

NAVAJO NATION DEPARTMENT OF JUSTICE REQUEST FOR PROPOSALS

PROPOSAL DUE DATE: February 19, 2016; 5:00PM MST

CONTACT PERSON: Ethel Branch, Attorney General
Office of the Attorney General
Department of Justice
(928) 871-6345

E-MAIL PROPOSALS TO: ebranch@nndoj.org

A. Scope of Work: The selected Contractor will provide the following services to the Navajo Nation:

Contractor, as an Independent Contractor, shall provide legal services for the Navajo Nation Gaming Regulatory Office (NNGRO) in connection with the Indian Gaming Regulatory Act, Arizona and New Mexico Tribal State Gaming Compact (Compact) matters and applicable Navajo Nation laws and policies. Specifically, the Attorney will work on amendments, negotiations and implementations of the Compact(s). The NNGRO provides compliance and regulatory services over the Navajo Nation's Gaming Facilities that are located in the State of New Mexico and Arizona within the territorial boundaries of the Navajo Nation. The Contractor will assist the NNGRO with transactional services which includes, but not limited to review and drafting Navajo Nation laws and policies with respect to gaming regulatory, drafting of contracts, review of licensing issues, amendments, negotiations and implementation of the Compacts and any ancillary issues related to the aforementioned.

Experience in the field of Gaming, Indian and Navajo law is preferred. Demonstration of these qualifications should include information indicating the depth of experience and the nature of legal services in which you or your firm has been involved over time.

The Navajo Nation Department of Justice will be accepting proposals for this service postmarked by 5:00 PM MST on February 19, 2016. No Late Proposals Will Be Accepted. ANY LATE SUBMITTALS WILL BE RETURNED.

B. Fees

Describe in detail the hourly rate or other basis on which you would bill the time of attorneys and paralegals assigned to this scope of work, and your timekeeping and invoicing practices. If you intend to engage outside consultants or co-counsel, provide comparable information regarding fees and expenses.

C. Conflicts:

Your firm should make an affirmative statement as to whether your former or current representation of clients presents any conflict of interest which might bar you from undertaking

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the responsibilities of these services, and the precise nature of any potential conflict. A conflict of interest may include, but not limited to whether you or your firm currently represent any other Tribes or private interest that may impact Navajo Gaming with respect to contracting, leasing or employment matters against the Navajo Nation and/or Navajo Nation Enterprises.

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SECTION I

SCHEDULE OF ACTIVITIES AND CONTACT

SCHEDULE	DEADLINES:
1. Due Date for Proposals	February 19, 2016 at 5:00 PM MST
2. Opening of Submittals	February 29, 2016 at 9:00 AM
3. Award Date for Contract	March 04, 2016 by 5:00 PM

Prospective Respondent may make inquiries to Ethel Branch at 928-871-6345 up to February 12, 2016 at 5:00 PM MST. Any inquiries concerning this RFP or to obtain clarification of requirements will be answered on that time frame.

SECTION II

INSTRUCTION TO BIDDERS:

- A. **PROPOSALS SUBMISSION:** Proposals must be received on or before 5:00 p.m. MST on February 19, 2016.
- B. **LATE RECEIPT OF PROPOSALS:** Late proposals will NOT be accepted. It is the sole responsibility of the Respondent to ensure the proposal arrives at the designated e-mail address indicated on the Cover Sheet prior to the date and time specified.
- C. **REJECTION OF PROPOSALS:** The Navajo Nation Department of Justice reserves the right to reject any or all proposals and to waive all informalities and minor irregularities in receiving proposals.
- D. **PROPRIETARY INFORMATION:** Any restrictions 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 Navajo Privacy and Access to Information). Each and every page of the proprietary material must be labeled or identified with the word "PROPRIETARY."
- E. **RESPONSE MATERIAL OWNERSHIP:** All material submitted regarding this RFP shall become property of the Navajo Nation and will not be returned to the Respondent. Responses received will be retained by the Department of Justice and may be reviewed by any person after final selection has been made, subject to paragraph D above.

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- F. **INCURRING COSTS:** Any cost incurred by the Respondent in the preparation, transmittal to this RFP shall be at the expense of the Respondent.
- G. **ACCEPTANCE OF PROPOSAL CONTENT:** The content of the proposal will become contractual obligations if a contract award is made. Failure of the successful bidder to accept these obligations may result in cancellation of the award and such bidder may be removed from consideration for future solicitation. The Navajo Nation Department of Justice reserves the right to pursue appropriate legal action in the above set of circumstances.
- H. **RESPONDENT'S TERMS AND CONDITIONS:** Respondent may submit a "SAMPLE" of entity standard services agreement with the proposal and a complete set of any terms and conditions they expect to have included in a contract negotiation with the Navajo Nation. (OPTIONAL)
- I. **GOVERNING LAW:** The review of this RFP will be reviewed in compliance with applicable Navajo Nation laws such as the Navajo Nation Business Opportunity Act.
- J. **ACCEPTANCE TIME:** The Department of Justice intends to make a selection after the evaluations of the proposals and respondents will be notified by e-mail.
- K. **AWARD OF BID:** A pre-award will be announced.
- L. **EVALUATION PROCEDURES AND CRITERIA:**
1. A project review team will evaluate the proposals received in accordance with the general criteria used herein. Bidders should be prepared to provide any additional information the team feels necessary to the fair evaluation of proposals.
 2. Failure of bidder to provide any information requested in the RFP may result in disqualification of the proposal. All proposals must be endorsed with the signature of a responsible official having the authority to bind the bidder to the execution of a contract.
 3. The sole objective of the review team will be to select the bidder who is most qualified and meets the needs of the Navajo Nation Department of Justice. The specifications in this RFP represent the minimum performance criteria necessary for a response. On the basis of the evaluation criteria established in this RFP the review team will select and recommend the bidder who best meets this objective.
 4. **Financial Factors:** Proposed costs will be evaluated not only to determine if the estimate is reasonable, realistic and cost effective, but also to determine the offeror's understanding of the program and ability to organize and perform the contract. Cost/price factors will not be numerically weighed and scored.

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- M. **STANDARD CONTRACT:** The Navajo Nation reserves the right to incorporate standard contract provisions into any contract negotiations as a result of a proposal submitted in response to this RFP. This RFP does not constitute a contract.

- N. **RETURN OF DOCUMENTS:** The Navajo Nation has no obligation to return any proposals received in response to this RFP.

- O. **TERM:** The term of this contract will be set forth by the Attorney General.

SECTION III

A. PROPOSAL CONTENTS

- 1. Identify the name and title of the person authorized to negotiate the contract on behalf of the firm; and
- 2. Preferred date for completion of work and recommendations; and
- 3. Signed by the individual authorized to contractually obligate the firm.

B. INSTRUCTIONS TO THE RESPONDENT

Any proposal that does not adhere to this format and which does not address each requirement and the scope of work within the RFP may be deemed non-responsive and rejected on that basis.