



FY 2025 ERATE RFPs Addendum #1

Prepared by:
Navajo Nation Broadband Office
Connect Dine
Office of the President of the Navajo Nation

BID No. 25-02-3585GC Lit Fiber with Special Construction Arizona Locations Only Chapter Houses/Libraries

BID No. 25-02-3586GC Lit Fiber with Special Construction New Mexico Locations Only Chapter Houses/Libraries

BID No. 25-02-3587GC Lit Fiber with Special Construction Utah Locations Only Chapter Houses/Libraries

1. **QUESTION:** Will the Navajo Nation be willing to accept several contracts to fulfill the scope of work? Or will the Navajo Nation require one contractor to complete the entire scope of work listed in the RFP?

ANSWER: Accept several contracts to fulfill the scope of work.

2. **QUESTION:** Is there a bidder's list for this RFP?

ANSWER: Navajo Nation does not have a bidder list as it is an open RFP

3. QUESTION: Your RFP is requesting Fiber IA with Special Construction WAN. Since this is the first year Starlink internet access is available for schools through USAC, will you consider a Starlink broadband connection for your WAN?

ANSWER: No, this is a fiber-only infrastructure project.

BID No. 25-02-3602SB Network Upgrade Main Library and Ojo Encino Library

1. **QUESTION:** Can you confirm you are just looking for 1 bid for RFP# 25-02-3602SB? Is that correct? I see several 470s posted but they all seem to tie back to the same RFP. Could you confirm which 470 # we should respond to?

470#s posted

250024839

250024848

250024868

250024870

ANSWER: All of the RFPS posted list different sites and are not the same. The vendor needs to read the RFPS more carefully.



**REQUEST FOR PROPOSAL
for
REQUEST FOR PROPOSAL
for
Navajo Nation Broadband Office
Network Upgrade
Main Library and Ojo Encino Library**

Timeline	Date
Issue RFP	February 24, 2025
Submission of Proposal Deadline	March 24, 2025
Contract Award	March 25, 2025
File 471 Deadline	March 26, 2025

RFP# 25-02-3602SB

Scope of Services

Respondent will be responsible for all work as described in the “Scope of Work”, “Project Documents”. It is the responsibility of the Respondent to bid a complete and operable solution. If the bidder feels that the system described is not complete, the Bidder must address their specific concerns in writing to the Owner before submitting a quote. The Owner will not be responsible for additional costs incurred by the bidder due to the submission of an incomplete bid.

The Respondent will be responsible for network design with equipment listed on table 1, as well as the installation and configuration of the equipment, including router and switch, within the existing rack locations. Additionally, the Respondent shall install and configure Wireless Access Points as directed. The Respondent is also responsible for providing new patch cords as requested and connecting all existing copper station ports to the new equipment. All programming, configuration, testing, labeling and documentation shall be included in the contractor’s bid price. Finally, cleanup work shall be performed daily and must be completed in one area before moving to another to perform work.

GENERAL REQUIREMENTS

The Respondent will be required to provide an applicable State License for the scope of work described herein. The Respondent’s quote shall include a warranty for all work to be performed for no less than 12 months from the date of completion.

The installation schedule pertaining to this bid package must be adhered to by the Respondent or liquidated damage will be assessed by the Owner in the amount listed in the agreement. No extension of time will be granted unless written consent from the owner is given.

Buildings will be available to the Respondent during regular business hours for investigation and prep work. This work shall not disrupt classroom instruction nor interfere with the safety of students and staff.

IMPLEMENTATION

Respondent will provide in their quote the cost to provide, install and program all equipment as described. Respondent will provide network design to match customer needs and equipment being requested.

LOCATIONS

Entity Name	City	State	Zip Code	Latitude	Longitude
Ojo Encino Branch Library	Cuba	NM	87013	35.953139	-107.346889
Navajo Nation Main Library	Window Rock	AZ	86515	35.6646340042	-109.05109511

NETWORK SWITCHES

1. Respondent will provide programming and installation as follows:
 - a. Core and Edge Switches
 - i. Shall be pre-programmed and tested off-site, to the fullest ability of the Respondent, prior to beginning on-site work or installation of equipment.
 - ii. Respondent will program the new switches to include the following Simple Network Management Protocol (SNMP) at a minimum. The Respondent should anticipate additional programming requirements by the Owner.

Router

The Respondent is responsible to providing programming and installation for the Router listed in the equipment list for this project. The Respondent is responsible for the following:

- a. Management Authentication
- b. Access, Banner, Password and SNMP Rules
- c. Clock, Global Service, Logging, NTP Rules
- d. Routing Rules
- e. Neighbor Authentication

FIREWALL

The Respondent is responsible for programming the firewall. The Respondent is responsible for the following:

- a. Attack guards
- b. Border device Filtering
- c. IP Filtering (BCP 38 and BCP 84)
- d. ICMP Filtering (ICMP Snooping and Rate Limiting)
- e. Traffic Inspection and Rules for services
- f. Port Forwarding Security

WIRELESS NETWORK EQUIPMENT

1. Respondent will provide the following:
 - a. Wireless Access Points
 - i. Shall be pre-programmed and tested off site, prior to on-site work beginning by the Respondent.
 - ii. Respondent will coordinate with the District IT staff for appropriate VLAN's, IP address schemes, naming conventions, and SSID's if site has an existing network, if don't these must be provided by the respondent.

- iii. Shall be connected to existing structured cabling locations if available. If no such connections exist, the respondent must provide a complete solution to establish a fully functional network.
- iv. The respondent shall also supply all necessary wall mounts and patch cables.

CABLE CONNECTIONS

1. The respondent will provide all cables and RJ45 connectors as required for installation as specified in the equipment list table.

EQUIPMENT LIST MAIN LIBRARY

Manufacturer	Item Description	Part Number	Quantity	Installation
Ubiquiti	CloudKey Enterprise	USG-PRO-4	1	Y
	Enterprise Campus 48 PoE	ECS-48-PoE	1	Y
	100G SR4 Multi-Mode Optical Module	UACC-OM-QSFP28-SR4	10	Y
	SFP+ to RJ45 Adapter	UACC-CM-RJ45-MG	10	Y
	UniFi Indoor Cable Cat6 CMR	U-Cable-C6-CMR	4	Y
	100G Direct Attach Cable	UACC-DAC-QSFP28-0.5M-10	4	y
	E7 Audience	E7-Audience-US	2	1
	U7 Pro Max	U7-Pro-Max	6	y
	SmartPower Cable	USP-Cable	4	Y
	UniFi Patch Cable Outdoor (25ft)	UACC-Cable-Patch-Outdoor-V	6	Y
	Optical Data Transport	F-POE-G2	4	Y
CableCreation	Cat6 RJ45 Connectors (100 Pack)	CL0190	1	Y
VC Vertical Cable	Vertical Cable 069-562/MESG, Cat 6 UTP UV resistant 1000 feet	069-562/MESG	1	Y
Ultra Clarity Cables	Cat6 RJ45 Patch Cable 15 ft (10 Pack)	P10UC_B15	5	Y
	Cat6 RJ45 Patch Cable 10 ft (10 Pack)	S-06WH	5	Y
	Items below to be listed separately as Ineligible Items.			
Klein Tools	Wire Tracer Tone Generator and Probe Kit Continuity Tester	VDV500-920	1	N
	Impact Punchdown Tool with 66/100 Blade	VDV427-300	1	N
	Ratcheting Modular Cable Crimper/Wire Stripper/Cutter	VDV226-110	1	N
	Electrician Free Fall Snips	2100-8	2	N
Fluke Networks	Insulated Pocket Probe Kit Tool	44600000	3	N

EQUIPMENT LIST OJO ENCINO LIBRARY

Manufacturer	Item Description	Part Number	Quantity	Installation
Ubiquiti	Dream Machine Pro Max	UDM-Pro-Max	1	Yes
Ubiquiti	Enterprise Campus 24 PoE	ECS-24-PoE	1	Yes
Ubiquiti	100G SR4 Multi-Mode Optical Module	UACC-OM-QSFP28-SR4	8	Yes
Ubiquiti	SFP+ to RJ45 Adapter	UACC-CM-RJ45-MG	4	Yes
Ubiquiti	UniFi Indoor Cable Cat6 CMR	U-Cable-C6-CMR	4	Yes
Ubiquiti	100G Direct Attach Cable	UACC-DAC-QSFP28-0.5M-10	2	Yes
Ubiquiti	U7 Pro Max	U7-Pro-Max	4	Yes
Ubiquiti	U7 Pro Outdoor	U7-Pro-Outdoor-US	2	Yes
Ubiquiti	SmartPower Cable	USP-Cable	6	Yes
Ubiquiti	UniFi Patch Cable Outdoor (25ft)	UACC-Cable-Patch-Outdoor-W	6	Yes
Ubiquiti	Optical Data Transport	F-POE-G2	1	Yes
CableCreation	Cat6 RJ45 Connectors (100 Pack)	CL0190	1	Yes
VC Vertical Cable	Vertical Cable 069-562/MESG, Cat 6 UTP UV resistant 1000 feet	069-562/MESG	1	Yes
Ultra Clarity Cables	Cat6 RJ45 Patch Cable 15 ft (10 Pack)	P10UC_B15	5	Yes
Ultra Clarity Cables	Cat6 RJ45 Patch Cable 10 ft (10 Pack)	S-06WH	5	Yes
	Items below to be listed separately as Ineligible Items.			
Klein Tools	Wire Tracer Tone Generator and Probe Kit Continuity Tester	VDV500-920	1	No
Klein Tools	Impact Punchdown Tool with 66/100 Blade	VDV427-300	1	No
Klein Tools	Ratcheting Modular Cable Crimper/Wire Stripper/Cutter	VDV226-110	1	No
Klein Tools	Electrician Free Fall Snips	2100-8	2	No
Fluke Networks	Insulated Pocket Probe Kit Tool	44600000	3	No

Table 1: Equipment List

EXCLUDED FROM RESPONDENT'S SCOPE OF WORK

The following Items are excluded from the Respondent's Scope of Work for this Project and will be provided by others:

1. Rack and Cabinet equipment housings
2. Power and Cooling for equipment locations

END OF SCOPE OF WORK SECTION

Site Conditions

It is the responsibility of the Respondent to be informed of all conditions under which work is to be done before submitting proposals. No additional costs will be incurred by the Owner or considerations given to any claims by the bidder based on a lack of knowledge of existing conditions. The submission of a proposal is an acknowledgement and agreement to the stipulation.

Because the geographic area is so large and remote, it is anticipated that multiple Service Providers may choose to bid as few as only a couple of the sites or as many as all of the locations listed in this RFP. But each site must be bid on separately and contracts will be issued by each location or group of locations as there may be multiple agencies or departments who are participating in this RFP who will need to sign their own contracts with their Service Provider(s). Failure to bid for each location separately will cause those Service Provider(s) to be deemed non-responsive. If there is a cost savings to “bundle” some of the sites together or of the Service Provider can make a case to reduce the price the cost of installation by “bundling” those sites, they can provide alternate pricing for such sites.

E-Rate Requirements

The services requested in this RFP are dependent on funding from the E-Rate program. The Owner expects that each prospective Respondent will make themselves thoroughly familiar with all applicable rules and regulations regarding the E-Rate program. For further information regarding the E-Rate program, please reference the USAC Schools and Libraries website at: www.universalservice.org/sl/

All contracts entered as a result of this RFP and the associated Form 470 will be contingent upon:

1. Funding approval by the SLD.
2. Approved funding amount equal to the funding amount as requested on the Form 471.
3. The Respondent providing, at the time of bid, and maintaining a valid Service Provider Identification Number (SPIN) consistent with the type of service requested in the RFP.
4. A certified Form 486 filed by the Owner and/or written “Notice to Proceed” from the Owner to the winning Respondent to initiate service. The Service Provider must contact the Owner prior to work proceeding.

Per the requirements of the E-Rate program, no billing and/or service may begin for this contract prior to July 1, 2025, and may not extend past June 30, 2026. Per E-Rate rules, applications will be submitted each year of multi-year contracts for funding consideration.

The Respondent is required to provide the Lowest Corresponding Price (LCP) for equipment and/or services as has been provided to other customers in the area. In the event of an audit and a rule violation pertaining to LCP, regarding a service provider *not* providing the LCP, any funds that are requested to be returned to compensate for the difference or any rule violation will be the responsibility of the service provider that has failed to provide the LCP.

Invoicing

The Owner has the right to choose the type of invoicing method to pay for the services rendered. The Respondent acknowledges this right upon submission of a response to this request.

Service Provider Invoicing

The Owner's discount percentage rate, as determined on Form 471, will be the maximum that the Owner is liable for. The Respondent will be responsible to invoice USAC for the remaining balance, when using the Service Provider Invoice (SPI) method, or Form 474. Prior to invoicing USAC for the service rendered, the Respondent agrees to provide the Owner with a copy of the USAC invoice to verify that the service has been delivered and accepted by the Owner before the Respondent invoices USAC.

BEAR Invoice Method

When utilizing the BEAR method of invoicing, the Respondent will invoice the Owner for the entire amount of the service rendered. The Owner will invoice USAC for the discounted portion of the services provided.

Termination

The Owner reserves the right to terminate any contract and/or agreement with any Respondent, even the apparent winner, regardless of USAC's approval or denial of funding; any funding requested because of this RFP, prior to any work starting. The Owner reserves the right to accept the pricing proposal solely dependent upon SLD approval.

Program Review

All E-Rate applications, including special construction, are subject to detailed questioning during Program Integrity Assurance (PIA) review where the cost of proposed special construction will be reviewed based on the cost of historical fiber builds in the region. Additionally, certain information on necessary special construction is needed to accurately fill out Form 471. Respondents are required to complete the table in 'Appendix A'. Additionally, Respondents are required to submit the additional information described in 'Appendix A, as this information will be required in a PIA review. If Respondents do not submit the additional information as listed in 'Appendix A', the Respondents' bid can be deemed non-responsive and excluded from the bid.

Contract Requirements

The Owner intends to use the Respondents supplied Service Agreement to formalize any contractual relationship that results from this RFP. However, the following provisions **MUST** be specifically included in the Respondent supplied agreement for the Respondents proposal to be considered responsive. Failure to include any or all these provisions shall result in a Non-Responsive determination and no further evaluation of the Respondents' proposal will be considered.

1. **Terms and Conditions** – The Owner requests proposals that are based on a three (3) year contract term with two (2) optional one (1) year extensions. The initial three (3) year contract term shall start on July 1, 2025, and end on June 30, 2028, not to exceed five (5) contract years. If new services are installed, the requested services should be installed by 6/30/2026. An extension option must be mutually acceptable to both parties. Any request for and acceptance of an extension shall be in written form and shall include any requests and justifications for adjustment in compensation. If Respondents can provide “better” rates by extending the length of the contract, provide this option as part of the RFP response.
2. **Growth Clause** – Growth services may or may not be requested by the Owner during the contract term. The Respondent shall include a “Growth Clause” with the maximum charges per month. The “Growth Clause” shall not require a change in contract terms. The “Growth Clause” shall include a price for all existing service types plus any additional services of the same type/speed and bandwidths as listed on Attachment A Site Schedule. Respondent shall include growth bandwidth and growth pricing in the contract for any potential upgrades, **as per E-Rate requirements.**

Response Package Requirements

No bid will be accepted from, or contract awarded to a Respondent:

1. Who is not licensed in accordance with the law.
2. Does not hold a license qualifying them to perform work under this contract in the State of California.
3. Who does not plan to hold or acquire a valid SPIN and is not in good standing with the FCC/USAC.
4. Who has not successfully performed one project of similar character and scope of the proposed work.

Proposals will only be received by **March 24, 2025**, at **3:00 PM MST**. ALL RESPONDENT PROPOSALS MUST BE RECEIVED FOR REVIEW AND EVALUATION BY THE POINT-OF-CONTACT NO LATER THAN 3 PM MOUNTAIN DATE TIME (MST). Proposal requirements outlined below.

Procurement Point-of-Contact

The Navajo Nation Broadband Office has assigned a Point-of-Contact who is responsible for the conduct of this procurement whose name, address, telephone number and e-mail address are listed below:

1. Sonia Nez at sonianez@navajo-nsn.gov
2. Bernardo Portilla at bportilla@americasrf.com
3. Libardo Melo lmelo@americasrf.com

Issuing Office

This Request for Proposal (RFP) is issued by the Navajo Nation Broadband Office (NNBO), Navajo Nation, 1575E State Highway 264, Tse Bonito, New Mexico. The contact person for this RFP is Sonia Nez, Bernardo Portilla, and Libardo Melo.

If Service Providers have any questions or inquiries regarding this RFP, those inquiries shall be directed to Sonia Nez, CC Bernardo Portilla and Libardo Melo.

The deadline for all questions regarding this RFP will be on **March 5, 2025** at 3:00 PM MST. All questions will be answered in addendum(s) sent out to all Service Providers. Any and all updated project information, forms, including addenda, will be distributed through the project website, located at <https://www.nnooc.org/RFPs-Advertisements.html> , www.broadband.navajo-nsn.gov & <https://portal.usac.org/suite/>.

Sequence of Events

The Point-of-Contact will make every effort to adhere to the following schedule:

Timeline	Responsible Party	Date
Issue RFP	Navajo Nation Broadband Office	February 24, 2025
Submission of Proposal Deadline	Respondents	March 24, 2025
Contract Award	Navajo Nation Broadband Office & Schools	March 25, 2025

File 471 Deadline	Navajo Nation Broadband Office & Schools	March 26, 2025
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Explanation of Events

The following paragraphs describe the activities listed in the sequence of events above.

1. **Issuance of RFP:** This RFP is being issued on behalf of the Navajo Nation Broadband Office on **February 24, 2025**.
2. **Submission of Proposal:** ALL RESPONDENT PROPOSALS MUST BE RECEIVED FOR REVIEW AND EVALUATION BY THE POINT-OF-CONTACT NO LATER THAN **3 PM** MOUNTAIN DATE TIME (MST) ON **March 24, 2025** and **delivered** to Sonia Nez (sonianez@navajo-nsn.gov), Bernardo Portilla (bportilla@americasrf.com), and Libardo Melo (lmelo@americasrf.com).

The Navajo Nation is not bound to enter a contract under the RFP or RSQ and may issue a subsequent RFP or RSQ for the same services; and ; the Navajo Nation is a sovereign government and all contracts entered into as a result for the RFP or RSQ shall comply with the Navajo Nation law, rules and regulations, including the Navajo Preference in Employment Act, and applicable federal law, rules, and regulations.

Proposals must be addressed and delivered via email to the Point-of-Contact at the email address listed. Proposals must be emailed and clearly indicate that they are in response to the Navajo Nation Broadband Office RFP. The negotiation process is deemed to be in effect until the contract is awarded pursuant to this Request for Proposal. Awarded in this context means the final required Navajo Nation Broadband Office, or designee signature on the contract(s) resulting from the procurement has been obtained.

Contract Awards: Prior to contract formation under subsection below, the Business Regulatory Department shall certify that the Navajo Nation Business Opportunity Act was adhered to in the solicitation and award.

3. After review of the Evaluation Committee and the signed contractual agreement(s), the Point-of-Contact will be awarded as per the schedule in the Sequence of Events or as soon as possible thereafter. This date is subject to change at the discretion of the Point-of-Contact.

The contract(s) shall be awarded to the Respondent (or Respondents) whose proposals are most advantageous to the Navajo Nation Broadband Office taking

into consideration the evaluation factors set forth in this RFP. The most advantageous proposal may or may not have received the most points.

The Procuring Party shall issue a Notice of Intent to Award within 5 business days of the bid opening, unless the Procuring Party determines, and gives notice, that a larger review time is necessary. The Procuring Party shall give notice of a time extension to each offeror by posting it at the location announced at the offer opening.

After the project is awarded and funded by USAC and verification is received that USAC has funded the amount requested by the Nation the procuring party shall develop a written contract covering the procurement of services identified in the RFP.

4. **E-Rate Filing:** Once the contract has been negotiated and signed, the E-Rate Form 471 form(s) will be completed before the March 26, 2025 deadline for the of E-Rate filing window.

General Conditions

1. Acceptance of Conditions Governing the Procurement:

Potential Respondents must indicate their acceptance of the Conditions Governing the Procurement section in the letter of transmittal.

2. Incurring Cost:

Any cost incurred by the potential Respondent in preparation, transmittal, and/or presentation of any proposal or material submitted in response to this RFP shall be borne solely by the Respondent. Any cost incurred by the Respondent for setup and demonstration of the proposed equipment and/or system shall be borne solely by the Respondent.

3. Prime Contractor Responsibility:

Any contractual agreement that may result from this RFP shall specify that the prime contractor is solely responsible for fulfillment of all requirements of the contractual agreement with the Navajo Nation Broadband Office, which may derive from this RFP. The Navajo Nation Broadband Office entering into a contractual agreement with a vendor will make payments to only the prime contractor.

4. Subcontractors:

The use of subcontractors is allowed. The prime contractor shall be wholly responsible for the entire performance of the contractual agreement whether subcontractors are used. Additionally, the prime contractor must receive approval,

in writing, from the Navajo Nation Broadband Office awarding any resultant contract, before any subcontractor is used during the term of this agreement.

5. **No Obligation:** This RFP in no manner obligates the Navajo Nation Broadband Office to use any Respondent's services until a valid written contract is awarded and approved by appropriate authorities.
6. **Termination:** This RFP may be canceled at any time and all proposals may be rejected in whole or in part when the Navajo Nation Broadband Office determines such action to be in the best interest of the Navajo Nation Broadband Office.
7. **Required Notice to Proceed and Funding Availability**

The Navajo Nation Broadband Office will follow the purchasing policies of the lead applicant and requirements and procedures of the FCC's E-Rate program as administered by the Universal Service Administrative Company to be eligible for all available funding and the purchasing policies of the Navajo Nation. The implementation of any associated contracts resulting from this competitive bid process will be dependent on the Navajo Nation Broadband Office's issuance of a written Notice to Proceed. E-Rate funding notification alone will not signify Notice to Proceed. The Navajo Nation Broadband Office will have the right to allow the contract to expire without implementation if appropriate funding does not come available. Additionally, any projects requiring special construction are also contingent on issuance of funds from the eligible federal, state, or tribal match source. The Navajo Nation Broadband Office will have the right to allow the contract to expire without implementation if this specific funding does not come available.

8. **Right to Waive Minor Irregularities:**

The Evaluation Committee reserves the right to waive minor irregularities. The Evaluation Committee also reserves the right to waive mandatory requirements if all of the otherwise responsive proposals failed to meet the same mandatory requirements and the failure to do so does not otherwise materially affect the procurement. This right is at the sole discretion of the Evaluation Committee.

9. **Ownership of Proposals:**

All documents submitted in response to the RFP shall become property of the Navajo Nation Broadband Office.

10. **Bonding of Subcontractors:**

When applicable, subcontractors shall be required to provide a performance and payment bond on a public works building project if the subcontractor's contract for work to be performed on a project is one hundred twenty-five thousand dollars (\$125,000) or more. (Reference 13-1-148.1 NMSA 1978)

11. Davis-Bacon Act:

Any contract resulting from this RFP will comply with the labor provisions of the Davis-Bacon Act regarding wages, payments, payrolls, and basic records.

12. Copeland Act:

Any contract resulting from this RFP will comply with the Copeland Act.

13. Buy American Act:

Any contract resulting from this RFP will comply with Buy American Act.

14. Safety Requirements:

Any contract resulting from this RFP will comply with the Occupational Safety and Health Standards (OSHA).

15. References:

For each response, Respondent must provide 2 references from current or recent tribal customers (preferably K-12 schools, libraries, or consortia) with projects equivalent to the size of Navajo Nation Broadband Office.

16. Tribal Preference

Native American Owned Business: If the organization is native or tribally owned, please submit a copy of your business license issued by your tribe or any documentation that references the Company is a whole owned subsidiary of a tribe or tribal member.

Response Format and Organization

A. Proposal Outline

- 1) **Table of Contents**
- 2) **Signed Letter of Transmittal** – To be completed and signed by an individual person authorized to obligate the company and to include:
 - a. Identify the submitting business entity.
 - b. Identify the name, title, telephone, and e-mail address of the person authorized by the Respondent organization to contractually obligate the business entity providing the Offer.
 - c. Identify the name, title, telephone, and e-mail address of the person authorized to negotiate the contract on behalf of the organization

- d. Identify the names, titles, telephone, and e-mail addresses of persons to be contacted for clarification/questions regarding proposal content.
- e. Identify sub-contractors (if any) anticipated to be utilized in the performance of any resultant contract award.
- f. Describe the relationship with any other entity that will be used in the performance of this awarded contract.
- g. Explicitly indicate acceptance of the General Conditions the procurement
- 3) Organizational Experience** – Statement or Key Personnel Resumes
- 4) Tribal References** – Name, organization, and contact information
- 5) Special Construction Payment Plan Option Response** - Include agreement or non-agreement of this request.
- 6) Value-Added Offerings**, if applicable, narrative
- 7) Native American Owned Business**, if applicable, verification
- 8) Good Faith Tribal Negotiation Letter**, if applicable (Appendix E)
- 9) Brief description of the project team, methodology, plan and timeline to complete the project**
 - a. **Provide resume of knowledge, skills and abilities related to implementation of scope of work as presented in this document.**
 - b. **Provide a plan description that includes all necessary information to support it, such as network diagram, schematics, etc.**
 - c. **Proposers must comply with the technical capabilities to implement the scope of work. If the proposer identifies that changes are required to the scope of work, it should be clarified in the response.**
- 10) Cost Response** – Mandatory use of provided tables (Appendix A and Appendix B, if applicable)
- 11) Suspension & Debarment and current W-9** (Appendix F)

RFP Scoring Rubrics

Network Equipment

Points	Criteria
35	E-Rate eligible recurring and one-time circuit costs ¹
30	Use of symmetrically scalable technology ⁴
25	Ability to offer turn-key solution (limited effort on behalf of applicant) ³

10	Value-added offerings ⁶
100	Total Points
5	Extra Points for Native American Owned Business ⁷

Notes:

1: **Signed good faith negotiation letter from tribal government:** Is a letter or from signed by the applicant, Governor, or other designee of tribal lands that will be trespassed to complete the scope of work in this RFP. The letter must state that the tribe and Respondent have begun good faith negotiations to respect tribal authority and processes. Good faith negotiation letters should be completed for each tribal land for in the network design for maximum points.

5: **Terms, conditions, and insurance:** preference will be given to bidders that provide the most favorable conditions and insurance for implementation and ongoing service. These elements include (but are not restricted to): 24x7 response availability, demonstration of bonding, coordination with USIC and oversight of 811 participation, etc.

6. **Value-Added Offerings:** Respondents can submit any other information they deem necessary to highlight accomplishments, honors, services, etc. that advance excellence toward and a value add to the development of a Navajo Nation Broadband Office and it's goals to improve academic achievement and post-secondary education pursuits in Native America.

7. **Navajo Owned-Business:** If the organization is native or tribally owned, please submit a copy of your business license issued by your tribe or any documentation that references the Company is a whole owned subsidiary of a tribe.

Appendix A: MRC/NRC Cost Tables

These mandatory tables are provided to provide summary data for comparative purposes. Additional manufacturer information, detailed pricing, or cut sheets can be attached. **Reminder, EACH site SHALL be listed separately.**

Network Equipment and Services				
Location	Manufacturer	Model	Eligible cost	Ineligible cost

References, Standards, and Codes

Specifications in this document are not meant to supersede state law or industry standards. Respondents shall note in their response where their proposal does not follow the requested specification to comply with state law or industry standard. The following standards are based upon the *Customer-Owned Outside Plant Design Manual (CO-OSP)* produced by BICSI, the *Telecommunications Distribution Methods Manual (TDMM)* also produced by BICSI, ANSI/TIA/EIA and ISO/IEC standards, and NEC codes, among others.

It is required that the respondent be thoroughly familiar with the content and intent of these references, standards, and codes and that the respondent be capable of applying the content and intent of these references, standards, and codes to all outside plant communications system designs executed on the behalf of the Navajo Nation Broadband Office.

Listed in the table below are references, standards, and codes applicable to outside plant communications systems design. If questions arise as to which reference, standard, or code should apply in a given situation, the more stringent shall prevail. As each of these documents are modified over time, the latest edition and addenda to each of these documents is considered to be definitive.

Appendix E: Good Faith Negotiation Letter

Navajo Nation Broadband Office

Good Faith Negotiation Letter from Tribal Government for E-Rate

The vendor _____, has made the following good faith negotiating efforts to comply with tribal requirements with reference to the scope of work requested in 2023 E-rate RFP for the Navajo Nation Broadband Office.

Meets Criteria	Points	Criteria
_____	25	Vendor has proactively engaged a positive working relationship with tribal school, library, education office, or tribal government regarding land use. Vendor demonstrates commitment to fair negotiation of rights of way and has proposed a project that reflects tribal authority and priorities.
_____	15	Vendor responded to tribal engagement and has a positive working relationship with tribal school, library, education office, or tribal government regarding fair negotiation of rights of way.
_____	0	Vendor has not made contact with the tribe regarding potential rights-of-way requirements.
_____	-25	Vendor is currently barred from working on tribal land.
_____	-10	Vendor was in the past barred from working on tribal land.
Total:		For totals that are negative, 0 will transfer to the RFP scoring sheet.

Name

Entity

Date

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

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.	<p>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.)</p> <hr/> <p>2 Business name/disregarded entity name, if different from above.</p> <hr/> <p>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.</p> <p> <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) <i>Note:</i> 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) _____ </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 Foreign Account Tax Compliance Act (FATCA) reporting code (if any) _____</p> <p><i>(Applies to accounts maintained outside the United States.)</i></p> <p>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"/></p> <hr/> <p>5 Address (number, street, and apt. or suite no.). See instructions.</p> <p style="text-align: right;">Requester's name and address (optional)</p> <hr/> <p>6 City, state, and ZIP code</p> <hr/> <p>7 List account number(s) here (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. See also *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:

- 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 _____ signature of

Here **u.s. »»»** _____ Date

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 partner, owner, 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

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-NEC (nonemployee compensation).
- 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), and 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.

Caution: If you don't return Form W-9 to the requester with a TIN, you might be subject to backup withholding. See *What is backup withholding*, later.

By signing the filled-out form, you:

1. Certify that the TIN you are giving is correct (or you are waiting for a number to be issued);
2. Certify that you are not subject to backup withholding; or
3. Claim exemption from backup withholding if you are a U.S. exempt payee; and
4. Certify to your non-foreign status for purposes of withholding under chapter 3 or 4 of the Code (if applicable); and
5. Certify that FATCA code(s) entered on this form (if any) indicating that you are exempt from the FATCA reporting is correct. See *What Is FATCA Reporting*, later, for further information.

Note: If you are a U.S. person and a requester gives you a form other than Form W-9 to request your TIN, you must use the requester's form if it is substantially similar to this Form W-9.

Definition of a U.S. person. For federal tax purposes, you are considered a U.S. person if you are:

- An individual who is a U.S. citizen or U.S. resident alien;
- A partnership, corporation, company, or association created or organized in the United States or under the laws of the United States;
- An estate (other than a foreign estate); or
- A domestic trust (as defined in Regulations section 301.7701-7).

Establishing U.S. status for purposes of chapter 3 and chapter 4 withholding. Payments made to foreign persons, including certain distributions, allocations of income, or transfers of sales proceeds, may be subject to withholding under chapter 3 or chapter 4 of the Code (sections 1441—1474). Under those rules, if a Form W-9 or other certification of non-foreign status has not been received, a withholding agent, transferee, or partnership (payor) generally applies presumption rules that may require the payor to withhold applicable tax from the recipient, owner, transferor, or partner (payee). See Pub. 515, *Withholding of Tax on Nonresident Aliens and Foreign Entities*.

The following persons must provide Form W-9 to the payor for purposes of establishing its non-foreign status.

- In the case of a disregarded entity with a U.S. owner, the U.S. owner of the disregarded entity and not the disregarded entity.
- In the case of a grantor trust with a U.S. grantor or other U.S. owner, generally, the U.S. grantor or other U.S. owner of the grantor trust and not the grantor trust.
- In the case of a U.S. trust (other than a grantor trust), the U.S. trust and not the beneficiaries of the trust.

See Pub. 515 for more information on providing a Form W-9 or a certification of non-foreign status to avoid withholding.

Foreign person. If you are a foreign person or the U.S. branch of a foreign bank that has elected to be treated as a U.S. person (under Regulations section 1.1441-1(b)(2)(v) or other applicable section for chapter 3 or 4 purposes), do not use Form W-9. Instead, use the appropriate Form W-8 or Form 8233 (see Pub. 515). If you are a qualified foreign pension fund under Regulations section 1.897-1(d), or a partnership that is wholly owned by qualified foreign pension funds, that is treated as a non-foreign person for purposes of section 1445 withholding, do not use Form W-9. Instead, use Form W-8EXP (or other certification of non-foreign status).

Nonresident alien who becomes a resident alien. Generally, only a nonresident alien individual may use the terms of a tax treaty to reduce or eliminate U.S. tax on certain types of income. However, most tax treaties contain a provision known as a saving clause. Exceptions specified in the saving clause may permit an exemption from tax to continue for certain types of income even after the payee has otherwise become a U.S. resident alien for tax purposes.

If you are a U.S. resident alien who is relying on an exception contained in the saving clause of a tax treaty to claim an exemption from U.S. tax on certain types of income, you must attach a statement to Form W-9 that specifies the following five items.

1. The treaty country. Generally, this must be the same treaty under which you claimed exemption from tax as a nonresident alien.
2. The treaty article addressing the income.
3. The article number (or location) in the tax treaty that contains the saving clause and its exceptions.
4. The type and amount of income that qualifies for the exemption from tax.
5. Sufficient facts to justify the exemption from tax under the terms of the treaty article.

Example. Article 20 of the U.S.-China income tax treaty allows an exemption from tax for scholarship income received by a Chinese student temporarily present in the United States. Under U.S. law, this student will become a resident alien for tax purposes if their stay in the United States exceeds 5 calendar years. However, paragraph 2 of the first Protocol to the U.S.-China treaty (dated April 30, 1984) allows the provisions of Article 20 to continue to apply even after the Chinese student becomes a resident alien of the United States. A Chinese student who qualifies for this exception (under paragraph 2 of the first Protocol) and is relying on this exception to claim an exemption from tax on their scholarship or fellowship income would attach to Form W-9 a statement that includes the information described above to support that exemption.

If you are a nonresident alien or a foreign entity, give the requester the appropriate completed Form W-8 or Form 8233.

Backup Withholding

What is backup withholding? Persons making certain payments to you must under certain conditions withhold and pay to the IRS 24% of such payments. This is called "backup withholding." Payments that may be subject to backup withholding include, but are not limited to, interest, tax-exempt interest, dividends, broker and barter exchange transactions, rents, royalties, nonemployee pay, payments made in settlement of payment card and third-party network transactions, and certain payments from fishing boat operators. Real estate transactions are not subject to backup withholding.

You will not be subject to backup withholding on payments you receive if you give the requester your correct TIN, make the proper certifications, and report all your taxable interest and dividends on your tax return.

Payments you receive will be subject to backup withholding if:

1. You do not furnish your TIN to the requester,
2. You do not certify your TIN when required (see the instructions for Part II for details);
3. The IRS tells the requester that you furnished an incorrect TIN;
4. The IRS tells you that you are subject to backup withholding because you did not report all your interest and dividends on your tax return (for reportable interest and dividends only); or
5. You do not certify to the requester that you are not subject to backup withholding, as described in item 4 under "By signing the 6/ect-out /o/m" above (for reportable interest and dividend accounts opened after 1983 only).

Certain payees and payments are exempt from backup withholding. See Exempt payee code, later, and the separate Instructions for the Requester of Form W-9 for more information.

See also *Establishing U.S. status for purposes of chapter 3 and chapter 4 withholding*, earlier.

What Is FATCA Reporting

The Foreign Account Tax Compliance Act (FATCA) requires a participating foreign financial institution to report all U.S. account holders that are specified U.S. persons. Certain payees are exempt from FATCA reporting. See Exemption from FATCA reporting code, later, and the Instructions for the Requester of Form W-9 for more information.

Updating Your Information

You must provide updated information to any person to whom you claimed to be an exempt payee if you are no longer an exempt payee and anticipate receiving reportable payments in the future from this person. For example, you may need to provide updated information if you are a C corporation that elects to be an S corporation, or if you are no longer tax exempt. In addition, you must furnish a new Form W-9 if the name or TIN changes for the account, for example, if the grantor of a grantor trust dies.

Penalties

Failure to furnish TIN. If you fail to furnish your correct TIN to a requester, you are subject to a penalty of \$50 for each such failure unless your failure is due to reasonable cause and not to willful neglect.

Civil penalty for false information with respect to withholding. If you make a false statement with no reasonable basis that results in no backup withholding, you are subject to a \$500 penalty.

Criminal penalty for falsifying information. Willfully falsifying certifications or affirmations may subject you to criminal penalties including fines and/or imprisonment.

Misuse of TINs. If the requester discloses or uses TINs in violation of federal law, the requester may be subject to civil and criminal penalties.

Specific Instructions

Line 1

You must enter one of the following on this line; do not leave this line blank. The name should match the name on your tax return.

If this Form W-9 is for a joint account (other than an account maintained by a foreign financial institution (FFI)), list first, and then circle, the name of the person or entity whose number you entered in Part I of Form W-9. If you are providing Form W-9 to an FFI to document a joint account, each holder of the account that is a U.S. person must provide a Form W-9.

- Individual.** Generally, enter the name shown on your tax return. If you have changed your last name without notifying the Social Security Administration (SSA) of the name change, enter your first name, the last name as shown on your social security card, and your new last name.

Note for ITIN applicant: Enter your individual name as it was entered on your Form W-7 application, line 1s. This should also be the same as the name you entered on the Form 1040 you filed with your application.

- Sole proprietor.** Enter your individual name as shown on your Form 1040 on line 1. Enter your business, trade, or "doing business as" (DBA) name on line 2.

- Partnership, C corporation, S corporation, or LLC, other than a disregarded entity.** Enter the entity's name as shown on the entity's tax return on line 1 and any business, trade, or DBA name on line 2.

- Other entities.** Enter your name as shown on required U.S. federal tax documents on line 1. This name should match the name shown on the charter or other legal document creating the entity. Enter any business, trade, or DBA name on line 2.

- Disregarded entity.** In general, a business entity that has a single owner, including an LLC, and is not a corporation, is disregarded as an entity separate from its owner (a disregarded entity). See Regulations section 301.7701-2(c)(2). A disregarded entity should check the appropriate box for the tax classification of its owner. Enter the owner's name on line 1. The name of the owner entered on line 1 should never be a disregarded entity. The name on line 1 should be the name shown on the income tax return on which the income should be reported. For

example, if a foreign LLC that is treated as a disregarded entity for U.S. federal tax purposes has a single owner that is a U.S. person, the U.S. owner's name is required to be provided on line 1. If the direct owner of the entity is also a disregarded entity, enter the first owner that is not disregarded for federal tax purposes. Enter the disregarded entity's name on line 2. If the owner of the disregarded entity is a foreign person, the owner must complete an appropriate Form W-8 instead of a Form W-9. This is the case even if the foreign person has a U.S. TIN.

Line 2

If you have a business name, trade name, DBA name, or disregarded entity name, enter it on line 2.

Line 3a

Check the appropriate box on line 3a for the U.S. federal tax classification of the person whose name is entered on line 1. Check only one box on line 3a.

IF the entity/individual on line 1 is a(n) ...	THEN check the box for ...
• Corporation	Corporation.
• Individual or • Sole proprietorship	Individual/sole proprietor.
• LLC classified as a partnership for U.S. federal tax purposes or • LLC that has filed Form 8832 or 2553 electing to be taxed as a corporation	Limited liability company and enter the appropriate tax classification: P = Partnership, C = C corporation, or S = S corporation.
• Partnership	Partnership.
• Trust/estate	Trust/estate.

Line 3b

Check this box if you are a partnership (including an LLC classified as a partnership for U.S. federal tax purposes), trust, or estate that has any foreign partners, owners, or beneficiaries, and you are providing this form to a partnership, trust, or estate, in which you have an ownership interest. You must check the box on line 3b if you receive a Form W-9 (or documentary evidence) from any partner, owner, or beneficiary establishing foreign status or if you receive a Form W-9 from any partner, owner, or beneficiary that has checked the box on line 3b.

Note: A partnership that provides a Form W-9 and checks box 3b may be required to complete Schedules K-2 and K-3 (Form 1065). For more information, see the Partnership Instructions for Schedules K-2 and K-3 (Form 1065).

If you are required to complete line 3b but fail to do so, you may not receive the information necessary to file a correct information return with the IRS or furnish a correct payee statement to your partners or beneficiaries. See, for example, sections 6698, 6722, and 6724 for penalties that may apply.

Line 4 Exemptions

If you are exempt from backup withholding and/or FATCA reporting, enter in the appropriate space on line 4 any code(s) that may apply to you.

Exempt payee code.

- Generally, individuals (including sole proprietor) are not exempt from backup withholding.

- Except as provided below, corporations are exempt from backup withholding for certain payments, including interest and dividends.

- Corporations are not exempt from backup withholding for payments made in settlement of payment card or third-party network transactions.

- Corporations are not exempt from backup withholding with respect to attorneys' fees or gross proceeds paid to attorneys, and corporations that provide medical or health care services are not exempt with respect to payments reportable on Form 1099-MISC.

The following codes identify payees that are exempt from backup withholding. Enter the appropriate code in the space on line 4.

- 1- An organization exempt from tax under section 501(a), any IRA, or a custodial account under section 403(b)(7) if the account satisfies the requirements of section 401(§2).

- 2- The United States or any of its agencies or instrumentalities.
- 3—A state, the District of Columbia, a U.S. commonwealth or territory, or any of their political subdivisions or instrumentalities.
- 4-A foreign government or any of its political subdivisions, agencies, or instrumentalities.
- 5-A CO@O7EtgOf1.
- 6-A dealer in securities or commodities required to register in the United States, the District of Columbia, or a U.S. commonwealth or territory.
- 7-A futures commission merchant registered with the Commodity Futures Trading Commission.
- 8-A real estate investment trust.
- 9-An entity registered at all times during the tax year under the Investment Company Act of 1940.
- 10—A common trust fund operated by a bank under section 584(a).
- 11—A financial institution as defined under section 581.
- 12—A middleman known in the investment community as a nominee or custodian.
- 13-A trust exempt from tax under section 664 or described in section 4947.

The following chart shows types of payments that may be exempt from backup withholding. The chart applies to the exempt payees listed above, 1 through 13.

IF the payment is for ...	THEN the payment is exempt
• Interest and dividend payments	All exempt payees except for 7.
• Broker transactions	Exempt payees 1 through 4 and 6 through 11 and all C corporations. S corporations must not enter an exempt payee code because they are exempt only for sales of noncovered securities acquired prior to 2012.
• Barter exchange transactions and patronage dividends	Exempt payees 1 through 4.
• Payments over \$600 required to be reported and direct sales over \$5,000*	Generally, exempt payees 1 through 5.*
• Payments made in settlement of payment card or third-party network transactions	Exempt payees 1 through 4.

*See Form 1099-MISC, Miscellaneous Information, and its instructions.

*However, the following payments made to a corporation and reportable on Form 1099-MISC are not exempt from backup withholding: medical and health care payments, attorneys' fees, gross proceeds paid to an attorney reportable under section 6045(f), and payments for services paid by a federal executive agency.

Exemption from FATCA reporting code. The following codes identify payees that are exempt from reporting under FATCA. These codes apply to persons submitting this form for accounts maintained outside of the United States by certain foreign financial institutions. Therefore, if you are only submitting this form for an account you hold in the United States, you may leave this field blank. Consult with the person requesting this form if you are uncertain if the financial institution is subject to these requirements. A requester may indicate that a code is not required by providing you with a Form W-9 with "Not Applicable" (or any similar indication) entered on the line for a FATCA exemption code.

A—An organization exempt from tax under section 501(a) or any individual retirement plan as defined in section 7701(a)(37).

B-The United States or any of its agencies or instrumentalities.

C—A state, the District of Columbia, a U.S. commonwealth or territory, or any of their political subdivisions or instrumentalities.

D—A corporation the stock of which is regularly traded on one or more established securities markets, as described in Regulations section 1.1472-1(c)(1)(i).

E-A corporation that is a member of the same expanded affiliated group as a corporation described in Regulations section 1.1472-1(c)(1)(i).

F-A dealer in securities, commodities, or derivative financial instruments including notional principal contracts, futures, forwards, and options) that is registered as such under the laws of the United States or any state.

G-A real estate investment trust.

H-A regulated investment company as defined in section 851 or an entity registered at all times during the tax year under the Investment Company Act of 1940.

I—A common trust fund as defined in section 584(a).

J-A bank as defined in section 581.

K—A broker.

L—A trust exempt from tax under section 664 or described in section 4947(a)(1).

M—A tax-exempt trust under a section 403(b) plan or section 457(g) plan.

Note: You may wish to consult with the financial institution requesting this form to determine whether the FATCA code and/or exempt payee code should be completed.

Line 5

Enter your address (number, street, and apartment or suite number). This is where the requester of this Form W-9 will mail your information returns. If this address differs from the one the requester already has on file, enter "NEW" at the top. If a new address is provided, there is still a chance the old address will be used until the payor changes your address in their records.

Line 6

Enter your city, state, and ZIP code.

Part 1. Taxpayer Identification Number (TIN)

Enter your TIN in the appropriate box. If you are a resident alien and you do not have, and are not eligible to get, an SSN, your TIN is your IRS ITIN. Enter it in the entry space for the Social Security number. If you do not have an ITIN, see below to get a TIN.

If you are a sole proprietor and you have an EIN, you may enter either your SSN or EIN.

If you are a single-member LLC that is disregarded as an entity separate from its owner, enter the owner's SSN (or EIN, if the owner has one). If the LLC is classified as a corporation or partnership, enter the entity's EIN.

Note: See *What Name and Number To Give the Requester*, later, for further clarification of name and TIN combinations.

How to get a TIN. If you do not have a TIN, apply for one immediately. To apply for an SSN, get Form SS-5, Application for a Social Security Card, from your local SSA office or get this form online at www.SSA.gov. You may also get this form by calling 800-772-1213. Use Form W-7, Application for IRS Individual Taxpayer Identification Number, to apply for an ITIN, or Form SS-4, Application for Employer Identification Number, to apply for an EIN. You can apply for an EIN online by accessing the IRS website at www.irs.gov/EIN. Go to www.irs.gov/Forms to view, download, or print Form W-7 and/or Form SS-4. Or, you can go to www.irs.gov/OrderForms to place an order and have Form W-7 and/or Form SS-4 mailed to you within 15 business days.

If you are asked to complete Form W-9 but do not have a TIN, apply for a TIN and enter "Applied For" in the space for the TIN, sign and date the form, and give it to the requester. For interest and dividend payments, and certain payments made with respect to readily tradable instruments, you will generally have 60 days to get a TIN and give it to the requester before you are subject to backup withholding on payments. The 60-day rule does not apply to other types of payments. You will be subject to backup withholding on all such payments until you provide your TIN to the requester.

Note: Entering "Applied For" means that you have already applied for a TIN or that you intend to apply for one soon. See also *Establishing U.S. status for purposes of chapter 3 and chapter 4 withholding*, earlier, for when you may instead be subject to withholding under chapter 3 or 4 of the Code.

Caution: A disregarded U.S. entity that has a foreign owner must use the appropriate Form W-8.

Part II. Certification

To establish to the withholding agent that you are a U.S. person, or resident alien, sign Form W-9. You may be requested to sign by the withholding agent even if Item 1, 4, or 5 below indicates otherwise.

For a joint account, only the person whose TIN is shown in Part I should sign (when required). In the case of a disregarded entity, the person identified on line 1 must sign. Exempt payees, see *Exempt payee* code, earlier.

Signature requirements. Complete the certification as indicated in Items 1 through 5 below.

1. Interest, dividend, and barter exchange accounts opened before 1984 and broker accounts considered active during 1983. You must give your correct TIN, but you do not have to sign the certification.

1 Interest, dividend, broker, and barter exchange accounts opened after 1983 and broker accounts considered inactive during 1983. You must sign the certification or backup withholding will apply. If you are subject to backup withholding and you are merely providing your correct TIN to the requester, you must cross out item 2 in the certification before signing the form.

3. Real estate transactions. You must sign the certification. You may cross out item 2 of the certification.

4. Other payments. You must give your correct TIN, but you do not have to sign the certification unless you have been notified that you have previously given an incorrect TIN. "Other payments" include payments made in the course of the requester's trade or business for rents, royalties, goods (other than bills for merchandise), medical and health care services (including payments to corporations), payments to a nonemployee for services, payments made in settlement of payment card and third-party network transactions, payments to certain fishing boat crew members and fishermen, and gross proceeds paid to attorneys including payments to corporations).

5. Mortgage interest paid by you, acquisition or abandonment of secured property, cancellation of debt, qualified tuition program payments (under section 5N), ABL accounts (under section MSA), IRA, Coverdell ESA, Archer MSA or HSA contributions or distributions, and pension distributions. You must give your correct TIN, but you do not have to sign the certification.

What Name and Number To Give the Requester

For this type of account:	Give name and SSN of:
1. Individual	The individual
2. Two or more individuals (joint account) other than an account maintained by an FFI	The actual owner of the account or, if combined funds, the first individual on the account
3. Two or more U.S. persons (joint account maintained by an FFI)	Each holder of the account
4. Custodial account of a minor (Uniform Gift to Minors Act)	The minor
5. a. The usual revocable savings trust (grantor is also trustee)	The grantor-trustee
b. So-called trust account that is not a legal or valid trust under state law	The actual owner
6. Sole proprietorship or disregarded entity owned by an individual	The owner
7. Grantor trust filing under Optional Filing Method 1 (see Regulations section 1.671-4(b)(2)(i)(A))	The grantor

For this type of account:	Give name and EIN of:
8. Disregarded entity not owned by an individual	The owner
9. A valid trust, estate, or pension trust	Legal entity
10. Corporation or LLC electing corporate status on Form 8832 or Form 2553	The corporation
11. Association, club, religious, charitable, educational, or other tax-exempt organization	The organization
12. Partnership or multi-member LLC	The partnership
13. A broker or registered nominee	The broker or nominee
14. Account with the Department of Agriculture in the name of a public entity (such as a state or local government, school district, or prison) that receives agricultural program payments	The public entity
15. Grantor trust filing Form 1041 or under the Optional Filing Method 2, requiring Form 1099 (see Regulations section 1.671-4(b)(2)(i)(B))	The trust

First and circle the name of the person whose number you furnish. If only one person on a joint account has an SSN, that person's number must be furnished.

*Circle the minor's name and furnish the minor's SSN.

*You must show your individual name on line 1, and enter your business or DBA name, if any, on line 2. You may use either your SSN or EIN (if you have one), but the IRS encourages you to use your SSN.

*List first and circle the name of the trust, estate, or pension trust. (Do not furnish the TIN of the personal representative or trustee unless the legal entity itself is not designated in the account title.)

"Note: The grantor must also provide a Form W-9 to the trustee of the trust.

"For more information on optional filing methods for grantor trusts, see the Instructions for Form 1041.

Note: If no name is circled when more than one name is listed, the number will be considered to be that of the first name listed.

Secure Your Tax Records From Identity Theft

Identity theft occurs when someone uses your personal information, such as your name, SSN, or other identifying information, without your permission to commit fraud or other crimes. An identity thief may use your SSN to get a job or may file a tax return using your SSN to receive a refund.

To reduce your risk:

- Protect your SSN,
- Ensure your employer is protecting your SSN, and
- Be careful when choosing a tax return preparer.

If your tax records are affected by identity theft and you receive a notice from the IRS, respond right away to the name and phone number printed on the IRS notice or letter.

If your tax records are not currently affected by identity theft but you think you are at risk due to a lost or stolen purse or wallet, questionable credit card activity, or a questionable credit report, contact the IRS Identity Theft Hotline at 800-908-4490 or submit Form 14039.

For more information, see Pub. 5027, Identity Theft Information for Taxpayer.

Victims of identity theft who are experiencing economic harm or a systemic problem, or are seeking help in resolving tax problems that have not been resolved through normal channels, may be eligible for Taxpayer Advocate Service (TAS) assistance. You can reach TAS by calling the TAS toll-free case intake line at 877-777-4778 or TTY 777-800-829-4059.

Protect **yourself from suspicious emails or phishing** schemes. Phishing is the creation and use of email and websites designed to mimic legitimate business emails and websites. The most common act is sending an email to a user falsely claiming to be an established legitimate enterprise in an attempt to scam the user into surrendering private information that will be used for identity theft.

The IRS does not initiate contacts with taxpayers via emails. Also, the IRS does not request personal detailed information through email or ask taxpayers for the PIN numbers, passwords, or similar secret access information for their credit card, bank, or other financial accounts.

If you receive an unsolicited email claiming to be from the IRS, forward this message to phishing@irs.gov. You may also report misuse of the IRS name, logo, or other IRS property to the Treasury Inspector General for Tax Administration (TIGTA) at 800-366-4484. You can forward suspicious emails to the Federal Trade Commission at spam@uce.gov or report them at www.ftc.gov/complaint. You can contact the FTC at www.ftc.gov/idtheft or 877-IDTHEFT (877-438-4338). If you have been the victim of identity theft, see www.identitytheft.gov and Pub. 5027.

Go to www.irs.gov/identitytheft to learn more about identity theft and how to reduce your risk.

Privacy Act Notice

Section 6109 of the Internal Revenue Code requires you to provide your correct TIN to persons (including federal agencies) who are required to file information returns with the IRS to report interest, dividends, or certain other income paid to you; mortgage interest you paid; the acquisition or abandonment of secured property; the cancellation of debt; or contributions you made to an IRA, Archer MSA, or HS/L. The person collecting this form uses the information on the form to file information returns with the IRS, reporting the above information. Routine uses of this information include giving it to the Department of Justice for civil and criminal litigation and to cities, states, the District of Columbia, and U.S. commonwealths and territories for use in administering their laws. The information may also be disclosed to other countries under a treaty, to federal and state agencies to enforce civil and criminal laws, or to federal law enforcement and intelligence agencies to combat terrorism. You must provide your TIN whether or not you are required to file a tax return. Under section 3406, payors must generally withhold a percentage of taxable interest, dividends, and certain other payments to a payee who does not give a TIN to the payor. Certain penalties may also apply for providing false or fraudulent information.