REQUEST FOR PROPOSALS
BID NO. 26-08-4281DB

PROPOSAL DUE DATE:	**September 16, 2026**
DESCRIPTION:	AMBULANCE BILLING SERVICES
CONTACT PERSON:	BRANNON PESHLAKAI DEPARTMENT OF EMERGENCY MEDICAL SERVICE. DIVISON OF PUBLIC SAFETY PHONE: 505-422-9168 EMAIL: bpeshlakai@navajoems.org
	CHRIS KESCOLI DEPARTMENT OF EMERGENCY MEDICAL SERVICE DIVISION OF PUBLIC SAFETY TELEPHONE NO. (928) 871-6410 EMAIL: ckescoli@navajoems.org
RETURN ALL RESPONSES TO:	
DELIVER TO (PHYSICAL):	THE NAVAJO NATION PURCHASING SERVICES DEPARTMENT 1st Floor, Administration Building #1 WINDOW ROCK, ARIZONA 86515 ATTN: **Darren Begay** TELEPHONE NO. (928) 871-6141 *NOTE: THE BID NUMBER AND THE VENDOR MUST BE INDICATED ON THE OUTSIDE OF THE PACKAGE.
MAIL TO :	THE NAVAJO NATION PURCHASING SERVICE DEPARTMENT POST OFFICE BOX 9000 WINDOW ROCK, ARIZONA 86515 ATTN: **Darren Begay** TELEPHONE NO. (928) 871-6141 *NOTE: THE BID NUMBER AND THE VENDOR MUST BE INDICATED ON THE OUTSIDE OF THE PACKAGE.

SECTION I

INFORMATION ONLY NO RESPONSE TO THIS SECTION IS REQUIRED

A. ISSUING OFFICE: This request for Proposals (RFP) is issued by the Purchasing Services Department of the Navajo Nation, P.O. Box 9000, Window Rock, Arizona 86515

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

C. SCOPE: This RFP contains the instructions governing the proposals to be submitted and 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. SCHEDULE OF ACTIVITIES:	**DEADLINE:**
1. Public Advertisement RFPs and Advertisements (nnooc.org)	September 7, 2026
2. Prospective respondents inquire deadline (No questions accepted after this date) Inquiries and questions will be answered at any time prior to this date. Questions to this RFP may be verbal or in writing.	September 14, 2026 at 5:00 p.m.
3. Due date for proposal	September 16, 2026
4. Opening of proposals and evaluation	September 17, 2026
5. Award date for contract	September 21, 2026

E. INQUIRIES: Prospective respondents may make telephone or written inquiries concerning this RFP to obtain clarification of requirements. Email inquiries may be emailed to bpeshlakai@navajoems.org. No inquiries will be accepted after the inquiry deadline listed in Section D. Mailed inquiries are to be addressed to:

THE NAVAJO NATION
PURCHASING SERVICES DEPARTMENT
POST OFFICE BOX 9000
WINDOW ROCK, ARIZONA 86515
ATTN: DARREN BEGAY
TELEPHONE (928) 871-6141

Note: Please mark on the outside of the envelope or subject line of email – **Ambulance Billing Services**

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. PROPOSALS SUBMISSION: Bidders who are mailing their proposals should allow sufficient time for mail delivery to ensure receipt by the time specified. It is recommended they be sent by certified/priority mail with tracking to the physical address indicated on the cover sheet of this RFP.

G. TWO (2) IDENTICAL PROPOSALS ARE REQUIRED: Delivered in a sealed envelope; also include the name and address of the individual or firm submitting the proposal. Allow sufficient time for physical and/or mailing delivery to addresses found on the cover page of this RFP. Email proposals will not be accepted.

H. LATE RECEIPT OF PROPOSALS: Late proposals <u>will not</u> be accepted. It is the responsibility of the bidder to ensure the proposal arrives in the Purchasing Services department prior to the date and time specified.

I. REJECTION OF PROPOSALS: The Purchasing Services Department reserves the right to reject any or all proposals and to waive informalities and minor irregularities in proposals received.

J. 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 <u>must be</u> labeled or identified with the word “proprietary”.

K. RESPONSE MATERIAL OWNERSHIP: All material submitted regarding this RFP shall become the property of the Navajo Nation and will not be returned to the bidder. Responses received will be retained in file and may be reviewed by any person after final selection has been made, subject to Paragraph K above. The Purchasing Services Department has the right to use any or all system ideas presented in reply to this RFP, subject to limitations outlined in paragraph K above. Disqualification or non-selection of a bidder or bid does not eliminate this right.

L. INCURRING COSTS: The Navajo Nation Purchasing Service Department is not liable for any cost incurred by the bidders prior to issuance of an agreement, contract and/or purchase order.

M. ACCEPTANCE OF PROPOSAL CONTENT: The contents of the proposal of the successful bidder will become contractual obligations if acquisition action ensues. Failure of the successful bidder to accept these obligations in a purchase agreement, purchase order, delivery order or similar acquisition instrument may result in cancellation of the award and such bidder may be removed from future solicitations. The Navajo Nation Purchasing Services Department reserves the right to pursue appropriate legal action in the above set of circumstances.

N. EVALUATION PROCEDURES AND CRITERIA:

1. General Procedures:

a. An ad hoc committee will judge the merit proposals received in accordance with the criteria defined herein.

b. Failure of a bidder to provide any information requested in this 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 offeror or to the execution of the proposal.

c. The sole objective of the ad hoc committee will be to select the bidder whose proposal is most responsive to the Navajo Nation Purchasing Services Department. The specifications within this RFP represent the minimum performance necessary for response. On the basis of the evaluation criteria established in this RFP, the ad hoc committee will select and recommend the bidder who best meets this objective.

d. Evaluation Criteria: The following criteria will be used by the ad hoc committee in the selecting process for contract award. The technical proposal factors will be rated on a scale of 10-100 with weight relations as stated below:

Technical Proposal Factors:	Possible Points:
Technical Capability & Integration: The vendor's ability to establish a seamless, bi-directional electronic data link with Navajo EMS's ePCR system without requiring manual data entry.	**30**
Multi-Jurisdictional & Tribal Experience: Proven success in handling completely separates provider credentialing and billing rules for Arizona, New Mexico and Utah Medicaid. Documented experience coordinating benefits and billing via Indian Health Service (IHS) and Purchased Referred Care (PRC). Active certified Ambulance Coders (CAC) on vendor's dedicated team.	**15**
Operation Performance & Customer Support: Verified historical net collection rates and clean-claim submission speeds.	**20**
Cost Proposal & Fee Structure: Price offered is responsive to the RFP requirements, instructions, and is realistic in respect to specification requirements.	**35**
	TOTAL: 100

O. 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 this RFP.

P. RETURN OF PROPOSALS: The Navajo Nation has no obligation to return any proposal received in response to this RFP.

Q. GOVERNING LAW: This procurement and any agreement with offerors that may result shall be governed by the laws of the Navajo Nation. The Navajo Nation is not bound to enter a contract under the RFP or RSQ and may issue a subsequent RFP or RSQ for the same services. The Navajo Nation is a sovereign government and all contracts entered into as a result of the RFP shall comply with Navajo Nation law, rules and regulations, including the Navajo Preference in Employment Act. Navajo Business Opportunity Act, 5 NNC will apply.

R. ALTERNATE PROPOSALS: Alternate proposals will not be accepted and will be deemed non-responsive.

SECTION II

PROPOSAL FORMAT AND ORGANIZATION

A. NUMBER OF COPIES

Proposer shall provide two (2) identical proposals to the location specified for the submission of proposals in Section I, Paragraph H, on or before the closing date and time for receipt of proposal. Allow sufficient time for physical and/or mailing delivery to addresses found on the cover page of this RFP. Email proposals will not be accepted.

B. PROPOSAL FORMAT

All proposals must be typewritten on standard 8.5 x 11 paper (larger paper is permissible for charts, spreadsheets, etc.), and bound with tabs/dividers delineating each section, as necessary.

1. Proposal Organization

The proposal must be organized and indexed in the following format and must contain as minimum all list items in the sequence indicated.

a. Table of Contents
b. Letter of Transmittal
c. Cost Proposal (separately sealed / must include Navajo Nation Sales Tax of 6%)
d. Response to the Specifications request

e. Professional References (List of similar services provided by the Offeror to tribal governments, enterprises, preferably organizations within 75-mile radius of the Navajo Nation within the last five (5) years)
f. Certifications/Licenses (i.e., manufacturer, Business), if any.
g. Credentials (W-9, Insurance)
h. Appendix (if needed)

Any proposal that does not adhere to these requirements may be deemed non-responsive and rejected on that basis.

Proposers may attach other materials which they feel may improve the quality of their response. However, the material should be included as items in the appendix.

2. Letter of Transmittal

Each proposal must be accompanied by a letter of transmittal. The letter of transmittal must:

a. Identify the submitting organization with a brief description;
b. Identify experience, capability and capacity
c. Identify the name and title of the authorized person to contractually obligate the organization;
d. Identify the name, title and telephone number of the person authorized to negotiate the contract on behalf of the organization;
e. Identify the names, title and telephone numbers of person to be contacted for clarification;
f. Be signed by the person authorized to contractually obligate the organization; and
g. Acknowledge receipt of any and all amendments to the RFP.

SECTION III

SCOPE OF SERVICES

I. INTRODUCTION

The Navajo Department of Emergency Medical Service (EMS) seeks proposals from ambulance billing companies or agencies for a contractual partnership for a period of three (3) years to help implement a concise and thorough billing system with the goal of maximizing the greatest return of revenue for our services.

Call Volume (2025 data)

1. Total call volume: 21,294
2. ALS: 3,042 / ILS: 8,914 / BLS:9,338
3. 911 Response: 20,085, Interfacility Transfers (IFT): 711, Standby Services: 163, EMS Intercept: 157, Mutual Aid: 63, Other: 119
4. Transport: 13,111, Cancellations: 3,961, Refusals: 2,789, Interfacility: 711, Other: 722
5. Mileage: Avg Total Mileage: 230, Avg Scene to Destination: 111
6. Daily call average: 60

Ambulance service only - Navajo EMS does not operate non-emergency transport system (non-ambulance transport). Fourteen (14) current EMS stations with two (2) stations in development.

II. BACKGROUND

Established in 1978, the Navajo Department of Emergency Medical Service (EMS) provides emergent and non-emergency services within the territorial jurisdiction of the Navajo Nation (Arizona, New Mexico, and Utah). EMS covers approximately 24,000 square miles and has a 2024 estimated population of 175,000 – 200,000. EMS along with other contracted and neighboring EMS agencies (Utah Navajo, Ramah Navajo, Alamo Navajo, County, Private, City), provides Basic and Advanced Life Support services to the residents and visitors of the Navajo Nation. EMS responded to 21,300 calls in the most recent year and continues to gradually increase yearly, with most of the calls responded to taking place during the week and during daytime hours.

III. SCOPE OF SERVICES

The selected vendor shall provide comprehensive, full-service third-party ambulance billing, collection, and accounts receivable management services for Navajo EMS.

Core Billing & Coding Services

1. ePCR Integration: Maintain a secure, automated data bridge with Navajo EMS's electronic Patient Care Reporting (ePCR) system through ImageTrend, LLC.
2. Medical Coding: Review all run sheets using Certified Ambulance Coders (CAC) to assign correct ICD-10 and HCPCS codes.

3. Claim Submission: Submit all clean claims electronically within seventy-two (72) hours of receiving the ePCR record.
4. Payer Management: Bill all relevant payers, including Medicare, Medicaid (AZ, NM, UT), IHS Purchased/Referred Care (PRC), and commercial insurances.

Accounts Receivable & Account Collection

5. Denial Management: Track, correct, and appeal all denied or underpaid claims within five (5) business days of rejection notice.
6. Patient Invoicing: Issue clear, culturally appropriate patient statements for any remaining self-pay or co-pay balances.
7. Payment Processing: Offer secure online, phone, and mail payment options for patients.

Compliance & Payer Credentialing

8. Provider Enrollment: Manage and maintain all provider enrollment and credentialing updates for Navajo EMS across all three state Medicaid programs (AZ, NM, UT) and Medicare.
9. Regulatory Compliance: Ensure all billing practices strictly adhere to HIPAA, Office of Inspector General (OIG) guidelines, and the Federal Tort Claims Act (FTCA) requirements.
10. Navajo Nation Laws: Comply with all Navajo Nation privacy laws and sovereign immunity clauses.

Reporting & Analytics

11. Provide Navajo EMS leadership with access to online dashboard providing real-time data regarding claims, collections, outstanding balances, and aging accounts.
12. Monthly Reporting: Deliver comprehensive monthly reports detailing gross/net charges, total collections, aging accounts (30/60/90+ days), and denial analysis.
13. Annual Audits: Participate in and provide necessary documentation for annual Navajo EMS financial audits.

IV. REQUIREMENTS AND EXPECTATIONS

Minimum Requirements

1. Multi-State Medicaid Credentials: The vendor must possess active billing credentials and proven experience with Arizona (AHCCCS), New Mexico, and Utah Medicaid programs.
2. Certified Coding Staff: All personnel reviewing Navajo EMS run sheets must hold current Certified Ambulance Coder (CAC) certification.
3. Native American Healthcare Expertise: The vendor must demonstrate at least three (3) consecutive years of experience managing billing for a Tribal or Indian Health Service (IHS) EMS agency.
4. Software Integration: Billing platform must be compatible with ImageTrend software.

5. Legal Compliance: The vendor must formally agree to comply with all Navajo Tribal regulations.
6. Security & Auditing: The vendor must provide an annual audit report to prove strict protection of Navajo Nation patient data.

Operational Expectations

7. Timely Claim Submission: 95% of clean claims must be coded and submitted electronically to the payer within 72 hours of receiving the completed ePCR from Navajo EMS.
8. Aggressive Denial Management: Rejections and claims denied must be reviewed, corrected, and re-submitted or appealed within five (5) business days of the payer's notice.
9. 24/7 Leadership Transparency: Navajo EMS management must have continuous, unrestricted access to an online dashboard tracking real-time collections, outstanding balances, and aging accounts.

V. POTENTIAL CHALLENGES

Implementing a third-party ambulance billing service for Navajo EMS introduces several unique challenges. These risks span geographic boundaries, tribal governance, and technology integration.

Jurisdictional and Multi-State Complexity

1. Three State Medicaid Systems: Navajo EMS operates across Arizona, New Mexico, and Utah. The vendor must seamlessly navigate three completely different Medicaid enrollment, credentialing, and billing rule sets.
2. IHS Coordination: Managing the complex coordination of benefits between private insurance, Medicare, state Medicaid, and Indian Health Service (IHS) Purchased/Referred Care (PRC) often leads to high denial rates if the vendor lacks specific tribal expertise.

Geographic and Demographics Obstacles

3. Lack of Physical Addresses: Many patients on the Navajo Nation use P.O. Boxes or descriptive rural addresses. This makes sending paper invoices, verifying residency, or establishing insurance eligibility highly difficult for standard billing software.
4. Language and Cultural Barriers: Standard, aggressive collection letters can alienate the community. A lack of Navajo-speaking customer service representatives can prevent elderly or traditional patients from resolving billing questions.

Technical and Data Integration Issues

5. ePCR Software Mismatch: If the vendor’s billing software does not integrate cleanly with Navajo EMS’s electronic Patient Care Reporting (ePCR) system, staff will have to resort to manual data entry, which slows down submissions and introduces coding errors.

6. Intermittent Connectivity: Rural stations may experience internet drops, causing delays in syncing patient charts from the field to the billing vendor.

Legal and Governance Hurdles

7. Sovereign Immunity Conflicts: Outside billing vendors often try to insert standard contract clauses requiring disputes to be settled in state courts. This directly conflicts with Navajo Nation sovereignty and tribal court jurisdiction.
8. Data Sovereignty: The Navajo Nation maintains strict ownership over its citizens' health data. Ensuring the vendor treats this data according to tribal laws and not just standard federal HIPAA rules.

VI. Cost

Cost Proposal & Fee Structure

1. Net Percentage Fee: The percentage rate charged by the vendor, based strictly on successfully *collected* revenue rather than gross billing amounts. Complete absence of hidden costs, setup costs, setup charges, software licensing fees, or data integration penalties.
2. Fee Transparency: Complete absence of hidden costs, setup charges, software licensing fees, or data integration penalties.
3. Navajo Nation Tax: Applicable taxes shall be identified with cost proposal. All work performed and delivery is subject to **6% - Navajo Nation Sales Tax.**

Form **W-9**
(Rev. March 2024)
Department of the Treasury
Internal Revenue Service

Request for Taxpayer Identification Number and Certification

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

Give form to the requester. Do not send to the IRS.

Before you begin. For guidance related to the purpose of Form W-9, see *Purpose of Form*, below.

Print or type. See *Specific Instructions* on page 3.

1 Name of entity/individual. An entry is required. (For a sole proprietor or disregarded entity, enter the owner's name on line 1, and enter the business/disregarded entity's name on line 2.)

2 Business name/disregarded entity name, if different from above.

3a Check the appropriate box for federal tax classification of the entity/individual whose name is entered on line 1. Check only **one** of the following seven boxes.

☐ Individual/sole proprietor ☐ C corporation ☐ S corporation ☐ Partnership ☐ Trust/estate

☐ LLC. Enter the tax classification (C = C corporation, S = S corporation, P = Partnership) . . . . ________

Note: Check the "LLC" box above and, in the entry space, enter the appropriate code (C, S, or P) for the tax classification of the LLC, unless it is a disregarded entity. A disregarded entity should instead check the appropriate box for the tax classification of its owner.

☐ Other (see instructions) ________

3b If on line 3a you checked "Partnership" or "Trust/estate," or checked "LLC" and entered "P" as its tax classification, and you are providing this form to a partnership, trust, or estate in which you have an ownership interest, check this box if you have any foreign partners, owners, or beneficiaries. See instructions . . . . ☐

4 Exemptions (codes apply only to certain entities, not individuals; see instructions on page 3):

Exempt payee code (if any) ________

Exemption from Foreign Account Tax Compliance Act (FATCA) reporting code (if any) ________

(Applies to accounts maintained outside the United States.)

5 Address (number, street, and apt. or suite no.). See instructions.

6 City, state, and ZIP code

Requester's name and address (optional)

7 List account number(s) here (optional)

Part I Taxpayer Identification Number (TIN)

Enter your TIN in the appropriate box. The TIN provided must match the name given on line 1 to avoid backup withholding. For individuals, this is generally your social security number (SSN). However, for a resident alien, sole proprietor, or disregarded entity, see the instructions for Part I, later. For other entities, it is your employer identification number (EIN). If you do not have a number, see *How to get a TIN*, later.

Note: If the account is in more than one name, see the instructions for line 1. See also *What Name and Number To Give the Requester* for guidelines on whose number to enter.

Social security number

☐☐☐ – ☐☐ – ☐☐☐☐

or

Employer identification number

☐☐ – ☐☐☐☐☐☐☐

Part II Certification

Under penalties of perjury, I certify that:

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

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

Sign Here **Signature of U.S. person** **Date**

General Instructions

Section references are to the Internal Revenue Code unless otherwise noted.

Future developments. For the latest information about developments related to Form W-9 and its instructions, such as legislation enacted after they were published, go to *www.irs.gov/FormW9*.

What's New

Line 3a has been modified to clarify how a disregarded entity completes this line. An LLC that is a disregarded entity should check the appropriate box for the tax classification of its owner. Otherwise, it should check the "LLC" box and enter its appropriate tax classification.

New line 3b has been added to this form. A flow-through entity is required to complete this line to indicate that it has direct or indirect foreign partners, owners, or beneficiaries when it provides the Form W-9 to another flow-through entity in which it has an ownership interest. This change is intended to provide a flow-through entity with information regarding the status of its indirect foreign partners, owners, or beneficiaries, so that it can satisfy any applicable reporting requirements. For example, a partnership that has any indirect foreign partners may be required to complete Schedules K-2 and K-3. See the Partnership Instructions for Schedules K-2 and K-3 (Form 1065).

Purpose of Form

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

- Form 1099-INT (interest earned or paid).
- Form 1099-DIV (dividends, including those from stocks or mutual funds).
- Form 1099-MISC (various types of income, prizes, awards, or gross proceeds).
- Form 1099-NEC (nonemployee compensation).
- Form 1099-B (stock or mutual fund sales and certain other transactions by brokers).
- Form 1099-S (proceeds from real estate transactions).
- Form 1099-K (merchant card and third-party network transactions).
- Form 1098 (home mortgage interest), 1098-E (student loan interest), and 1098-T (tuition).
- Form 1099-C (canceled debt).
- Form 1099-A (acquisition or abandonment of secured property).

Use Form W-9 only if you are a U.S. person (including a resident alien), to provide your correct TIN.

Caution: If you don't return Form W-9 to the requester with a TIN, you might be subject to backup withholding. See *What is backup withholding*, later.

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; and
4. Certify to your non-foreign status for purposes of withholding under chapter 3 or 4 of the Code (if applicable); and
5. 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).

Establishing U.S. status for purposes of chapter 3 and chapter 4 withholding. Payments made to foreign persons, including certain distributions, allocations of income, or transfers of sales proceeds, may be subject to withholding under chapter 3 or chapter 4 of the Code (sections 1441–1474). Under those rules, if a Form W-9 or other certification of non-foreign status has not been received, a withholding agent, transferee, or partnership (payor) generally applies presumption rules that may require the payor to withhold applicable tax from the recipient, owner, transferor, or partner (payee). See Pub. 515, Withholding of Tax on Nonresident Aliens and Foreign Entities.

The following persons must provide Form W-9 to the payor for purposes of establishing its non-foreign status.

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

See Pub. 515 for more information on providing a Form W-9 or a certification of non-foreign status to avoid withholding.

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 (under Regulations section 1.1441-1(b)(2)(iv) or other applicable section for chapter 3 or 4 purposes), do not use Form W-9. Instead, use the appropriate Form W-8 or Form 8233 (see Pub. 515). If you are a qualified foreign pension fund under Regulations section 1.897(l)-1(d), or a partnership that is wholly owned by qualified foreign pension funds, that is treated as a non-foreign person for purposes of section 1445 withholding, do not use Form W-9. Instead, use Form W-8EXP (or other certification of non-foreign status).

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 their 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 their 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, but are not limited to, 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, as described in item 4 under "*By signing the filled-out form*" 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.

See also *Establishing U.S. status for purposes of chapter 3 and chapter 4 withholding*, earlier.

What Is FATCA Reporting?

The Foreign Account Tax Compliance Act (FATCA) requires a participating foreign financial institution to report all U.S. account holders that are specified U.S. 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 are no longer 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.

• **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 for 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 you filed with your application.

• **Sole proprietor.** Enter your individual name as shown on your Form 1040 on line 1. Enter your business, trade, or "doing business as" (DBA) name on line 2.

• **Partnership, C corporation, S corporation, or LLC, other than a disregarded entity.** 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.

• **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. Enter any business, trade, or DBA name on line 2.

• **Disregarded entity.** In general, a business entity that has a single owner, including an LLC, and is not a corporation, is disregarded as an entity separate from its owner (a disregarded entity). See Regulations section 301.7701-2(c)(2). A disregarded entity should check the appropriate box for the tax classification of its owner. Enter the owner's name on line 1. The name of the owner 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. 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, enter it on line 2.

Line 3a

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

IF the entity/individual on line 1 is a(n) . . .	THEN check the box for . . .
• Corporation	Corporation.
• Individual or • Sole proprietorship	Individual/sole proprietor.
• LLC classified as a partnership for U.S. federal tax purposes or • LLC that has filed Form 8832 or 2553 electing to be taxed as a corporation	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 3b

Check this box if you are a partnership (including an LLC classified as a partnership for U.S. federal tax purposes), trust, or estate that has any foreign partners, owners, or beneficiaries, and you are providing this form to a partnership, trust, or estate, in which you have an ownership interest. You must check the box on line 3b if you receive a Form W-8 (or documentary evidence) from any partner, owner, or beneficiary establishing foreign status or if you receive a Form W-9 from any partner, owner, or beneficiary that has checked the box on line 3b.

Note: A partnership that provides a Form W-9 and checks box 3b may be required to complete Schedules K-2 and K-3 (Form 1065). For more information, see the Partnership Instructions for Schedules K-2 and K-3 (Form 1065).

If you are required to complete line 3b but fail to do so, you may not receive the information necessary to file a correct information return with the IRS or furnish a correct payee statement to your partners or beneficiaries. See, for example, sections 6698, 6722, and 6724 for penalties that may apply.

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 on 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 territory, 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 territory.

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 as defined under section 581.

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 Information, 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) entered 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 territory, 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, enter "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 ITIN. Enter it in the entry space for the Social security number. 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). 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 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/EIN*. 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 Form SS-4 mailed to you within 15 business days.

If you are asked to complete Form W-9 but do not have a TIN, apply for a TIN and enter "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, you will generally 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. See also *Establishing U.S. status for purposes of chapter 3 and chapter 4 withholding*, earlier, for when you may instead be subject to withholding under chapter 3 or 4 of the Code.

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 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
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 Form 1041 or under the Optional Filing Method 2, requiring Form 1099 (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 on line 1, and enter your business or DBA name, if any, on line 2. 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.)

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

** For more information on optional filing methods for grantor trusts, see the Instructions for Form 1041.

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 return 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 a questionable credit report, contact the IRS Identity Theft Hotline at 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 877-777-4778 or TTY/TDD 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 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.

Go to *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 territories for use in administering their laws. The information may also 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, payors must generally withhold a percentage of taxable interest, dividends, and certain other payments to a payee who does not give a TIN to the payor. Certain penalties may also apply for providing false or fraudulent information.

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