



# NAVAJO NATION

## Navajo Division of Transportation

### REQUEST FOR QUALIFICATION

**BID NUMBER:** 20-09-2353LE

**PROPOSAL DUE DATE:** October 16, 2020 at 3:00 P.M. (local time)

**PROPOSAL SUBMITTAL LOCATION:** Navajo Division of Transportation  
#16 Old Coalmine Road  
Mentmore, New Mexico 87319

**MATERIAL OR SERVICE:** On-Call Engineering/Architecture and  
Planning Services for Navajo Nation Airports

**PRE-PROPOSAL MEETING DATE:** September 23, 2020

**TIME:** 10:00 A.M. (local time)

**LOCATION:** Online Conference Call

**CONTACT PERSON:** Jonah Begay  
**TELEPHONE NUMBER:** Phone: (505) 371-8365  
Fax: (505) 371-8399  
**EMAIL:** jbegay@navajodot.org

In accordance with Federal Aviation Administration (FAA) Advisory Circular 150/5100-14E, notice is hereby given that a Request for Qualifications (RFQ) for an On-Call Engineering/Architectural and Planning services is requested. It is the intent of the Navajo Division of Transportation (Navajo DOT) to select a qualified and experience airport consultant for the duration of the scope of work outlined in this RFQ.

Competitive seal bids must be in the actual possession of the Navajo DOT at the location indicated, on or prior to the exact date and time indicated above. Late submittals will not be accepted.

All submittals must mark with “**DO NOT OPEN**” with the **REQUEST FOR QUALIFICATION TITLE, REQUEST FOR QUALIFICATION NUMBER, DUE DATE AND TIME and RESPONDENT’S NAME AND ADDRESS** clearly indicated **on the outside** of the sealed envelope. All submittals must be completed in ink or typewritten.

All questions concerning this RFQ must be submitted to Mr. Jonah Begay via email no later than October 07, 2020, 12pm. Mr. Begay will respond via email to address the questions.

Submit one (1) Original and six (6) copies of the response to the RFQ.

## SCHEDULE OF ACTIVITIES AND TIMELINES

- A. To the extent achievable, the following schedule shall govern the review, evaluation and award of the contract.
- B. This Request for Qualification provides the prospective respondent with enough information that will enable them to prepare and submit a proposal for consideration.
- C. Schedule of Activities and Timelines

Schedule of Activities	Timelines
<p><b><i>Advertised Period:</i></b>                      The RFQ will be advertised</p>	September 21, 2020 – October, 02, 2020
<p><b><i>Pre-Proposal Meeting:</i></b>                      Not mandatory but respondents are encouraged to attend the meeting to review the RFQ. The meeting will be held virtually.</p>	September 23, 2020 at 10 a.m. (Local time)
<p><b><i>Deadline to Submit RFQ Inquiries:</i></b>                      Questions regarding this RFQ must be submitted by email</p>	September 30, 2020 at 5pm (Local time)
<p><b><i>Deadline to respond to all Written RFQ Inquiries and issue any addendum:</i></b>                      All responses and any addendum will be posted online at the Navajo DOT website</p>	October 07, 2020
<p><b><i>RFQ Submittal Deadline:</i></b>                      Due date for all RFQ. Late submittal will not be accepted</p>	October 09, 2020 at 3:00 p.m. (local time)
<p><b><i>Evaluation of RFQ and Respondent(s):</i></b>                      All RFQ submitted in accordance to the terms and conditions will be evaluated</p>	October 12 – 13, 2020
<p><b><i>Final Selection of Respondent(s):</i></b>                      Qualified Respondent(s) will be selected</p>	October 16, 2020

## SECTION 1 - Overview

### A. General Information

1. **Type of Service:** The Navajo DOT is requesting state of qualifications from reputable qualified engineering/architectural and planning firms to provide services to a comprehensive five-year professional airport engineering/architectural and planning services. (that includes, but not limited to: general airport engineering/architectural and planning services; environmental studies. design services. bidding services. construction administration services. grant coordination services, airport capital improvement programming, miscellaneous studies and consulting to the Navajo DOT) for each of Navajo Nation airport listed in the FAA National Plan of Integrated Airport System (NPIAS). The Navajo Nation airports listed in the NPIAS are Chinle, Tuba City, Window Rock, Crownpoint and Shiprock. Additional consideration may be determined regarding consideration for constructing (or re-opening) an existing or new airport(s) not currently in the NPIAS.
2. **RFQ Preparation Packet:** The instructions on the proposal preparation, requirements and evaluation criteria are provided herein.
3. **General Scope of Work:** The selected firm shall provide Navajo DOT qualifications and experiences relative to/with a comprehensive five-year professional airport engineering/architectural and planning services. (that includes. but not limited to; general airport planning and engineering/architectural services; environmental studies, design services, bidding services, construction administration services, grant coordination services. Airport capital improvement plan development and programming and miscellaneous studies and consulting) in accordance with all Federal, State and Local requirements including, but not limited to: FAA Advisory Circulars (AC) 150/5100-14 (or most current), 150/5300-1 (or most current), the National Environmental Policy Act (NEPA and Arizona (ARS 34-6 or most current), Utah, New Mexico and Navajo Nation environmental, aeronautical and regulator) statutes.
4. **Evaluation Criteria:** Proposals accepted for rating shall be evaluated based on the criteria and 100-point system set forth in **Section 4 - Rating System on Evaluation Criteria.**
5. **Contract Award:** Navajo DOT will retain the services of the most qualified firm on an As-needed basis. Upon selection, a professional services contract will be executed for a term not exceeding five (5) years. However, each specific project or service will require an authorization, including an agreed upon fee. When a need is established by Navajo DOT, a SOW along with an estimate cost shall be prepared by the firm according to the service(s) proposed. Navajo DOT may accept the fee proposal and commence the execution of the proposed service(s) once an independent fee appraisal has determined the proposed fee is reasonable and the FAA and respective State DOT has concurred.
6. **Inquires:** Questions, Concerns or Request for additional information pertaining specifically for the RFQ #20-09-2353LE will be directed to Jonah Begay, GIS Supervisor, Navajo Division of Transportation. Telephone 505.371.8300; Email: [jbegay@navajodot.org](mailto:jbegay@navajodot.org)
7. **RFQ Submittal Deadline:** RFQ should be submitted on 8 1/2 x 11 • paper single or double spaced and printed on one or two sides with no more than 25 pages (each printed side counts as one page). Responses can be submitted to the following address by October 09, 2020. no later than 3:00 PM (local Window Rock. AZ. time):

- a. **Mailing Address:** Navajo Division of Transportation  
P.O. Box 4620  
Window Rock, Arizona 86515
- b. **Physical Address:** Navajo Division of Transportation  
#16 Old Coal Mine Road  
Mentmore, New Mexico 87319

**Late submittal will be returned to the firm(s) unopened and firms responding as such shall be considered non-responsive.**

- 8. **Contract Provision:** The Navajo Nation reserves the right to incorporate contract provisions which are based on applicable requirements, such as, Navajo Nation Laws, Federal, State, and local requirements, etc. into the contract documents; including provision of the Navajo Business and Procurement Act, at 12 N.N.C. § 1501 et seq., and the Navajo Business Opportunity Act, at 5 N.N.C. § 201 et seq.
- 9. **Addendum to the RFQ:** In the event it becomes necessary to any part of the RFQ, Navajo DOT shall issue a written addendum on the specifics of the change(s) and inform all concerned.
- 10. **Rejection of RFQ:** Navajo DOT reserves the right to reject any or all proposals and to waive informalities in the proposals received whenever such rejection or waiver is in the best interest of the Navajo Nation.
- 11. **Proprietary Information:** Any restriction on the use of data contained within any proposal must be clearly stated in the proposal. Each page that contains proprietary information must be marked, ***“Proprietary”***
- 12. **Ownership or Proposals:** All materials submitted with the RFQ accepted for evaluation shall become the property of Navajo Nation and will not be return to the firm. Navajo DOT has the right to use any or all information presented in the proposals. Disqualification or non-selection of a firm or proposal does not eliminate this right.
- 13. **Cost Incurred:** Navajo DOT is not liable for any cost incurred by the firm prior to issuance of a signed contract award for services.
- 14. **Contractual Obligation:** The contents or the RFQ may become part of contractual obligations of the contract award. Failure of the firm to accept these obligations may result in cancellation of the award.
- 15. **Evaluation Criteria:** Proposals accepted for rating shall be evaluated based on the criteria and the 100-point system set forth in Section 4 -Rating System on Evaluation Criteria.
- 16. **Taxes:** All services provided 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.).
- 17. **Insurance:** The Navajo Nation will require the successful firms, at its sole expense to procure and maintain adequate and sufficient insurance for all potential liability, such as, commercial general liability, automobile liability, worker's compensation, professional liability, errors and omissions liability, etc.
- 18. **Disclaimer:** The Navajo Nation's acceptance or review of any proposal shall not guarantee the execution of any contract and the proposed contract shall be reviewed by all appropriate departments through the 2 N.N.C. § 164 review process, including the Navajo Nation Department of Justice, for administrative and legal sufficiency prior to execution by the Navajo Nation. The Navajo Nation reserves the right to reject any proposed contract prior to execution for improprieties in the procurement process or applicable Navajo Nation or federal laws or regulations, or for failure to submit all requested documents or information.

## SECTION 2 - RFQ Requirements and Selection

### A. RFQ Submission:

1. Proposals must be submitted in a sealed envelope clearly marked. or in the subject line of email submittals:
  1. "RFQ #20-09-2353LE FOR AIRPORT ENGINEERING/ ARCHITECTURAL & PLANNING SERVICES"
  2. The name of the firm submitting the proposal shall be written legibly on the outside of the envelope. Please include the firm's physical address and Principal Project lead name and title.
  3. Organization chart of the Principal and their sub-consultants is expected: detailing names, title(s) and hierarchy).
2. Proposal Standards: Upon submission of proposals. provided one (1) original copy and 6 copies of the proposal packets for the Evaluation Committee Members. Fit and finish proposal is important and professionalism in proposal presentation should not be neglected. Proposals shall be in flat bound to facilitate filing. Please do not submit proposals in loose-leaf 3-ring binders; these will be returned to the firm unrated.

### B. Proposal Review Process: Receipt or proposals will be verified on the due date specified. Navajo DOT will screen and evaluate proposals received in accordance to the following criteria. Proposals which fail this check will be rejected and returned to the firm unrated.

1. Proposal is received by the required deadline date and time.
  1. Time Stamped with NDOT-RECD on or before the deadline date and time.
2. Proposal meets the proposal submission requirement set forth above under **Section 2, A**

### C. Proposal Evaluation:

1. Proposals shall be evaluated and rated in accordance with the criteria outlined in Section 4 - Proposal Content and Evaluation Criteria.
2. Navajo DOT will rate the proposals based on total points awarded and the top qualified firm with the highest rating and ranking will be determined as most responsive.

### D. Award of Contract:

1. Navajo DOT will retain the services of the selected firm through the execution of a professional service contract. Upon selection, the firm will be notified, however, each project will require specific authorization. When a need is established by the Navajo DOT a SOW shall be prepared by Navajo DOT and presented to the firm for negotiation. Once the fees are considered reasonable and approved by the Navajo DOT, an authorization to proceed shall be issue.
2. Navajo DOT will issue a Notice to Proceed to the firm upon execution of the contract. No work shall be performed by the firm until such notice is given by Navajo DOT. Navajo is not liable for any cost incurred by the firm prior to issuance of a signed contract award for services.

## SECTION 3 – Scope of Work

- A. **Description of Work:** The purpose of this RFQ is to seek qualified consultant to provide airport engineering/architectural and planning services in support of Navajo Nation's public-use airports. The successful firm will provide consulting services to perform engineering/architectural and planning services, including, but not limited to; airport planning, NEPA clearances. preliminary engineering, final design, bidding, construction phases (including incidental special services) for airfield, terminal and landside related project funded under the FAA Airport Improvement Program (AIP), projects funded by the States or Arizona, New Mexico and the Navajo Nation. Additional work includes representing Navajo DOT with Arizona Department of Transportation -Multimodal Planning Division Aeronautics Group (ADOT MPD). New Mexico Department of Transportation -Aviation Division (NM DOT -Aviation) and the FAA (AZ/NV & TX/LA Airport District Offices) for the purposes of Capital Improvement Plan coordination and other related engineering/architectural and

planning coordination. The selected firm will assist Navajo DOT in grant application and/or management in the process of executing airport capital projects.

The professional service contract will include the NPIAS and non-NPIAS airports located throughout the Navajo Nation. The specialized work assignment(s) under this contract will be defined by a negotiated SOW with specific task, fees, schedules and completion timeline. Some project may be developed in phases.

ACIP Architectural/Engineering & Planning Services may include, but not limited to, the following:

**1. Chinle Airport Projects**

- a. 18/36 (6,900 ft x 60 ft) Runway Reconstruction and Rehabilitation
- b. Apron Reconstruct (500 ft x 200 ft) and expand (500 ft x 200 ft)
- c. Perimeter Fencing Installation/ Rehabilitation/ Reconstruction
- d. Airport Electrical System Upgrade (includes airfield/perimeter lighting system installation)
- e. Airport MIRL / HIRL / PAPI Installation / Upgrade / Replacement edge lights
- f. Airport Vertical/ Visual Guidance System and Wind cone Installation/ Upgrade
- g. Construction / Install / Expand / Improve / Modify / Rehabilitate Airport Snow Removal Equipment / Chemical Storage Building (40 ft x 50 ft)
- h. Acquire snow Removal Equipment/ Urea Truck. etc.
- i. Environmental Reviews as required for each project: Categorical Exclusions and/or Environmental Assessment
- j. Provide non-FAA funded airport planning. engineering. environmental and miscellaneous airport consulting services, as may be required
- k. Airport Design and Layout Plan Updates

**2. Tuba City Airport Projects**

- a. 15/33 (6,250 ft x 75 ft) Runway Reconstruction and Rehabilitation
- b. Taxiway/Apron Installation/ Rehabilitation/ Reconstruction
- c. Perimeter Fencing Extension 7,500 ft
- d. Airport Electrical System Upgrade (includes airfield/perimeter lighting system installation)
- e. Airport MIRL / HIRL / Installation of Runway 15/33 edge lights
- f. Airport Vertical/ Visual Guidance System and Wind cone Installation/ Upgrade
- g. Construction / Installation / Expand / Improve / Modify / Rehabilitate Airport Snow Removal Equipment / Chemical Storage Building
- h. Acquire Snow Removal Equipment / Urea Truck, etc.
- i. Environmental Reviews as required for each project; Categorical Exclusions and Environmental Assessment
- j. Provide non-FAA funded airport planning. engineering. environmental and miscellaneous airport consulting services. as may be required
- k. Airport Design and Layout Plan Updates

**3. Window Rock Airport Projects**

- a. Phase II of the (7,000 ft x 75 ft) Runway Reconstruction and Rehabilitation
- b. Design and Construct Taxiway A (7,055 ft x 35 ft)
- c. Perimeter Fencing Relocation outside of ROFA (18,000 ft)
- d. Airport Vertical/ Visual Guidance System, Installation / Upgrade
- e. Land Acquisition of 82 acres for RSA and parallel taxiway
- f. Environmental Reviews as required for each project: Categorical Exclusions and Environmental Assessments
- g. Provide non-FAA funded airport planning, engineering, environmental and miscellaneous airport consulting services, as may be required
- h. Airport Design and Layout Plan Updates



**4. Shiprock Airport Projects**

- a. 2/20 (4,840 ft x 75 ft) Runway Reconstruction and/or Rehabilitation
- b. Apron & Parking Areas Reconstruction
- c. Perimeter Fencing Installation / Rehabilitation / Reconstruction
- d. Airport Electrical System Upgrade (includes airfield/perimeter lighting system installation)
- e. Airport MIRL / HIRL / PAPI Installation / Upgrade
- f. Airport Vertical / Visual Guidance System Installation / Upgrade
- g. AWOS II Installation
- h. Construction / Install / Expand / Improve / Modify / Rehabilitate Chemical Storage Building and Acquire snow Removal Equipment / Building / Urea Truck. etc.
- i. Environmental Reviews as required for each project: Categorical Exclusions and/or Environmental Assessments
- j. Provide non-FAA funded airport planning, engineering, environmental and miscellaneous airport consulting services, as may be required
- k. Airport Design and Layout Updates

**5. Crownpoint Airport Projects**

- a. 18/36 (5,820 ft x 60 ft) Runway Reconstruction and Rehabilitation
- b. Apron & Parking Areas Reconstruction and Rehabilitation
- c. Perimeter Fencing Installation/ Rehabilitation/ Reconstruction
- d. Airport Electrical System Upgrade (includes airfield/perimeter lighting system installation)
- e. Airport HIRL / MIRL / PAPI Installation/ Upgrade
- f. Airport Vertical / Visual Guidance System Installation / Upgrade
- g. Land Acquisition Program (Safety Areas)
- h. Construction / Install / Expand / Improve / Modify / Rehabilitate / Chemical Storage Building. Acquire Snow Removal Building / Equipment / Urea Truck. etc.
- i. Environmental Reviews as required for each project: Categorical Exclusions and/or Environmental Assessments
- j. Provide non-FAA funded airport planning, engineering, environmental and miscellaneous airport consulting services, as may be required
- k. Airport Design and Layout Updates

**B. Experience:** The ideal firm will have extensive experience consisting or at least 15-years conducting airport design and engineering services involving multi-agencies similar to, but not limited to the following:

1. Preparation or Preliminary Engineering and Cost Estimates
2. Preparation of Pre-applications and SF-424 Applications for Grants
3. Field Surveys
4. Geotechnical Investigations
5. Airport Runway Designs and Layouts
6. Preparation of Engineering Improvement Plans
7. Preparation of Specifications
8. Preparation or Bid Documents
9. Assistance in Bid Advertisement and Receipt of bids
10. Bid Analysis and Construction Contract Award Assistance
11. Construction Observation and Monitoring
12. Construction Quality Assurance/Quality Control
13. Construction Management
14. Construction Administration
15. Grant Management
16. Contract Management
17. Program Management

18. GIS/CAD Management
19. Provide Surveys and Mapping Services for Leasehold Development
20. Provide Engineering technical support for the document updates
21. Provide services related to the Airport Capital Improvement Program
22. Airport Design Layout Plan Updates
23. Wildlife Hazard Assessment
24. Environmental Compliance
25. Archeological and Historic Preservation Compliance
26. Airport Planning
27. Heliports Design and Layout

The amount allocated for engineering for will be negotiated with the firm found best qualified. A detailed SOW and cost for each project will be negotiated on an individual project basis through Task Order once funding has been approved. The project(s) will be conducted within the parameters and requirements of a negotiated contract. All projects will be subject to the availability or funding and nothing shall obligate the Navajo Nation to proceed with any or all the projects. All work shall be accomplished in compliance with State, Federal and Local laws, policies guidance and regulations; including Environmental and Cultural compliances of Federal, State and the Navajo Nation.

**C. General Term and Conditions:**

1. Provisions for all (A/E) Contracts
2. Access to Records and Reports
3. Buy American Preferences
4. Civil Rights – General
5. Civil Rights - Title VI
6. Disadvantaged Business Enterprises
7. Federal Fair Labor Standards Act (Minimum Wage)
8. Lobbying and Influencing Federal Employment
9. Occupational Safety and Safety Act
10. Rights to Inventions
11. Trade Restriction Clause

**SECTION 4 – Proposal Content and Evaluation Criteria**

**A. Qualification of the Firm.** Proposals must specifically address and affirm the following:

1. Comprehensive Letter of Interest that indicates why your firm should be selected to provide a Five-Year Professional Services for Airport Engineering/Architectural & Planning to Navajo DOT.
2. Evidence of insurance such as Professional Liability Insurance.
3. Thorough Resume of personnel that will be involved in the task of completing projects, including professional qualifications and experiences. Include personnel or sub-consultants which will be utilized by the prime consultant.
4. Organizational Chart outlining the inter-relationship and line of communication between and the firm and sub-consultants.
5. Comprehensive Summarization of professional capabilities to perform all or most aspects of the projects(s) and recent experience(s) in airport engineering/architectural and planning activities/task(s) comparable to the proposed SOW as listed in **Section 3**.
  - a. Key personnel professional qualification and experience and availability for the proposed airport engineering/architectural and planning work, professional reputation, integrity and competence and their knowledge of FAA and Local regulations, policies and procedures.
6. Detailed qualifications and experience of outside consultants regularly engaged by the consultant under consideration.
7. A summary of the branch office capability that will perform independently of the home office. Conversely, the capability to obtain necessary support from the home office.



- B. **Native American Personnel:** Additional consideration will be given to those firms who will be utilizing Native American personnel in the task of completing airport projects. Provide full resume of Native American personnel including professional licenses, certification, qualification and experience directly related to airport development. Consideration will be based on the actual number of personnel who will be utilized in the completion or the task: and not on the ownership, nor percent ownership, of the firm.

Evidence that the consultant has made a good faith effort to meet Disadvantaged Business Enterprise (DBE) goals (**49 CFR. 26.53**) such as hiring of Native Americans to accomplish the proposed SOW.

- C. **Experience:** Interested firms shall provide complete evidence or experience and quality service rendered relative to similar projects (as listed under **Section 3. B**) on the Navajo Nation, other Indian Reservations and rural communities. Provide three (3) relevant references of airport engineering/architectural and planning projects that the firm has completed in the last three (3) years. Identify the year of the project completion and the owner/sponsor's contact person's name, title, telephone number and email address. Project which are referred to as having been accomplished by your firm shall be projects which were managed by personnel who are currently on your firm's staff. Similarly, do not list projects or experience for individuals who were employed by another firm. Interested firms and their sub-consultants shall also provide evidence or management capacity and scheduling, staff expertise, internal quality control and organization structure.
- D. **Project Understanding:** Demonstrate the understanding of the project and its potential problems and a method to address the issue.

Degree of interest shown in undertaking the project and the firm's familiarity with the Navajo Nation NPIAS and non-NPIAS airports.

Proximity of branch office or immediate access via the usage or transportation (to be identify by the firm) to timely access the geographic location of each NPIAS/non-NPIAS airport especially Window Rock, AZ within a day's notice.

- E. **Record of Past Performance:** Qualified firms must demonstrate it has the administrative and technical capabilities to perform professional services (as listed under **Section 3, B**) on time, within budget and provide seamless quality services.

Capability to incorporate and blend aesthetic and architectural concepts with the project design while accomplishing the basic requirements that transportation facilities be functional safe and efficient.

Current workload and demonstrated ability to meet schedules and deadlines. Projects previously undertaken and capability to complete work without having major cost escalations or overruns.

Qualified firms shall demonstrate experience working with FAA ADO and AZ/NM State Aviation Division personnel involving airspace reviews, airport master planning and engineering/architectural experience, ALP updates, land-use policy development, public hearing, multi-land jurisdiction experience, construction administration and management experience. Familiarity with the FAA Advisory Circular for the Architectural and Engineering, and Planning Consultant Services for Airport Grant Projects is a must.

## SECTION 5 – Rating and System on Evaluation Criteria

Each proposal will be evaluated and rated as follows. Descriptions of the components are provided in **Section 4 - Proposal Content and Evaluation Criteria**:

	<b>RATING AND EVALUATION ITEMS</b>	<b>POINTS</b>
A	Experience	30 Points
B	Qualifications	25 Points
C	Project Understanding, Familiarity and Interest Shown	20 Points
D	Record of Past Performance	15 Points
E	Native American Personnel	10 Points
	Total Points:	100 Points

It is the intent of Navajo DOT to rank the firms according to the responses submitted. Navajo DOT reserves the right to conduct detailed virtual interviews of at least three (3) top-ranked firms, if warranted.

**End of Request for Qualification**

## INSTRUCTIONS FOR RESPONDENTS

### 1. DEFINITION OF KEY WORDS USED IN THE SOLICITATION:

For purposes of this solicitation and subsequent contract, the following definitions shall apply:

**Navajo DOT:** Navajo Division of Transportation

**FAA:** Federal Aviation Administration

**ACIP:** Airport Capital Improvement Plan

**AIP:** Airport Improvement Program

**ALP:** Airport Layout Plan

**ADO:** Airport District Office

**NPIAS:** National Plan of Integrated Airport Systems

**Contract:** The legal agreement executed between the Navajo DOT and the Contractor/Firms. The Contract shall include this RFQ document incorporated herein by reference, all terms, conditions, specifications, scope of work, Amendments, the Contractor's offer and negotiated items as accepted by the Navajo DOT.

**Contractor:** The individual, partnership, or corporation who, as a result of the competitive solicitation process, is awarded a contract by the Navajo DOT.

**Contact Person:** The Navajo DOT employee or employees who have specifically been designated to act as a contact person or persons to the Contractor and is responsible for monitoring and overseeing the Contractor's performance under this Contract. The person or persons is also authorized to sign and amend contracts on behalf of Navajo DOT upon approval by the Division Director

**Respondent:** The individual, partnership, or corporation who submits a proposal in response to a solicitation.

**May:** Indicates something that is not mandatory but permissible.

**Shall, Will, Must:** Indicates a mandatory requirement. Failure to meet these mandatory requirements, if they constitute a substantive requirement, may, at the Navajo DOT's sole discretion, result in the rejection of a proposal as non-responsive.

**Should:** Indicates something that is recommended but not mandatory. If the Respondent fails to provide recommended information, the Navajo DOT may, at its sole option, ask the Respondent to provide the information or evaluate the proposal without the information.

**2. PRE-PROPOSAL MEETING:** If scheduled, the date and time of a Pre-Proposal meeting is indicated on the 'Activities of Schedules and Timeline' page of this document. Attendance at this meeting is not mandatory. Written minutes and/or notes will not be available therefore attendance is encouraged. If a Respondent is unable to attend the Pre-Proposal Meeting questions may be submitted in writing. The purpose of this meeting will be to clarify the contents of this Request for Qualification in order to prevent any misunderstanding of the Navajo DOT's position. Any doubt as to the requirements of this Request for Qualification or any apparent omission or discrepancy should be presented to the Navajo DOT at this meeting. The Navajo DOT will then determine the appropriate action necessary, if any, and may issue a written amendment to the Request for Qualification. Oral statements or instructions will not constitute an amendment to this Request for Qualification.

**3. INQUIRIES:** Any question related to the Request for Qualification shall be directed to the Contact Person whose name appears above. A Respondent shall not contact or ask questions of the department for whom the requirement is being procured. Respondents must submit written via electronic mail no later than October September 30, 2020 at 5pm (local time). Any correspondence related to a solicitation should refer to the appropriate Request for Qualification number, page and paragraph number. An envelope containing questions should be identified as such, otherwise it may not be opened until after the official proposal due date and time. Oral interpretations or clarifications will be without legal effect. Only questions answered by a formal written amendment to the Request for Qualification will be binding.

**4. AMENDMENT OF REQUEST FOR QUALIFICATION:** The Respondent shall acknowledge receipt of a Request for Qualification Amendment by signing and returning the document by the specified due date and time.

- 5. FAMILIARIZATION OF SCOPE OF WORK:** Before submitting a proposal, each respondent shall familiarize itself with the Scope of Work, laws, regulations and other factors affecting contract performance. The respondent shall be responsible for fully understanding the requirements of the subsequent Contract. The submission of a proposal will constitute a representation of compliance by the Respondent.

There will be no subsequent financial adjustment, other than that provided by the subsequent Contract, for lack of such familiarization.

**6. PREPARATION OF THE RFQ:**

- A. All RFQ must be submitted in a sealed envelope clearly marked, **“DO NOT OPEN” with the REQUEST FOR QUALIFICATION TITLE, REQUEST FOR QUALIFICATION NUMBER, DUE DATE AND TIME and RESPONDENT’S NAME AND ADDRESS** Facsimiles or electronic mail proposals shall not be considered.
- B. The firm shall submit one (1) original and six (6) identical copies of their RFQ for the evaluation committee members. Appearance of RFQ is important and professionalism in presentation should not be neglected.
- C. The RFQ standards are as follows:
- This RFQ may not exceed 25 single-sided pages (maximum 8 ½” x 11”) with a minimum of 10 pt. type.
  - Pages that have photos, charts and graphs will be counted towards the maximum number of pages.
  - The following information is not included in the 25-page limit: proposal front and back cover; cover letter on company letterhead; divider and/or tabs, as long as there is nothing on them; and maximum 1-page resumes of each key team member.
  - RFQ submittals should be plastic or metal spiral-bound only. **Please do not submit RFQ submittal in loose-leaf 3-ring binders; these will be considered non-responsive and returned to the firm un-rated.**
  - Submissions exceeding the 25-page limit or any resumes exceeding the 1-page limit will be considered non-responsive and will be returned to the Respondent un-rated.
- D. Periods of time, stated as number of days, shall be in business days.
- E. It is the responsibility of all respondents to examine the entire RFQ package and seek clarification of any requirement that may not be clear and to check all responses for accuracy before submitting the RFQ. Negligence in preparing the RFQ confers no right of withdrawal after due date and time.
- F. The Navajo DOT shall not reimburse the cost of developing, presenting, submitting or providing any response to this solicitation.
- G. Respondent must list any subcontractors to be utilized in the performance of the services specified herein. For each subcontractor, details on respective qualifications must be included.

**7. REQUEST FOR QUALIFICATION EVALUATION**

- A. All RFQ submittal shall be evaluated and rated in accordance with the criteria outlined in RFQ REQUIREMENTS to provide the SCOPE OF WORK.
- B. The Navajo DOT will rate the proposals based on total points awarded and the most qualified firm with the highest rating and ranking will be determined as most responsive. The Navajo DOT reserves the right to select the one top rated and best qualified firm.
- C. Additional consideration will be given to those firms who will be utilizing Native American personnel in providing materials services. Provide resume of Native American personnel, including professional certifications, licenses, qualifications and experience. Consideration will be based on the actual number of personnel who will be utilized; and not on the ownership, nor percent ownership, of the firm.

**8. AWARD OF CONTRACT**

- A. The Navajo DOT will retain the services of one (1) most qualified consultant. Upon selection, individual firm will be notified and the process of initiating a professional services contract will begin. Failure to address any questions adequately by the firm shall result in cancellation of the offer. The Navajo DOT has the right to offer the contract to the next highest rated and ranked firm.

B. The Navajo DOT will issue a Notice to Proceed to the firm upon execution of the contract.

- 9. TAXES:** All services provided within the jurisdiction of the Navajo Nation is subjected to the (6%) Navajo Sales Tax (24 N.N.C. § 601 et seq.).
- 10. EXCEPTIONS TO CONTRACT PROVISIONS:** A response to the RFQ is an offer to contract with the Navajo DOT based upon the contract provisions contained in the Navajo DOT's RFQ, including but not limited to, the specifications, scope of work and any terms and conditions. Respondents who wish to propose modifications to the contract provisions must clearly identify the proposed deviations and any proposed substitute language. The provisions of the Request for Qualification cannot be modified without the express written approval of the authorized agent. If RFQ or Offer is returned with modifications to the contract provisions that are not expressly approved in writing by the authorized agent, the provisions contained in the Navajo DOT's RFQ shall prevailed
- 11. PROPERTY:** All response submitted to the RFQ shall become the property of the Navajo DOT.
- 12. CONFIDENTIAL INFORMATION:** The Navajo DOT is obligated to abide by all public information laws. If the Respondent believes that any portion of the RFQ, offer, specification, protest or correspondence contains information that should be withheld, a statement advising the CONTACT PERSON of this fact should accompany the submission and the information shall be so identified wherever it appears. The Navajo DOT shall review all requests for confidentiality and may provide a written determination to designate specified documents confidential or the request may be denied. If the confidential request is denied, such information shall be disclosed as public information, unless the Respondent submits a formal written objection.
- 13. CERTIFICATION:** By signature on the RFQ by an authorized agent, solicitation Amendment(s), or letter accompanying the submittal documents, Respondent certifies:
- A. The submission of the offer did not involve collusion or other anti-competitive practices.
  - B. The Respondent hereby certifies that the individual signing the submittal is an authorized agent for the Respondent and has the authority to bind the Respondent to the Contract.
- 14. WHERE TO SUBMIT PROPOSALS:** In order to be considered, the Respondent must complete and submit its RFQ to the Navajo DOT at the location indicated, prior to or at the exact date and time indicated on the 'Request for Qualification' page. The Respondent's RFQ shall be submitted in a sealed envelope. Mark "**DO NOT OPEN**" with the **REQUEST FOR QUALIFICATION TITLE, REQUEST FOR QUALIFICATION NUMBER, PROPOSAL DUE DATE AND TIME and RESPONDENT'S NAME AND ADDRESS** shall be clearly written on the envelope.
- 15. LATE SUBMITTAL:** Late submittal will be rejected.
- 16. OFFER AND ACCEPTANCE PERIOD:** In order to allow for an adequate evaluation, the Navajo DOT requires an offer in response to this solicitation to be valid and irrevocable up to ninety (90) days after the RFQ due date and time.
- 17. WITHDRAWAL OF REQUEST FOR QUALIFICATION:** At any time prior to the specified solicitation due date and time, a Respondent may formally withdraw the RFQ by a written letter, or electronic mail from the Respondent or an authorized agent to the CONTACT PERSON. Telephonic or oral withdrawals shall not be considered.
- 18. DISCUSSIONS:** The Navajo DOT reserves the right to conduct discussions with Respondents for the purpose of eliminating minor irregularities, informalities, or apparent clerical mistakes in the proposal in order to clarify an offer and assure full understanding of, and responsiveness to, solicitation requirements.

- 19. CONTRACT NEGOTIATIONS:** Exclusive or concurrent negotiations may be conducted with selected Respondent for the purpose of altering or otherwise changing the conditions, terms and price of the proposed contract unless prohibited. Respondents shall be accorded fair and equal treatment in conducting negotiations and there shall be no disclosure of any information derived from proposals submitted by competing Respondents. Exclusive or concurrent negotiations shall not constitute a contract award nor shall not confer property rights to the successful Respondent. In the event the Navajo DOT deems that negotiations are not progressing the Navajo DOT may formally terminate these negotiations and may enter into subsequent concurrent or exclusive negotiations with the next most qualified firm.
- 20. BUSINESS REGISTRATION:** Prior to the award of a Contract, the successful Respondent shall register with the Navajo Nation Business Regulatory Department. For more information contact the Navajo Nation Business Regulatory Department at (928) 871-6544
- 21. NAVAJO NATION BUSINESS LICENSE:** It is the responsibility of the Contractor to have a Navajo Nation Business License throughout the life of this contract or a written determination from the Navajo Nation Business Regulatory Department that a license is not required. At any time during the contract, the Navajo DOT may request the Contractor to provide a valid copy of the business license or a written determination that a business license is not required. For more information contact the Navajo Nation Business Regulatory Department at (928) 871-6544
- 22. UPON NOTICE OF INTENT TO AWARD:** The apparent successful Respondent shall sign and file with the Navajo DOT, within five business (5) days after Notice of Intent to Award, all documents necessary to the successful execution of the Contract.
- 23. AWARD OF CONTRACT:** Notwithstanding any other provision of the Request for Qualification, the Navajo DOT reserves the right to:
- (1) reject any or all proposals, or portions thereof; or
  - (2) reissue the Request for Qualification or rebid
  - (3) Select multiple contractors

A response to this Request for Qualification is an offer to contract with the Navajo DOT based upon the terms, conditions and Scope of Work contained in the Navajo DOT's Request for Qualification. Proposals do not become contracts unless and until they are executed by the Navajo DOT's Notice to Proceed. All of the terms and conditions of the contract are contained in the Request for Qualification, unless any are modified by a Request for Qualification amendment, a Contract Amendment, or by mutually agreed in the Contract documents.

- 24. PROTESTS:** A protest shall be in writing and shall be filed with the CONTACT PERSON. A protest of a Request for Qualification shall be received at the Navajo DOT not less than five (5) business days before the Request for Qualification due date. A protest of a proposed award or of an award shall be filed within ten (10) days after issuance of notification of award or issuance of a notice of intent to award, as applicable.

A protest shall include:

- A. The name, address, and telephone number of the protestant;
- B. The signature of the protestant or its authorized agent;
- C. Identification of the Request for Qualification or Contract number;
- D. A detailed statement of the legal and factual grounds of protest including copies of relevant documents; and the form of relief requested.

**End of Instructions for Respondents**