

## Navajo Nation Division of Transportation

### Request for Proposal (RFP)

#### Bid No.22-02-2737LE – N36 Safety - Hot Mix Asphalt Paving

The Navajo Division of Transportation (Navajo DOT) is soliciting proposals to construct N36 Safety - Hot Mix Asphalt Paving Project in San Juan County, NM. The proposed work consists of providing equipment, manpower and materials to deliver Hot Mix Asphalt (HMA SP IV) material to the designated locations, as called for in the design plans and specifications for this 1.10-mile (5829.5 foot) roadway project located in San Juan County, NM, Navajo Nation.

Proposals will be subject to all requirements specified in RFP No. 22-02-2737LE. The RFP package will be available for download from the Navajo DOT website ([www.navajodot.org](http://www.navajodot.org)), beginning May 12, 2022 at 10:00 AM.

A Pre-Proposal Meeting will not be applicable for this work.

Proposal and bid package must be physically submitted to the following address by June 3, 2022, no later than 4:00 PM (local Window Rock, AZ time):

Navajo Division of Transportation  
Attention: Ardanial Begay  
Navajo Transportation Complex  
#16 Old Coal Mine Road  
Mentmore, NM 87319  
(505) 371-8351

The Navajo Nation Business Opportunity Act and Navajo Preference Act shall apply to this project. Prospective bidders are encouraged to familiarize themselves with these provisions. Having preference does not guarantee the award of the project. Competitive Sealed Proposals under the Navajo Nation Business Opportunity Act shall be utilized in the selection of the Contractor. Refer to 12 N.N.C. §332 Competitive Sealed Proposals.

The Navajo Nation reserves the right to waive any formalities or irregularities in the Request for Proposals and/or to reject any or all bids; to be the sole judge of the suitability of the materials offered and to award a contract for the furnishing of services it deems to be in the best interest of the Navajo Nation.

## PROPOSAL SUBMITTAL



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

All proposals are to be submitted to:

Navajo Division of Transportation  
Attention: Ardaniel Begay  
Navajo Transportation Complex  
#16 Old Coal Mine Road  
Mentmore, NM 87319  
Phone: (505) 371-8351

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

### Respondent's Contact Information

RFP Bid Number: 22-02-2737LE

Project Name: N36 Safety – Hot Mix Asphalt Paving

Contact Person: Ardaniel Begay  
Navajo Division of Transportation  
Work Phone: (505) 371-8351  
Email: [abegay@navajodot.org](mailto:abegay@navajodot.org)

Please submit one (1) original and five (5) 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
Pre-Proposal Meeting	Not Applicable
Prospective respondents “Inquiry Timeline.” Questions regarding this RFP must be submitted in writing, by email prior to this date. No questions accepted after this date.	Friday, May 27, 2022, by 3:00 p.m.
Written responses to written questions will be distributed in writing through an Addendum issued on this date.	Tuesday, May 31, 2022, by 3:00 p.m.
Due date for all proposals	Friday, June 3, 2022, by 4:00 p.m.
Selection of Contractor	Week of June 13, 2022

- D. INQUIRIES: Questions regarding this RFP must be submitted in writing, by email to the Project Contact listed below. Written questions as to the intent or clarity of this RFP can be submitted to the Project Contact until the inquiring date listed in Section C. Written responses to written questions and any RFP amendments will be distributed in writing through an Addendum issued on the date listed in Section C. No further questions, in any form, will be entertained after the date listed in Section C.

Project Contact: Ardaniel Begay, Principal Contract Analyst, Navajo Division of Transportation, Telephone: (505) 371-8351, and Email: [abegay@navajodot.org](mailto:abegay@navajodot.org)

- 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. **The addendum(s) will be available for download from the Navajo Division of Transportation (Navajo DOT) website (<https://navajodot.org/rfp%2Frfq>).** It is important that respondents check the Navajo DOT website for addendum(s). Any respondents that already submitted a proposal will be notified.
- F. PROPOSALS SUBMISSION: Proposal must be received by June 3, 2022, at 4:00 p.m. (local Mentmore, NM 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 Page 2 of this RFP.

- G. NUMBER OF PROPOSALS TO BE SUBMITTED: In the submission of a proposal, one original and five (5) copies must be enclosed in **one sealed envelope**. A separately sealed Bid Schedule envelope should be contained within this overall proposal envelope as described in Part III, Section G. The outside of the proposal envelope should be clearly marked with: 1) Respondent's Contact information; 2) the RFP Bid Number; 3) the Project Name; and 4) the NDOT Contact Person.
- H. LATE RECEIPT OF PROPOSALS: Late proposals will not be accepted. It is the responsibility of the respondent to ensure that the proposal arrives at the Navajo DOT on or before the date/time specified.
- I. REJECTION OF PROPOSALS: The Navajo DOT 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 and may be reviewed by any person(s) after the final selection has been made, subject to Section J. The Navajo DOT 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 is not liable for any cost incurred by the Respondent prior to issuance of signed contract award for services.
- 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, 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 NDOT SERVICE CONTRACT: Upon selection, Navajo DOT will establish a contract using the NN Services Contract, reviewed and approved by the Navajo Nation Department of Justice

in the name of the successful respondent; and the contents of the proposal submitted by the respondent will become part of the contract.

- P. 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.).
- Q. 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.
- R. 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 and the Navajo DOT. 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. Each RFP will be evaluated, and points will be awarded for each criteria item as noted. Descriptions of the components are provided in Part III - Outline of Request for Proposal.
    - Qualifications and Capability.....25 points
    - Experience with Similar Work.....25 points
    - Project Understanding and Approach.....30 points
    - Litigations, Judgments and Surety Company Claims.....10 points
    - Certified Navajo Business.....0 – 10 points
- S. RETURN PROPOSAL: The Navajo Nation and Navajo DOT has no obligation in returning any of the proposals received in response to this RFP.

- T. 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, Subsection 201 – 215 and the Navajo Nation Procurement Code Rules and Regulations. Refer to 12 N.N.C §332 Competitive Sealed Proposals.
- U. COMPLIANCE WITH THE NAVAJO NATION BUSINESS OPPORTUNITY ACT SUBCONTRACTING REQUIREMENTS: The Prime Contractor shall comply with the Navajo Nation Business Opportunity Act, 5 N.N.C., Chapter 2, Subsection 201 - 215 in the purchase of materials, special trades, subcontractors, or professional services. It is the intent of this Act to grant first opportunity and contracting preference to qualified Navajo-owned or Indian-owned businesses for all contracts, subcontracts, grants and subgrants issued by public and private entities within the Navajo Nation.
- i. For further information on the Navajo Business Opportunity Act is available at: <http://www.navajobusiness.com/pdf/DngBus/BusRegultry/Opportunity%20Act.pdf>
  - ii. For further information on the Source List- Certified Navajo Businesses is available at: [http://navajobusiness.com/pdf/SourceList/Source\\_List.pdf](http://navajobusiness.com/pdf/SourceList/Source_List.pdf)

## PART II

### PURPOSE:

The purpose of this Request for Proposal (RFP) is to select a Contractor that will complete the proposed work consisting of providing equipment, manpower and materials to deliver Hot Mix Asphalt (HMA SP IV) material to the designated locations as called for in the design plans and specifications for this 1.10 mile (5829.5 foot) roadway project located in San Juan County, NM, Navajo Nation.

The Navajo DOT will complete the following:

- Provide construction management/oversight during construction.
- Provide independent assurance materials testing, as necessary.

The BIA will complete the following:

- Provide traffic control, project management, equipment, and labor for the roadway construction activities during construction.

### SCOPE OF WORK

- The N36 Safety – Hot Mix Asphalt Paving Project consists of providing equipment, manpower and materials to deliver Hot Mix Asphalt (HMA SP IV) material to the designated locations as called for in the design plans and specifications for this 1.10-mile (5829.5 foot) roadway project located in San Juan County, NM, Navajo Nation.
- The proposed work consists of furnishing all labor, material, equipment and incidentals necessary for the N36 Safety – Hot Mix Asphalt Paving Project in accordance with the specifications and design drawings. The quantities listed for each item is estimated and the Unit Price is applicable to each as given in the Bid Schedule. The final pay quantity measurements shall be rounded to the significant figures given in this bid schedule for the final pay estimate.
- Payment for work performed on Items furnished will be made in accordance with Section 109, Measurement and Payment of the 2019 NMDOT Standard Specifications for Highway and Bridge Construction. The Unit Bid Price must include all overhead, profit, and bonding. The Contractor will include the cost of Mobilization in the bid items provided in the bid schedule. No separate measurement or payment for Mobilization will be made.
- The BIA Shiprock Agency maintenance personnel will be supplying the equipment, labor and overall project coordination for constructing the N36 Safety – Hot Mix Asphalt Paving Project with the support of this Contractor/Supplier. Delivering the material to the project site will be as directed by the BIA Project Manager (PM).
- Delivery Schedule: The anticipated overall project construction schedule is ten (10) weeks. The Contractor shall take this overall schedule/timeframe into account when preparing bids as each location will be completed separately and in succession. The anticipated duration for each location is shown in the bid schedule. All material will not be delivered at one time but as the

project progresses. Dates, times, and quantity of delivery shall be coordinated through the BIA Project Manager. Navajo DOT WILL NOT entertain any change orders due to minor variations in individual location schedules/days needed.

- Delivery Methods:
  - Hot Mix Asphalt (HMA SP IV) Material shall be delivered in belly-dump trucks, weighed with certified scales. Weigh tickets shall indicate Tare Weight, Gross Weight and Net Weight.
- All material and work shall be completed in accordance with the Plans and the “Standard Specifications for Highway and Bridge Construction, 2019 Edition” by the New Mexico Department of Transportation.
  - [https://dot.state.nm.us/content/dam/nmdot/Plans\\_Specs\\_Estimates/2019\\_Specs.pdf](https://dot.state.nm.us/content/dam/nmdot/Plans_Specs_Estimates/2019_Specs.pdf)
- This project will utilize Tribal Transportation Program and funding administered through the Federal Highway Administration and will need to comply with Federal Regulations and Requirements. Additional safety funding was made available through the State of NM.
- See the OTHER DOCUMENTS on the Navajo DOT website for Design Plans and NMDOT Specifications.

**PROPOSAL FORMAT:** Appearance of the proposal is important and professionalism in the proposal presentation should not be neglected. The proposal standards are as follows:

- The proposal shall not exceed 7 single-sided pages (maximum 8-1/2” x 11”) with a minimum of 10 pt. type. If Proposer chooses to utilize 11” x 17” size sheets, this shall count as 2 pages. Submissions exceeding the 7-page limit will be considered non-responsive and will be un-rated. All pages in the proposal, including photos, charts, graphs, exhibits, letter of interest, etc. are counted toward the 7 pages. The following items do not count towards the 7-page proposal limit and shall be placed in an appendix to the proposal:
  - Proof of Certificate of Insurance
  - Statement from bonding agency
  - Statement from Insurance Carrier
  - Proof of Navajo Nation Certification
  - Acknowledgment of Addendums
- Submit one (1) original (unbound) and five (5) copies (plastic comb or wire spiral bound) of the proposal.



### Part III

## OUTLINE OF REQUEST FOR PROPOSAL

Prospective Respondent's interested in providing construction services shall submit an RFP that addresses the following evaluation criteria. The RFP shall be concise and fully self-contained; shall display clearly and accurately the capability, knowledge, experience and capacity of the Prospective Respondent to meet the requirements of this RFP; and must address the following specific criteria in the order and format indicated.

#### A. LETTER OF INTEREST:

Provide a Letter of Interest on the Prospective Respondent's company letterhead identifying the Prime Proposer and their subcontractors. Briefly summarize the Team's background and any distinguishing qualities or capabilities that uniquely qualify the Team for this project. This letter is to be signed by the president, executive director or owner of the company/organization with authority to bind the Prospective Respondent contractually. In addition, Respondent should acknowledge receipt and review of the addendum(s).

#### B. QUALIFICATIONS AND CAPABILITY:

- a. Provide a graphic organizational structure chart, clearly describing who the Prime Contractor and key individuals are, as well as the roles and responsible individuals of proposed subcontractors if any. Clarify who has decision-making authority.
- b. List the key individuals to be assigned to the project together with the job descriptions, qualifications, certifications, experience and length of time with company. Provide supporting resumes for each position listed below:
  - Project Manager
  - Quality Control Supervisor
  - Key Sub-contractors used for construction services. Key Subcontractors can be defined as ones completing any major work categories or total costs for their services add up to at least 5% of the total bid amount.
- c. Document that the firm that is proposing to perform material delivery, and sub-contracting services, is properly licensed or registered to perform such services in the State of New Mexico.
- d. Contractors must be fully bonded and insured. Provide proof of your company's Certificate of Insurance and other insurances related to this project.
- e. Provide information regarding the financial capability of the Proposed Responder to successfully undertake projects of this type. Provide statements from bonding agencies and/or insurance carriers.

C. EXPERIENCE WITH SIMILAR WORK:

Prospective Respondent shall demonstrate experience and quality of service rendered on road construction projects with similar scope, size and characteristics, especially if completed on the Navajo Nation, other Indian Reservations and rural communities. List and describe in detail at least two (2) completed projects which establish the Prospective Respondent and Team members' experience with relevant transportation projects of similar size and scope completed in the last ten years. Provide the following information for each completed project:

- Project Name and Location
- Project Owner's Name and Address; Contact Name, Email Address, and Telephone Number
- Project Scope of Work Performed

Navajo DOT may contact references for performance appraisal of Prospective Respondent. Failure to provide examples of related projects may result in disqualification or considered as "non-responsive."

D. PROJECT UNDERSTANDING AND APPROACH:

Describe your understanding of the project and approach for delivering the scope of services for the project. Discuss the major issues your team has identified on this project and your proposed approach to address these issues.

The Owner seeks the best solutions to accelerate construction and deliver the project under budget while enhancing value and quality. Describe in detail any proposed innovations your team recommends.

E. LITIGATIONS, JUDGMENTS & SURETY COMPANY CLAIMS:

Have any members of the Team been involved in any litigation with a project owner, municipality or other public agency in the last ten (10) years? If so, explain the circumstances, resolution, and current status.

F. CERTIFIED NAVAJO BUSINESS:

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.

G. BID SCHEDULE / PROPOSAL COST:

In **a separate sealed envelope clearly marked** as "BID SCHEDULE – RFP Bid 22-02-2737LE, N36 Safety- Hot Mix Asphalt Paving Project", and with Respondent's information. The sealed envelope should be included in the overall proposal envelope but will not be opened by the Review Team until after the proposals have been reviewed and ranked.

**End of RFP.**

## Attachments

- 1) Bid Schedule
- 2) Addendum Acknowledgement

## Other Documents

- 1) Plans - A set of the design plans can be obtained from the Navajo Division of Transportation website below during the Request for Proposal process.  
<https://navajodot.org/rfp%2Frfq>
- 2) NMDOT Specifications for hot mix asphalt (HMA).



**BID SCHEDULE  
NAVAJO NATION DIVISION OF TRANSPORTATION**

PROJECT: N36 Safety Project

Date: 18-Feb-22

LENGTH: 1.10 miles (5829.5 feet)

		BASE BID										
Length (feet) =		400	1604.5	460	200	280	270					
ITEM	DESCRIPTION	Location 4	Location 5	Location 6	Location 7	Location 8	Location 9	Total Quantity	Units	Unit Bid Price	Total Price	
423283	HMA SP-IV COMPLETE	440	1,670	510	240	380	390	3,630	TON	\$	\$	
										Base Bid Subtotal:	\$	
										Navajo Nation Tax (6%):	\$	
										<b>Total Bid Price:</b>	\$	

		BID ALTERATE 1				BID ALTERATE 2				BID ALTERATE 3					
Length (feet) =		400				1225				990					
ITEM	DESCRIPTION	Location 1	Units	Unit Bid Price	Total Price	Location 2	Units	Unit Bid Price	Total Price	Location 3	Units	Unit Bid Price	Total Price		
423283	HMA SP-IV COMPLETE	420	TON	\$	\$	1,280	TON	\$	\$	1,030	TON	\$	\$		
				Bid Alternate 1 Subtotal:	\$					Bid Alternate 2 Subtotal:	\$			Bid Alternate 3 Subtotal:	\$
				Navajo Nation Tax (6%):	\$					Navajo Nation Tax (6%):	\$			Navajo Nation Tax (6%):	\$
				<b>Total Bid Price:</b>	\$					<b>Total Bid Price:</b>	\$			<b>Total Bid Price:</b>	\$

Contractor Name

**SCOPE-OF-WORK**

The proposed work consists of furnishing all labor, material, equipment and incidentals necessary as described below for the N36 Safety Project in accordance with the specifications and design drawings. The quantities listed for each item is estimated and the Unit Price is applicable to each as given in the Bid Schedule above. The final pay quantity measurements shall be rounded to the significant figures given in this bid schedule for the final pay estimate. Payment for work performed on Items furnished will be made in accordance with Section 109, Measurement and Payment of the 2019 NMDOT Standard Specifications for Highway and Bridge Construction. **The Unit Bid Price must include all overhead, profit, and bonding. The Contractor will include the cost of Mobilization in the bid items provided in the bid schedule. No separate measurement or payment for Mobilization will be made.**

**The BIA Shiprock Agency maintenance personnel will be supplying the equipment, labor, porta potty and overall project coordination for constructing the N36 Safety project with the support of this Contractor/Supplier. Some of the bid items are limited to providing and delivering the material to the project site as directed by the BIA Project Manager (PM). The anticipated overall project construction schedule is ten (10) weeks. The Contractor shall take this overall schedule/timeframe into account when preparing bids as each location will be completed separately and in succession. The anticipated duration for each location is shown below. Navajo DOT WILL NOT entertain any change orders due to minor variations in individual location schedules/days needed.**

Location	Approximate # of days to complete
1	3
2	5
3	4
4	3
5	6
6	3
7	3
8	3
9	3

ITEM	DESCRIPTION	SCOPE
423282	HMA SP-IV COMPLETE	Contractor shall provide HMA SP-VI COMPLETE material per the NMDOT specifications and deliver to project site per the direction of the BIA Project Manager. <b>Scope of this bid item is limited to DELIVERY only.</b> Delivery of the material shall be made to the locations in the plans and per the BIA PM's direction. Contractor shall account for the delivery of the material to be spread out over the life of the project duration (10 weeks).

**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's Acknowledgement Signature:

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Name and Title

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Company Name

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Signature