



NGS BATTERY STORAGE AND TRANSMISSION PROJECT

Bid Number: 26-04-4109SB

REQUEST FOR QUALIFICATIONS (RFQ) ISSUED APRIL 24, 2026

Request for Qualifications ("RFQ") for the development, financing, design, engineering, procurement, supply, construction and operation of one or more standalone utility-scale Battery Energy Storage Systems; management and marketing of Navajo Nation ("Nation") transmission capacity assets; and related power or other ancillary project(s) potentially to be co-owned by the Navajo Nation ("Nation") in the former site of the Navajo Generating Station ("NGS") as more fully outlined in Exhibit A.

RFQ Issue Date	24 April 2026
Deadline to Submit Questions	13 May 2026
Nation's Response to Questions	20 May 2026
RFQ Response Due Date	3 June 2026, 11:59 pm
Respondent Interviews (at the discretion of the Nation)	Week of 15 June 2026
Targeted Shortlist Communication Date	Week of 22 June 2026
Issuing Entity	Navajo Nation Minerals Department PO Box 1910 Window Rock, AZ 86515
Contact information	NavajoNGSProposal@navajo-nsn.gov

- **Please register your intent to respond at your earliest opportunity. Any supplemental information will be provided in addenda form via email to those parties who have indicated via email their intent to respond.**
- **RFQ responses must be delivered to the Issuing Entity by the date and time listed above. Any responses received after the due date and time may be returned or unopened as determined by the Issuing Entity in its sole discretion.**
- **The Issuing Entity may issue addenda to the RFQ at its discretion.**

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1. OVERVIEW and PURPOSE

1A. Overview. The Navajo Nation (the **Nation**), a federally recognized tribe with world-class and diverse energy resources, seeks a qualified partner to develop energy infrastructure in and around the old Navajo Generating Station (**NGS**), near Page, Arizona. The Nation publishes this Request for Qualification (**RFQ**) for the purposes of receiving from respondents (the **Respondents**) statements of qualifications for developing this energy infrastructure to meet the Nation’s long-term goals for economic growth and energy sovereignty.

The Nation, with extensive lands located in the southwestern United States, has had within its borders some of the United States’ largest and most strategic electrical infrastructure for decades. This infrastructure includes the former NGS, one of the largest coal-fired power plants in the United States and numerous high-voltage transmission lines carrying power to key consumption centers in California, Nevada, and Arizona. The southwestern United States has rapidly growing energy needs and the existing power infrastructure is being stretched to deliver on those needs. As part of the agenda of President Buu Nygren and the Navajo Nation Council, and in support of expanding electric infrastructure to meet the growing energy needs in the United States, the Nation intends to develop new energy infrastructure in and around NGS to take advantage of immediately available and future energy development assets.

Specifically, and first, the Nation has identified certain land area resources in and around the NGS site it would like to develop with new battery energy storage or solar generation + battery storage with a commercial partner. The Nation is therefore seeking qualified Respondents with demonstrated experience in the design, development, construction, ownership, and operation of battery energy storage facilities, or solar + battery storage projects to be the developer of one or more new battery storage or solar + battery storage facilities (the **Project**). The Project may be developed in one or more phases within the territory as set out herein.

Second, the Nation has identified certain transmission capacity originating at Navajo switchyard that it would like to monetize with a commercial partner. The Nation is therefore seeking qualified Respondents with appropriate transmission experience to provide proposals for how, as commercial partner, they would manage and monetize the Nation’s rights to 500MW of transmission capacity on the Navajo Southern Transmission and Navajo Western Transmission lines (the **Capacity**).

As a sovereign and self-governing nation, the Nation has its own laws and rules by which a Project would be developed. For this reason, the Nation is open to consider different structuring options

with the goal of optimizing the Project benefits. The Nation is therefore seeking Respondents with experience in partnering with public entities, tribes, or tribal business entities to participate in the Project.

1B. Purpose of this RFQ - The purpose of this RFQ is to prequalify respondents (the **Shortlist**) for a subsequent Request for Proposal (RFP) process later in 2026 in which the Nation will select a company to develop the Project and the Capacity. This RFQ accordingly sets out the terms, conditions, procedures, and rules governing the process through which proposals shall be submitted, evaluated, and, if so, decided by the Nation, so as to identify one or more Respondents with the requisite qualifications and experience for a subsequent RFP. The final RFP will be more detailed and based on relevant technical, legal, and financial information as well as perspectives gathered from this RFQ.

The Nation is eager to understand the opportunities available and the interests and priorities of Respondents. For that reason, the Nation sets out certain parameters and conditions in this RFQ, while inviting Respondents to provide input and information that will inform the final RFP. This includes options/scenarios for battery storage or solar + battery storage development on the available Nation land; options/scenarios for utilizing the Capacity; options/scenarios for maximizing the benefit to the Nation through the generation of revenue, equity participation, or other avenues; and perspectives on the structuring of the Project.

The Nation's overarching goal is to find a responsible long-term commercial partner who will be responsible for the design, development, construction, ownership, and operation of the Project and the successful monetization of the Capacity. The Nation is primarily interested to maximize monetary benefit to the Nation over the term(s) of the Project and of the use of the Capacity. The Nation hereby invites the Respondent to submit its response (the **Response**) for the requested qualifications in accordance with the technical and commercial specifications described in this RFQ.

Nothing contained herein shall be construed as creating an obligation on the part of the Nation to award the project or to enter any contractual arrangement.

2. ENERGY DEVELOPMENT ASSETS and PROJECT DESCRIPTION, TIMELINE/SCHEDULE

2A. Immediately Available Energy Development Assets - The Nation currently has land and transmission assets it would like to put to work in energy to maximize the overall benefit to the Nation. They include:

- 1) Land for Battery Storage OR Solar + Battery Storage: Approximately 30 to 40 acres of reclaimed land on the Navajo Generating Station (NGS) site as shown in Exhibit A. The site is on trust land. A lease on Navajo Nation trust land will be issued by the Navajo Nation either through the Division of Natural Resources (Exhibit B) or the Division of Economic Development (Exhibit C). A lease on trust land does not require approval from the United States Department of the Interior (DOI). However, if a Lessee desires or is required to obtain a federal DOI approval of the lease it can be negotiated. This parcel is adjacent to the existing Navajo switchyard.
- 2) Capacity: 500MW of transmission capacity immediately available which includes 200 MW west from Navajo to McCullough and 300 MW south from Navajo to Westwing. The capacity is bi-directional. The land underlying the Navajo switchyard is trust land, but any interconnection to the NGS Switchyard creates a federal nexus due to Bureau of Reclamation (US BOR) part ownership in the switchyard facility.

All respondents to this RFQ may:

- **Option A** – Respond only to the battery storage/solar + battery storage resource development.
- **Option B** – Respond only to the management and monetization of the transmission capacity.
- **Or, Option C** – Respond to the combined list of resources for battery storage/solar + battery storage resource development AND utilization, management, or monetization of the transmission capacity. $C = A + B$

The Nation understands that the energy resources identified can likely support different configurations of battery or solar + battery storage projects. The Nation is looking for a partner with the qualifications, skills, and capacity to evaluate these assets and bring forward a co-development business structure and project proposal(s) during the RFP stage of this process that will maximize value to the Nation realizing that the development may be phased, the resources used together, or separately to achieve the goal over time. Beyond that, evaluation of further battery storage, and or solar projects in the vicinity are for Respondent's

evaluation, the degree to which any such evaluations are shared in the RFQ process, and before the RFP process, are at the sole discretion of the Respondent.

While NGS Power Plant site is fully reclaimed, there is residual fly ash in the surrounding area outside of the identified acreage listed above (Exhibit A). The Nation will share additional information with Shortlisted Respondents prior to the RFP.

2B. Soon to be Available Resources - The additional acreage on the former NGS site is pending release but timing is not known. This RFQ only includes the acreage designated in a red outline shown in Exhibit A .

2C. Timeline and Key Dates - The Nation would like to move quickly through the RFQ period and move onto the RFP process. The intent is to conduct the RFP and finalize a partnership structure by the fourth quarter of 2026, with the dates and times listed on the cover page subject to change.

2D. Intent to Respond – Respondents should express their intent to respond to this RFQ by email to the email listed in **Contact Information** on the cover page at their earliest opportunity. If necessary, supplemental information in addenda form will be provided via email to all Respondents that have indicated intent to respond to this RFQ.

2E. Questions Regarding the RFQ – Questions regarding this RFQ must be submitted no later than the **Respondent Question Due Date** specified on the cover page. Questions must be sent via email listed in **Contact Information** on the cover page with the phrase “**Navajo Nation NGS RFQ**” in the subject line.

Any questions received after the Respondent Question Due Date will be answered at the Nation’s discretion. It is the responsibility of all Respondents to examine the entire RFQ package and seek clarification on any item or requirements that may not be clear, and to check all responses for accuracy before submitting a Response.

The Nation’s responses to all properly submitted questions will be sent via email in the form of an Addendum to the inquiring person and to all those Respondents who have provided their intent to respond to the RFQ. The Nation shall not be responsible for failure of any Respondent to receive RFQ addenda. All addenda shall become part of this RFQ. Each Respondent shall be responsible for ascertaining, prior to submitting a Response, that they have received all issued addenda.

2F. Submission of Responses – Respondent must provide one (1) copy by email to the Contact Information email listed on the cover page and one (1) complete electronic copy on a USB drive of each Response not later than the Respondent Response Due Date specified on the cover page to the Issuing Entity listed on the cover page. Responses received later than the Respondent Response Due Date will not be considered and will be returned unopened.

Electronic copies must be submitted in PDF format. By submitting a Response, Respondent acknowledges that all documents requiring a signature have been reviewed and signed by a director, officer, or manager of the Respondent who has authority to attest to the accuracy and completeness of their response to this RFQ.

The Nation will not be responsible for any expenses incurred by Respondent in preparing and submitting a Response.

2G. Contents of the RFQ Documentation - The following documents form an integral and inseparable part of this RFQ documentation, and their contents shall be deemed fully known and accepted by the Respondent upon submission of a Response:

1. This RFQ, including all its sections, clauses, and exhibits.
2. all applicable laws, regulations, codes, standards, and technical procedures issued by the competent authorities and regulatory bodies having jurisdiction over the Project.
3. submission forms and declarations required under this RFQ; and
4. any clarifications, addenda, or amendments issued by the Issuing Entity during the RFQ process.

3. ANTICIPATED PROJECT DEVELOPER ROLE

The anticipated role of the RFP final winner and selected developer of the Project will be to design, develop, construct, own, and operate the Project(s) in and around the NGS site, potentially in one or more phases; to manage and monetize the Capacity to maximize benefit to the Nation; and to do so through an agreed business structure.

To accomplish those objectives, the Nation is looking for Respondents that have four key attributes based on the selected option in Section 2A above:

1. A strong track record of designing, developing, constructing, connecting, and operating standalone battery storage or solar + battery storage projects, including in a phased manner;
2. A strong track record in managing and utilization of transmission capacity rights, particularly in the southwestern United States;
3. An openness to a mutually beneficial structure through a partnership, joint venture, SPV or other business structure with the Nation or a separate entity owned by the Nation; and
4. Experience working with Native American Tribes, on Tribal Lands, or with other governmental organizations, together with local and/or indigenous communities.

In this RFQ, the Nation is looking for the Respondent who has the demonstrated depth of experience to outline in the subsequent RFP, a vision for what is possible and doable to best leverage the resources in Section 2A. Any Respondent-suggested business structure should contain a clear explanation of roles, responsibilities of each entity.

The selected RFP winner(s) would be responsible for the entirety of the design, permitting, construction, interconnection, and operation of the Project's new assets, and the entirety of monetization of the Nation's Capacity resources, thus including but not limited to the following:

- Project Design
- Permitting requirements for land lease and ROW aligned with project design
- Interconnection
- Safety and Permitting strategy, including fire code/AHJ coordination for battery storage systems and facilities

- EPC/integrator procurement (including bankable warranties)
- Construction oversight, commissioning, and COD achievement
- Participation with the Nation in community communications, benefits
- Procuring equity and tax equity investment
- Ability to arrange project debt (if applicable) and manage lender/insurance requirements
- Credit support and risk management system
- Project operations and maintenance
- Electricity market participation (if needed)
- Monetization of transmission resources
- Compliance with the Navajo Preference in Employment Act [<https://onlr.navajonnsn.gov/Portals/0/Files/Affirmative%20Action%20Regulations.pdf>] and awareness of the Navajo Business Opportunity Act <https://navajoeconomy.org/business-regulatory/nboa-registration/>

4. DEVELOPMENT and PERMITTING ON THE NAVAJO NATION

The land site will require a land lease for development. The Nation has well-established land leasing processes in place. Both land leases and rights-of-way follow this process and it has been successfully used for the permitting of oil and gas, public utility development, water infrastructure and electrical infrastructure. The Nation has authority under The Navajo Leasing Act of 2013 for issuing land leases under their own authority. (See: Navajo Nation General Leasing Regulations of 2013, codified at 16 N.N.C. § 2301, et seq.; see also Navajo Nation Trust Leasing Act of 2000 Approval of Navajo Nation Regulations, 80 Fed. Reg. 69692, 69692-93 (Nov. 10, 2015). Helpful links: <https://www.gao.gov/assets/gao-23-106542.pdf>, and <https://www.federalregister.gov/documents/2015/11/10/2015-28476/navajo-nation-trust-leasing-act-of-2000-approval-of-navajo-nation-regulations>)

Any partner would necessarily agree to follow the Navajo Business Opportunity Act (NBOA) requirements for preference to Navajo subcontractors, employees, etc. for work on the Nation, thus fostering Navajo employment on the local grounds.

ROWs are subject to BIA review and approval as per 25 CF section 169

Related to Project approvals, but outside the control of the Nation, any interconnection to the NGS Switchyard will require federal permitting due to partial ownership by the US BOR.

In addition to bringing the energy resources to the table, the Nation intends to support the development and operation of the Project and the monetization of the Capacity by:

- Moving rapidly to finalize the legal structure;
- Working closely with the entity to understand the Nation's permitting process, and to support the permitting process;
- Work with BIA and other US Government agencies, as needed, to facilitate communication and timely processing of any necessary permits;
- Providing a dedicated point person(s) as required to facilitate progress; and
- Assist as capacity allows with any communications with local chapters or residents affected by the project, as well as any other Navajo Nation Officials desirous of information.

5. ELIGIBILITY and MINIMUM QUALIFICATION REQUIREMENTS

5A. Eligibility - Each Respondent shall designate a duly authorized legal representative empowered to bind the entity throughout the RFQ and, if selected, the RFP process.

The following entities shall not be eligible to participate, directly or indirectly:

1. entities legally incapable of contracting under applicable law;
2. entities (or entities owned and/or controlled by entities or persons) subject to administrative sanctions or included in national or international sanctions lists;
3. entities undergoing insolvency, bankruptcy, restructuring, liquidation, or similar proceedings;

By submitting its response, the Respondent represents and warrants that:

1. all information submitted in its Response, including references, certifications, corporate documents, and supporting materials, is true, complete, and accurate; and
2. it is not subject to any sanction or legal, fiscal, contractual, or regulatory restriction that would prevent it from validly participating in the Project.

5B. Minimum Qualification Requirements - The Nation intends to Shortlist only Respondents that, at minimum, demonstrate the following consistent with their chosen Option:

1. **Battery Storage and Solar Generation Development, Construction, Operating Experience** - Demonstrate relevant collective experience of design, development, interconnection, construction, operation and maintenance of a minimum of 100MW of stand-alone battery or 400MW of solar + battery storage facilities in the US. Where the Respondent does not possess operational experience, it must demonstrate its experience in the design, development and construction of assets which have an operating life of not less than 25 years. Experience in this category may be demonstrated through the involvement of key personnel. In all cases Respondent must have a facility which has been in ongoing, successful operation for at least 2 years.
2. **Transmission Capacity Management Experience** – Demonstrate relevant experience in transmission capacity management and monetizing transmission capacity.

3. **Permitting and Interconnection** – Demonstrate (i) interconnection and permitting competence; (ii) familiarity with WECC markets; (iii) familiarity with the southwestern US; and (iv) permitting on federal lands.
4. **Tribal and/or Public Entity Experience** - Provide detailed information regarding experience working or developing relevant projects with (i) Native American Tribes; (ii) indigenous groups/governments; (iii) or public entities.
5. **Business Partners** – Demonstrate successful ability to (i) partner in; (ii) co-invest in; or (iii) co-develop energy and/or transmission assets.
6. **Community Engagement and Community Benefits** - Demonstrate ability to work effectively in remote areas and support local community labor pools. Demonstrate community engagement and implemented benefit plans or agreements for the impacted communities.
7. **Regional Familiarity** - Demonstrate relevant development experience in the southwestern United States and WECC region.
8. **Financial Capability** – Demonstrate capacity to fund or ready access to partners and/or financial institutions for financing like projects.
9. **Operational duration** - Document three (3) or more years of ongoing business operations.

Respondents that do not meet the above “Minimum Qualifications” will be disqualified from consideration for the Shortlist under this RFQ.

6. EVALUATION and SELECTION of SHORTLIST

6A. Evaluation Criteria - A Respondent will be selected based on an evaluation of the quality of the Responses, relevant experience, feedback from references, proposed asset utilization approach, and information garnered in interviews (if conducted).

For Responses that meet the criteria described in the “Minimum Qualifications” set out in Section 5 of this RFQ, Nation will evaluate the following criteria in its scoring of submittals.

1. **Qualifications, Related Experience, and References (40%)** - Technical experience in performing work of a closely similar nature (i.e., battery storage, transmission management, and solar as applicable); quality of existing work/projects; experience working with government entities; strength and stability of the firm; strength, stability, experience and technical competence of sub-consultants; assessment by client references; references with demonstrated success in providing similar services.
2. **Company & Team (25%)** - Qualifications of key personnel; key personnel’s level of involvement in performing related work cited in response to the “Respondent Qualifications” section of this RFQ.
3. **Overall Quality & Depth of Response (20%)** - Depth of Respondent's understanding of the Nation’s resources, potential business structures, overall quality of Response, and input which will help shape the following RFP; logic, clarity and specificity of Response.
4. **Community Engagement (15%)** – Demonstrated experience in working successfully with local communities.
5. **Completeness of Response (Pass/Fail)** - Completeness of response in accordance with RFQ instructions; exceptions to, or deviations from, the RFQ requirements that the Nation cannot or will not accommodate; and any other relevant factors not considered elsewhere.

The Nation reserves the right to make alterations to the scoring criteria as may be deemed necessary or advisable in connection with the overall goal of this RFQ to ensure the best Shortlist for the forthcoming RFP.

6B. RFQ Result - Once the Nation has completed its evaluation process, the Nation intends to Shortlist qualified Respondents subject to the reservation of the Nation's rights stated in this RFQ. The Nation intends to promptly issue an RFP to the Shortlisted RFQ Respondents.

6C. Protests of RFQ Shortlist by a Respondent - Any protest of the final Shortlist of Respondents under this RFQ (a Protest) must comply with the provisions of this section, or such Protest shall be rejected as invalid.

A Protest must be in writing and delivered to the Nation in the same manner as Responses are to be delivered to the Nation under this RFQ, by not later than 3:00 PM Mountain Time on the fifth (5th) business day after either (i) the date on which the Nation emails Respondents who submitted responses to inform them they will not be on the Shortlist or (ii) if no such non-winning Respondent exists, the date on which the Nation first posts notice of a Shortlist pursuant to this RFQ.

Any Protest shall set forth in detail all facts, documentation, arguments, and specifically cited legal authorities alleged to support the Protest, in each case supported by competent and credible evidence. Any facts, documentation, arguments, or legal authorities not specifically set forth in the Protest shall be deemed waived.

The procedures and time limits set forth in this section for Protests are strictly construed and are a protesting party's sole and exclusive remedy in the event of a Protest. The protesting party's failure to comply with these procedures and time limits shall constitute a waiver of any right to further pursue the Protest in any manner. A protesting party may not rely on a Protest submitted by another party to support its own Protest.

Any submitter hereto the RFQ process agrees that: a final decision on any protest shall be made by The Navajo Nation in its sole discretion, in its own chosen method, it is non-appealable and shall be communicated by the Nation to the protesting party, in a reasonably timely manner. All submitters acknowledge the Sovereign Immunity of the Navajo Nation from any civil actions related to this RFQ or otherwise.

7. STATEMENT of QUALIFICATIONS

7A – Response Format Requirements - An Entity must respond to this RFQ using the outline below. This format will be used as the primary representation of each Response by the evaluation committee reviewing submitted Responses. Respondents not conforming to the specified Response format may be disqualified from further consideration by the Nation.

Respondents should refrain from adding unnecessary materials to their Responses, such as marketing brochures, unless such materials are specifically related to the requirements of the RFQ. Each Response should provide a straightforward and concise response to the requirements. Emphasis should be placed on completeness and clarity of content. Failure to address all requirements below could result in a Response being considered non-responsive and therefore disqualified from consideration.

Responses will be divided into sections or tabs as specified below. The forms as contained in and format as requested in the RFQ will be used. Respondents can reproduce the forms and retype the information, but all the required information must be presented in the order requested. All Responses must be completed in ink, on a computer or typewritten. Forms can be filled in by hand.

Respondents must communicate with the Nation regarding this RFQ exclusively through the methods set forth in this RFQ. Attempts to contact the Nation's staff, elected officials, or other representatives regarding this RFQ through other means will be grounds for disqualification from consideration under this RFQ.

7B. Response Content - The Respondent is to provide the complete copies of the Response in the electronic format specified. The electronic format copies via email and on the USB drive must be identical in their contents and layout. To ensure that every Response receives a fair evaluation, each Respondent must organize its Response in the following manner.

Tab 1. Executive Summary – Please provide a brief description of your organization, how long you have been in business and the Services that you offer that are pertinent to this RFQ and the Option selected. Provide documentation and information as requested relating to the history of your organization that includes its philosophy of doing business, background, expertise, experience, past performance, and ability to support the goals and objectives stated in this RFQ.

Tab 2. Respondent Baseline Qualifications – This RFQ contains a form **Attachment A** which must be completed to provide Respondent Qualifications.

Please note that the Nation does not intend to accept an offer from an organization less than three (3) years old or which has failed to establish a proven record as stated in the minimum requirements. If the Respondent has recently purchased an established business or has proof of prior success in either this business or a closely related business, provide written documentation and verification.

Tab 3. Cover Letter - Respondents must provide a Cover Letter with their Response.

The Cover Letter must be on the Respondent's corporate letterhead, must be signed by a corporate officer who has authority to attest to the accuracy and completeness of their response to this RFQ, and must include the following:

- a. The legal name, address, and contact information for each business entity or firm. involved in the Response and their potential role in working with the Nation.
- b. A statement that Respondent has carefully read all the provisions of the RFQ.
- c. List a team leader for the Response, including the leader's job title, email, and phone number.
- d. A summary of the Response.
- e. Highlight any omissions, additions, or alternate proposals contained in the Response.
- f. Clearly state which Option the Respondent is addressing.
 - **Option A** – Respond only to the battery storage/solar + battery storage resource development.
 - **Option B** – Respond only to the utilization and management of the transmission capacity.
 - **Option C** = Option A + Option B

The Response submitted must contain the signed Cover Letter completed with digital signature or images of the signature.

Tab 4. Respondent Qualifying Experience and Additional Information - Respondents will have a broad range of demonstrated capabilities and experience designing, developing, constructing, and operating battery storage and/or solar + battery storage projects, interconnection, and/or transmission capacity utilization and management. Respondents are asked to address the following corresponding to their chosen Option from Section 2A.

1. Technical Capability - Provide information on in-house capabilities with respect to all aspects of battery storage and solar + battery technical design, development, construction, operation, interconnection, and/or Capacity management and what

skills are outsourced. Include information on completed projects and the specific role(s) played by your company.

2. Relevant Project Experience and References
 - a. Projects completed and years of successful operation.
 - b. Specific role(s) played on the projects listed.
 - c. List of safety incidences (if any), how they were handled, and the outcome.
3. Tribal Experience / Public Entity Experience
 - a. Provide information regarding experience working with Native American Tribes, indigenous groups/governments, or public entity experience.
4. Relevant examples of partnership / co-investment / co-development
 - a. Experience with different business structures that may be considered with the stated set of energy assets.
 - b. Respondent experience, practices, or processes for communication, reporting, and transparency with “partners”.
5. Financial Strength / Credit
 - a. Provide information on how the company prefers to finance projects (e.g., external 3rd party funding, on the company’s or parent company’s balance sheet).
 - b. Provide examples of funding scenarios for similar projects.
6. Relevant Community Experience – Experience with community engagement and community benefits plans and/or agreements.
7. Provide references for projects with similar technologies or complexity, projects on tribal, indigenous, or public lands, community organizations.
8. Partnership References

Tab 5. Required Forms – The Respondent must complete **Attachment B** (RFQ Response Checklist) attached to this RFQ.

7C. Confidentiality - Where so identified by the Nation, any technical, commercial, administrative, or contractual information provided by the Nation within the framework of the Project to Respondents, shall be considered strictly confidential. The Respondents agree that the information shall be used exclusively for the preparation and submittal of Responses and may not be disclosed, reproduced, or transferred to third parties without prior written authorization from the Nation.

The Nation agrees that all Responses will be kept confidential as protected under 2 N.N.C. §85 at the request of the Respondent, unless any court of competent jurisdiction (Navajo Courts) orders

release or production of any information. There are exceptions to confidentiality, including the following: (i) any response that is later a subject of a Protest and the accompanying Protest material, (ii) the identities of the Respondents, and (iii) any information in response to questions from Navajo Nation Government entities, specifically Navajo Nation Council or Navajo Nation Executive Branch. Even in these situations, the information will be kept confidential to the extent reasonably practicable under the circumstances.

8. FINAL CONDITIONS and RESERVATIONS

8A. Joint or Partner Responses - A Response submitted by two or more entities proposing to participate jointly may be submitted. To be considered responsive, any such joint Response must respond to all the requirements of this RFQ. However, one entity must be clearly identified as the “Primary Respondent” who will assume responsibility for performance of all other joint Respondents and all subcontracts to every level. The Primary Respondent must identify themselves as such and submit the Response under their company name and signature.

8B. Pre-Contractual Incurred Costs - The Nation is not liable for any costs incurred by a Respondent in the preparation and production of a Response to this RFQ, or for any work performed prior to or as a result of the issuance of a subsequent RFP.

8C. Reservations by the Nation - The Nation reserves the right, in its sole discretion, to:

- a. modify any or all RFQ documents or files, by the issuance of written addenda disseminated via email;
- b. investigate the qualifications of any Respondent under consideration and confirm any information furnished in a Response;
- c. request additional evidence of managerial, financial, or technical capabilities of any party submitting a Response;
- d. reject any or all Responses;
- e. cancel the RFQ;
- f. waive any irregularities or informalities in the RFQ review process;
- g. modify any RFQ requirements and request a revised Response from any Respondent; or
- h. establish other evaluation criteria determined to be in the best interests of the Nation

without incurring any liability or obligation toward the Respondents.

If the Nation modifies any portion of the RFQ documents, the Response submitted by any Respondent shall be deemed to include any and all modifications reflected in any addenda issued.

EXHIBIT A – Former Navajo Generating Station Site.

Figure 1. NGS Plant Site - Yellow indicates residual fly ash coverage and therefore area that is not currently open for development.

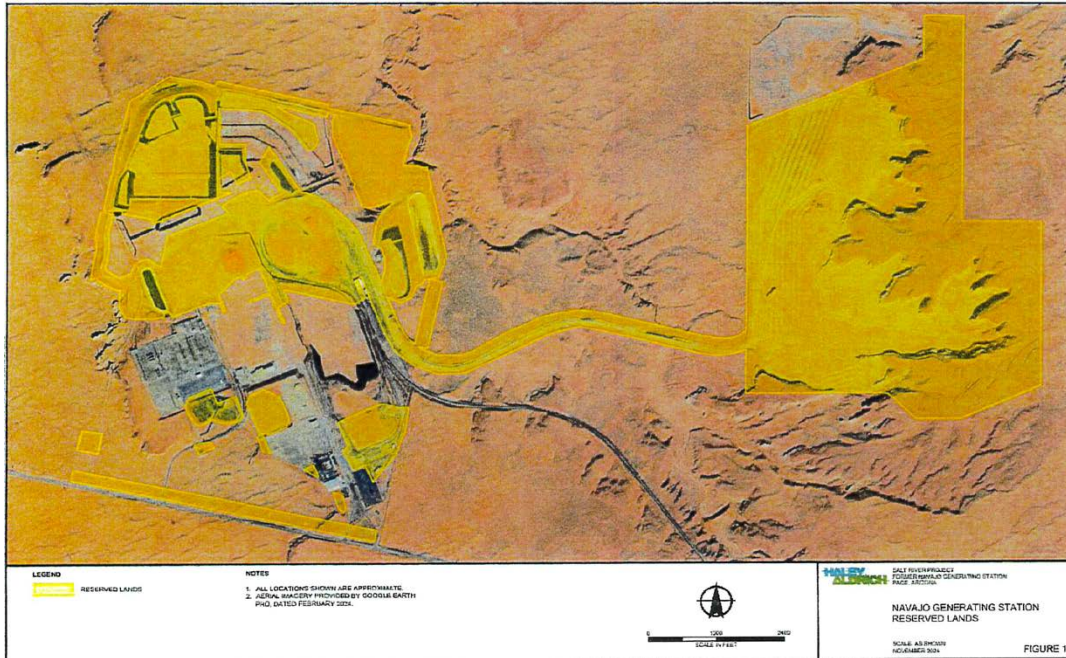



Figure 2. Designated Site for Development - The land resource intended for battery storage is outlined in red below.



EXHIBIT B – Navajo Nation Division of Natural Resources Permitting Requirements



GENERAL LAND DEVELOPMENT DEPARTMENT
P.O. BOX 69 • ST. MICHAELS, AZ 86511 PHONE: (928) 357-6969 • WWW.GLDD.ORG

General Land Lease Checklist
(Educational, Healthcare, Renewable Energy, General, Recreational, etc.)

- Permission to Survey**
 - i. Pre-approved permission from the Navajo Nation to conduct a walk-on survey for the proposed project. This includes the right to conduct preliminary surface surveys, archaeological clearances, ethnographic studies, environmental assessments, environmental impact statements, non-invasive soil sampling, geotechnical, etc. This walk-on survey should not disturb in any permanent way the ground, vegetation, air, water or inflict any noise pollution, especially during nesting/breeding seasons.
- Cover Letter/ Scope of Work**
 - i. Define the proposed project undertaking(s) including construction, operation, duration, maintenance, and upgrades. Define specifically whom will assume responsibility for the infrastructure and/or utilities.
 - ii. A precise location of the proposed project with description of the acreage, land status(es), and project timeline. This should include all temporary staging disturbances.
 - iii. Include whether waivers are considered for the project (Valuation, Bonds, Insurance, etc.).
 - iv. A statement on where the current term stands; new, expired, renewal, etc.
- Filing Fee (New and Renewals)**
 - i. Filing Fee (Non-refundable) of \$500.00 made payable to the Navajo Nation.
- Supporting Chapter Resolution**
 - i. A resolution from all impacted chapters in support of the proposed undertaking, and a specific location description within the Chapter pertaining to where the project will be developed. This is not an approval from the chapter.
- Valid Grazing Permittee Consents**
 - i. Collected consent from impacted land users and those holding a valid grazing permit, and a verification letter signed by the respective Grazing Official. If there are no valid grazing permittees, a signed verification letter from the Grazing Official is still required.
 - ii. An official Navajo Nation Field Clearance Checklist completed by a registered Field Agent.
- Legal Land Survey**
 - i. A legal description and survey that indicates the total acreage the development will disturb in each section. This should include pole placement, maintenance stations, temporary easements/staging areas and access roads. The latitude and longitude of each of the aforementioned developments need to be shown as well.
 - ii. A digital map layer (in the format of a KML/KMZ or shapefile) that depicts the delineated land status(es) of the proposed utility corridor, and a separate digital layer of all corridor accompaniments.
- Lease**
 - i. General lease provided by the Navajo Nation GLDD that pertains to the specific development being requested.
 - ii. All alterations, edits, legal waivers will be legally reviewed/negotiated by Navajo Nation DOJ Natural Resources Unit through GLDD.
- Navajo Nation Environmental Determination Documents**
 - i. Biological Resource Compliance Form (BRCF) obtained from the Navajo Nation Department of Fish & Wildlife(<https://www.nndfw.org/>).
 - ii. Cultural Resource Compliance Form (CRCF), Archeological Inventory Report (AIR) Form obtained from the Navajo Nation Heritage & Historic Preservation Department (<https://hpd.navajo-nsn.gov/>).
 - iii. Location and acreage surveyed must correspond with the scope of work, and as noted on the BRCF and CRCF.
 - iv. Navajo Forestry Permits (tree removal) Water Resources (water) etc.
 - v. Although not required for an application to be deemed complete an Environmental Assessment, Environmental Impact Statement, Record of Decision (ROD), Categorical Exclusion (CatEX), Finding of No Significant Impact (FONSI), etc. may be included to meet the funding entities' NEPA requirements.

Submit Electronic Package to: GLDDProjects@navajo-nsn.gov

RDCF-07-24 | June 2024

Note: New phone number of 928-357-6969 as of 17 April 2026 for the General Land Development Department.

Document Link: [https://img1.wsimg.com/blobby/go/3e88f59c-1ad7-494a-b574-cad6ef509ac8/downloads/General%20Land%20Leases Fill.pdf?ver=1775862268601](https://img1.wsimg.com/blobby/go/3e88f59c-1ad7-494a-b574-cad6ef509ac8/downloads/General%20Land%20Leases%20Fill.pdf?ver=1775862268601)

EXHIBIT C – Navajo Nation Division of Economic Development Requirements

The Division of Economic Development requirements can be found on their website.

<https://navajoeconomy.org/small-business-development/business-site-leases/>

ATTACHMENT A – Respondent Baseline Qualification

CONTACT INFORMATION

Firm Name: _____ Check One: Corporation
(As it appears on license) Partnership
 LLC
 Sole Prop.
 Other

Contact Person Name and Job Title: _____

Address: _____

Phone: _____ Email: _____

Please describe Respondent’s ownership structure and identify all owners holding 10% or more of Respondent’s equity: _____

Respondent’s License Number(s), if applicable: _____

PART I – ESSENTIAL REQUIREMENTS FOR QUALIFICATION

Respondent will be immediately disqualified if the answer to any of questions 1 and 3 is “No.” Respondent will be immediately disqualified if the answer to any of questions 4 through 8 is “Yes,” unless such answer is accompanied by an explanation satisfactory to the Nation in its sole discretion.

1. Respondent possesses all valid contractor’s or other licenses necessary to complete the projects listed in Respondent’s Response.

Yes No

2. Respondent has a liability insurance policy with a policy limit of at least \$1,000,000 per occurrence and \$2,000,000 aggregate.

Yes No

3. Respondent has the appropriate and current workers’ compensation insurance policy as required by any relevant labor laws.

Yes No Respondent is exempt because it has no employees.

4. Has Respondent’s license been revoked at any time in the last five years?

Yes No

If the answer is “Yes,” please attached cause of license revocation.

5. Has a surety firm completed a contract on Respondent’s behalf, or paid for completion because Respondent was default terminated by the project owner within the last five (5) years?

Yes No

6. At the time of submitting this qualification form, is Respondent ineligible to bid on or be awarded a public agency contract, or perform as a subcontractor on a public agency contract, pursuant to federal, tribal, state or local law?

Yes No

If the answer is "Yes," state the beginning and ending dates of the period of debarment:

7. At any time during the last five years, has Respondent, or any of its owners or officers been convicted of a crime involving the awarding, bidding, or performance of a public agency project?

Yes No

8. Is Respondent, or any owner of more than 10% of the equity of Respondent, currently under any form or review or investigation by any local, state, or federal regulatory or criminal investigatory agency.

Yes No

If the answer is "Yes," please attach a detailed description of the investigation.

PART II – ORGANIZATION, HISTORY, COMPLIANCE WITH LAWS

A. Organization and Structure of the Business

For Firms That Are Corporations:

- 1a. Date incorporated: _____
- 1b. Under the laws of what state: _____
- 1c. Provide all the following information for each person who is either (a) an officer of the corporation (president, vice president, secretary, treasurer), or (b) the owner of at least 10% of the corporation’s stock.

Name	Position	Years with Co.	% Ownership

- 1d. For each person listed immediately above, please list any firm (other than Respondent) in which such person has either served as an officer or owned at least 10% or the equity in the last five years.

Person’s Name	Firm	Dates of Person’s Participation with Firm

For Firms That Are Partnerships or LLCs:

- 1a. Date of formation: _____

- 1b. Under the laws of what state: _____
- 1c. Provide all the following information for each person or entity that owns at least 10% of the firm's equity.

Name	Position	Years with Co.	% Ownership

- 1d. For each person listed immediately above, please list any firm (other than Respondent) in which such person has either served as an officer or owned at least 10% or the equity in the last five years.

Person's Name	Firm	Dates of Person's Participation with Firm

For Firms That Are Not Corporations, Partnerships, or LLCs:

- 1a. Date of commencement of business. _____
- 1b. Full legal name of each person or entity that controls the firm. _____
- 1c. For each person listed immediately above, please list any firm (other than Respondent) in which such person has either served as an officer or owned at least 10% or the equity in the last five years.

Person's Name	Firm	Dates of Person's Participation with Firm

For Firms That Intend to Make a Bid as Part of a Joint Venture:

- 1a. Date of commencement of joint venture. _____
- 1b. Provide all of the following information for each firm that is a member of the joint venture that expects to bid on one or more projects:

<i>Name of firm</i>	% Ownership of Joint Venture

B. History of Business and Organizational Performance

2. Has there been a change in ownership of more than 10% of the firm's equity at any time during the last three years?

NOTE: A corporation whose shares are publicly traded is not required to answer this question.

Yes No

If "yes," explain on a separate page.

3. Is the firm affiliated with another firm?
NOTE: For this purpose, "affiliated" means that one firm controls, is controlled by, or is under common control with, another firm.
 Yes No

If "yes," explain on a separate page.

4. Are any corporate officers, partners or owners connected to any other firms?
NOTE: Include information about other firms if an owner, partner, or officer of your firm holds a similar position in another firm.
 Yes No

If "yes," explain on a separate page.

5. How many years has your firm been in business under your present business name? years

6. Was your firm in bankruptcy at any time during the last five years?
 Yes No

If "yes," please attach a copy of the bankruptcy petition, showing the case number and the date on which the petition was filed, and a copy of the Bankruptcy Court's discharge order, or of any other document that ended the case, if no discharge order was issued.

Licenses

7. **Intentionally deleted.**

8. **Intentionally deleted.**

9. Has your firm changed names or license numbers in the past five years?
 Yes No

If "yes," explain on a separate signed page, including the reason for the change.

10. Has any owner, partner or (for corporations:) officer of your firm operated a firm under any other name in the last five years?

Yes No

If "yes," explain on a separate page, including the reason for the change.

Disputes

11. At any time in the last five years has your firm been assessed and paid liquidated damages after completion of a project under a contract with either a public or private owner?

Yes No

If yes, explain on a separate page, identifying all such projects by owner, owner's address, the date of completion of the project, amount of liquidated damages assessed and all other information necessary to fully explain the assessment of liquidated damages.

12. In the last five years has your firm, or any firm with which any of your company's owners, officers or partners was associated, been debarred, disqualified, removed, or otherwise prevented from bidding on, or completing, any government agency or public agency project for any reason?

NOTE: "Associated with" refers to another firm in which an owner, partner or officer of your firm held a similar position, and which is listed in response to question 1c or 1d on this form.

Yes No

If "yes," explain on a separate signed page. State whether the firm involved was the firm applying for pre-qualification here or another firm. Identify by name of the company, the name of the person within your firm who was associated with that company, the year of the event, the owner of the project, the project, and the basis for the action.

13. In the last five years has your firm been denied an award of a public agency contract based on a finding by a public agency that your company was not a responsible bidder?

Yes No

If "yes," explain on a separate signed page. Identify the year of the event, the owner, the project, and the basis for the finding by the public agency.

* * * * *

NOTE: The following two questions refer only to disputes between your firm and the owner of a project. You need not include information about disputes between your firm and a supplier, another contractor, or subcontractor. You need not include information about “pass-through” disputes in which the actual dispute is between a sub-contractor and a project owner. Also, you may omit reference to all disputes about amounts of less than \$50,000.

14. In the past five years has any claim **against** your firm concerning your firm’s work on a project been **filed in court or arbitration**?

Yes No

If “yes,” on separate signed sheets of paper identify the claim(s) by providing the project name, date of the claim, name of the claimant, a brief description of the nature of the claim, the court in which the case was filed and a brief description of the status of the claim (pending or, if resolved, a brief description of the resolution).

15. In the past five (5) years has your firm made any claim against a project owner concerning work on a project or payment for a contract and filed that claim in court or arbitration?

Yes No

If “yes,” on separate signed sheets of paper identify the claim by providing the project name, date of the claim, name of the entity (or entities) against whom the claim was filed, a brief description of the nature of the claim, the court in which the case was filed and a brief description of the status of the claim (pending, or if resolved, a brief description of the resolution).

16. At any time during the past five years, has any surety company made any payments on your firm’s behalf as a result of a default, to satisfy any claims made against a performance or payment bond issued on your firm’s behalf, in connection with a project, either public or private?

Yes No

If “yes,” explain on a separate signed page the amount of each such claim, the name and telephone number of the claimant, the date of the claim, the grounds for the claim, the present status of the claim, the date of resolution of such claim if resolved, the method by which such was resolved if resolved, the nature of the resolution and the amount, if any, at which the claim was resolved.

17. In the last five years has any insurance carrier, for any form of insurance, refused to renew the insurance policy for your firm?
 Yes No

If "yes," explain on a separate signed page. Name the insurance carrier, the form of insurance and the year of the refusal.

Criminal Matters and Related Civil Suits

18. Has your firm or any of its owners, officers or partners ever been found liable in a civil suit or found guilty in a criminal action for making any false claim or material misrepresentation to any public agency?
 Yes No

If "yes," explain on a separate signed page, including identifying who was involved, the name of the public agency, the date of the investigation and the grounds for the finding.

19. Has your firm or any of its owners, officers or partners ever been convicted of a crime involving any federal, state, or local law related to provision of services to a public agency?
 Yes No

If "yes," explain on a separate signed page, including identifying who was involved, the name of the public agency, the date of the conviction and the grounds for the conviction.

20. Has your firm or any of its owners, officers or partners ever been convicted of a federal or state crime of fraud, theft, or any other act of dishonesty?
 Yes No

If "yes," identify on a separate signed page the person or persons convicted, the court (the county if a state court, the district or location of the federal court), the year and the criminal conduct.

Compliance with Occupational Safety and Health Laws and with Other Labor Legislation
Safety

21. Has OSHA or ADOSH cited and assessed penalties against your firm for any “serious,” “willful” or “repeat” violations of its safety or health regulations in the past five years?

NOTE: If you have filed an appeal of a citation, and the Occupational Safety and Health Appeals Board has not yet ruled on your appeal, you need not include information about it.

Yes No

If “yes,” attached a separate signed page describing the citations, including information about the dates of the citations, the nature of the violation, the project on which the citation(s) was or were issued, the amount of penalty paid, if any. If the citation was appealed to the Occupational Safety and Health Appeals Board and a decision has been issued, state the case number and the date of the decision.

22. Has the federal Occupational Safety and Health Administration cited and assessed penalties against your firm in the past five years?

NOTE: If you have filed an appeal of a citation and the Appeals Board has not yet ruled on your appeal, or if there is a court appeal pending, you need not include information about the citation.

Yes No

If “yes,” attach a separate signed page describing each citation.

23. Has the EPA or any Air Quality Management District or any Regional Water Quality Control Board cited and assessed penalties against either your firm or the owner of a project on which your firm was the contractor, in the past five years?

NOTE: If you have filed an appeal of a citation and the Appeals Board has not yet ruled on your appeal, or if there is a court appeal pending, you need not include information about the citation.

Yes No

If “yes,” attach a separate signed page describing each citation.

24. List your firm’s Experience Modification Rate (EMR) for each of the past three premium years:
Current year: _____

Previous year: _____

Year prior to previous year: _____

If your EMR for any of these three years is or was 1.00 or higher you may, if you wish, attach a letter of explanation.

25. Within the last five years has there ever been a period when your firm had employees but was without workers' compensation insurance or state-approved self-insurance?

Yes No

If "yes," please explain the reason for the absence of workers' compensation insurance on a separate signed page. If "No," please provide a statement by your current workers' compensation insurance carrier that verifies periods of workers' compensation insurance coverage for the last five years. (If your firm has been in business for less than five years, provide a statement by your workers' compensation insurance carrier verifying continuous workers' compensation insurance coverage for the period that your firm has been in business.)

* * * * *

I, the undersigned, certify and declare that I have read all the foregoing answers to this qualification questionnaire and know their contents. The matters stated in the questionnaire answers are true of my own knowledge and belief, except as to those matters stated on information and belief, and as to those matters I believe them to be true. I declare under penalty of perjury under the laws of the United States of America, any jurisdiction therein, State, County, or otherwise, as well as any Navajo Nation court that may be independent of the United States jurisdiction, that the foregoing is correct.

Printed Name: _____

Signature: _____

Date: _____

ATTACHMENT B - RFQ Response Checklist

Please check the following items to ensure that all RFQ criteria have been met. Please include this Attachment B (RFQ Response Checklist) in your Response.

- 1. **TAB 1 – EXECUTIVE SUMMARY**

- 2. **TAB 2 – RESPONDENT QUALIFICATIONS**
 - a. **ATTACHMENT A (*RESPONDENT QUALIFICATION*)**

- 3. **TAB 3 – COVER LETTER**
 - a. **COVER LETTER**

- 4. **TAB 4 - RESPONDENT EXPERIENCE**

- 5. **TAB 5 – – REQUIRED FORMS**
 - a. **ATTACHMENT B (RFQ RESPONSE CHECKLIST)**