

**NAVAJO NATION, JUDICIAL BRANCH
Administrative Office of the Courts**

Judicial Districts and Programs HVAC Services – New Mexico

RFP RE-BID NO: 22-05-2819KS

PROPOSAL DUE DATE: March 1, 2024

BID OPENING DATE: March 5, 2024

DESCRIPTION: Navajo Nation Judicial Branch is seeking proposals from qualified firms and/or individuals to provide HVAC, air vents and duct services.

CONTACT PERSON: Karen Francis, Acting Administrative Director of the Courts or Raquel Chee, Grants Administrator. Phone: 928-871-6762

~ RETURN PROPOSALS CLEARLY MARKED ~

“DO NOT OPEN: RFP #22-05-2819KS – Judicial Districts and Programs HVAC Services – New Mexico”

PROPOSAL & BID SUBMITTAL DEADLINE AND RELEVANT INFORMATION:

All proposals and bids delivery using UPS or Federal Express must be physically submitted to:

PHYSICAL ADDRESS: Navajo Nation Judicial Branch
East of Navajo Veterans Park, Window Rock, Arizona 86515
ATTN: Karen Francis, Acting Administrative Director of the Courts
or Raquel Chee, Grants Administrator

Please label: RFP #22-05-2819KS – Judicial Districts and Programs HVAC Services New Mexico “DO NOT OPEN”

MAILING ADDRESS: Navajo Nation Judicial Branch
P.O. Box 520
Window Rock, Arizona 86515
ATTN: Karen Francis, Acting Administrative Director of the
Courts or Raquel Chee, Grants Administrator

Please label: RFP #22-05-2819KS – Judicial Districts and Programs HVAC Services – New Mexico “DO NOT OPEN”

SECTION I

RESPONDENT REQUIREMENTS:

All respondents must have, as a minimum, the capabilities listed herein, and the bid proposals submitted must reflect in detail the inclusion of these services as well as the additional forms required in Section II. Respondent should also provide technical information of delivery of services required in this RFP.

Navajo Nation Judicial Branch (NNJB) is seeking proposals from qualified firms and/or individuals to provide HVAC units, air vents and duct services.

Any upgrades need to comply with OSHA standards and other applicable building and safety codes to ensure the health and safety of all building occupants.

Scope of Work:

The contractor shall be able to provide personnel who have been fully trained in all phases of HVAC, air vents and duct systems operation, maintenance, adjustment, and repair. Contractor's personnel should also have familiarity with all types of components including controllers, electrical components, general preventative maintenance, repairs, and new installations of a variety of brands and models. The contractor and staff shall have expertise and experience in HVAC management to include the following but not limited to:

Assessments and approvals needed for Judicial Districts and Programs sites:

1. Complete an assessment on the condition of all HVAC units, air vents and ducts consistent with applicable industry code and compliance standards.
2. Upgrade and install HVAC units and the repair/replacement/cleaning of air vents and ducts in accordance with applicable industry code and compliance standards, upon NNJB approval.
3. Provide a scope of work and cost estimates for repairs.
4. Ensure a work order is provided by the Navajo Nation Judicial Branch Facility Support Service Coordinator before services are started.
5. All waste, parts and supplies should be properly disposed in accordance with EPA regulations, upon approval of Navajo Nation Judicial Branch.

Work:

6. Provide routine preventative HVAC maintenance services including air vents and duct services.
7. Major and minor repairs on the HVAC, air vents and duct systems.
8. Cleaning of the HVAC air vents and duct systems.
9. Provide services when needed.
10. Provide new materials used on all HVAC, air vents and duct systems and shall be free of defects and pass inspection.
11. Provide labor, supplies, parts, and equipment for the HVAC, air vents and duct services.
12. Provide a schedule and detail of each location within the district of what needs repairs and upgrades.

13. Provide a timeline of when work is complete longer than 24 hours, dependent upon the supplies needed for the work.
14. Provide start up and inspections before start of services and after services have been completed.
15. Provide a sticker for HVAC system to verify service date.
16. Routine maintenance and repairs shall be done in accordance with federal and Navajo Nation regulations and codes.
17. Services to be performed and completed in accordance with industry acceptable standards.
18. Ensure work order is signed and returned to the Navajo Nation Judicial Branch Administrative Director of the Courts.
19. Warranty Service: Extended warranty parts and labor (define maximum number of years available).
20. Dispose of all hazardous materials and waste when repairing or changing any HVAC units, in accordance with Navajo EPA regulations.
21. Must comply with all Federal and Navajo Nation Regulations.

Payments

22. Provide labor and parts for all Judicial Districts and Programs facilities.
23. Invoice Navajo Nation Judicial Branch Administrative Office of the Courts under this contract.
24. Understands that additional Judicial Districts and Programs facilities may become operational or closed within the contract period. Contract can be amended to address additional or decrease of Judicial Districts and Programs centers as necessary.
25. Ensure service cost such as labor, travel time, mileage, parts, and supplies are reasonable and are for the work completed for the applicable Navajo Nation Judicial Branch facilities.
26. Each scope of work shall include all applicable taxes associated with each project that include 6% taxes for the Navajo Nation and 7% taxes for Tuba City.
27. Contract is subject to availability of funds.

All services shall be coordinated with Navajo Nation Judicial Branch Acting Administrative Director of the Courts at karenfrancis@navajo-nsn.gov or by phone at 928-871-6762.

** Attached is current table of all Judicial Districts and Programs that are in operation.

RFP Submittal Deadline:

All RFP's must be received/ mailed / or physically delivered by March 1, 2024 at 5:00 pm MDT and must be mailed or physically delivered to:

Navajo Nation Judicial Branch Attention: Administrative Office of the Courts, Post Office Box 520 Window Rock, Arizona 86515

Courier Service/Delivery to: Navajo Nation Judicial Branch. Attention: Administrative Office of the Courts, East Veterans Park, Window Rock, AZ 86515

SECTION II

The following documents are required and must be submitted:

1. Navajo Nation Certification Regarding Debarment & Suspension (Attached)
2. Federal Form Tax W-9
3. Licensed, bonded, and current General Liability Insurance.

A. Proposal Format:

1. Respondent(s) must indicate if they are priority one or two vendor with the Navajo Nation.
2. All proposals must be typewritten on standard 8-1/2 X 11 paper and placed within a binder with tabs delineating each section. Larger paper is permissible for charts, maps, or the like.
3. An original RFP response and three (3) copies must be provided in sealed envelope.
4. The proposal must be organized and indexed in the following format:
 - a. A letter of transmittal
 - b. Statement of Qualifications
 - c. Proposal on Contract approach
 - d. Proposed Cost (Sealed in Separate Envelope)
5. Each proposal must be accompanied by a letter of transmittal. The letter of transmittal must:
 - a. Provide background on company:
 - b. Identify the name of the person responding to the RFP:
 - c. Identify the name, title, and telephone numbers of person authorized to negotiate on behalf of the organization(s):
 - d. Identify the names, files, and telephone numbers of person to be contact for clarification:
 - e. Explicitly indicate acceptance of the conditions governing this procurement:
 - f. Be signed by the person responding to the RFP; and
 - g. Acknowledge receipt of any and all amendments to the RFP.
6. The respondent must submit a statement of qualifications to include:
 - a. A resume.
 - b. Number of years of experience working with Navajo Nation government or other government entities.
 - c. Provide three (3) references. Each reference must include the name, address, and telephone number of a contact person who can describe, in some detail, the quality, quantity, and substance of services provided.
 - d. The respondent must provide a Certificate of Liability Insurance.
7. Respondent must provide proposal on contract approach.
 - a. Provide in detail how they would accomplish the objectives described in the scope of work.
 - b. Provide number of employees in the company/organization.

- c. Provide Resume & Credentials of each Employee including Certificates, Diploma and/or Degrees.
- B. REJECTION OF PROPOSALS:** The Navajo Nation reserves the right to waive any informalities or irregularities in the RFP or reject any or all proposals whenever such rejection is deemed in the best interest of the Navajo Nation.
- C. PROCUREMENT OF RFP:** This procurement shall be conducted in accordance with all applicable Navajo Nation laws and regulations including the Navajo Business Opportunity Act. All applicable rules, regulations, and laws shall also be followed. Prospective Vendors shall familiarize themselves with Navajo Nation regulations prior to submitting responses to this RFP and may request a copy of Navajo Nation procurement regulations from the NNJB Senior Budget Analyst at any time up to the Deadline for Proposals.
- D. INQUIRIES:** Any inquiries regarding this RFP should be submitted in writing to Karen Francis, Acting Administrative Director of the Courts. Only written responses to questions will be considered official. All questions will be directed to Stephen B. Etsitty at 928-871-7018 email: karenfrancis@navajo-nsn.gov and/or Raquel Chee at 928-871-6762 email: rchee@navajo-nsn.gov. Questions regarding this procurement will be accepted until 5:00 p.m. MDT on **February 29, 2024**.
- E. AMENDED PROPOSALS:** A respondent may submit an amended proposal before the deadline for receipt of proposals. Such amended proposals must be a complete replacement for a previously submitted proposal and must be clearly identified in the transmittal letter.
- F. PROPOSAL SUBMISSION:** Proposal must be received on or before 5:00 p.m. (MDT) **March 1, 2024**. Respondents who are mailing their proposals should allow sufficient time for mail delivery to ensure receipt by the date specified. If mailed, it is recommended that proposals be sent by certified mail to the address indicated on the cover sheet of the RFP. **Late proposals will not be accepted.**
- G. REJECTION OF PROPOSALS:** NNJB reserves the right to reject any and all proposals. This RFP may be canceled at any time and all proposals may be rejected in whole or in part when the NNJB Administrative Director of the Courts determines it is in the best interest of the Navajo Nation.
- H. PROPRIETARY INFORMATION:** Any restriction on the use of data contained within any proposals must be clearly stated in the proposal. Proprietary information submitted in response to this RFP will be handled in accordance with applicable purchasing procedures. Each page of the proprietary material must be labeled or identified with the word “proprietary” or “confidential”.
- I. RESPONSE MATERIAL OWNERSHIP:** All material submitted regarding this RFP shall become property of the Navajo Nation and will not be returned to the respondent. Responses received will be retained by NNJB and may be reviewed by any person after final selection has been made. NNJB has the right to use any or all system ideas presented in reply to this RFP. Disqualification or non-selection of a respondent or proposal does not eliminate this right.

J. INCURRING COSTS: Any cost(s) incurred by the respondent in preparing, transmitting, presenting, or modifying the proposal or material for this RFP shall be the responsibility of the respondent.

K. SUFFICIENT APPROPRIATION:

A contract awarded as a result of this RFP is contingent upon the availability of funds. A contract may be terminated or reduced in scope if sufficient funds do not exist. Sending written notice to the Vendor shall affect such termination or reduction in scope. The NNJB Administrative Director of the Court's decision to terminate or reduce the scope due to insufficient appropriations shall be accepted as final by the Vendor.

L. EVALUATION PROCEDURES AND SELECTION CRITERIA.

1. An evaluation team will evaluate the proposals received in accordance with the general criteria used herein. Respondents should be prepared to provide any additional information the team feels necessary for the fair evaluation of proposals.
2. Failure of a respondent to provide any information requested in the RFP may result in disqualification of the proposal. All proposals must be endorsed with the signature of a responsible official having the authority to bind the respondent to the execution of a contract.
3. The sole objective of the review team will be to select the respondent who is most responsive to the needs of NNJB. The specifications in this RFP represent the minimum performance necessary for a response. Based on the evaluation criteria established in this RFP, the review team will select and recommend the respondent who best meets this objective. If there is only one responsive bid, the NNJB Assistant Superintendent may elect to evaluate the RFP solely.
4. Evaluation Criteria: The following criteria will be used by a review committee in the selection process for contract award.

Initial Point Criteria:

a.	Presentation of Response	1-10 points
	Completeness & Clarity of Presentation	
	Organization of Presentation Understanding NNJB Objectives	
b.	Statement of Qualifications	1-20 points
	List of three (3) Client References	
c.	Technical Requirements	1-20 points
	Project description Projected accomplishments	
d.	Project Management	1-20 points
	Project Management Experience Schedule/Project Plan	
	Staffing	
	Related Experience Education – Credentials	
e.	Navajo Nation Vendor Priority 1 or 2 (not a requirement)	1-10 points
f.	Cost of Service	1-20 points
	TOTAL POSSIBLE POINTS	= 100 POINTS

M. STANDARD CONTRACT: The Navajo Nation reserves the right to incorporate standard contract provision into any contract negotiations because of a proposal submitted in response to the RFP.

1. Contractor shall comply with Federal Awards Guidelines:
 - a. §200.330-Reporting on real property.
 - b. §200.331-Subrecipient and contactor determinations.
 - c. §200.338-Restrictions on public access to records.

N. TAX: All appropriate taxes should be included in cost of services including the Navajo Sales Tax. All work performed within the territorial jurisdiction of the Navajo Nation is subject to the Navajo Sales Tax of 6% (24 N.N.C. Section 601 et. seq.)

O. SOVEREIGNTY: The Navajo Nation will not relinquish any of its sovereignty rights.

SECTION III

A. RESPONDENT REQUIREMENTS:

All respondents must have, as a minimum, the capabilities listed herein, and the bid proposals submitted must reflect in detail the inclusion of these services as well as the additional forms required in Section II. Respondent should also provide technical information of delivery of services required.

Request for Taxpayer Identification Number and Certification

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

▶ Go to www.irs.gov/FormW9 for instructions and the latest information.

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

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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or				
Employer identification number				
<table style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 25%; border: 1px solid black; height: 20px;"></td> <td style="width: 25%; border: 1px solid black; height: 20px;"></td> <td style="width: 25%; border: 1px solid black; height: 20px;"></td> <td style="width: 25%; border: 1px solid black; height: 20px;"></td> </tr> </table>				

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.

Sign Here	Signature of U.S. person ▶ _____	Date ▶ _____
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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.

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-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-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, 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

NNJB HVAC Unit Numbers

Shiprock, NM International Comfort Products

1. X180881487
2. X180881506
3. X180881497

Ramah, NM

1. 8493C27048
2. 51HVC242-3 A
3. 8493C13452
4. 8493C13455