

Request for Bids

Requesting sealed bids for:

The Sisseton Wahpeton Oyate Dakota Western Corp. is requesting bids to upgrade the ventilation, heating, and cooling systems of the Dakota Western building facilities.

Statement of Work:

Upgrade the ventilation, heating, and cooling systems throughout the Dakota Western facilities. Upgrades will be performed on a 50,000 square foot manufacturing plant with 23' and 35' ceiling heights. The current ventilation system is louvers on the east side of the building and exhaust fans on the west side of the building. The upgraded ventilation system should provide approximately 15 air changes per hour and provide even flow throughout the work areas. The current heating system is radiant tube heaters. Radiant tube heaters will be removed replaced, and repositioned. We currently have 6 (six) units in operation. There is no current cooling system.

Specific questions should be addressed to:

Robert Huff, General Manager

605-698-4331,

rhuff.dwc@venturecomm.net

Evaluations:

The Tribe reserves the right to evaluate bids received in response to this RFB in a way that best suits the interest of the Tribe and the project's schedule.

1. Price (30 pts)
2. Qualifications & Experience (30 pts)
3. Capacity to perform (30 pts)
4. Indian Preference (10 pts)

Required Documentation:

- SWO Business License
- Completed W-9 Form and other IRS Information
- TERO certification
- SWO taxes (see attached)
- Liability Insurance
- W-9 (see attached)

The deadline for RFB's is 23 August, 2024 at 4:00 pm CST.

Please submit sealed bids to: SWO Procurement Office
Attn: Vern Vallie
PO Box 509
Agency Village, SD 57262

vvalle@swonns.gov

All interested parties acknowledge that any Agreement executed and performed within the Tribe's exclusive jurisdiction is subject to the exclusive jurisdiction of the Tribal Court of Sisseton-Wahpeton Oyate of the Lake Traverse Reservation. All interested parties acknowledge that they must comply with the Sisseton-Wahpeton Oyate Ordinances: TERO Chapter 59 Requirements, Wage Rates & Compliance Plan; Business License Ordinance Chapter 53 and Tax Ordinance Chapter 67; and Chapter 75 Sex Offender Registration.

SWO Taxes and Descriptions as of 11/9/17

Tax & Code Section	Tax Rate	Tax Description
Sales of Tangible Personal Property 67-02-02	5.5%	Tax upon gross receipts of tangible property, such as items from SWO stores
Land Use Tax 67-02-04	\$.50/acre \$.25/acre	\$.50 an acre tax for Crop, \$.25 an acre for hay & pasture Land <i>SWO members are exempt</i>
Alcohol 67-02-05	20%	Tax on the sale of alcoholic beverages sold at retail
Gas, Electricity, Water & Communication 62-02-06	5%	Tax on the sale, furnishing or service of gas, electricity, water & communication service, right now there is no tribal tax because of tax agreement
Taxable Services 67-02-07	5%	Tax on "gross taxable services" rendered, furnished or performed
Commercial Occupancy 67-02-08	3%	Tax on the monthly rent for the privilege of occupancy upon every lease or real property used for commercial services.
Foreign Retailers 67-02-09	5%	Tax on gross receipts from sales of tangible property sold at retail thru telecommunications activities
Hotel Occupancy 67-02-10	8%	Tax upon every charge of occupancy of a room or suite regularly used and kept open as such for the lodging of guest
Contractor's Excise Tax 67-02-11	2%	Tax upon the gross receipt on the amount of the construction contract
Utility Excise Tax 67-02-12	.0015% or \$250	Tax on annual gross receipts of a public utility or telecommunications company. (.0015% or \$250 which ever is greater on gross receipts)
Manufacturing Excise Tax 67-02-13	Set by Council	Tax of the gross receipts of the manufacturing business. Resolution No. SWO-09-140 puts a moratorium on Dakota Western Corp. manufacturing excise taxes until 1/1/2015
Tourism Tax 67-02-14	4%	Tax on gross receipts from business providing campground facility, any recreational service & visitor business. Tax on hunting & fishing License fees received by SWO Natural Resources
Meal Tax 67-02-15	5%	Tax on prepared food furnished by business entity & sold to public. Does not include powwow stands, tribal elderly, or schools. <i>SWO members are exempt</i>
Use Tax 67-03-02	5.5%	Tax on purchase price of construction material used in a construction project
Ad Valorem Tax 67-06-02	3%	Tax of value of building, such as a cabin, location on trust land in Indian Country. <i>SWO members are exempt</i> . Resolution No. SWO-11-031 3/29/11
Gaming Tax 67-09-02	2%	Tax on gross revenue of gaming establishments
Motor Vehicle Fuel Tax 67-04-02	Set by Council Resolution	Tax rate is different for different types of fuel: unleaded, diesel, ethanol & is set @ rate used by South Dakota
Cigarette Tax 67-05-02	Set by Council Resolution	Tax rate set goes according to South Dakota tax rate as required by SWO/SD tax agreement & the tribe has the right to set its tax rate. <i>04-24-2024 Get \$1.53 per pack refund</i>

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.

1 Name (as shown on your income tax return). Name is required on this line; do not leave this line blank.

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

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

Individual/sole proprietor or single-member LLC C Corporation S Corporation Partnership Trust/estate

Limited liability company. Enter the tax classification (C=C corporation, S=S corporation, P=Partnership) ► _____

Note: Check the appropriate box in the line above for the tax classification of the single-member owner. Do not check LLC if the LLC is classified as a single-member LLC that is disregarded from the owner unless the owner of the LLC is another LLC that is not disregarded from the owner for U.S. federal tax purposes. Otherwise, a single-member LLC that is disregarded from the owner should check the appropriate box for the tax classification of its owner.

Other (see instructions) ► _____

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

Exempt payee code (if any) _____

Exemption from FATCA reporting code (if any) _____

(Applies to accounts maintained outside the U.S.)

5 Address (number, street, and apt. or suite no.) See instructions. Requester's name and address (optional)

6 City, state, and ZIP code

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. Also see *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:

- 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
- 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
- I am a U.S. citizen or other U.S. person (defined below); and
- 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.

Purpose of Form

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

- Form 1099-INT (interest earned or paid)

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

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

If you do not return Form W-9 to the requester with a TIN, you might be subject to backup withholding. See What is backup withholding, later.