

REQUEST FOR PROPOSAL
BID #25-09-3875DB

The Navajo Nation Department of Water Resources – Technical, Construction, and Operations Branch (NNDWR-TCOB) is seeking qualified contractors to provide a bid proposal for the Tohatchi Diversion Project in Tohatchi, NM.

The proposal shall include one (1) original and three (3) duplicate copies of the request for proposal. The proposer who submits the best proposal in terms of best quality and lowest cost on the specified materials will be selected. Adherence to the bid instructions is paramount, otherwise, the bid will be disqualified for non-compliance.

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

“Tohatchi Diversion Project”
BID #25-09-3875DB – DO NOT OPEN”
Attn: Darren Begay
ADMINISTRATION BUILDING #1-1st FLOOR
Window Rock Blvd.
Window Rock, Arizona 86515

Or mailed to:

Navajo Nation Office of the Controller
Purchasing Department
Attn: Darren Begay
Administration Building #1
Window Rock Blvd.
P.O. Box 3150
Window Rock, Arizona 86515
“Tohatchi Diversion Project”
BID #25-09-3875DB – DO NOT OPEN”

Bid documents and supplemental information regarding the project is available online at www.nnooc.org link: Purchasing. If there are any questions regarding this Request for Proposal call Todd Antonio at (928) 729 – 4145 or (505) 406-7711. Or email at tantonio@navajo-nsn.gov

The Navajo Nation reserves the right to reject any and all proposals not within projected budget and may elect to award not solely on the bid amount but the bidder’s qualifications. The due date for the proposal is January 9, 2026 at 5:00 P.M.

INSTRUCTIONS TO BIDDERS AND GENERAL INFORMATION

SCOPE OF WORK

The contractor must be able to provide an optimal design, with an engineering stamp of approval, for the demolition and reconstruction of a diversion structure in Tohatchi, NM (35.862799°N, 108.766933°W). The diversion must withstand high amounts of water flow caused by recurring seasonal rain flooding and snow melt runoff to effectively diverge into an existing channeling system to Chuska Lake, located about 3 miles downstream. Due to nearby roads and residents, the diversion must be able direct flow to prevent flooding over its embankments into the community of Tohatchi. Existing sluice gates found downstream may need to be redesigned to ensure the prevention of sedimentation build-up that can be observed after flooding. A site visit can be requested with NNDWR to ensure the contractor is familiar with the project site.

SPECIFICATIONS

- Redesign of existing diverging structure – an existing hydraulic structure, that is composed of various components (diversion dam, retaining wall, irrigation gates) serves as a divergence for directing water into a channeling system, ultimately leading into Chuska Lake. A redesign for this structure is needed due to its poor performance and non-functional use to effectively direct water. Such structure should consist of: an improved concrete structure with similar dimensions of the existing, an operable modern gate that can be opened and closed base on the demands of water usage from the surrounding community, designed to handle flow from recurring seasonal flash flooding/snow runoff, designed to reduce upstream sediment build-up and downstream erosion, while maintaining its structural integrity and long-term durability. The contractor should provide a minimum one-year warranty, effective from the date of completion, in which it will provide coverage for the primary components of the new structure and ensure proper functionality.
- 30, 60, and Final Submittals – will be incorporated in the design process and documented through progressive stages; with each submittal representing a milestone of the project. Submittals should reflect advancing completeness including conceptual layouts, detailed design drawings, scheduling information, and other intents to ensure the project aligns with the needs of the community through Tohatchi's Farm Board and NNDWR. Meetings will be held with the Contractor, Red Willow Farm Board, and NNDWR to review progress, discuss design considerations, and address feedback.

CONDITIONS GOVERNING THE INVITATIONS FOR BIDS

Must be authorized and fully certified licensed business that meets all the standards and qualifications. Since the Navajo Nation is a Sovereign government, all contracts entered shall comply with all Navajo Nation laws, rules, and regulations as well as applicable federal laws, rules, and regulations.

Instruction to offerors to visibly mark on the outside of the proposal package, if applicable, the offeror's priority status under the Navajo Nation Business Opportunity Act. It is the responsibility of the offeror to identify themselves as certified under the Navajo Nation Business Opportunity Act.

Processing of Payments – The payment procedures established by OOC – Division of Finance shall be adhered to and are to begin whenever Goods are delivered and accepted.

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 judgement will be the best interest of the general public. It is the intention to award contract to the lowest responsible bidder best meeting the requirement.

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.

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. Certification of Navajo Owned Business will be assured by certificate held by the Navajo 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”.

EVALUATION AND CRITERIA

Each bid must be accompanied by a letter of transmittal. Based on what is submitted, it will be graded by a bid committee. The letter of transmittal shall contain the following:

Cost will be based on the pricing of the project; this includes its competitiveness and cost-effectiveness, must reflect realistic pricing and lower cost may be favorable. Such cost proposal will need to be sealed in a separate envelope, submitted with the proposal.

Design & Build Experience evaluates the vendor’s relevant experience in similar design and construction projects; this will include quality and ability to deliver proposed design.

Scope of Work is based on how well the proposal addresses the scope of the project of its entirety; this includes the clarity, completeness, and feasibility of its approach and deliverables.

Certifications reviews the vendor’s professional and technical certifications, licenses, accreditations, certificate of insurance, W-9, NN Debarment and Suspension, etc. to verify qualifications.

Completion Date of Bid evaluates whether the submission is submitted by 5:00 P.M. on January 9, 2026.

A point criterion will be used by the bid committee in the selection process for contract award. Proposals will be evaluated to determine the best vendor. The forms (W-9 & Debarment Suspension) must be filled out completely and returned with their RFP package. If they are returned blank or not returned with the bid package, their RFP will be deemed as non-responsive. The following provides a description of each criterion found in the table below and how it will be used for evaluation of bids:

| Evaluation Criteria | Points |
|------------------------------|--------|
| 1) Cost | 25 |
| 2) Design & Build Experience | 25 |
| 3) Scope of Work | 20 |
| 4) Certifications | 15 |
| 5) Completion Date of Bid | 15 |

SCHEDULE OF ACTIVITIES

| Date Description | Deadline |
|------------------------|-------------------|
| 1. Advertising Date | November 17, 2025 |
| 2. Proposal Due Date | January 9, 2026 |
| 3. Date of Bid Opening | January 14, 2026 |

AVAILABILITY OF BID DOCUMENTS

Bid Proposal documents are available on the website at www.nnooc.org and at the Navajo Nation Purchasing service located at the Administration Building #1-1st Floor, Window Rock Blvd. Window Rock, Arizona 86515 between the hours of 8:00 A.M. and 5:00 P.M. Monday through Friday. For more information, contact Todd Antonio at (928) 729 – 4145 or (505) 406-7711. Or email at tantonio@navajo-nsn.gov.

PROPOSAL SUBMISSION

Sealed bid proposals shall be delivered to the Navajo Nation Purchasing service located at the Administration Building #1-1st Floor, Window Rock Blvd. Window Rock, Arizona 86515 before 5:00 P.M. on January 9, 2026. Respondents who are mailing their proposals should allow sufficient time for mail delivery to ensure receipt by the time specified. **Late proposals will not be accepted.**

WITHDRAWAL OF BID

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