

**Request for Proposal (RFP)**  
**NAVAJO DEPARTMENT OF WORKFORCE DEVELOPMENT (NDWD)**  
**Remediation Software Program**  
**Bid No. 18-12-1978LE**

**SECTION I: INFORMATION**

- A. **ISSUING OFFICE:** This Request for Proposal (RFP) is issued by the Division of Human Resources, Navajo Nation Department of Workforce Development (NDWD), P.O. Box 1889, Tribal Hill Drive-FA#2754, Window Rock, Arizona. The contact person for this RFP is Lavine J. Roan, Contract Analyst at (929) 871-7730, or email at [ljroan@ndwd.org](mailto:lvroan@ndwd.org).
- B. **PURPOSE:** NDWD intends to enter into a Navajo Nation Services Contract with a responsible and qualified independent contractor to provide remediation software for five (5) NDWD learning centers. A services contract for a period of three (3) years will be executed on the award of a services contract.
- C. **SCOPE:** This RFP contains the instructions governing the bids to be submitted and the material to be included therein; mandatory requirements which must be met to be eligible for consideration; and other requirements to be met by each bid.
- D. **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 NDWD Contract Analyst at any time up to the deadline for bids.
- E. **SCHEDULE OF ACTIVITIES:**
- |   | <b>DEADLINE:</b>       |
|---|------------------------|
| 1. Public Advertisement                                 | January 8, 9, 10, 2019 |
| 2. Proposals will be sent to vendors on current listing | January 8, 9, 10, 2019 |
| 3. Prospective respondent's written question deadline   | January 15, 2019       |
| 4. Responses to questions                               | January 15, 2019       |
| 5. Due date for bids (Friday, 4:00 pm MST)              | January 18, 2019       |
| 6. Opening of sealed bids/evaluation by Review Team     | January 23, 2019       |
- F. **INQUIRIES:** Prospective respondents shall submit written questions concerning this RFP to obtain clarification of requirements through e-mail to Ms. Lavine J. Roan, Contract Analyst, at [ljroan@ndwd.org](mailto:lvroan@ndwd.org). No inquiries will be accepted after the inquiry deadline listed in section E.

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NOTE: Please Mark on the outside of the envelope- **“DO NOT OPEN- BID NO: 18-12-1978LE, Navajo Department of Workforce Development (NDWD); REMEDIATION SERVICES.**

- G. **ADDENDUM OF SUPPLEMENT TO THIS REQUEST FOR BIDS:** In the event that it becomes necessary to revise any part of this RFP, an addendum will be issued.
- H. **BIDS SUBMISSION: Bids must be received on or before 4:00 p.m. MST, January 18, 2019.** Respondents who are mailing their bids should allow sufficient time for mail delivery to insure receipt by the time 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.
- I. **FOUR SETS OF BIDS ARE REQUIRED:** Four (4) sets of the bid must be delivered in a sealed envelope; one (1) original and three (3) copies. The outside of the envelope should be clearly marked with the project name; **“DO NOT OPEN – BID NO. 18-12-1978LE Navajo Department of Workforce Development (NDWD); REMEDIATION SERVICES,** and the name and address of the firm submitting the bid. Do not submit bids in three ring binders.
- J. **REJECTION OF BIDS:** NDWD reserves the right to reject any and all bids. This RFP may be canceled at any time and all bids may be rejected in whole or in part when the NDWD Department Manager III determines it is in the best interest of the Navajo Nation.
- K. **PROPRIETARY INFORMATION:** Any restriction on the use of data contained within any proposals must be clearly stated in the proposal itself. Proprietary information submitted in response to this RFP will be handled in accordance with applicable purchasing procedures. Each and every page of the proprietary material must be labeled or identified with the word “proprietary”.
- L. **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 NDWD and may be reviewed by any person after final selection has been made, subject to paragraph K above. NDWD has the right to use any or all documents presented in reply to this RFP, subject to limitations in paragraph K above. Disqualification or non-selection of a respondent does not eliminate this right.
- M. **INCURRING COSTS:** NDWD is not liable for any cost by the respondent(s) prior to issuance of a contract.
- N. **ACCEPTANCE TIME:** NDWD intends to make a vendor selection within (10) working days after the closing date for receipt of bids.

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- O. **SUFFICIENT APPROPRIATION:** A selection of vendor, 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 effect such termination or reduction in scope. The NDWD Department Manager III's decision to terminate or reduce the scope due to insufficient appropriations shall be accepted as final by the vendor.
- P. **JOINT PROPOSALS:** Nothing in this RFP shall be construed to prohibit vendors from entering into a consortium for the purpose of offering a proposal in response to this RFP. Parties to a consortium will not be permitted independent, individual proposals in response to this RFP.
- Q. **EVALUATION PROCEDURES AND CRITERIA.**
1. An evaluation team will review bids 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. Any bids that do not adhere to this format and does not address specifications, requirements of the Scope of Work with the RFP may be deemed non-responsive and rejected on that basis.
  3. The sole objective of the review team will be to select the respondent who is most responsive to the needs of NDWD. The specifications in this RFP represent the minimum performance necessary for a response. On the basis of 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 NDWD Department Manager III may elect to evaluate the RFP solely.
  4. Evaluation Criteria: The following criteria will be used by the review panel in the selection process for the award of bid. The proposal factors will be rated on a scale of 01-100 points as cited below:

Proposal Factors:

Specifications: 40 Points

- Ability to administer the remediation software program.

Costs: 20 points

- Breakdown of costs by core courses, advanced courses, credit hours,

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supplies and books.

- Other related costs and fees.

Quality of Services: 25 Points

- Implementation planning and training of the remediation Software.
- Products and Services
- Warranties/Licensures/Certifications

Experience: 10 Points

- Qualifications of personnel.
- Years of service providing online remedial programs.

Navajo Nation Priority One or Two 5 Points

**Total possible points: 100 Points**

R. **STANDARD CONTRACT:** The Navajo Nation reserves the right to incorporate standard contract provisions into any contract negotiations as a result of a bid submitted in response to the RFP.

S. **SPECIAL CLAUSES:** In accordance with P.L. 106-113 Section, the following disclosures are hereby stated: 1) Workforce Innovation Opportunity Act (WIOA) Section 166 funds will finance 100% of this project. 2) Upon vendor selection and award, the amount of WIOA funds to finance this service will be determined. 3) No non-governmental funds will be used to finance this service.

- 100% of total cost of this purchase will be financed with WIOA Grant Funds.
- Upon award and acceptance, the total dollar amount will be made available with the awarded vendor.
- 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.).

T. **TERM:** The term of this contract will be for three (3) years from the date of award.

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

V. **COMPLIANCE WITH LAWS AND REGULATIONS:**

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The successful Vendor shall comply with all Federal, Tribal, State, and Local laws, regulations and Navajo Nation rules and policies pertaining to work under its charge, and shall, at its expense, procure any permits that may be required.

**W. INDEMINIFICATION:**

To the fullest extent permitted by law, or as otherwise defined in the Contract, the successful Vendor shall indemnify and hold harmless the Navajo Nation and its officials, employees and agents from and against all claims, liens or demands that result in losses, liabilities, defense costs and expenses (including but not limited to attorney's fees and costs of litigation) arising out of the term, conditions and performance under the contract.

The Vendor further agrees to indemnify and hold harmless the Navajo Nation, its agents, or employees, against claims or liability arising from or based upon the violation of any federal, state, county, city, or other applicable laws, bylaws, ordinances, or regulations by the Vendor, its agents, associates, or employees.

The indemnification provided above shall obligate the Vendor to defend at its own expense or to provide for such defense, at the Navajo Nation's option, of any and all claims of liability and all suits and actions of every name and description that may be brought against the Navajo Nation which may result from the operations and activities under any Contract resulting from this RFP.

The award of this Contract to the Vendor shall obligate the Vendor to comply with the foregoing indemnity provision.

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**SECTION II**

The Navajo Department of Workforce Development invites qualified firms to submit bids to provide remediation software tools for five (5) NDWD learning centers.

**SCOPE OF WORK:**

- I. The remediation software should be able to administer the following:
- Provide the licensed courses to students using the program.
  - Provide live training and/or training through webinar(s) for staff selected by NDWD to facilitate the program, in accordance with the services NDWD has purchased.
  - Provide an online registration and course enrollment process.
  - Provide online access to student progress on an ongoing basis to appropriate personnel that NDWD identifies.
  - Provide access to the online courses that NDWD licensed 24 hours 7 days a week for student and organization use, subject to normal downtime for updates and maintenance.
  - Provide reporting on student progress throughout each course and program.
  - Access to learning management system which gives access to student information, student's official gradebook, and communications concerning student.
  - Printable access to an enrolled student(s) transcript.
  - Create catalysts and models for changes in education such as General Educational Development (GED) /Hi Set and American College Test (ACT).
  - Strengthen user education that will increase grade levels in reading, math and language.
  - College and career readiness to meet the needs for adult learners. Includes college entrance examinations practice with Statutory Assessment Test (SAT) ACT and Test of Adult Basic Education (TABE) practice exams.
  - Facilitate the expansion and sustainability of successful programs in TABE, Comprehensive Adult Student Assessment System (CASAS), HiSet, ACT and work keys.

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- Promote and support grade level 1.0 to 12.0 courseware; High School Equivalency.
- Classes to build life-skills and academic skills to obtain employment.
- Create Workforce Innovation Opportunity Act (WIOA) initiatives for youth and adult who are looking for a job; computer keyboarding, and job market;
- Work Readiness recognized Career Clusters; ACT work keys and Career Readiness certificates
- The license should or can be used by unlimited number of users.
- User can work at his/her own pace.
- Software must be able to provide feedback through data, graphs measurement of individual strength and areas of improvement.
- Software should include administrator / user log in / administrator can review lessons/ daily attendance and progress.
- Provide annual training to Department of Navajo Nation Workforce learning support staff and counselors on the system and operation of the courseware.
- Tailor instruction to meet participant's academic deficiencies or grade level.

**REPORT:**

All invoices shall be detailed by services that have been provided. The final bill must be presented at the end of the contract for all applicable charges for the final close-out.

**BACKGROUND INFORMATION:**

The Navajo Department of Workforce Development (NDWD) serves as the designated administrative entity of the Navajo Nation to administer and implement employment and training program funded by the Workforce Innovative Opportunity Act (WIOA) Section 166 and DHHS-ACF Native Employment Works Program. NDWD has been administering and implementing employment and training programs for the Navajo Nation for more than forty (40) years. NDWD operates with a central office, five (5) field offices and five (5) sub-offices.

**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 degree of expertise in providing these services.

# Request for Taxpayer Identification Number and Certification

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

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

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

<b>Social security number</b>									
-				-					
<b>or</b>									
<b>Employer identification number</b>									
-									

## Part II Certification

Under penalties of perjury, I certify that:

1. The number shown on this form is my correct taxpayer identification number (or I am waiting for a number to be issued to me); and
2. I am not subject to backup withholding because: (a) I am exempt from backup withholding, or (b) I have not been notified by the Internal Revenue Service (IRS) that I am subject to backup withholding as a result of a failure to report all interest or dividends, or (c) the IRS has notified me that I am no longer subject to backup withholding; and
3. I am a U.S. citizen or other U.S. person (defined below); and
4. The FATCA code(s) entered on this form (if any) indicating that I am exempt from FATCA reporting is correct.

**Certification instructions.** You must cross out item 2 above if you have been notified by the IRS that you are currently subject to backup withholding because you have failed to report all interest and dividends on your tax return. For real estate transactions, item 2 does not apply. For mortgage interest paid, acquisition or abandonment of secured property, cancellation of debt, contributions to an individual retirement arrangement (IRA), and generally, payments other than interest and dividends, you are not required to sign the certification, but you must provide your correct TIN. See the instructions for Part II, later.

<b>Sign Here</b>	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](http://www.irs.gov/FormW9).

### Purpose of Form

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

- Form 1099-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 and**  
**Suspension**

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

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

Applicant's Address

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Name & Signature of Applicant

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Type or Print Name

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Signature                      Date