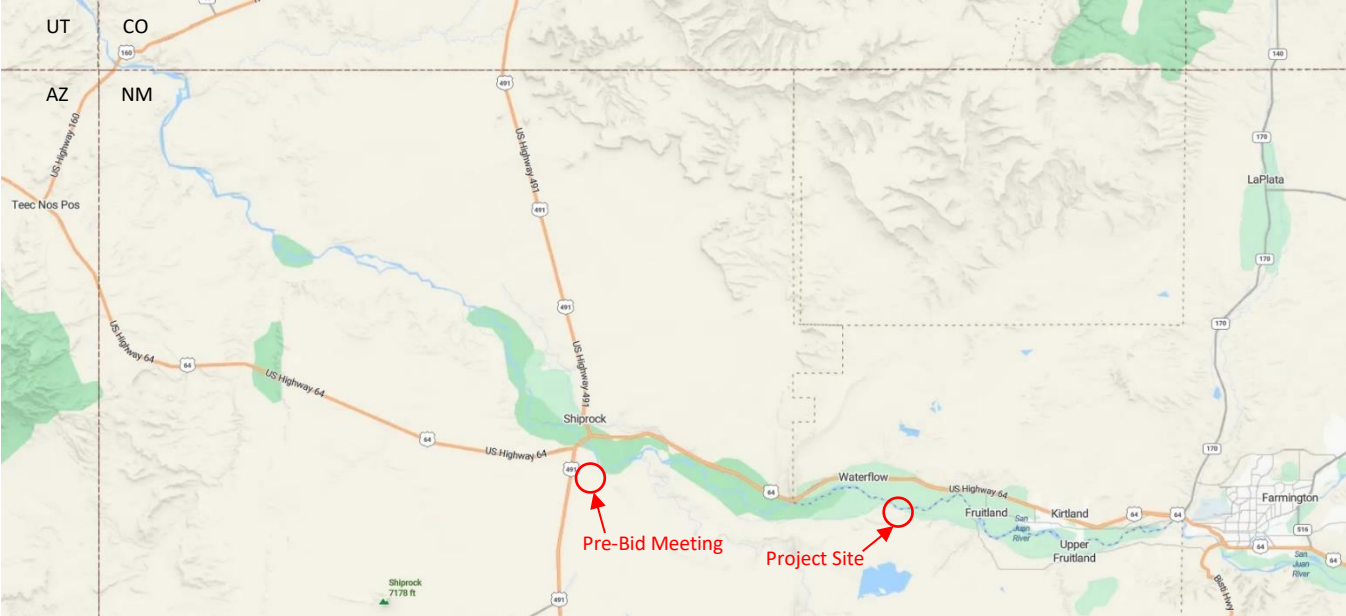
WITHDRAWAL OF BID

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.

Location Map



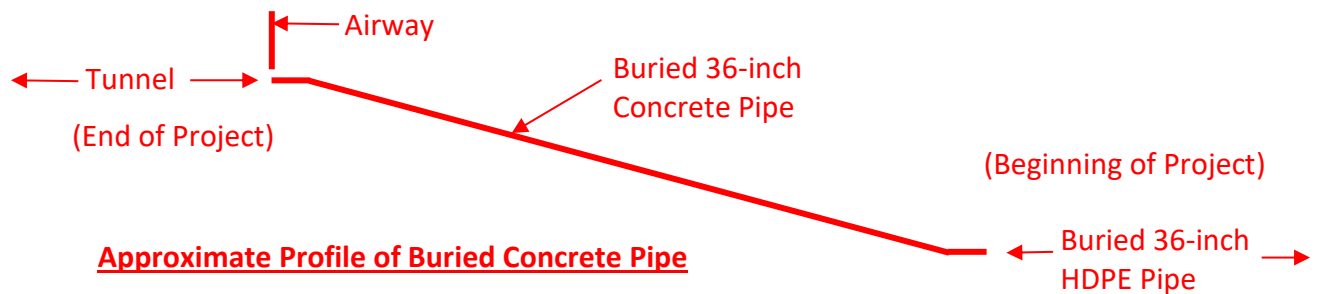
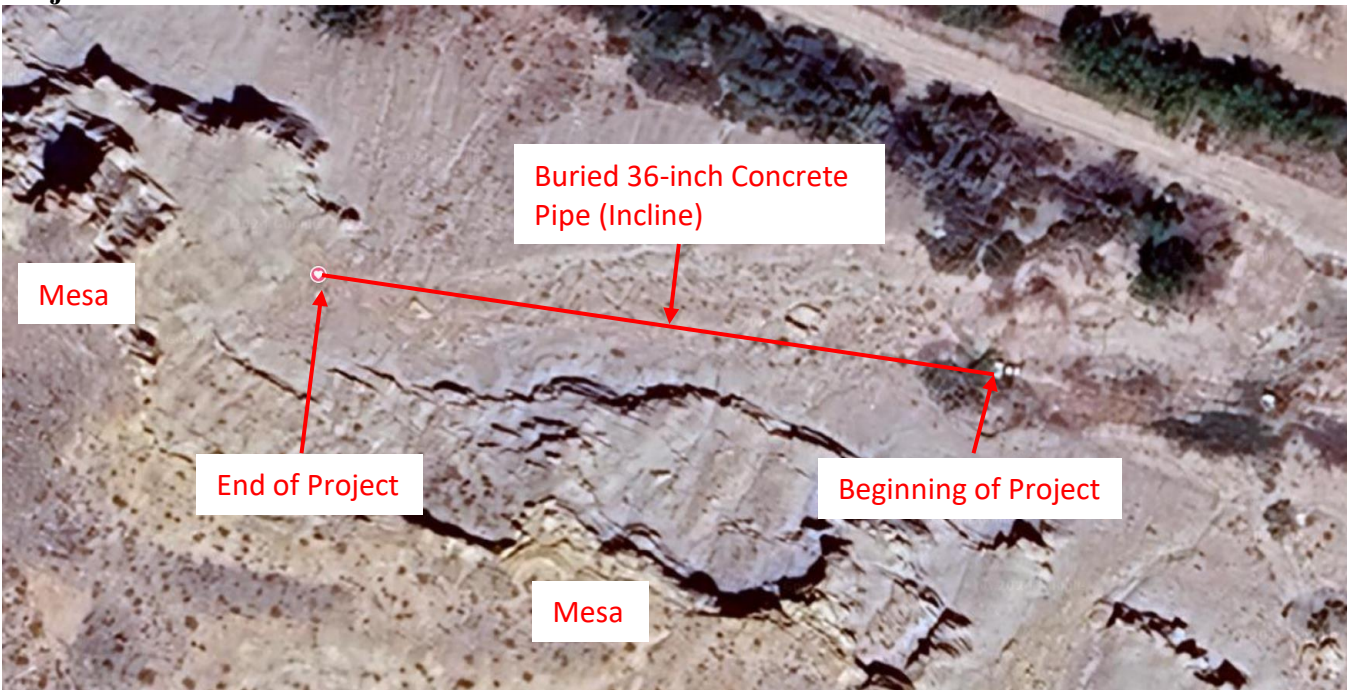
Vicinity Map (Pre-Bid Meeting)



Vicinity Map (Project Location)



Project Site



Project Site (Beginning of Project Looking West)



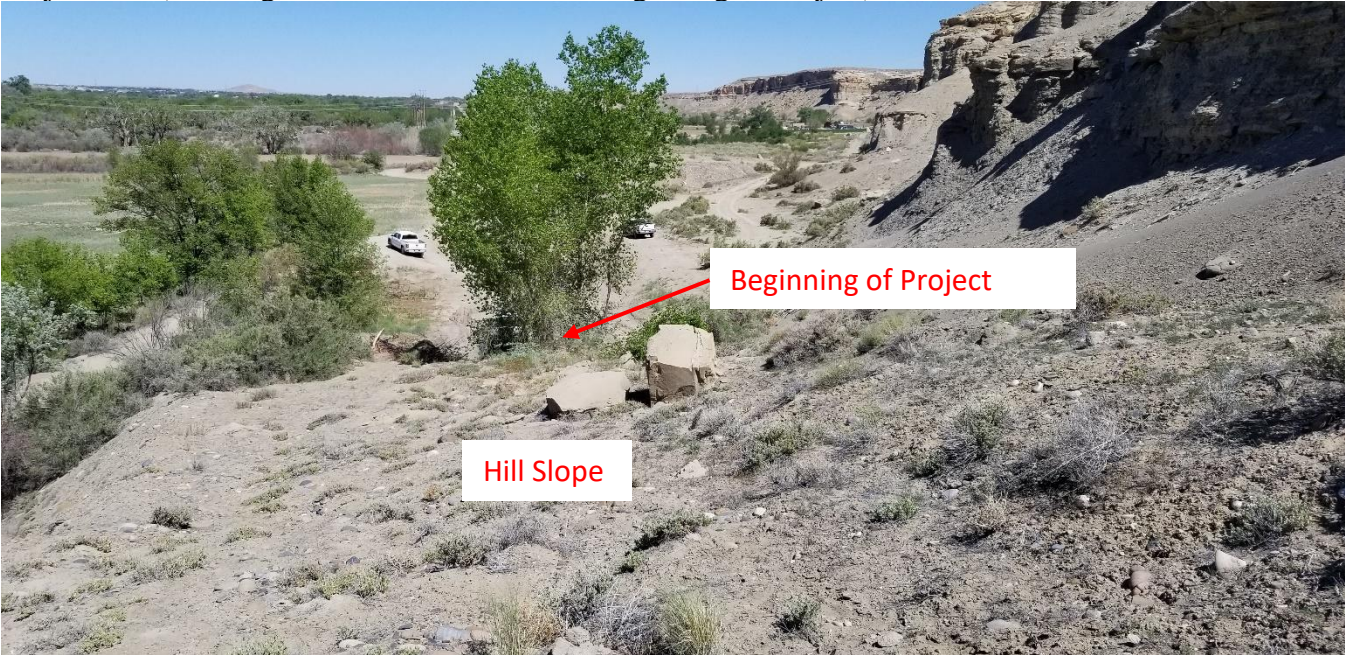
Project Site (Beginning of Project)



Project Site (Beginning of Project Looking into 36-inch Concrete Pipe)



Project Site (Looking East Downhill Towards Beginning of Project)



Project Site (Looking West Uphill Towards End of Project)



Project Site (Airway at End of Project)



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 Specific Instructions 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. <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) _____	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>
	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