

NAVAJO NATION BROADBAND OFFICE
REQUEST FOR PROPOSAL
Internet and Wide Area Network Services
RFP 23-07-3072GC

PROPOSAL DUE DATE: 3:00 p.m. MST August 29, 2023

SECTION I

A. BACKGROUND

NNBO under the Office of the President and Vice President is responsible for providing Navajo Nation residents with access to affordable high-speed broadband connectivity.

B. SCOPE OF WORK

The NNBO is seeking proposals from Eligible Telecommunications Carriers (ETC) to submit proposals to deploy broadband infrastructure and operate a high resiliency, high quality, and high-capacity broadband network for the projects listed in Appendix C. This request for proposal (RFP) states the overall scope of products and services desired, technology foundation, and desired vendor qualifications.

1. Respondents will provide dedicated internet access at project sites. The 51 locations are listed in Appendix C. The Bandwidth requirement is 100/20 Mbps and higher (Internet). The solution must be scalable to 10 Gbps.
2. Equipment upgrades may include microwave radio, fiber lateral, cabling, etc. Fiber-optic connections preferred for 'last mile' site connections where available to leverage symmetrical upload speeds.
3. Respondent must be able to work with NNBO for any future changes in site bandwidth.
4. This work will be funded by the American Rescue Plan Act (ARPA) and ARPA requires the work to be completed by December 31, 2026.
5. For tower projects, the work is expected to support about 150 households and businesses in a 15-mile radius.
6. Provide cost per month of the different services offered using tables in Appendix A and B.
7. Provide a construction schedule and timeline with the bid.

The NNBO is seeking multiple options for bids. Respondents may bid one, all, or any number of options. Because the geographic area is so large and remote, it is anticipated that multiple Service Providers may choose to bid as few as only a couple of the sites or as many as all of the locations listed in this RFP. But, each site must be bid separately. Failure to bid each location separately will cause those Service Provider(s) to be deemed non-responsive.

The NNBO requires on-going maintenance of the solutions.

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SECTION II

A. ISSUING OFFICE: This RFP is issued by NNBO, 1575E State Hwy 264 Tse Bonito, New Mexico.

POINT OF CONTACT: Sonia Nez, Department Manager
Email: sonianez@navajo-nsn.gov

Advertisements: <https://www.nnooc.org/request-for-proposals/> BID NUMBER: **23-07-**

3072GC

Site Conditions: It will be the responsibility of the bidder to become informed of all conditions under which work is to be done before submitting proposals. No additional costs will be incurred by the Owner or considerations given to any claims based on a lack of knowledge of existing conditions. The submission of a bid from the bidder is an acknowledgement to this stipulation.

B. PURPOSE: This RFP provides prospective respondents with sufficient information to enable them to prepare and submit a proposal for consideration.

C. SCOPE: This RFP contains the instructions governing the proposal 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 proposal.

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 download a copy of the Navajo Nation procurement regulations from the Navajo Nation Office of the Controller at the following link: [Procurement Rules and Regs BFD-192-03](#)

NNBO will make every effort to adhere to the following schedule.

SCHEDULE OF ACTIVITIES:	DEADLINE:
RFP Posting	July 24, 2023
Proposal inquiry deadline	August 17, 2023
Proposal due date	August 29, 2023, 3 p.m. MST
Contract Award	September 6, 2023

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- E. INQUIRIES:** No inquiries will be accepted after the inquiry deadline listed in section D. If Service Providers have any questions or inquiries regarding this RFP, those inquiries shall be directed to Sonia Nez. All questions will be answered in addendum(s) sent out to all Service Providers. Any and all updated project information, forms, including addenda, will be distributed through the Navajo Nation Office of the Controller (NNOOC) website, located at <https://www.nnooc.org/request-for-proposals/>
- F. ADDENDUM OF SUPPLEMENT TO THIS REQUEST FOR PROPOSALS:** In the event that it becomes necessary to revise any part of this RFP, an addendum will be issued.
- G. PROPOSAL SUBMISSION:** All respondent proposals must be received for review and evaluation by the Point of Contact no later than the deadline listed in Section D. Proposals received after this deadline will not be accepted. The date and time of receipt will be recorded on each proposal.

Hand Delivered to: Navajo Nation Broadband Office
ATTN: Sonia Nez, Department Manager
1575E Highway 264
Tse Bonito, New Mexico 87305
Do Not Open: BID No. 23-07-3072GC

- H. HARD COPY/ELECTRONIC RESPONSES:** Respondent's proposal must be clearly labeled and numbered and indexed as outlined in the response format and organization. Proposals must be submitted as outlined below. Envelopes, packages or boxes containing the original must be clearly labeled and submitted in a sealed envelope, package, or box bearing the following information:

Respondents should deliver: One (1) ORIGINAL HARD COPY, and one (1) electronic copy (USB Jump Drive). The electronic copy cannot be emailed. The electronic version/copy of the proposal must mirror the physical binders submitted. The electronic version cannot be emailed. The original, hard copy and electronic copy information must be identical. In the event of a conflict between versions of the submitted proposal, the Original hard copy shall govern.

Main: In a separate sealed envelope, please include everything listed in Section I, A except the Technical Response and Cost. The outside of the envelope should be clearly marked - "**MAIN – RFP # 23-07-3072GC NNBO Internet and Wide Area Network Services**" and the name and address of the firm submitting the proposal. Visibly mark "Priority 1" or "Priority 2" on the outside of the proposal package, if applicable. Priority 1 and 2 refers to the offeror's priority status under the Navajo Nation Business Opportunity Act

Technical Response & Cost: For each project the respondent is bidding on, in a separate sealed envelope, please submit the technical response and total cost for completing the project. The outside of the envelope should be clearly marked - "**PROJECT ID [#], TECHNICAL RESPONSE & COST – RFP # 23-07-3072GC NNBO Internet and Wide Area Network Services**" and the name and address of the firm submitting the proposal. Visibly mark "Priority 1" or "Priority 2" on the outside of the proposal package, if applicable. Priority 1 and 2 refers to

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the offeror's priority status under the Navajo Nation Business Opportunity Act

EXAMPLE: If a respondent is bidding on Projects 2, 15, & 21, there will be 4 separate envelopes submitted.

- One envelope marked “MAIN – RFP...” containing everything listed in Section I, A except the Technical Response and Cost
- One envelope marked “Project ID #2...” containing Project ID #2 technical response & cost
- One envelope marked “Project ID #15...” containing Project ID #15 technical response & cost
- One envelope marked “Project ID #21...” containing Project ID #21 technical response & cost

Instructions to offerors to visibly mark on the outside of the proposal package, if applicable, the offeror’s priority status under the Navajo Nation Business Opportunity Act. It is the responsibility of the offeror to identify themselves as certified under the Navajo Nation Business Opportunity Act.

Bid opening will be held in accordance to Navajo Nation Procurement Procedures. No emailed or faxed responses shall be considered. The NNBO reserves the right to reject any or all responses, and to waive any or all formalities in connection with this request. Any responses after the above due date and time will not be accepted or considered.

I. PROPOSAL FORMAT

All proposals must be typewritten or printed sheet faces of text and/or graphic material on standard 8 1/2” x 11” paper (larger paper, 11” x 17”, is permissible for charts, spreadsheets, etc.) and placed in a three-ring binder with labels identifying each section. The Table of Contents should reflect the Proposal Outline below.

Non-Conforming Proposal

Any proposal deemed non-conforming by the Point-of-Contact in regard to format will be considered non-responsive. Respondents shall contact the Point-of-Contact to clarify any questions concerning format prior to submission.

Amendments:

Changes to this Request for Proposals shall be issued only by the Point-of-Contact in writing.

A. Proposal Outline

- 1) Table of Contents
- 2) Signed Letter of Transmittal – To be completed and signed by an individual person authorized to obligate the company and to include:
 - a. Identify the submitting business entity.
 - b. Identify the name, title, telephone, and e-mail address of the person authorized by the Respondent organization to contractually obligate the business entity providing the Offer.

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- c. Identify the name, title, telephone, and e-mail address of the person authorized to negotiate the contract on behalf of the organization
- d. Identify the names, titles, telephone, and e-mail addresses of persons to be contacted for clarification/questions regarding proposal content.
- e. Identify sub-contractors (if any) anticipated to be utilized in the performance of any resultant contract award.
- f. Describe the relationship with any other entity that will be used in the performance of this awarded contract.
- g. Explicitly indicate acceptance of the conditions governing this procurement
- h. Acknowledge receipt of any and all amendments to the RFP
- 3) Organizational Experience – Statement or Key Personnel Resumes
- 4) Tribal References – Name, organization, and contact information
- 5) Special Construction Payment Plan Option Response - Include agreement or non-agreement of this request.
- 6) Value-Added Offerings, if applicable, narrative
- 7) Navajo Preference, Certificate of Eligibility issued by the Navajo Business regulatory Department (if applicable)
- 8) Certificate of Good Standing from the Navajo Nation Business Regulatory Department
- 9) Required insurance documents, i.e. Certificate of Liability Insurance
- 10) Completed and signed W-9 Form
- 11) Completed and signed Navajo Nation Certification Regarding Debarment and Suspension (Appendix F)
- 12) Proof of ETC status
- 13) Technical Response - Specifications to include:
 - a. Response type
 - i. Proposal for Lit, Leased Dark Fiber including FTTH
 - ii. Proposal for tower - include tower structure, co-location feasible, and proof of business lease
 - iii. Proposal for COW – include usage, who will maintain and be responsible
 - b. Project Description and Approach Narrative
 - c. Timeline and construction schedule for each site
 - d. Network Map – respondents should clearly illustrate proposed network design and construction routes.
- 14) Cost Response – Mandatory use of provided tables (Appendix A and Appendix B)

J. REJECTION OF PROPOSALS: NNBO 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 NNBO Department Manager I 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

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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 the property of The Navajo Nation and will not be returned to the respondent. Responses received will be retained by NNBO and may be reviewed by any person after final selection has been made, subject to paragraph I above. NNBO has the right to use any or all system ideas presented in reply to this RFP, subject to limitations in paragraph I above. Disqualification or non-selection of a respondent or proposal does not eliminate this right.
- M. INCURRING COSTS:** NNBO is not liable for any cost by the respondents prior to issuance of a contract.
- N. ACCEPTANCE TIME:** NNBO intends to make a vendor selection within five (5) working days after the closing date for receipt of proposals.
- O. 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 a notice to the Vendor shall affect such termination or reduction in scope. The NNBO Department Manager I decision to terminate or reduce the scope due to insufficient appropriations shall be accepted as final by the Vendor.
- P. EVALUATION PROCEDURES AND CRITERIA.**
1. An evaluation team will judge 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 NNBO. 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 NNBO Department Manager I may elect to evaluate RFP solely.
 4. Evaluation Criteria: The contract(s) shall be awarded to the Respondent (or Respondents) whose proposals are most advantageous to the Navajo Nation Broadband Office taking into consideration the evaluation factors set forth in this RFP. The most advantageous proposal may or may not have received the most points.

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Evaluation Criteria	
Bid Organization a. See Section II, H & I	3
Letter of Transmittal a. See Section II, I	20
Technical Response a. See Section II, I, A, 13	37
Proposed cost a. Appendix A and B	40
	100

- Q. STANDARD CONTRACT:** The Navajo Nation reserves the right to incorporate standard contract provision into any contract negotiations as a result of a proposal submitted in response to the RFP.
- R. TAX:** All appropriate taxes should be **included in the 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.).
- S. TERM:** The term of this contract will be from the date of award to December 31, 2026
- T. SOVEREIGNTY:** The Navajo Nation will not relinquish any of its sovereignty rights.
- U. COMPLIANCE WITH LAWS AND REGULATIONS:** 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.
- V. THE PAYMENT PROCEDURES** established by the Division of Finance shall be adhered to and are to begin whenever Goods are delivered and accepted.
- W. INDEMNIFICATION:** 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

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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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Appendix B: Special Construction Pricing

Required with all bid submissions that include special construction. **Reminder, EACH site SHALL be listed separately**

Special Construction					
Location	Strand Count	Segment Mileage	Total Segment Cost	Eligible Cost	Ineligible Cost
Total project mileage and costs					

Information that can be included now, but will be requested at a later date upon review:

- Special Construction Cost Breakout worksheet in Appendix C (xls available, if requested)
- Route map of all build segments in kmz format
- Explanation of alternative routes that were explored and why the chosen route is the most cost-effective
- Explanation of special materials and procedures required that may have increased construction costs, such as:
 - Historical preservation or environmental issues
 - Bridge, waterway, railway, or highway crossings
 - Galvanized conduit
 - Directional boring through hard rock or under a paved surface
 - An excessive number of handholes, marker posts, or other OSP materials
 - Expensive pole attachment fees or make ready costs
 - Extreme terrain
 - Tribal cultural or protected areas issues
 - Timeline and Construction Schedule
 - Navajo Nation right-of-ways

Appendix C
Navajo Nation Broadband Office ARPA Broadband Project Listing

Project ID	Delegate	Chapter	Project Description
1	-	-	Highway 191. (1) Extend fiber past Many Farms, AZ (2) Increase cell service to meet 100 mbps capacity. Connect wth Emery Telcom for redundancy route to Salt Lake City, Utah. Start at Mexican Water junction on Highway 160 to Navajo Nation border near Bluff, UT. Approx. 35 miles.
2	-	-	Fiber from Yatahey to Window Rock Tribal Headquarters and Fiber to Black Hat
3	-	-	St. Michaels Association for Special Education, Inc. - campus wide Wi-Fi internet
4	CRYSTALYNE CURLEY	Many Farms	Many Farms North - Tower
5		Nazlini	Flatrock and Three Turkey Ruin area - Tower
6		Tachee/Blue Gap	Blue Gap Far North - Tower
7			Fish Point - Tower
8			Salina South - Tower
9	HELENA NEZ BEGAY	LeChee	Tower Butte - Tower
10			Lechee WT Fiber Buildout
11		K'aibii'to (Kaibeto)	Kaibeto Fiber Buildout
12	SHAANDIIN PARRISH	Chilchinbeto	Chilchinbeto East - Tower
13		Dennehotso	Garnet Ridge - Tower
14	AMBER KANAZBAH CROTTY	Cove	Cove -Tower
15		Toadlena/Grey Hills	Toadlena -Tower
16		Red Valley	Fiber to Red Valley Water Tank
17	SETH DAMON	Rock Springs	Communication On Wheels (COW)
18	HERMAN DANIELS JR.	Navajo Mountain	UNHS Navajo Mountain - Tower
19			Navajo Mountain Community Housing
20		Shonto	Shonto Fiber build
21		Oljato	Promise Rock - Tower
22			El Capitan Wash - Tower
23			Oljato - Tower
24	DANNY SIMPSON	Crownpoint	FTTH - MM
25			FTTH - LM
26	VINCE R. JAMES	Jeddito	Jeddito - Tower
27		Cornfields	Cornfields Fiber buildout
28		Ganado	Fiber to Ganado Water Tank Tower
29	CARL SLATER	Rock Point	Rock Point South - Tower
30		Tséché'izhí	Rough Rock North - Tower
31			Fiber to Rough Rock Tower & Community
32		Tsaile/Wheatfields	Wheatfields Chapter - New Tower
33			Skinny Water Springs - New Tower
34	ANDY NEZ	Fort Defiance	FD Indian Medical Center Employee Housing - Fiber Distribution
35			Fort Defiance West Chapter House Fiber Buildout
36	CURTIS YANITO	Mexican Water	Sitting Cougar Hill - Tower
37		To'likan	Emmanuel Mission - Tower
38		Teesnospos	Narrow Springs - Tower
39	SHAWNA ANN CLAW	Chinle	Del Muerto - Tower
40			Spider Rock - Tower
41			Fiber to Spider Rock Tower

Appendix C
Navajo Nation Broadband Office ARPA Broadband Project Listing

42	CASEY ALLEN JOHNSON	Birdsprings	Little Singer - Tower
43		Tolani Lake	Tower between Tolani Lake & Tuba City
44			Fiber to Tolani Lake Tower
45			Fiber to Tsinaabaas Habitiin School
46	BRENDA JESUS	St. Michaels	Tse Bonito/NDOT - Tower
47	STEVEN R. ARVISO	Smith Lake	Smith Lake - Tower
48	GERMAINE SIMONSON	Pinon	Little Spring - Tower
49		Black Mesa	Tower Build (190' or 195' tower) 36.458402479116785, -110.23127595851227
50		Whippoorwill	Whippoorwill Fiber Buildout
51			Whippoorwill - Tower

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

By signing the filled-out form, you:

1. Certify that the TIN you are giving is correct (or you are waiting for a number to be issued),
2. Certify that you are not subject to backup withholding, or
3. Claim exemption from backup withholding if you are a U.S. exempt payee. If applicable, you are also certifying that as a U.S. person, your allocable share of any partnership income from a U.S. trade or business is not subject to the withholding tax on foreign partners' share of effectively connected income, and
4. Certify that FATCA code(s) entered on this form (if any) indicating that you are exempt from the FATCA reporting, is correct. See *What is FATCA reporting*, later, for further information.

Note: If you are a U.S. person and a requester gives you a form other than Form W-9 to request your TIN, you must use the requester's form if it is substantially similar to this Form W-9.

Definition of a U.S. person. For federal tax purposes, you are considered a U.S. person if you are:

- An individual who is a U.S. citizen or U.S. resident alien;
- A partnership, corporation, company, or association created or organized in the United States or under the laws of the United States;
- An estate (other than a foreign estate); or
- A domestic trust (as defined in Regulations section 301.7701-7).

Special rules for partnerships. Partnerships that conduct a trade or business in the United States are generally required to pay a withholding tax under section 1446 on any foreign partners' share of effectively connected taxable income from such business. Further, in certain cases where a Form W-9 has not been received, the rules under section 1446 require a partnership to presume that a partner is a foreign person, and pay the section 1446 withholding tax. Therefore, if you are a U.S. person that is a partner in a partnership conducting a trade or business in the United States, provide Form W-9 to the partnership to establish your U.S. status and avoid section 1446 withholding on your share of partnership income.

In the cases below, the following person must give Form W-9 to the partnership for purposes of establishing its U.S. status and avoiding withholding on its allocable share of net income from the partnership conducting a trade or business in the United States.

- In the case of a disregarded entity with a U.S. owner, the U.S. owner of the disregarded entity and not the entity;
- In the case of a grantor trust with a U.S. grantor or other U.S. owner, generally, the U.S. grantor or other U.S. owner of the grantor trust and not the trust; and
- In the case of a U.S. trust (other than a grantor trust), the U.S. trust (other than a grantor trust) and not the beneficiaries of the trust.

Foreign person. If you are a foreign person or the U.S. branch of a foreign bank that has elected to be treated as a U.S. person, do not use Form W-9. Instead, use the appropriate Form W-8 or Form 8233 (see Pub. 515, *Withholding of Tax on Nonresident Aliens and Foreign Entities*).

Nonresident alien who becomes a resident alien. Generally, only a nonresident alien individual may use the terms of a tax treaty to reduce or eliminate U.S. tax on certain types of income. However, most tax treaties contain a provision known as a "saving clause." Exceptions specified in the saving clause may permit an exemption from tax to continue for certain types of income even after the payee has otherwise become a U.S. resident alien for tax purposes.

If you are a U.S. resident alien who is relying on an exception contained in the saving clause of a tax treaty to claim an exemption from U.S. tax on certain types of income, you must attach a statement to Form W-9 that specifies the following five items.

1. The treaty country. Generally, this must be the same treaty under which you claimed exemption from tax as a nonresident alien.
2. The treaty article addressing the income.
3. The article number (or location) in the tax treaty that contains the saving clause and its exceptions.
4. The type and amount of income that qualifies for the exemption from tax.
5. Sufficient facts to justify the exemption from tax under the terms of the treaty article.

Example. Article 20 of the U.S.-China income tax treaty allows an exemption from tax for scholarship income received by a Chinese student temporarily present in the United States. Under U.S. law, this student will become a resident alien for tax purposes if his or her stay in the United States exceeds 5 calendar years. However, paragraph 2 of the first Protocol to the U.S.-China treaty (dated April 30, 1984) allows the provisions of Article 20 to continue to apply even after the Chinese student becomes a resident alien of the United States. A Chinese student who qualifies for this exception (under paragraph 2 of the first protocol) and is relying on this exception to claim an exemption from tax on his or her scholarship or fellowship income would attach to Form W-9 a statement that includes the information described above to support that exemption.

If you are a nonresident alien or a foreign entity, give the requester the appropriate completed Form W-8 or Form 8233.

Backup Withholding

What is backup withholding? Persons making certain payments to you must under certain conditions withhold and pay to the IRS 24% of such payments. This is called "backup withholding." Payments that may be subject to backup withholding include interest, tax-exempt interest, dividends, broker and barter exchange transactions, rents, royalties, nonemployee pay, payments made in settlement of payment card and third party network transactions, and certain payments from fishing boat operators. Real estate transactions are not subject to backup withholding.

You will not be subject to backup withholding on payments you receive if you give the requester your correct TIN, make the proper certifications, and report all your taxable interest and dividends on your tax return.

Payments you receive will be subject to backup withholding if:

1. You do not furnish your TIN to the requester,
2. You do not certify your TIN when required (see the instructions for Part II for details),
3. The IRS tells the requester that you furnished an incorrect TIN,
4. The IRS tells you that you are subject to backup withholding because you did not report all your interest and dividends on your tax return (for reportable interest and dividends only), or
5. You do not certify to the requester that you are not subject to backup withholding under 4 above (for reportable interest and dividend accounts opened after 1983 only).

Certain payees and payments are exempt from backup withholding. See *Exempt payee code*, later, and the separate Instructions for the Requester of Form W-9 for more information.

Also see *Special rules for partnerships*, earlier.

What is FATCA Reporting?

The Foreign Account Tax Compliance Act (FATCA) requires a participating foreign financial institution to report all United States account holders that are specified United States persons. Certain payees are exempt from FATCA reporting. See *Exemption from FATCA reporting code*, later, and the Instructions for the Requester of Form W-9 for more information.

Updating Your Information

You must provide updated information to any person to whom you claimed to be an exempt payee if you are no longer an exempt payee and anticipate receiving reportable payments in the future from this person. For example, you may need to provide updated information if you are a C corporation that elects to be an S corporation, or if you no longer are tax exempt. In addition, you must furnish a new Form W-9 if the name or TIN changes for the account; for example, if the grantor of a grantor trust dies.

Penalties

Failure to furnish TIN. If you fail to furnish your correct TIN to a requester, you are subject to a penalty of \$50 for each such failure unless your failure is due to reasonable cause and not to willful neglect.

Civil penalty for false information with respect to withholding. If you make a false statement with no reasonable basis that results in no backup withholding, you are subject to a \$500 penalty.

Criminal penalty for falsifying information. Willfully falsifying certifications or affirmations may subject you to criminal penalties including fines and/or imprisonment.

Misuse of TINs. If the requester discloses or uses TINs in violation of federal law, the requester may be subject to civil and criminal penalties.

Specific Instructions

Line 1

You must enter one of the following on this line; **do not** leave this line blank. The name should match the name on your tax return.

If this Form W-9 is for a joint account (other than an account maintained by a foreign financial institution (FFI)), list first, and then circle, the name of the person or entity whose number you entered in Part I of Form W-9. If you are providing Form W-9 to an FFI to document a joint account, each holder of the account that is a U.S. person must provide a Form W-9.

a. **Individual.** Generally, enter the name shown on your tax return. If you have changed your last name without informing the Social Security Administration (SSA) of the name change, enter your first name, the last name as shown on your social security card, and your new last name.

Note: ITIN applicant: Enter your individual name as it was entered on your Form W-7 application, line 1a. This should also be the same as the name you entered on the Form 1040/1040A/1040EZ you filed with your application.

b. **Sole proprietor or single-member LLC.** Enter your individual name as shown on your 1040/1040A/1040EZ on line 1. You may enter your business, trade, or “doing business as” (DBA) name on line 2.

c. **Partnership, LLC that is not a single-member LLC, C corporation, or S corporation.** Enter the entity’s name as shown on the entity’s tax return on line 1 and any business, trade, or DBA name on line 2.

d. **Other entities.** Enter your name as shown on required U.S. federal tax documents on line 1. This name should match the name shown on the charter or other legal document creating the entity. You may enter any business, trade, or DBA name on line 2.

e. **Disregarded entity.** For U.S. federal tax purposes, an entity that is disregarded as an entity separate from its owner is treated as a “disregarded entity.” See Regulations section 301.7701-2(c)(2)(iii). Enter the owner’s name on line 1. The name of the entity entered on line 1 should never be a disregarded entity. The name on line 1 should be the name shown on the income tax return on which the income should be reported. For example, if a foreign LLC that is treated as a disregarded entity for U.S. federal tax purposes has a single owner that is a U.S. person, the U.S. owner’s name is required to be provided on line 1. If the direct owner of the entity is also a disregarded entity, enter the first owner that is not disregarded for federal tax purposes. Enter the disregarded entity’s name on line 2, “Business name/disregarded entity name.” If the owner of the disregarded entity is a foreign person, the owner must complete an appropriate Form W-8 instead of a Form W-9. This is the case even if the foreign person has a U.S. TIN.

Line 2

If you have a business name, trade name, DBA name, or disregarded entity name, you may enter it on line 2.

Line 3

Check the appropriate box on line 3 for the U.S. federal tax classification of the person whose name is entered on line 1. Check only one box on line 3.

IF the entity/person on line 1 is a(n) . . .	THEN check the box for . . .
• Corporation	Corporation
• Individual • Sole proprietorship, or • Single-member limited liability company (LLC) owned by an individual and disregarded for U.S. federal tax purposes.	Individual/sole proprietor or single-member LLC
• LLC treated as a partnership for U.S. federal tax purposes, • LLC that has filed Form 8832 or 2553 to be taxed as a corporation, or • LLC that is disregarded as an entity separate from its owner but the owner is another LLC that is not disregarded for U.S. federal tax purposes.	Limited liability company and enter the appropriate tax classification. (P= Partnership; C= C corporation; or S= S corporation)
• Partnership	Partnership
• Trust/estate	Trust/estate

Line 4, Exemptions

If you are exempt from backup withholding and/or FATCA reporting, enter in the appropriate space on line 4 any code(s) that may apply to you.

Exempt payee code.

- Generally, individuals (including sole proprietors) are not exempt from backup withholding.
- Except as provided below, corporations are exempt from backup withholding for certain payments, including interest and dividends.
- Corporations are not exempt from backup withholding for payments made in settlement of payment card or third party network transactions.
- Corporations are not exempt from backup withholding with respect to attorneys’ fees or gross proceeds paid to attorneys, and corporations that provide medical or health care services are not exempt with respect to payments reportable on Form 1099-MISC.

The following codes identify payees that are exempt from backup withholding. Enter the appropriate code in the space in line 4.

- 1—An organization exempt from tax under section 501(a), any IRA, or a custodial account under section 403(b)(7) if the account satisfies the requirements of section 401(f)(2)
- 2—The United States or any of its agencies or instrumentalities
- 3—A state, the District of Columbia, a U.S. commonwealth or possession, or any of their political subdivisions or instrumentalities
- 4—A foreign government or any of its political subdivisions, agencies, or instrumentalities
- 5—A corporation
- 6—A dealer in securities or commodities required to register in the United States, the District of Columbia, or a U.S. commonwealth or possession
- 7—A futures commission merchant registered with the Commodity Futures Trading Commission
- 8—A real estate investment trust
- 9—An entity registered at all times during the tax year under the Investment Company Act of 1940
- 10—A common trust fund operated by a bank under section 584(a)
- 11—A financial institution
- 12—A middleman known in the investment community as a nominee or custodian
- 13—A trust exempt from tax under section 664 or described in section 4947

The following chart shows types of payments that may be exempt from backup withholding. The chart applies to the exempt payees listed above, 1 through 13.

IF the payment is for . . .	THEN the payment is exempt for . . .
Interest and dividend payments	All exempt payees except for 7
Broker transactions	Exempt payees 1 through 4 and 6 through 11 and all C corporations. S corporations must not enter an exempt payee code because they are exempt only for sales of noncovered securities acquired prior to 2012.
Barter exchange transactions and patronage dividends	Exempt payees 1 through 4
Payments over \$600 required to be reported and direct sales over \$5,000 ¹	Generally, exempt payees 1 through 5 ²
Payments made in settlement of payment card or third party network transactions	Exempt payees 1 through 4

¹ See Form 1099-MISC, Miscellaneous Income, and its instructions.

² However, the following payments made to a corporation and reportable on Form 1099-MISC are not exempt from backup withholding: medical and health care payments, attorneys' fees, gross proceeds paid to an attorney reportable under section 6045(f), and payments for services paid by a federal executive agency.

Exemption from FATCA reporting code. The following codes identify payees that are exempt from reporting under FATCA. These codes apply to persons submitting this form for accounts maintained outside of the United States by certain foreign financial institutions. Therefore, if you are only submitting this form for an account you hold in the United States, you may leave this field blank. Consult with the person requesting this form if you are uncertain if the financial institution is subject to these requirements. A requester may indicate that a code is not required by providing you with a Form W-9 with "Not Applicable" (or any similar indication) written or printed on the line for a FATCA exemption code.

A—An organization exempt from tax under section 501(a) or any individual retirement plan as defined in section 7701(a)(37)

B—The United States or any of its agencies or instrumentalities

C—A state, the District of Columbia, a U.S. commonwealth or possession, or any of their political subdivisions or instrumentalities

D—A corporation the stock of which is regularly traded on one or more established securities markets, as described in Regulations section 1.1472-1(c)(1)(i)

E—A corporation that is a member of the same expanded affiliated group as a corporation described in Regulations section 1.1472-1(c)(1)(i)

F—A dealer in securities, commodities, or derivative financial instruments (including notional principal contracts, futures, forwards, and options) that is registered as such under the laws of the United States or any state

G—A real estate investment trust

H—A regulated investment company as defined in section 851 or an entity registered at all times during the tax year under the Investment Company Act of 1940

I—A common trust fund as defined in section 584(a)

J—A bank as defined in section 581

K—A broker

L—A trust exempt from tax under section 664 or described in section 4947(a)(1)

M—A tax exempt trust under a section 403(b) plan or section 457(g) plan

Note: You may wish to consult with the financial institution requesting this form to determine whether the FATCA code and/or exempt payee code should be completed.

Line 5

Enter your address (number, street, and apartment or suite number). This is where the requester of this Form W-9 will mail your information returns. If this address differs from the one the requester already has on file, write NEW at the top. If a new address is provided, there is still a chance the old address will be used until the payor changes your address in their records.

Line 6

Enter your city, state, and ZIP code.

Part I. Taxpayer Identification Number (TIN)

Enter your TIN in the appropriate box. If you are a resident alien and you do not have and are not eligible to get an SSN, your TIN is your IRS individual taxpayer identification number (ITIN). Enter it in the social security number box. If you do not have an ITIN, see *How to get a TIN* below.

If you are a sole proprietor and you have an EIN, you may enter either your SSN or EIN.

If you are a single-member LLC that is disregarded as an entity separate from its owner, enter the owner's SSN (or EIN, if the owner has one). Do not enter the disregarded entity's EIN. If the LLC is classified as a corporation or partnership, enter the entity's EIN.

Note: See *What Name and Number To Give the Requester*, later, for further clarification of name and TIN combinations.

How to get a TIN. If you do not have a TIN, apply for one immediately. To apply for an SSN, get Form SS-5, Application for a Social Security Card, from your local SSA office or get this form online at www.SSA.gov. You may also get this form by calling 1-800-772-1213. Use Form W-7, Application for IRS Individual Taxpayer Identification Number, to apply for an ITIN, or Form SS-4, Application for Employer Identification Number, to apply for an EIN. You can apply for an EIN online by accessing the IRS website at www.irs.gov/Businesses and clicking on Employer Identification Number (EIN) under Starting a Business. Go to www.irs.gov/Forms to view, download, or print Form W-7 and/or Form SS-4. Or, you can go to www.irs.gov/OrderForms to place an order and have Form W-7 and/or SS-4 mailed to you within 10 business days.

If you are asked to complete Form W-9 but do not have a TIN, apply for a TIN and write "Applied For" in the space for the TIN, sign and date the form, and give it to the requester. For interest and dividend payments, and certain payments made with respect to readily tradable instruments, generally you will have 60 days to get a TIN and give it to the requester before you are subject to backup withholding on payments. The 60-day rule does not apply to other types of payments. You will be subject to backup withholding on all such payments until you provide your TIN to the requester.

Note: Entering "Applied For" means that you have already applied for a TIN or that you intend to apply for one soon.

Caution: A disregarded U.S. entity that has a foreign owner must use the appropriate Form W-8.

Part II. Certification

To establish to the withholding agent that you are a U.S. person, or resident alien, sign Form W-9. You may be requested to sign by the withholding agent even if item 1, 4, or 5 below indicates otherwise.

For a joint account, only the person whose TIN is shown in Part I should sign (when required). In the case of a disregarded entity, the person identified on line 1 must sign. Exempt payees, see *Exempt payee code*, earlier.

Signature requirements. Complete the certification as indicated in items 1 through 5 below.

1. Interest, dividend, and barter exchange accounts opened before 1984 and broker accounts considered active during 1983.

You must give your correct TIN, but you do not have to sign the certification.

2. Interest, dividend, broker, and barter exchange accounts opened after 1983 and broker accounts considered inactive during 1983.

You must sign the certification or backup withholding will apply. If you are subject to backup withholding and you are merely providing your correct TIN to the requester, you must cross out item 2 in the certification before signing the form.

3. Real estate transactions.

You must sign the certification. You may cross out item 2 of the certification.

4. Other payments. You must give your correct TIN, but you do not have to sign the certification unless you have been notified that you have previously given an incorrect TIN. "Other payments" include payments made in the course of the requester's trade or business for rents, royalties, goods (other than bills for merchandise), medical and health care services (including payments to corporations), payments to a nonemployee for services, payments made in settlement of payment card and third party network transactions, payments to certain fishing boat crew members and fishermen, and gross proceeds paid to attorneys (including payments to corporations).

5. Mortgage interest paid by you, acquisition or abandonment of secured property, cancellation of debt, qualified tuition program payments (under section 529), ABLE accounts (under section 529A), IRA, Coverdell ESA, Archer MSA or HSA contributions or distributions, and pension distributions. You must give your correct TIN, but you do not have to sign the certification.

What Name and Number To Give the Requester

For this type of account:	Give name and SSN of:
1. Individual	The individual
2. Two or more individuals (joint account) other than an account maintained by an FFI	The actual owner of the account or, if combined funds, the first individual on the account ¹
3. Two or more U.S. persons (joint account maintained by an FFI)	Each holder of the account
4. Custodial account of a minor (Uniform Gift to Minors Act)	The minor ²
5. a. The usual revocable savings trust (grantor is also trustee)	The grantor-trustee ¹
b. So-called trust account that is not a legal or valid trust under state law	The actual owner ¹
6. Sole proprietorship or disregarded entity owned by an individual	The owner ³
7. Grantor trust filing under Optional Form 1099 Filing Method 1 (see Regulations section 1.671-4(b)(2)(i)(A))	The grantor*
For this type of account:	Give name and EIN of:
8. Disregarded entity not owned by an individual	The owner
9. A valid trust, estate, or pension trust	Legal entity ⁴
10. Corporation or LLC electing corporate status on Form 8832 or Form 2553	The corporation
11. Association, club, religious, charitable, educational, or other tax-exempt organization	The organization
12. Partnership or multi-member LLC	The partnership
13. A broker or registered nominee	The broker or nominee

For this type of account:	Give name and EIN of:
14. Account with the Department of Agriculture in the name of a public entity (such as a state or local government, school district, or prison) that receives agricultural program payments	The public entity
15. Grantor trust filing under the Form 1041 Filing Method or the Optional Form 1099 Filing Method 2 (see Regulations section 1.671-4(b)(2)(i)(B))	The trust

¹ List first and circle the name of the person whose number you furnish. If only one person on a joint account has an SSN, that person's number must be furnished.

² Circle the minor's name and furnish the minor's SSN.

³ You must show your individual name and you may also enter your business or DBA name on the "Business name/disregarded entity" name line. You may use either your SSN or EIN (if you have one), but the IRS encourages you to use your SSN.

⁴ List first and circle the name of the trust, estate, or pension trust. (Do not furnish the TIN of the personal representative or trustee unless the legal entity itself is not designated in the account title.) Also see *Special rules for partnerships*, earlier.

*Note: The grantor also must provide a Form W-9 to trustee of trust.

Note: If no name is circled when more than one name is listed, the number will be considered to be that of the first name listed.

Secure Your Tax Records From Identity Theft

Identity theft occurs when someone uses your personal information such as your name, SSN, or other identifying information, without your permission, to commit fraud or other crimes. An identity thief may use your SSN to get a job or may file a tax return using your SSN to receive a refund.

To reduce your risk:

- Protect your SSN,
- Ensure your employer is protecting your SSN, and
- Be careful when choosing a tax preparer.

If your tax records are affected by identity theft and you receive a notice from the IRS, respond right away to the name and phone number printed on the IRS notice or letter.

If your tax records are not currently affected by identity theft but you think you are at risk due to a lost or stolen purse or wallet, questionable credit card activity or credit report, contact the IRS Identity Theft Hotline at 1-800-908-4490 or submit Form 14039.

For more information, see Pub. 5027, Identity Theft Information for Taxpayers.

Victims of identity theft who are experiencing economic harm or a systemic problem, or are seeking help in resolving tax problems that have not been resolved through normal channels, may be eligible for Taxpayer Advocate Service (TAS) assistance. You can reach TAS by calling the TAS toll-free case intake line at 1-877-777-4778 or TTY/TDD 1-800-829-4059.

Protect yourself from suspicious emails or phishing schemes.

Phishing is the creation and use of email and websites designed to mimic legitimate business emails and websites. The most common act is sending an email to a user falsely claiming to be an established legitimate enterprise in an attempt to scam the user into surrendering private information that will be used for identity theft.

The IRS does not initiate contacts with taxpayers via emails. Also, the IRS does not request personal detailed information through email or ask taxpayers for the PIN numbers, passwords, or similar secret access information for their credit card, bank, or other financial accounts.

If you receive an unsolicited email claiming to be from the IRS, forward this message to phishing@irs.gov. You may also report misuse of the IRS name, logo, or other IRS property to the Treasury Inspector General for Tax Administration (TIGTA) at 1-800-366-4484. You can forward suspicious emails to the Federal Trade Commission at spam@uce.gov or report them at www.ftc.gov/complaint. You can contact the FTC at www.ftc.gov/idtheft or 877-IDTHEFT (877-438-4338). If you have been the victim of identity theft, see www.IdentityTheft.gov and Pub. 5027.

Visit www.irs.gov/IdentityTheft to learn more about identity theft and how to reduce your risk.

Privacy Act Notice

Section 6109 of the Internal Revenue Code requires you to provide your correct TIN to persons (including federal agencies) who are required to file information returns with the IRS to report interest, dividends, or certain other income paid to you; mortgage interest you paid; the acquisition or abandonment of secured property; the cancellation of debt; or contributions you made to an IRA, Archer MSA, or HSA. The person collecting this form uses the information on the form to file information returns with the IRS, reporting the above information. Routine uses of this information include giving it to the Department of Justice for civil and criminal litigation and to cities, states, the District of Columbia, and U.S. commonwealths and possessions for use in administering their laws. The information also may be disclosed to other countries under a treaty, to federal and state agencies to enforce civil and criminal laws, or to federal law enforcement and intelligence agencies to combat terrorism. You must provide your TIN whether or not you are required to file a tax return. Under section 3406, payers must generally withhold a percentage of taxable interest, dividend, and certain other payments to a payee who does not give a TIN to the payer. Certain penalties may also apply for providing false or fraudulent information.

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ADDENDUM #1

Answers to Service Provider Questions:

1. **QUESTION:** Please clarify the objective/goal of:
Rock Springs “Communication On Wheels (COW)”

RESPONSE: Request came from Council Delegate Seth Damon for redundancy. COW to be located at Rock Springs chapter.

2. **QUESTION:** We’d like to request coverage objectives (highlighted map areas or lat/long of vicinity) for the following “Towers”:

Flatrock/3 Turkey Ruin

Fish Point

Salina South

Tower Butte

Garnet Ridge

Navajo Mtn

Promise Rock

El Capitan Wash

Wheatfields Chapter

Skinny Water Spring

Sitting Cougar Hill

Emmanuel Mission

Narrow Springs

Little Singer

Tuba City/Tolani Lake

Jeddito

Olijato

Little Spring

Rock Point South

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Rough Rock North

RESPONSE: Please use KMZ to determine best coverage for homesites in the vicinity.

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ADDENDUM #2

Answers to Service Provider Questions:

- 1. QUESTION:** The RFP does not include a KMZ file. Please send at your earliest convenience.

RESPONSE: There is no KMZ file. NNBO expects respondents to know the area they are providing coverage.

- 2. QUESTION:** On the call earlier today with NTUAW, I asked if you could provide the KMZ file that is referenced in the attached ARPA RFP Addendum #1. Please refer to your response

RESPONSE: Please use KMZ to determine best coverage for homesites in the vicinity.

When asked if you could please provide the KMZ file, you state, "I cannot comment on that."

Just so we are clear, you will not provide the KMZ that you are asking potential bidders to refer to. Is that accurate?

RESPONSE: There is no KMZ file. Please use mapping capabilities and tools to determine best coverage for homesites in the vicinity.

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ADDENDUM #3

Answers to Service Provider Questions:

- 1. QUESTION:** The subject RFP is all encompassing without details that are needed to properly bid. We are requesting the ISSUING OFFICE – NNBO to hold a pre-bid conference for providers to gather their questions and have them answered all at once. Addendums added to the RFP site also remove prior addendums and the original RFP so it is not possible to see all prior questions or responses.

RESPONSE: Due to scheduling conflicts & time constraints, a virtual-only pre-bid meeting is tentatively set for August 21, 2023 @ 9 am. Notification of pre-bid meeting link will be via addendum.

On the web postings, NNBO worked with OOC and going forward the RFP plus all addendums will be posted in one pdf.

- 2. QUESTION:** We also are requesting an extension on the Proposal Due Date so bidders can meet all of the expectations of the proposals. Bidders will be submitting proposals for multiple projects and ‘Because the geographic area is so large and remote’, it will take more time to visit and properly assess all areas.

RESPONSE: NNBO is extending the due date.

PROPOSAL DUE DATE: 3:00 p.m. MST September 29, 2023

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ADDENDUM #4

ARPA RFP PRE-BID MEETING

Monday, August 21, 2023
9 am – 11 am Navajo Nation time

Pre-Bid Meeting AGENDA

- Housekeeping
- RFP Overview
- Questions
 - NNBO requests all questions asked at the meeting also be in writing. The questions will be answered at the meeting but we will also post as an addendum after the meeting.

Pre-Bid Meeting LINK

The meeting will be via MS Teams. We are having technical difficulties with the link so we are opting to email the invite.

If you have not received a meeting invite by Friday, August 18th, 4 pm, please email Budweena Harrison at br.harrison@navajo-nsn.gov or Maddy Kee at mkee@navajo-nsn.gov so they may forward the meeting invite.

Pre-Bid Meeting CALL IN (audio only) Option

[+1 972-301-8157,548477038#](tel:+19723018157548477038) United States, Dallas
Phone Conference ID: 548 477 038#

NNBO will be online by 8:15 am on Monday to allow attendees the opportunity to test their connection and resolve any technical issues.

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ADDENDUM #5

In order to get the amended RFP and Project Lat/Long posted as soon as possible, NNBO will post remaining questions and answers as Addendum #6.

Answers to Service Provider Questions:

1. **QUESTION:** What is the plan or intent for this RFP? Is the goal or objective to resolve broadband in Unserved areas, Increased capacity, lower costs, etc. ?
RESPONSE: All 3
2. **QUESTION:** RFP states, "Only ETC can apply." NTUA is not an ETC so are we disqualified from bidding?
RESPONSE: Yes. NNBO can seek to modify the expenditure plan so that future RFPs could include ETCs and non-ETCs to submit responsive proposals.
3. **QUESTION:** Do these projects meet the federal funding requirements?
RESPONSE: Yes, including all ROW.
4. **QUESTION:** Who will own the infrastructure in the proposed projects? Will it be the Navajo Nation or a private for profit non-Navajo company?
RESPONSE: Service Providers.
5. **QUESTION:** Awards have already been given to Cell1, Sacred winds, and OSO. Are those projects a part of the \$120M allocation for broadband?
RESPONSE: Yes.
6. **QUESTION:** What is the build schedule or time line?
RESPONSE: Projects completed by December 31, 2026.
7. **QUESTION:** How will NNBB office or NNTRC assist with obtaining ROW?
RESPONSE: Project Management
8. **QUESTION:** What is the scope of each individual project?
RESPONSE: It is up to the vendors to engineer the best solutions (wireline or wireless) to provide sustainable service that will reach as many users as possible, with scalable broadband. The vendors are required to describe how many households, businesses and institutions (schools, chapter houses, clinics etc...) will be served, and the service plans and associated costs.
9. **QUESTION:** Why are projects segregated by delegates rather than categories such as Fiber builds, Tower builds, FTTH, Wireless, cell services, wi-fi?
RESPONSE: NNBO is coordinating with the Navajo Nation Council Delegates.

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10. **QUESTION:** Will this RFP cover Capital costs and ongoing services (O&M)? Refer to questions 11B-E.
RESPONSE: NNBO removed anything ERate related and also include new cost sheets for Cost Proposal and Internet Service Plans Offering.
11. **QUESTION:** MRC Cost Table – “Leased Lit Fiber / Services Provided Over Third-Party Networks” – Why third party only?
RESPONSE: NNBO removed anything ERate related and also include new cost sheets for Cost Proposal and Internet Service Plans Offering.
12. **QUESTION:** Appendix A: MRC Cost Tables are E-Rate Tables: “Eligible Monthly Recurring Cost”, “Ineligible Monthly Recurring Cost”, “Eligible install/non recurring cost”, “In eligible install/non-recurring cost” – Funding is ARPA funded, not Erate funded; Are the terms for contract 1 year and 3 years?
RESPONSE: NNBO removed anything ERate related and also include new cost sheets for Cost Proposal and Internet Service Plans Offering.
13. **QUESTION:** Dark Fiber as #4, using Erate breakdown but in this case, it shows contract years as 3 year, 5 year & 10 year???
RESPONSE: NNBO removed anything ERate related and also include new cost sheets for Cost Proposal and Internet Service Plans Offering.
14. **QUESTION:** Appendix B: Special Construction Pricing – Special Construction applies to Erate – why and how does it apply to ARPA funding? Again, “Eligible Cost/ Ineligible Cost” being used on sheet.
RESPONSE: NNBO removed anything ERate related and also include new cost sheets for Cost Proposal and Internet Service Plans Offering.
15. **QUESTION:** NTUA can assist in resolving issues with RFP. If we assist, will we be excluded from bidding?
RESPONSE: Yes.
16. **QUESTION:** NTUA can develop Scopes/Descriptions/Timelines for individual projects?
RESPONSE: Same as Question 15.
17. **QUESTION:** NTUA can determine project overlapping and ARPA compliance?
RESPONSE: Same as Question 15.
18. **QUESTION:** Looking at your RFP released for Leased lit fiber or Leased Dark fiber I see locations requested however we are not sure what the address per site is to determine eligibility to quote. Do you have Lat Long for all the locations we can use to bid this project?
RESPONSE: Due to confidentiality and issue of competitiveness among service providers will only provide lat/long for the general vicinity. An updated Appendix C with lat/long (General Vicinity only) is included in this addendum.

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19. **QUESTION:** Emery Telcom is a service provider in Utah but not in Arizona. Can Emery Telcom register for ETC status for Arizona upon a contract award or is it needed before an award can be received? While Emery Telcom realizes ETC status is needed in Arizona for lifeline services, Emery Telcom would only be registering for ETC in Arizona specifically if Emery was awarded a project through the Navajo Nation.
20. **RESPONSE:** Apply for ETC whether or not you are awarded.
21. **QUESTION:** Do you have GPS locations (lat and lon) for the following projects?
- | | |
|------------|--|
| Project 18 | Navajo Mountain UNHS Navajo Mountain - Tower |
| Project 21 | Oljato Promise Rock - Tower |
| Project 22 | Oljato El Capitan Wash - Tower |
| Project 23 | Oljato Oljato - Tower |
22. **RESPONSE:** See Response for Question #18.
23. **QUESTION:** Regarding Project 20, Shonto Fiber build, does this project include both the middle mile and last mile (FTTH) to all locations in Shonto or is it just a fiber build to the Shonto Chapter House?
24. **RESPONSE:** NNBO will get additional information and post as an addendum. All projects that need additional information are highlighted in yellow on the project list.
25. **QUESTION:** Regarding Project 19, Navajo Mountain Community Housing, does that include an ODN buildout of all locations in Navajo Mountain or specific areas? If the proposed locations are in specific areas, can you provide a map or Google earth polygon of the proposed serving areas
26. **RESPONSE:** This site was accidently added to the list. There is no ARPA allocation for this site. It was crossed out on the list.

AMENDED RFP WITH PROJECT LAT/LONG

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PROPOSAL DUE DATE: 3:00 p.m. MST ~~August~~ **September** 29, 2023

SECTION I

A. BACKGROUND

NNBO under the Office of the President and Vice President is responsible for providing Navajo Nation residents with access to affordable high-speed broadband connectivity.

B. SCOPE OF WORK

The NNBO is seeking proposals from Eligible Telecommunications Carriers (ETC) to submit proposals to deploy broadband infrastructure and operate a high resiliency, high quality, and high-capacity broadband network for the projects listed in Appendix C. This request for proposal (RFP) states the overall scope of products and services desired, technology foundation, and desired vendor qualifications.

The RFP is open to Eligible Telecommunications Carriers (ETCs) to support affordability and sustainability for our residents and businesses. ETCs have access to federal subsidies from appropriations and long-term programs: such as the Affordable Connectivity Program (ACP) and Universal Service Funds (Lifeline, E-rate, Rural Health...) allowing lower costs for our residents and sustainability of services.

1. Respondents will provide dedicated internet access ~~at project sites throughout the entire service area. The service will be provided under contracts between the service providers and individual customers.~~ The 51 locations are listed in Appendix C. The Bandwidth requirement is a minimum of 100/100 Mbps unless technically not feasible. A fiber solution is preferred. Proposer should justify when that is not possible. ~~100/20 Mbps and higher (Internet).~~ The solution must be scalable to 10 Gbps or another achievable or reasonable service level capacity. Describe how your solution can scale to meet the future demands.
2. Equipment upgrades may include microwave radio, fiber lateral, cabling, etc. Fiber-optic connections are preferred for 'last mile' site connections where available possible to leverage symmetrical upload speeds.
- ~~3. Respondent must be able to work with NNBO for any future changes in site bandwidth.~~
4. This work will be funded by the American Rescue Plan Act (ARPA) and ARPA requires the work to be completed by December 31, 2026. [The SLFRF Broadband Guidance & Requirements apply: https://home.treasury.gov/system/files/136/SLFRF-and-CPF-Supplementary-Broadband-Guidance.pdf](https://home.treasury.gov/system/files/136/SLFRF-and-CPF-Supplementary-Broadband-Guidance.pdf)

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5. For tower projects, the work is expected to support about 150 households and businesses in a 15-mile radius. The tower has to have the height and structural strength to support antennas and similar equipment for service listed above. The cost has to include the permits in foundation, fencing, electric power and all the other components for fully functional installation. The tower location is approximate and it has to be identified by the proposer and designed to support best coverage of the entire community at the levels of service listed above.
6. Provide costs ~~per month of the different services offered~~ using tables in Appendix A and B.
7. Provide a construction schedule and timeline with the bid.
8. It is up to the vendors to engineer the best solutions (wireline or wireless) to provide sustainable service that will reach as many users as possible, with scalable broadband. The vendors are required to describe how many households, businesses and institutions (schools, chapter houses, clinics etc...) will be served, and the service plans and associated costs.
9. Vendors have to secure letters to demonstrate community support for the proposed project/solution.
10. Given the remote and sparsely populated nature of some of the communities, wireless solutions may be the best alternative. Vendors will have to provide in their proposals the reasons why a wireless solution is the best choice, provide the detail about the location of the tower (or multiple towers) and their height / design that will best support current deployment - serving as many users as possible - and future upgrades and expansion.
11. In addition to wireless solutions for these communities, the scope also includes the construction of fiber backhaul to the closest point of connection of the vendor's existing network (or a multi-carrier connection point). Please specify the details associated with the build in your proposal (number of strands, type of construction aerial, buried and distance for each, location of hand holds and add-drops etc...)
12. Alternative wired solutions (Fiber To The Premise - FTTP) can be provided for review/evaluation by the Broadband Office.
13. Vendors should provide information about the maintenance and operations costs, and how the vendor intends to upgrade the equipment in order to scale service to keep up with future demands.
14. Since these are projects funded with federal dollars, the federal requirements associated with the funds apply.

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15. Ownership of the assets will be to the vendor(s) as established by the federal funds rules and the NavajoNation allocation of funds
16. Please include all costs in your proposals: engineering, permitting, project management and administration, ROW and pole attachments, temporary facilities, installation etc...
17. The projects will be evaluated independently, using the rubric listed in the RFP.

The NNBO is seeking multiple options for bids. Respondents may bid one, all, or any number of options. Because the geographic area is so large and remote, it is anticipated that multiple Service Providers may choose to bid as few as only a couple of the sites or as many as all of the locations listed in this RFP. But, each site must be bid separately. Failure to bid each location separately will cause those Service Provider(s) to be deemed non-responsive.

The NNBO requires on-going maintenance of the solutions.

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SECTION II

A. ISSUING OFFICE: This RFP is issued by NNBO, 1575E State Hwy 264 Tse Bonito, New Mexico.

POINT OF CONTACT: Sonia Nez, Department Manager
Email: sonianez@navajo-nsn.gov

Advertisements: <https://www.nnooc.org/request-for-proposals/> BID NUMBER: **23-07-**

3072GC

Site Conditions: It will be the responsibility of the bidder to become informed of all conditions under which work is to be done before submitting proposals. No additional costs will be incurred by the Owner or considerations given to any claims based on a lack of knowledge of existing conditions. The submission of a bid from the bidder is an acknowledgement to this stipulation.

B. PURPOSE: This RFP provides prospective respondents with sufficient information to enable them to prepare and submit a proposal for consideration.

C. SCOPE: This RFP contains the instructions governing the proposal 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 proposal.

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 download a copy of the Navajo Nation procurement regulations from the Navajo Nation Office of the Controller at the following link: [Procurement Rules and Regs BFD-192-03](#)

NNBO will make every effort to adhere to the following schedule.

SCHEDULE OF ACTIVITIES:	DEADLINE:
RFP Posting	July 24, 2023
Proposal inquiry deadline	August 17 21, 2023
Proposal due date	August September 29, 2023, 3 p.m. MST
Contract Award	September 6 October 13, 2023

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- E. INQUIRIES:** No inquiries will be accepted after the inquiry deadline listed in section D. If Service Providers have any questions or inquiries regarding this RFP, those inquiries shall be directed to Sonia Nez. All questions will be answered in addendum(s) sent out to all Service Providers. Any and all updated project information, forms, including addenda, will be distributed through the Navajo Nation Office of the Controller (NNOOC) website, located at <https://www.nnooc.org/request-for-proposals/>
- F. ADDENDUM OF SUPPLEMENT TO THIS REQUEST FOR PROPOSALS:** In the event that it becomes necessary to revise any part of this RFP, an addendum will be issued.
- G. PROPOSAL SUBMISSION:** All respondent proposals must be received for review and evaluation by the Point of Contact no later than the deadline listed in Section D. Proposals received after this deadline will not be accepted. The date and time of receipt will be recorded on each proposal.

Hand Delivered to: Navajo Nation Broadband Office
ATTN: Sonia Nez, Department Manager
1575E Highway 264
Tse Bonito, New Mexico 87305
Do Not Open: BID No. 23-07-3072GC

- H. HARD COPY/ELECTRONIC RESPONSES:** Respondent's proposal must be clearly labeled and numbered and indexed as outlined in the response format and organization. Proposals must be submitted as outlined below. Envelopes, packages or boxes containing the original must be clearly labeled and submitted in a sealed envelope, package, or box bearing the following information:

Respondents should deliver: One (1) ORIGINAL HARD COPY, and one (1) electronic copy (USB Jump Drive). The electronic copy cannot be emailed. The electronic version/copy of the proposal must mirror the physical binders submitted. The electronic version cannot be emailed. The original, hard copy and electronic copy information must be identical. In the event of a conflict between versions of the submitted proposal, the Original hard copy shall govern.

Main: In a separate sealed envelope, please include everything listed in Section I, A except the Technical Response and Cost. The outside of the envelope should be clearly marked - "**MAIN – RFP # 23-07-3072GC NNBO Internet and Wide Area Network Services**" and the name and address of the firm submitting the proposal. Visibly mark "Priority 1" or "Priority 2" on the outside of the proposal package, if applicable. Priority 1 and 2 refers to the offeror's priority status under the Navajo Nation Business Opportunity Act

Technical Response & Cost: For each project the respondent is bidding on, in a separate sealed envelope, please submit the technical response, and total cost for completing the project and cost for Internet Service Plans Offering. The outside of the envelope should be clearly marked - "**PROJECT ID [#], TECHNICAL RESPONSE & COST – RFP # 23-07-3072GC NNBO Internet and Wide Area Network Services**" and the name and address of the firm submitting the proposal. Visibly mark "Priority 1" or "Priority 2" on the outside of the proposal package, if

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applicable. Priority 1 and 2 refers to the offeror's priority status under the Navajo Nation Business Opportunity Act

EXAMPLE: If a respondent is bidding on Projects 2, 15, & 21, there will be 4 separate envelopes submitted.

- One envelope marked “MAIN – RFP...” containing everything listed in Section I, A except the Technical Response and Cost
- One envelope marked “Project ID #2...” containing Project ID #2 technical response & cost
- One envelope marked “Project ID #15...” containing Project ID #15 technical response & cost
- One envelope marked “Project ID #21...” containing Project ID #21 technical response & cost

Instructions to offerors to visibly mark on the outside of the proposal package, if applicable, the offeror’s priority status under the Navajo Nation Business Opportunity Act. It is the responsibility of the offeror to identify themselves as certified under the Navajo Nation Business Opportunity Act.

Bid opening will be held in accordance to Navajo Nation Procurement Procedures. No emailed or faxed responses shall be considered. The NNBO reserves the right to reject any or all responses, and to waive any or all formalities in connection with this request. Any responses after the above due date and time will not be accepted or considered.

I. PROPOSAL FORMAT

All proposals must be typewritten or printed sheet faces of text and/or graphic material on standard 8 1/2” x 11” paper (larger paper, 11” x 17”, is permissible for charts, spreadsheets, etc.) and placed in a three-ring binder with labels identifying each section. The Table of Contents should reflect the Proposal Outline below.

Non-Conforming Proposal

Any proposal deemed non-conforming by the Point-of-Contact in regard to format will be considered non-responsive. Respondents shall contact the Point-of-Contact to clarify any questions concerning format prior to submission.

Amendments:

Changes to this Request for Proposals shall be issued only by the Point-of-Contact in writing.

A. Proposal Outline

- 1) Table of Contents
- 2) Signed Letter of Transmittal – To be completed and signed by an individual person authorized to obligate the company and to include:
 - a. Identify the submitting business entity.

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- b. Identify the name, title, telephone, and e-mail address of the person authorized by the Respondent organization to contractually obligate the business entity providing the Offer.
 - c. Identify the name, title, telephone, and e-mail address of the person authorized to negotiate the contract on behalf of the organization
 - d. Identify the names, titles, telephone, and e-mail addresses of persons to be contacted for clarification/questions regarding proposal content.
 - e. Identify sub-contractors (if any) anticipated to be utilized in the performance of any resultant contract award.
 - f. Describe the relationship with any other entity that will be used in the performance of this awarded contract.
 - g. Explicitly indicate acceptance of the conditions governing this procurement
 - h. Acknowledge receipt of any and all amendments to the RFP
- 3) Organizational Experience – Statement or Key Personnel Resumes
 - 4) Tribal References – Name, organization, and contact information
 - 5) Special Construction Payment Plan Option Response - Include agreement or non-agreement of this request.
 - 6) Value-Added Offerings, if applicable, narrative
 - 7) Navajo Preference, Certificate of Eligibility issued by the Navajo Business regulatory Department (if applicable)
 - 8) Certificate of Good Standing from the Navajo Nation Business Regulatory Department
 - 9) Required insurance documents, i.e. Certificate of Liability Insurance
 - 10) Completed and signed W-9 Form
 - 11) Completed and signed Navajo Nation Certification Regarding Debarment and Suspension (Appendix F)
 - 12) Proof of ETC status
 - 13) Technical Response - Specifications to include:
 - a. Response type
 - i. Proposal for Lit, Leased Dark Fiber including FTTH
 - ii. Proposal for tower - include tower structure, co-location feasible, and proof of business lease
 - iii. Proposal for COW – include usage, who will maintain and be responsible
 - b. Project Description and Approach Narrative
 - c. Timeline and construction schedule for each site
 - d. Network Map – respondents should clearly illustrate proposed network design and construction routes.
 - 14) Cost Response – Mandatory use of provided tables (Appendix A and Appendix B)

J. REJECTION OF PROPOSALS: NNBO 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 NNBO Department Manager I determines it is in the best interest of the Navajo Nation.

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- 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 the property of The Navajo Nation and will not be returned to the respondent. Responses received will be retained by NNBO and may be reviewed by any person after final selection has been made, subject to paragraph I above. NNBO has the right to use any or all system ideas presented in reply to this RFP, subject to limitations in paragraph I above. Disqualification or non-selection of a respondent or proposal does not eliminate this right.
- M. INCURRING COSTS:** NNBO is not liable for any cost by the respondents prior to issuance of a contract.
- N. ACCEPTANCE TIME:** NNBO intends to make a vendor selection within five (5) working days after the closing date for receipt of proposals.
- O. 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 a notice to the Vendor shall affect such termination or reduction in scope. The NNBO Department Manager I decision to terminate or reduce the scope due to insufficient appropriations shall be accepted as final by the Vendor.
- P. EVALUATION PROCEDURES AND CRITERIA.**
1. An evaluation team will judge 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 NNBO. 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 NNBO Department Manager I may elect to evaluate RFP solely.
 4. Evaluation Criteria: The contract(s) shall be awarded to the Respondent (or Respondents) whose proposals are most advantageous to the Navajo Nation Broadband Office taking into consideration the evaluation factors set forth in this RFP. The most advantageous proposal may

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or may not have received the most points.

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Evaluation Criteria	
Bid Organization a. See Section II, H & I	3
Letter of Transmittal a. See Section II, I	20
Technical Response a. See Section II, I, A, 13	37
Proposed cost a. Appendix A and B	40
	100

- Q. STANDARD CONTRACT:** The Navajo Nation reserves the right to incorporate standard contract provision into any contract negotiations as a result of a proposal submitted in response to the RFP.
- R. TAX:** All appropriate taxes should be **included in the 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.).
- S. TERM:** The term of this contract will be from the date of award to December 31, 2026
- T. SOVEREIGNTY:** The Navajo Nation will not relinquish any of its sovereignty rights.
- U. COMPLIANCE WITH LAWS AND REGULATIONS:** 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.
- V. THE PAYMENT PROCEDURES** established by the Division of Finance shall be adhered to and are to begin whenever Goods are delivered and accepted.
- W. INDEMNIFICATION:** 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

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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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Appendix B: Special Construction Pricing

Required with all bid submissions that include special construction. **Reminder, EACH site SHALL be listed separately**

Special Construction					
Location	Strand Count	Segment Mileage	Total Segment Cost	Eligible Cost	Ineligible Cost
Total project mileage and costs					

Information that can be included now, but will be requested at a later date upon review:

- Special Construction Cost Breakout worksheet in Appendix C (xls available, if requested)
- Route map of all build segments in kmz format
- Explanation of alternative routes that were explored and why the chosen route is the most cost-effective
- Explanation of special materials and procedures required that may have increased construction costs, such as:
 - Historical preservation or environmental issues
 - Bridge, waterway, railway, or highway crossings
 - Galvanized conduit
 - Directional boring through hard rock or under a paved surface
 - An excessive number of handholes, marker posts, or other OSP materials
 - Expensive pole attachment fees or make ready costs
 - Extreme terrain
 - Tribal cultural or protected areas issues
 - Timeline and Construction Schedule
 - Navajo Nation right-of-ways

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APPENDIX A: Cost Proposal

This Cost Proposal form must be submitted per instructions in Section H.

Company Name and Logo Here

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Line #	Deliverable Description:	Proposed Price
		(Example: \$1,234,567.89)
1	Construction of the Outside Fiber Plant or Tower / Equipment Lump Sum Amount (in numbers - Do Not Include GRT)	
2	Construction of the Outside Fiber Plant or Tower / Equipment (Amount in words)	
3	Maintenance and Operations (Yearly cost amount in numbers - Do not include GRT)	
4	Maintenance and Operations (Yearly cost amount in words - Do not include GRT)	

Vendor agrees to pay for (cover) the yearly cost to Maintain/Operate the infrastructure as a measure to verify sustainability.

Initials: _____

Vendor agrees to pay for (cover) the yearly cost to Maintain/Operate the portion that the vendor would put aside for use by the Navajo Nation.

Initials: _____

If Addenda issued by the NNBO, this proposal includes all addenda

Initials: _____

Name of business: _____

Name of proposer: _____

Signature of the Proposer: _____

Date: _____

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APPENDIX B: Internet Service Plans Offering

Company Name and
Logo Here

SAMPLE

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Residential Internet Service Plan	Connection Speed Upload/Download (Mbps/Gbps)	Monthly Cost	Minimum term	Promotions (if any)	Other
Low cost / student (SAMPLE - Please fill the rows below with actual plans)	100/100 Mbps	\$ 19.99	Month-To-Month	First two months free	
1					
2					
3					
4					

Business Internet Service Plan	Connection Speed Upload/Download (Mbps/Gbps)	Monthly Cost	Minimum term	Promotions (if any)	Other
Business 1 (SAMPLE - Please fill the rows below with actual plans)	200/200 Mbps	\$129.99	Two Years	First two months free	
1					
2					
3					
4					

Institution Internet Service Plan	Connection Speed Upload/Download (Mbps/Gbps)	Monthly Cost	Minimum term	Promotions (if any)	Other
Hospital / Library / Fire stations etc... (SAMPLE - Please fill the rows below with actual plans)	1Gbps/1Gbps	\$299.99	Tree Years	None	
1					
2					
3					
4					

This Service Plan Proposal form must be submitted per instructions in Section H.. Failure to adhere to this instruction will result in automatic disqualification of your proposal.

Appendix C
Navajo Nation Broadband Office ARPA Broadband Project Listing

Project ID	Delegate	Chapter	Project Description	Lat/Long (Not exact location. General vicinity only)
1	-	-	Highway 191. (1) Extend fiber past Many Farms, AZ (2) Increase cell service to meet 100 mbps capacity. Connect wth Emery Telcom for redundancy route to Salt Lake City, Utah. Start at Mexican Water junction on Highway 160 to Navajo Nation border near Bluff, UT. Approx. 35 miles.	
2	-	-	Fiber from Yatahey to Window Rock Tribal Headquarters and Fiber to Black Hat	
3	-	-	St. Michaels Association for Special Education, Inc. - campus wide Wi-Fi internet	
4	CRYSTALYNE CURLEY	Many Farms	Many Farms North - Tower	36.518333, -109.620224
5		Nazlini	Flatrock and Three Turkey Ruin area - Tower	36.004966, -109.478135
6		Tachee/Blue Gap	Blue Gap Far North - Tower	36.252443, -109.942424
7			Fish Point - Tower	36.147389, -109.828256
8			Salina Springs South - Tower	35.999526, -109.870820
9	HELENA NEZ BEGAY	LeChee	Tower Butte - Tower	36.717631, -111.260545
10			Lechee WT Fiber Buildout	36.868527, -111.433977
11		K'aibii'to (Kaibeto)	Kaibeto Fiber Buildout	36.579643, -111.091164
12	SHAANDIIN PARRISH	Chilchinbeto	Chilchinbeto East - Tower	36.538808, -110.048271
13		Dennehotso	Garnet Ridge - Tower	36.895000, -109.860888
14	AMBER KANAZBAH CROTTY	Cove	Cove -Tower	36.608851, -109.168326
15		Toadlena/Grey Hills	Toadlena -Tower	36.238438, -108.879339
16		Red Valley	Fiber to Red Valley Water Tank	36.598240, -109.058684
17	SETH DAMON	Rock Springs	Chapter House - Communication On Wheels (COW)	
18	HERMAN DANIELS JR.	Navajo Mountain	UNHS Navajo Mountain - Tower	37.028256, -110.865654
19			Navajo Mountain Community Housing	
20		Shonto	Shonto Fiber build	36.598083, -110.654610
21		Oljato	Promise Rock - Tower	36.980769, -110.215559
22			El Capitan Wash - Tower	36.877311, -110.284601
23			Oljato - Tower	37.025880, -110.301879
24	DANNY SIMPSON	Crownpoint	FTTH - MM	
25			FTTH - LM	
26	VINCE R. JAMES	Jeddito	Jeddito - Tower	35.779384, -110.126150
27		Cornfields	Cornfields Fiber buildout	35.652572, -109.679490
28		Ganado	Fiber to Ganado Water Tank Tower	35.706856, -109.536912
29	CARL SLATER	Rock Point	Rock Point South - Tower	36.637710, -109.601953
30		Tséch'izhí	Rough Rock North - Tower	36.497153, -109.869348
31			Fiber to Rough Rock Tower & Community	36.414021, -109.868805
32		Tsaile/Wheatfields	Wheatfields Chapter - New Tower	36.233480, -109.132286
33			Skinny Water Springs - New Tower	36.178822, -109.075458
34	ANDY NEZ	Fort Defiance	FD Indian Medical Center Employee Housing - Fiber Distribution	
35			Fort Defiance West Chapter House Fiber Buildout	35.740412, -109.074282
36	CURTIS YANITO	Mexican Water	Sitting Cougar Hill - Tower	36.859614, -109.686452
37		To'likan	Emmanuel Mission - Tower	36.804311, -109.396722
38		Teesnospos	Narrow Springs - Tower	36.918249, -109.226739
39	SHAWNA ANN CLAW	Chinle	Del Muerto - Tower	36.189045, -109.435526
40			Spider Rock - Tower	36.070475, -109.405899
41			Fiber to Spider Rock Tower (the tower in Project # 40)	
42	CASEY ALLEN JOHNSON	Birdsprings	Little Singer - Tower	35.270738, -110.698095

Appendix C
Navajo Nation Broadband Office ARPA Broadband Project Listing

43		Tolani Lake	Tower between Tolani Lake & Tuba City	35.867798, -111.153013
44			Fiber to Tolani Lake Tower	35.432562, -110.848725
45			Fiber to Tsinaabaas Habitiin School	36.306439, -111.435267
46	BRENDA JESUS	St. Michaels	Tse Bonito/NDOT - Tower	35.641197, -109.032917
47	STEVEN R. ARVISO	Smith Lake	Smith Lake - Tower	35.536514, -108.135959
48	GERMAINE SIMONSON	Pinon	Little Spring - Tower	36.168779, -110.281742
49		Black Mesa	Tower Build (190' or 195' tower) 36.458402479116785, -110.23127595851227	36.458402479116785, -110.23127595851227
50		Whippoorwill	Whippoorwill Fiber Buildout	36.028527, -110.080512
51			Whippoorwill - Tower	36.028033, -110.067854

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ADDENDUM #6

Answers to Service Provider Questions:

1. **QUESTION:** Are the locations in RFP based on input from service providers?

RESPONSE: Some locations

2. **QUESTION:** If the locations on the RFP are based on input from service providers, will that information be available to all potential bidders?

RESPONSE: We want to protect confidentiality. That is why [NNBO] just put the general area. No, that information will not be disclosed to potential bidders. We want to protect confidentiality.

3. **QUESTION:** The Navajo Nation Land Department is proposing a \$2,000/month fee for a lease to construct, operate, and maintain a tower on Navajo Nation Trust Land. Therefore, will the Navajo Nation/Chapter own the new towers and execute subrecipient agreements with awardees to construct, operate and maintain broadband infrastructure in exchange for provisioning service to the public? Alternatively, will facilities funded with ARPA funding be exempt from such fees.

RESPONSE: We are working with the land department to respond back on the new tower leasing that is going to happen. We are awaiting that response hopefully sometime this week or a precise date.

RESPONSE: If that information is unknown in time to be relevant to this, it will be posted on an addendum. If the Office of Broadband does not have that information in time that coincides with the timing of the RFP process, then unfortunately that will not be made available. That will all depend on how soon the Office of Broadband receives that information.

RESPONSE: No, the Service Providers own the towers and provide O&M. For now, there are no exemptions to the fees. A Service Provider can request a waiver through the Navajo Nation Resource Development Committee group.

4. **QUESTION:** Will a proposal for a permanent tower to replace a COW be accepted? The height of the permanent tower may vary from the COW to improve coverage.

RESPONSE: Yes.

5. **QUESTION:** Will fiber from Flagstaff to Tsinaabaas Habitiin School, Lechee, and Kaibeto be considered? The current carrier offering backhaul at Page is currently at capacity, latency is already an issue and will not support the request for scalability as stated in the RFP.

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RESPONSE: We are working with the State of Arizona.

6. **QUESTION:** Will the carrier be allowed to bundle projects together where it can offer savings? In those instances, awards should be contingent upon the grant of the entire bundle and not individual projects.

RESPONSE: No, each location must be bid separately.

7. **QUESTION:** Would middle mile fiber to the tower and a fixed wireless deployment be considered as an alternative to FTTH where FTTH is specifically requested? Additionally, would a combination of FTTH and fixed wireless be considered as an alternative to FTTH?

RESPONSE: See #8 on the updated RFP. It is up to the vendors to engineer the best solutions (wireline or wireless) to provide sustainable service that will reach as many users as possible, with scalable broadband. The vendors are required to describe how many households, businesses and institutions (schools, chapter houses, clinics etc...) will be served, and the service plans and associated costs.

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ADDENDUM #7

Answers to Service Provider Questions:

1. **QUESTION:** SBI was awarded three New Mexico Broadband awards that are overlapping with sites on the ARPA RFP, can we apply for these sites and only ask for the matching amount to be covered?
 - a. This will cost the Nation much less on this project by utilizing the fund this way.
 - b. If the answer is no then we request that these three sites and any other overlapping projects be removed from the ARPA RFP.

RESPONSE: Yes, we found there are a lot of duplications. RDOF grant was excluded.

2. **QUESTION:** Can you please clarify why this RFP would need to follow Federal requirements, isn't the Navajo Nation allowed to utilize the fund in the way they see it best serves its community. For example, prioritizing mode of delivery over ability to deliver in a timely manner while achieving set speeds and SLA.
 - a. Will the Navajo Nation make the time to air and ability to achieve set speeds and SLA a priority over mode of delivery?

RESPONSE: Because the funds are Federal Monies, the NNFRF Department has to respond with all the NEPA requirements are fulfilled and to met the set speeds requirements the FCC requires.

3. **QUESTION:** Will the provision that a qualified vendor must be an eligible ETC at the time of responding that was set forth in the RFP remain intact?
 - a. Argument – A non-ETC provider that is awarded with the hopes it gets approval after awarded presents a risk, if for any reason they are denied the ARPA funds will be tied up and/or lost.

RESPONSE: If you [Service Provider] are not qualified as an ETC status, then you shouldn't apply. This is also written in the Legislation; the monies will be moved to another resource.

4. **QUESTION:** In order to provide the most complete and RFP response possible, it is important to have a list of the physical addresses to determine the fiber costs, from node to location. If there is additional location information that you can share, that would be very much appreciated.

RESPONSE: General vicinity lat/longs were provided in Addendum #5.

5. **QUESTION:** Per my email two days ago, we am trying to obtain additional information in order to provide an accurate and complete RFP response for your Broadband Project RFP. We are looking for the list of locations so that we can determine the node to location costs to be included in the RFP.

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In the RFP Q&A is the following information. Are these the locations, or can you provide them?

2. **QUESTION:** We'd like to request coverage objectives (highlighted map areas or lat/long of vicinity) for the following "Towers":

Flatrock/3 Turkey Ruin
Fish Point
Salina South
Tower Butte
Garnet Ridge
Navajo Mtn
Promise Rock
El Capitan Wash
Wheatfields Chapter
Skinny Water Spring
Sitting Cougar Hill
Emmanuel Mission
Narrow Springs
Little Singer
Tuba City/Tolani Lake
Jeddito
Olijato
Little Spring
Rock Point South

1

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Rough Rock North

RESPONSE: General vicinity lat/longs were provided in Addendum #5.

AMENDED PROJECT LISTING

Ten (10) projects were removed due to duplicate funding.

Appendix C
Navajo Nation Broadband Office ARPA Broadband Project Listing

Project ID	Delegate	Chapter	Project Description	Lat/Long (Not exact location. General vicinity only)
1	-	-	Highway 191. (1) Extend fiber past Many Farms, AZ (2) Increase cell service to meet 100-mbps capacity. Connect with Emery Telecom for redundancy route to Salt Lake City, Utah. Start at Mexican Water junction on Highway 160 to Navajo Nation border near Bluff, UT. Approx. 35 miles. - Duplicate Funding	
2	-	-	Fiber from Yatahey to Window Rock Tribal Headquarters and Fiber to Black Hat	
3	-	-	St. Michaels Association for Special Education, Inc. - campus wide Wi-Fi internet	
4	CRYSTALYNE CURLEY	Many Farms	Many Farms North - Tower	36.518333, -109.620224
5		Nazlini	Flatrock and Three Turkey Ruin area - Tower	36.004966, -109.478135
6		Tachee/Blue Gap	Blue Gap Far North - Tower	36.252443, -109.942424
7			Fish Point - Tower	36.147389, -109.828256
8			Salina Springs South - Tower	35.999526, -109.870820
9	HELENA NEZ BEGAY	LeChee	Tower Butte - Tower	36.717631, -111.260545
10			Lechee WI Fiber Buildout - Duplicate Funding	36.868527, -111.433977
11		K'aibii'to (Kaibeto)	Kaibeto Fiber Buildout	36.579643, -111.091164
12	SHAANDIIN PARRISH	Chilchinbeto	Chilchinbeto East - Tower	36.538808, -110.048271
13		Dennehotso	Garnet Ridge - Tower	36.895000, -109.860888
14	AMBER KANAZBAH CROTTY	Cove	Cove -Tower	36.608851, -109.168326
15		Toadlena/Grey Hills	Toadlena -Tower	36.238438, -108.879339
16		Red Valley	Fiber to Red Valley Water Tank - Duplicate Funding	36.598240, -109.058684
17	SETH DAMON	Rock Springs	Chapter House - Communication On Wheels (COW)	
18	HERMAN DANIELS JR.	Navajo Mountain	UNHS Navajo Mountain - Tower	37.028256, -110.865654
19			Navajo Mountain Community Housing	
20		Shonto	Shonto Fiber build	36.598083, -110.654610
21		Oljato	Promise Rock - Tower	36.980769, -110.215559
22			El Capitan Wash - Tower	36.877311, -110.284601
23			Oljato - Tower	37.025880, -110.301879
24	DANNY SIMPSON	Crownpoint	FTTH - MM	
25			FTTH - LM	
26	VINCE R. JAMES	Jeddito	Jeddito - Tower	35.779384, -110.126150
27		Cornfields	Cornfields Fiber buildout - Duplicate Funding	35.652572, -109.679490
28		Ganado	Fiber to Ganado Water Tank Tower - Duplicate Funding	35.706856, -109.536912
29	CARL SLATER	Rock Point	Rock Point South - Tower	36.637710, -109.601953
30		Tséch'izhí	Rough Rock North - Tower	36.497153, -109.869348
31			Fiber to Rough Rock Tower & Community - Duplicate Funding	36.414021, -109.868805
32		Tsaile/Wheatfields	Wheatfields Chapter - New Tower	36.233480, -109.132286
33			Skinny Water Springs - New Tower	36.178822, -109.075458
34	ANDY NEZ	Fort Defiance	FD Indian Medical Center Employee Housing - Fiber Distribution	
35			Fort Defiance West Chapter House Fiber Buildout - Duplicate Funding	35.740412, -109.074282
36	CURTIS YANITO	Mexican Water	Sitting Cougar Hill - Tower	36.859614, -109.686452
37		To'likan	Emmanuel Mission - Tower	36.804311, -109.396722
38		Teesnospos	Narrow Springs - Tower	36.918249, -109.226739
39	SHAWNA ANN CLAW	Chinle	Del Muerto - Tower	36.189045, -109.435526
40			Spider Rock - Tower	36.070475, -109.405899
41			Fiber to Spider Rock Tower (the tower in Project # 40)	

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42	CASEY ALLEN JOHNSON	Birdsprings	Little Singer - Tower	35.270738, -110.698095
43		Tolani Lake	Tower between Tolani Lake & Tuba City	35.867798, -111.153013
44			Fiber to Tolani Lake Tower - Duplicate Funding	35.432562, -110.848725
45			Fiber to Tsinaabaas Habitiin School - Duplicate Funding	36.306439, -111.435267
46	BRENDA JESUS	St. Michaels	Tse Bonito/NDOT - Tower	35.641197, -109.032917
47	STEVEN R. ARVISO	Smith Lake	Smith Lake - Tower	35.536514, -108.135959
48	GERMAINE SIMONSON	Pinon	Little Spring - Tower	36.168779, -110.281742
49		Black Mesa	Tower Build (190' or 195' tower) 36.458402479116785, - 110.23127595851227	36.458402479116785, - 110.23127595851227
50		Whippoorwill	Whippoorwill Fiber Buildout- Duplicate Funding	36.028527, -110.080512
51			Whippoorwill - Tower	36.028033, -110.067854