

## Request for Proposal



**Bid Number: 23-03-2967LE**

The Navajo Nation Office of the Controller - Purchasing Department and the Navajo Division of Transportation (Navajo DOT) are soliciting proposals and sealed bids for “[Bid Number: 23-03-2967LE, Chip Seal Material](#)”.

Bid Documents will be available on the Navajo DOT’s website: [www.navajodot.org](http://www.navajodot.org).

Contacts for a bid packet are:

- 1) Lorita Etsitty, Navajo Nation Purchasing Department, [letsitty@nnooc.org](mailto:letsitty@nnooc.org), [www.nnooc.org](http://www.nnooc.org), (928) 871-6317/6142.
- 2) Brian Tsingine, Civil Engineer, Navajo Division of Transportation – Roads Department, [BrianT@navajodot.org](mailto:BrianT@navajodot.org); (505) 609-7122 or (505) 371-8352.

Closing date is [Monday, April 10, 2023](#), at 3:00 p.m. Any proposal(s) received after this date and time will not be accepted and will be returned to the sender. No faxed or email proposals or bids will be accepted.

## PROPOSAL SUBMITTAL

All proposal **MUST** have the Prospective Respondent's name and contact information on the outside of the Sealed Proposal Packet and Proposal Cost (envelopes). If not included, it will be considered "non-Responsive."

All proposals are to be submitted to:

**Mailing Address:**

Navajo Division of Transportation – Roads  
 Attention: Brian Tsingine, Civil Engineer  
 P.O. Box 4620  
 Window Rock, AZ 86515  
 Phone: (505) 371-8300

**Hand Delivery: Driving Instructions from Gallup, New Mexico**

Take Exit 20 from I-40. Take US491 from Gallup, New Mexico to Yah-Ta-Hey, NM, which is approximately 7-miles. Approach a Y-Intersection. Take US264 and go about 15-miles west. The Navajo Division of Transportation Complex will be on the right side of US264 on Indian Route 54.

All proposals and bid form shall be sent in sealed envelope, clearly marked with the following information:

RFP Bid Number: 23-03-2967LE

Description or Title: Chip Seal Material

Contact Persons: Lorita Etsitty, Buyer  
 Navajo Nation Purchasing Department  
 Phone: (928) 871-6317/6142 Website: [www.nnooc.org](http://www.nnooc.org)  
 Email: [letsitty@nnooc.org](mailto:letsitty@nnooc.org)

Brian Tsingine, Civil Engineer  
 Navajo Division of Transportation – Executive Department  
 Work Cell Phone: (505) 609-7122  
 Work Phone: (505) 371-8352 Website: [www.navajodot.org](http://www.navajodot.org)  
 Email: [BrianT@navajodot.org](mailto:BrianT@navajodot.org)

**Please submit an Original and three (3) copies of proposals.**

## PART I

### **INFORMATION ONLY – NO RESPONSE TO THIS SECTION IS REQUIRED**

- A. This Request for Proposal (RFP) provides the prospective respondents with sufficient information that will enable them to prepare and submit a proposal for consideration.
- B. This RFP contains the instructions governing the proposals to be submitted and the materials to be included. These are mandatory requirements which must be met to be eligible for consideration. Failure to adhere will result in a “Non-Responsive” Status.
- C. SCHEDULE OF ACTIVITIES AND TIMELINES:

Schedule of Activities	Timelines
Prospective respondents “Inquiry Timeline.” All inquiries and questions will be answered prior to this date. Questions must be submitted in writing only. If needed, an Addendum will be issued to all vendors who requested for a copy of the RFP to ensure they all received the same information. No questions accepted after this date.	<a href="#">Tuesday, March 28, 2023</a> , at 5:00 p.m.
Due date for all proposals	<a href="#">Monday, April 10, 2023</a> , at 3:00 p.m.
Bid Opening of proposals and evaluations by the Review Panel	<a href="#">Week of April 10<sup>th</sup> of 2023</a>
Award of Contract – It takes at least six to eight weeks to process a contract.	<a href="#">October of 2023</a>

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- D. INQUIRIES: Prospective respondents may contact Navajo Division of Transportation (DOT) – Department of Roads staff via phone call or email about this RFP in obtaining clarification of requirements. No inquiries will be accepted after the inquiring date listed in Section C.
- E. ADDENDUM OR SUPPLEMENT TO THIS REQUEST FOR PROPOSALS: In the event it becomes necessary to revise any part of this RFP, an addendum will be issued. Any respondents that already submitted a proposal will be notified.
- F. PROPOSALS SUBMISSION: Proposal must be received on [Monday, April 10, 2023](#), by 3:00 p.m. Local Standard Time. Respondents who are mailing their proposals should allow sufficient time for mail delivery to ensure receipt by the time specified. If mailed, it is recommended that proposals be sent by certified mail to the address indicated on the [Page 2](#) of this RFP.
- G. NUMBER OF PROPOSALS TO BE SUBMITTED: In the submission of all proposal, one original and three (3) copies must be enclosed in one sealed envelope. The outside of the envelope should be clearly marked with 1) Respondent’s Contact information, 2) the “[Bid Number: 236-03-2967LE; Project Name: Chip Seal Material](#)” and 3) [Navajo Nation Priority Status](#).

- H. LATE RECEIPT OF PROPOSALS: Late proposal will not be accepted. It is the responsibility of the respondent to ensure that the proposal arrives at the Navajo Division of Transportation – Department of Roads on or before the date/time specified.
- I. REJECTION OF PROPOSALS: The Navajo Division of Transportation (Navajo DOT) – Department of Roads reserves the right to reject any or all proposals and to waive informalities and minor irregularities in the proposals received.
- J. PROPRIETARY INFORMATION: Any restriction on the use of the information, data, contents contained within the proposals must be clearly stated in the proposal itself. Each and every page of the propriety material must be labeled or identified with the word “Proprietary.” Proprietary information submitted in response to this RFP will be handled in accordance with applicable procurement regulations.
- K. PROPOSAL MATERIAL OWNERSHIP: All material submitted in reference to this RFP shall become the property of the Navajo Nation and will not be returned to the respondent. Responses received will be retained by the Navajo DOT – Department of Roads and may be reviewed by any person(s) after the final selection has been made, subject to [Section J](#). The Navajo DOT – Department of Roads has the right to use any or all systems, ideas presented in this RFP, subject to limitations in [Section J](#). Disqualification or non-selection of a respondent does not eliminate this right.
- L. INCURRING COSTS: The Navajo DOT – Department of Roads is not liable for any cost incurred by the Respondent prior to issuance of service contract or a purchase order.
- M. ACCEPTANCE OF PROPOSAL CONTENT: The contents of the proposal of the successful Respondent will become contractual obligation if acquisition action ensues. Failure of the successful Respondents to accept this obligation may result in cancellation of the award and such respondent may be removed from consideration for future solicitation.
- N. ACCEPTANCE TIME: The Navajo DOT – Department of Roads, in coordination with the Navajo Nation Business Regulatory Department and the Navajo Nation Office of the Controller, intends to select the successful Respondent in the time specified in [Section C](#), after the closing date of receipt of proposals.
- O. AWARD OF SERVICE CONTRACT: Upon selection, Navajo DOT – Department of Roads will initiate the Service Contract and License Agreement in the name of the successful respondent; and the contents of the proposal submitted by the respondent will become part of the contract.
- P. JOINT PROPOSALS: Nothing in this RFP shall be construed to prohibit respondents from entering a consortium for the purpose of offering a proposal in response to this RFP. Parties to a consortium will not be permitted to submit independent proposals in response to this RFP.
- Q. EVALUATION PROCEDURE AND CRITERIA:
- a. Review Panel: A Review Panel, with specific related technical background, will be selected and evaluate the proposals received in accordance with general criteria used

herein. The review panel may request for a meeting for purposes of proposal clarification and the respondent should be prepared to provide any additional information the Review Panel feels necessary for a fair evaluation of the proposals.

- b. Failure of a respondent to provide any information, requested in this RFP, may result in the proposal being disqualified. All proposals must be endorsed with the signature of a responsible official having the authority to bind the respondent in the execution of a contract.
- c. The sole objective of the review panel is to select the respondent most responsive to the needs of the Navajo Nation, Navajo DOT, and the Department of Roads. The specification in this RFP represents the minimum performance necessary for a response. Based on the evaluation criteria established in this RFP, the Review Panel will select and recommend the respondent who best meets the objective in the Scope of Work in Part II.
- d. The Technical Proposal Factors will be used to evaluate the proposal(s) based on a 100 points-scale system, with 10 additional points for Navajo Nation Priority #1 Businesses, and five (5) additional points for Navajo Nation Priority #2 Businesses.

**Evaluation Sheet**

<b>Proposal Factors</b>	<b>Requirements</b>	<b>Maximum Points Awarded</b>
Proposal Format	10 single sided pages and spiral-bound. Letter of Interest and Overview of Company.	10
Scope of Work	Describe the company's capabilities to provide quality asphalt emulsion and chip seal aggregate including delivery for asphalt emulsion.	60
Certificate and Insurance requirements	Certificate of Insurance including Workman's Compensation, Additional Insured and Suburgatory Waiver.	10
Communication	How will company communicate with Navajo DOT regarding project and progress.	10
Two References	List two references of similar projects that your company has successfully completed.	10
	<b>TOTAL</b>	<b>100</b>
<b>Certified Navajo Nation Business Owner – 100%</b>	<b>PRIORITY #1</b>	<b>10</b>
<b>Certified Navajo Nation Business Owner – 51%</b>	<b>PRIORITY #2</b>	<b>5</b>
<b>TOTAL</b>	<b>Total for Priority #1</b> <b>Total for Priority #2</b> <b>Total for Non-Priority</b>	<b>110</b> <b>105</b> <b>100</b>

- R. Per the NAVAJO NATION PROCUREMENT CODE, 12 N.N.C., Section 332, Letter “e”, in the event all proposal in a Procurement exceeds available funds by 5%, a re-solicitation for work or a reduced scope may be authorized.
- S. STANDARD CONTRACT: Navajo DOT will use the template Service Contract reviewed and approved by the Navajo Nation Department of Justice.
- T. RETURN PROPOSAL: The Navajo Nation and Navajo DOT has no obligation in returning any of the proposal received in response to this RFP.
- U. TERM: The term of the Service Contract will be a period of one year from the date of *Notice to Proceed*, with an option to renew the contract for continued services, which will be based upon the availability of funds. Renewal of the contract will be made only upon mutual agreement of both parties.
- V. COMPLIANCE WITH THE NAVAJO NATION BUSINESS OPPORTUNITY ACT: Proposal will be opened and evaluated in compliance with the Navajo Nation's Business Opportunity Act, 5 N.N.C., Chapter 2, and Subsection 201 – 215 and the Navajo Nation Procurement Rules and Regulations.

**PART II**  
**SCOPE OF WORK**  
**CHIP SEAL MATERIAL**  
**BID NUMBER 23-03-2967LE**

Vendor to Chip Seal Aggregate and Emulsified Asphalt product for Chip Seal Projects throughout the Navajo Nation. There are six locations where Double Chip Seal will be placed, a list is shown below for reference. Applicable sections of the “Standard Specifications for Construction of Roads and Bridges on Federal Highway Projects – **FP-14**” shall apply.

Emulsified Asphalt shall conform to **Section 702.02 - Emulsified Asphalt** of the FP-14. Delivery of Emulsified Asphalt shall be in controlled temperature tanker in quantities based on actual field needs and conditions. Certificates of Compliance and Seals shall be provided with each load. A total of 1000 tons shall be used for this bid.

Chip Seal Aggregate shall conform to **Section 703 – Aggregate** and shall meet Type A and B of Table 703-7. This material shall be crushed and stockpiled for pick up by NDOT forces.

The product will be delivered to various job sites at dates and times directed by Navajo DOT Department of Roads. Supplier shall be capable of delivering requested amounts in tons per day on any day included in the contract period. The haul will be in part on primitive earth roads, supplier shall provide all required equipment information and certifications for asphalt emulsion delivery.

Project locations:

Description	Chapter	State	Length	BOP Coordinates
N151	Ganado	AZ	1.5	35°41'12.32"N, 109°32'50.44"W
N5012	Sanostee	NM	2.0	36°27'57.38"N, 108°52'11.77"W
N9062	White Cone	AZ	2.5	35°36'12.51"N, 110° 4'7.41"W
N9069	Teesto	AZ	3.0	35°29'47.06"N, 110°24'26.05"W
N9073	Ft. Defiance	AZ	2.5	35°46'20.30"N, 109° 5'48.36"W
N9101	Jeddito	AZ	1.7	35°46'35.82"N, 110° 8'9.83"W

All work shall be scheduled through the Navajo Division of Transportation, Department of Roads Manager who will oversee the administration and progress of the contract. Material quantities and delivery shall be scheduled in areas designated by the Department Manager.

Applicable Davis Bacon wages shall apply to this contract, contractor to submit payrolls to the Department Manager for verification of Davis Bacon wages.

NOTE: All material will not be delivered at one time but as the project progresses. Dates, times, and quantity deliver shall be coordinated through the Navajo Division of Transportation (Navajo DOT) Roads Manager. Unexpected delays such as COVID 19 or others may cause a delay on the work, the vendor must understand unexpected delays may impact progress schedule.

### Part III

#### FORMAT AND ORGANIZATION

**Requirements:** This section of the RFP specifies the format and organization of the proposal (not listed in priority or in any order).

- A. NUMBER OF COPIES: Submit an Original and three (3) copies of proposal.
- B. PROPOSAL FORMAT: Appearance of the proposal is important and professionalism in the proposal presentation should not be neglected. The proposal standards are as follows:
  - a. The proposal shall not exceed 20 single-sided pages (maximum 8 1/2" x 11"). Submissions exceeding the 20 single-sided page limit will be considered non-responsive and will be unrated. All pages include dividers, proposal, photos, charts, graphs, exhibits, letter of interest, etc. are counted toward the 20 pages.
  - b. Proposal submittal should be plastic or metal spiral-bound only. **Please do not submit loose paper, these will be considered unresponsive and will be unrated. No folders required, just spiral-bound proposals.**
- C. LETTER OF INTEREST: Letter of Interest must be on a Company Letterhead and signed by the president, executive director, or owner of the company/organization.
- D. PROOF OF CERTIFICATE OF INSURANCE: Provide a copy of Certificate of Insurance including Workman's Compensation, Additional Insured and Suburgatory Waiver. and other certifications required for water trucks and trailers in Arizona.
- E. SCOPE OF WORK: Respondent's approach to the scope of work, includes the following:  
See Part II ABOVE.
- F. COMMUNICATION: Describe communication methods with Navajo DOT.
- G. REFERENCES: List two references that your company has completed this type of project for. Be sure to provide name, title, company name, address, phone number, and email address. See sample attached.
- H. CERTIFIED NAVAJO BUSINESS: If claiming Navajo Business Owner, **provide proof that business is currently certified by the Navajo Nation - Business Regulatory Department and prioritized under Navajo Nation Council Resolution CAP-37-02 and also under the Section 204 (A) (1) and (2) of the revised Navajo Nation Business Opportunity Act.**
- I. TAXES: All performance under this Contract 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.). Any taxes other than Navajo Nation Taxes shall be the responsibility of the contractor, no separate line item will be allowed for other taxes.



BID FORM / PROPOSAL COST: In a **separate sealed envelope**, clearly marked as for “**Bid Number: 23-03-2967LE, Chip Seal Material**” and with Respondent’s information. The sealed envelope will not be opened by the Review Team until after the proposals have been reviewed and ranked. **If your bid is not in a separate sealed envelope, then your proposal will be considered non-responsive and ineligible for further evaluation.**

**End of RFP.**

**See Attachments in the Exhibit**

**Attachments**

- 1) Bid Form
- 2) Addendum Acknowledgement
- 3) Sample to Provide References
- 4) Strip Map

**Bid Form**  
 Bid Number: 23-03-2967LE  
 Chip Seal Material

**CONTRACTOR****DATE**

<b>BID ITEM NO.</b>	<b>FP-14 ITEM NO.</b>	<b>Item Description</b>	<b>Quantity</b>	<b>Unit</b>	<b>Unit Price</b>	<b>Total</b>
<b>1</b>	<b>407</b>	<b>Liquid Asphalt Emulsion (Delivered)</b>	<b>1,000</b>	<b>TON</b>		
<b>2</b>	<b>703.09</b>	<b>Chip Seal Aggregate Gradation A</b>	<b>5,000</b>	<b>TON</b>		
<b>3</b>	<b>703.09</b>	<b>Chip Seal Aggregate Gradation B</b>	<b>5,000</b>	<b>TON</b>		
		<b>Subtotal</b>				
		<b>Navajo Nation Tax (6%)</b>				
		<b>TOTAL ESTIMATED PROJECT COST</b>				

### **Addendum Acknowledgement**

**Addendum:**

In submitting this Bid, Respondent represents that: *Respondent has examined and carefully studied the RFP and attachments, and any data and reference items identified in the RFP documents, and hereby acknowledges receipt of the following Addenda:*

**Addendum No:****Addendum Date:**

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**Respondent will complete the Work in accordance with the Contract Documents for the following price(s):**

Respondent's Acknowledgement Signature:

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Name and Title

Company Name

**SAMPLE TO PROVIDE REFERENCES****Reference One:**

John Doe, Owner

Company Name: Speedy's C-Stores

P.O. Box 123

Window Rock, AZ 86515

Phone: (928) 871-1000

Email: [jdoe@yahoo.com](mailto:jdoe@yahoo.com)

Scope of work: Currently rents semi-trucks and belly dumps to Speedy's C-Stores on the Navajo Nation in Arizona.

**Reference Two:**

Jane Doe, Owner

Company Name: Navajo Nation Transit Department

P.O. Box 456

Tuba City, AZ 86515

Phone: (928) 283-1000

Email: [janed@yahoo.com](mailto:janed@yahoo.com)

Scope of work: Currently rents fuel tanks to the Navajo Nation Transit Department in Fort Defiance, Arizona.

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*Navajo DOT may contact the references for  
performance appraisal.*

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