



# THE NAVAJO NATION

RUSSELL BEGAYE  
JONATHAN NEZ

## REQUEST FOR PROPOSAL RE-BID # 18-04-1825VJ

The Navajo Nation Department of Water Resource (NNDWR) – Technical, Construction, and Operations Branch (TCOB) is seeking qualified firms to develop a Final Design and construct the Helium Lateral Siphon Project that is part of the Hogback-Cudei Irrigation Project in Shiprock, New Mexico. The purpose for this project is to replace Helium Siphon pipeline which failed in 2010. The siphon route also requires modification to avoid new development that has encroached onto the existing siphon's route. This project will complete final design and construction of the new pipeline.

The Bid Proposal shall include one (1) original and three (3) 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. A list of three references and phone numbers from recent clients;
4. Copy of License and Insurance Certifications;
5. Fee Schedule in its own sealed envelope inside the bid packet. Clearly indicate "FEE SCHEDULE" on the sealed envelope.

The contract will be awarded to the proposer who submits the best proposal in terms of: 1) Products and services; 2) Experience; 3) Credentials; 4) Project Budget; and 5) Installation plans (i.e., construction approach narrative – we want to see how you will handle the work) and schedules. Adherence to the bid instructions is paramount, otherwise, Navajo Nation Business Regulatory Department will disqualify the bid for non-compliance.

Bid proposals shall be delivered, in person, in a sealed envelope to:

"HELIUM LATERAL SIPHON DESIGN-BUILD  
RE-BID #: 18-04-1825VJ – DO NOT OPEN"  
Attn: Victor A. Joe  
ADMINISTRATION BUILDING #1 – 1<sup>ST</sup> FLOOR  
Window Rock Blvd  
Window Rock, Arizona 86515

or mailed to:

Navajo Nation Office of the Controller  
Purchasing Department  
Attn: Victor A. Joe  
Administration Building #1  
Window Rock Blvd  
P.O. Box 3150  
Window Rock, Arizona 86515

**“HELIUM LATERAL SIPHON DESIGN-BUILD  
RE-BID #: 18-04-1825VJ – DO NOT OPEN”**

Bid documents and supplemental information regarding the project will be available online at [www.mnocc.org](http://www.mnocc.org) link: Purchasing. If there are any questions regarding this Request for Proposal call Victor Joe at (928) 871 – 6141 or Francis Johnson at (505) 368 – 1018.

The Navajo Nation reserves the right to reject any and all proposals not within projected budget and may elect to award the contract not solely on the bid amount but the bidder’s qualification. The due date for proposal is August 17, 2018 at 5:00p.m.

## **INSTRUCTIONS TO BIDDERS AND GENERAL INFORMATION**

### **PROJECT BACKGROUND**

The Helium Siphon begins at Hogback Canal, crossing the San Juan River and discharges into the Helium Lateral. The siphon is fed by the Hogback Canal and is located in the Shiprock Chapter. It serves 951 acres via a 40-inch steel coal tar pipeline approximately 9,750 feet long.

This project will replace the Helium Siphon, rehabilitate the concrete intake structure with a new trash rack, safety rope, a new outlet structure, and install turnouts according to the conceptual design. The last third of the siphon will be rerouted to better serve the farmland. The existing siphon will be abandoned through the residential areas south of the San Juan River.

Deficiencies include:

- The siphon has failed and no longer conveys water
- It is possible that the section under the San Juan River has collapsed
- A new trash rack is needed at the siphon inlet
- Safety features are required at the intake structure

The existing 40-inch steel pipe will be replaced with a 36-inch plastic pipe. The existing inlet structure is functional and will be rehabilitated and used for the new siphon. The proposed alignment will be west of the existing siphon. The proposed 36-inch siphon alignment is 11,300 feet long and follows the existing alignment for approximately 5,180 feet, crossing the Bluff Road and San Juan River. Upon crossing the floodplain, the proposed alignment diverts from the existing siphon to avoid new development. The new alignment continues along the edge of the development until it ties into the existing Helium Lateral. A new outlet structure is required at the new tie-in location. PVC pipe will be used throughout except at road and river crossings.

### **SCOPE OF WORK**

Task 1: Final design including:

1. Final design on inlet structure, pipe, route, river crossing, tie-in at outlet, lateral pipe to the school and existing pipe abandonment based on the conceptual design
2. 30%, 60%, and 90% final design review with the Navajo Nation, the Bureau of Indian Affairs (BIA) and other entities as needed. Design reviews will include:
  - a. Presentation of design and drawings
  - b. Design review meetings
  - c. Accountability report indicating how all comments from the design review meetings will be addressed and incorporated into the design by the Contractor
  - d. Provide written approval of the deliverables to the NN for completion of each design review phase before proceeding to the next phase in the design until completed
3. Stamped final design report by a licensed professional engineer in the State of New Mexico with drawings and specifications
4. Investigation of river crossing to determine if existing pipe is suitable for use in crossing the San Juan River

Task 2: Permit Requirements and Coordination. The Contractor will coordinate with the NN to ensure all permits, necessary clearances, permits, easement, etc. as needed to execute the project are obtained

prior to construction. This includes, but not limited, to the following:

1. Environmental Clearance – This will be either an environmental assessment or categorical exclusion resulting in a Findings of No Significant Impact (FONSI) issued by the Bureau of Indian Affairs (BIA) Navajo Regional Office. This process also includes addressing Threatened and Endangered Species and cultural resources.
2. Clean Water Act (CWA) Section 401 and 404 permits.
3. Temporary Construction Easement (TCE) – Obtain a TCE that will entail survey for the TCE required by the NN Land Department as part of the application.
4. Rights-of-Way (ROW) – Obtain ROW for all facilities in design that will entail legal survey work to define ROW area, obtain Permission to Survey permit and consent for ROW for private lands including allotments.
5. Sand and Gravel Lease (if required) – If local earthen or rock material is used, a Sand and Gravel Lease will be required. This does not apply to material imported from non-trust private land or material purchased from a licensed source. Application is made to the Navajo Nation Land Department in Window Rock, Arizona. The Design Specifications must have the construction contractor responsible for the payment of royalty fees unless waived by the NN.

#### Task 3: Construction

1. Contractor will furnish all materials, labor and equipment
2. Mobilization and demobilization
3. Secure storage location and security
4. Site and route preparation
5. Excavation and grading
6. Dewatering
7. Pipe installation including valves and fittings
8. Demolition and disposal
9. Electrical, mechanical, structural and concrete work
10. San Juan River crossing
11. Identify and locate all utility and road crossings
12. Backfill and restoration of entire project area
13. Commissioning
14. Develop and provide Standard Operating Procedure manual

#### Task 4: Project Management

1. The Contractor shall perform project and budget management throughout the duration of the project and organize and attend periodic project meetings as needed. Periodic project meetings shall be held monthly, at a minimum, with more frequent meetings scheduled as needed during key points in the design process. Note that these meetings are in addition to the design review meetings.
2. The Contractor shall prepare periodic progress reports and submit them to the NN on a monthly basis. These reports shall fully describe the work completed during the previous report, schedule with critical path that includes the permitting activities and shall include details regarding the remaining project budget and percentage of work completed.

The Navajo Nation is not responsible for any “Down Time” of equipment; i.e., lateness of delivery of materials, equipment stoppage to clarify design, any act of negligence on the part of the contractor to maintain equipment in proper working order, any unforeseen occurrence, etc. These are not billable to the Navajo Nation and will not be considered for payment in the event of stoppage of work.

## SPECIFICATIONS

Bid items will be according to the attached specifications.

## DELIVERABLES

The Contractor shall provide the NN with both electronic and hard copy versions of the final design report. The final design report shall incorporate the comments from the 90 percent design review and include the following deliverables:

1. Final plans with Professional Engineer stamp and specifications
2. Final project construction schedule
3. A material distribution chart
4. Final Engineer's Opinion of Probable Construction Costs
5. Design Summary Report that includes the following items, at a minimum:
  - a. A narrative summary describing the background of the project, the design procedure followed and the design criteria used. The narrative summary should thoroughly explain all aspects and features of the design.
  - b. TMs documenting all of the various analyses performed during the course of the Contractor's design
6. Standard Operating Procedures

## AWARD OF BID — REJECTION OF BID

The Navajo Nation Department of Water Resources reserves the right to accept bids all or in part. At the time of acceptance, the Navajo Nation Department of Water Resources also reserves the right to increase or decrease quantities of any item at the same price bid.

The Navajo Nation Department of Water Resources 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 lowest responsible bidder best meeting the requirements of the Navajo Nation Department of Water Resources.

## 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 Bid Proposal and **three (3) duplicate copies**. Mark original as "ORIGINAL". Original should contain signatures on any pages where a signature is required. This should be repeated for sealed bids, one (1) original "fee schedule" and three (3) duplicate copies with original marked as "ORIGINAL".

Bid proposals shall be submitted in a sealed envelope, marked "HELIUM LATERAL SIPHON DESIGN-BUILD, RE-BID #: 18-04-1825VJ – DO NOT OPEN" in the format shown in this bid packet.

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](http://www.nnooc.org) and at the Navajo Nation Purchasing services located at the Administration Building #1 – 1<sup>st</sup> 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 Victor Joe at (928) 871-6316.

## TIME AND PLACE FOR RECEIPT OF BIDS

Sealed bid proposals shall be delivered to the Navajo Nation Purchasing Services, Administration Building #1 – 1<sup>st</sup> Floor, Window Rock Boulevard, P.O. Box 3150, Window Rock, Arizona 86515 on or before 5:00 p.m. on August 17, 2018.

## 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.

# SCHEDULE OF FEES

RE-BID # 18-04-1825VJ

HELIUM LATERAL SIPHON DESIGN-BUILD  
SHIPROCK, NAVAJO NATION, NEW MEXICO

NO.	DESCRIPTION	QTY	UNIT	UNIT COST	EXTENSION
1	Design project per Conceptual Design and Specifications to include: Safety Plan, Temporary Traffic Control Plan, Storm Water Pollution and Prevention Plan, and Quality Control Plan.	1	Each		
2	Mobilization and Demobilization	1	Each		
3	Furnish and install 36-inch PVC pipe and fittings not specified in Bid Schedule per Drawings and Specifications	11,302	Feet		
4	Furnish and install blowout structure per the Drawings and Specifications	2	Each		
5	Furnish and install the San Juan River crossing using the existing siphon per Drawings and Specifications	1	Each		
6	Furnish and install concrete outlet transition structure per Drawings and Specifications	1	Each		
7	Tie-in 36-inch PVC pipe to inlet structure per Drawings and Specifications	1	Each		
8	Furnish and install road crossing per Drawings and Specifications	1	Each		
9	Furnish and install turnouts per Drawings and Specifications	7	Feet		
10	Furnish and install the 6-inch PVC school lateral pipeline	4,810	Feet		
ADD 5	Design, permit and install a new crossing of the San Juan River if the existing siphon is not suitable for using as a sleeve. Option 5 is in addition to Bid Item No. 5 and is initiated in the case a new crossing is required.	1	Each		
ADD 10	Design, permit and abandon existing pipe	1,200	Feet		
<b>Subtotal</b>					
<b>Navajo Nation Business Activity Tax (6%)</b>					
<b>TOTAL</b>					

# Helium Siphon Project Location





# Request for Taxpayer Identification Number and Certification

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

▶ Go to [www.irs.gov/FormW9](http://www.irs.gov/FormW9) for instructions and the latest information.

Print or type. See Specific Instructions on page 3.	<p><b>1</b> Name (as shown on your income tax return). Name is required on this line; do not leave this line blank.</p>	
	<p><b>2</b> Business name/disregarded entity name, if different from above</p>	
	<p><b>3</b> Check appropriate box for federal tax classification of the person whose name is entered on line 1. Check only <b>one</b> of the following seven boxes.</p> <p><input type="checkbox"/> Individual/sole proprietor or single-member LLC     <input type="checkbox"/> C Corporation     <input type="checkbox"/> S Corporation     <input type="checkbox"/> Partnership     <input type="checkbox"/> Trust/estate</p> <p><input type="checkbox"/> Limited liability company. Enter the tax classification (C=C corporation, S=S corporation, P=Partnership) ▶ _____</p> <p><b>Note:</b> Check the appropriate box in the line above for the tax classification of the single-member owner. Do not check LLC if the LLC is classified as a single-member LLC that is disregarded from the owner unless the owner of the LLC is another LLC that is <b>not</b> disregarded from the owner for U.S. federal tax purposes. Otherwise, a single-member LLC that is disregarded from the owner should check the appropriate box for the tax classification of its owner.</p> <p><input type="checkbox"/> Other (see instructions) ▶ _____</p>	<p><b>4</b> Exemptions (codes apply only to certain entities, not individuals; see instructions on page 3):</p> <p>Exempt payee code (if any) _____</p> <p>Exemption from FATCA reporting code (if any) _____</p> <p style="font-size: small;">(Applies to accounts maintained outside the U.S.)</p>
	<p><b>5</b> Address (number, street, and apt. or suite no.) See instructions.</p>	<p>Requester's name and address (optional)</p>
	<p><b>6</b> City, state, and ZIP code</p>	
	<p><b>7</b> List account number(s) here (optional)</p>	

## Part I Taxpayer Identification Number (TIN)

Enter your TIN in the appropriate box. The TIN provided must match the name given on line 1 to avoid backup withholding. For individuals, this is generally your social security number (SSN). However, for a resident alien, sole proprietor, or disregarded entity, see the instructions for Part I, later. For other entities, it is your employer identification number (EIN). If you do not have a number, see *How to get a TIN*, later.

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

Social security number																									
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## 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.

<b>Sign Here</b>	<p>Signature of U.S. person ▶ _____</p>	<p>Date ▶ _____</p>
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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](http://www.irs.gov/FormW9).

### Purpose of Form

An individual or entity (Form W-9 requester) who is required to file an information return with the IRS must obtain your correct taxpayer identification number (TIN) which may be your social security number (SSN), individual taxpayer identification number (ITIN), adoption taxpayer identification number (ATIN), or employer identification number (EIN), to report on an information return the amount paid to you, or other amount reportable on an information return. Examples of information returns include, but are not limited to, the following.

- Form 1099-DIV (interest earned or paid)

- Form 1099-DIV (dividends, including those from stocks or mutual funds)
- Form 1099-MISC (various types of income, prizes, awards, or gross proceeds)
- Form 1099-B (stock or mutual fund sales and certain other transactions by brokers)
- Form 1099-S (proceeds from real estate transactions)
- Form 1099-K (merchant card and third party network transactions)
- Form 1098 (home mortgage interest), 1098-E (student loan interest), 1098-T (tuition)
- Form 1099-C (canceled debt)
- Form 1099-A (acquisition or abandonment of secured property)

Use Form W-9 only if you are a U.S. person (including a resident alien), to provide your correct TIN.

*If you do not return Form W-9 to the requester with a TIN, you might be subject to backup withholding. See What is backup withholding, later.*

**NAVAJO NATION CERTIFICATION  
Regarding Debarment and  
Suspension**

Applicant acknowledges that to the best of his/her knowledge that their company and principal participants on this contract:

- 1. Are not debarred, suspended, or otherwise slated for debarment, ineligible and/or excluded from participation on Federal, State, and Tribal Government contracts etc.
- 2. Are not presently nor have been under criminal indictment or civilly charged by a governmental entity (Federal, State, and Tribal Government) for fraud, forgery, falsification, theft, bribery, destruction of records, receiving stolen property and other criminal offenses in the administration of a government contract.
- 3. Have not been terminated for cause or convenience by a governmental entity in the administration of a government contract (Federal, State, and Tribal Government).
- 4. If the Navajo Nation determines that the Certificate provided herein is not true, it will be grounds to terminate the contract and pursue other legal remedies.

Applicant's Address

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Name & Signature of Applicant

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Type or Print Name

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Signature Date