

**NAVAJO NATION DEPARTMENT OF JUSTICE
REQUEST FOR PROPOSALS**

PROPOSAL DUE DATE: **Friday, August 13, 2021 at 3 p.m. MDT**

CONTACT PERSON: Christine Benally, Legal Secretary
Navajo Nation Department of Justice
Office of the Attorney General
(928) 871-6345

E-MAIL PROPOSALS TO: contracts@nndoj.org

- A. Scope of Work: The selected Contractor (Attorney(s)) will provide the following services to the Navajo Nation:

Under the direction of the Navajo Nation Attorney General or her designee, the Attorney, as an Independent Contractor, shall provide legal services for the Navajo Nation Office of Head Start (“NHS”) in connection with federal Office of Head Start (“OHS”) matters, including laws, and policies, and applicable Navajo Nation laws and policies. Specifically, the Contractor will work on all matters related to NHS contracts, grants, compliance, implementation, negotiations, and consultations related to OHS. The NHS provides early education services to children and families in core areas of early learning, health, and family well-being while engaging parents as partners in centers located in the states of New Mexico, Arizona, and Utah within the territorial boundaries of the Navajo Nation. The Contractor will assist the NHS with grant compliance and implementation, in accordance with federal laws and policies, as well as compliance with Navajo Nation laws and policies, which includes, but is not limited to the following legal issues:

- Review and drafting Navajo Nation laws and policies with respect to Title 10 of the Navajo Nation Code;
- Drafting and review of contracts, leases, Facility Use agreements, Intra-Governmental and other agreements, including amendments;
- Assisting in negotiations and consultations, including preparing NHS and drafting and reviewing written comments or testimony;
- Advising the NHS Governing Body and Parent Policy Council;
- Working collaboratively with the Navajo Nation government offices, including the Department of Justice, Office of the Controller, Office of Management and Budget, Office of the President and Vice President, and the Navajo Nation Council and its committees, as needed;
- Supporting implementation of and compliance with all OHS grants and any ancillary issues related to the aforementioned.

Experience in the field of Education law 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 Contractor must be a member and in good standing with the Navajo Nation Bar Association.

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- B. Fees: Respondent must describe in detail the hourly rate or other basis by which the Attorney(s) will bill time, and also describe the Attorney(s) timekeeping and invoicing practices.
- C. Conflicts: Respondent must affirmatively state whether the Attorney's former or current representation of clients presents any conflict of interest which might bar undertaking the responsibilities of the Scope of Work. Respondent must also describe the precise nature of any potential conflict. A conflict of interest may include whether Attorney currently represents any other tribes or private interests that may impact the Navajo Nation with respect to contracting, leasing or employment matters against the Navajo Nation and/or Navajo Nation Enterprises.

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SECTION I

SCHEDULE AND CONTACT

SCHEDULE:

1. Due Date for Email Receipt of Proposals
2. Opening and review of Submittals
3. Interviews (if necessary)
4. Award Date for Contract

DEADLINES:

Friday, August 13, 2021
at 3:00 PM MT

Monday, August 16,
2021 at 3:00 PM MT

Monday, August 23-25, 2021

Friday, August 27,
2021 by 5:00 PM MT

Inquiries can be made to Christine Benally at (928) 871-6205.

SECTION II

INSTRUCTIONS TO BIDDERS:

- A. **PROPOSALS SUBMISSION: Proposals must be received by email no later than 3:00 p.m. Friday, August 13, 2021.** No hard copy proposals will be accepted unless preceded by an emailed copy of proposal.
- 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 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 the Navajo Nation Privacy Act and Access to Information Act). 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 the property of the Navajo Nation and will not be returned to the Respondent.

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- F. 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.
- G. **INCURRING COSTS:** Any costs incurred by the Respondent in the preparation, transmittal to this RFP shall be at the expense of the Respondent.
- H. **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.
- I. **TERMS AND CONDITIONS:** Respondent will be expected to agree to the Navajo Nation Department of Justice's standard terms and conditions for outside counsel contracts. The Navajo Nation Department of Justice reserves the right to terminate negotiations with any individual or firm that will not agree to its standard terms and conditions.
- J. **GOVERNING LAW:** The review of this RFP will be reviewed in compliance with applicable Navajo Nation laws.
- K. **INTERVIEWS:** If necessary, the Department of Justice may schedule interviews with one or more attorneys/firms to interview after evaluation of the proposals. Interviewees will be notified by email.
- L. **SELECTION:** The Department of Justice will select one individual or firm to award an attorney contract to perform the work set forth in the Scope of Work after completion of interviews. Selected individuals will be notified by email.
- M. **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.
 - 3. The sole objective of the review team will be to select the bidder who is most qualified and meets the needs of the Office of the Attorney General. 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.

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4. Financial Factors: Proposed fees and costs will be evaluated not only to determine if the estimate is reasonable, realistic, and cost effective, but also to determine the Respondent's understanding of the program and ability to organize and perform the contract. Cost/price factors will not be numerically weighed and scored.
 5. CRITERIA: Proposals should discuss the following criteria, which will assist the Attorney General in assessing the qualifications of the bidder.
 - a. Demonstrated experience and knowledge of Navajo law, as well as relevant state and federal law.
 - b. Ability to work collaboratively as co-counsel with in-house legal counsel.
 - c. Ability to fulfill the identified scope of work.
 - d. Whether the Attorney has priority contractor status under the Navajo Business Opportunity Act.
 - e. The Attorney's reputation among his or her peers.
- N. TERM: The term of any contract negotiated as a result of a proposal submitted in response to this RFP will be set forth by the Attorney General.

SECTION III

PROPOSAL CONTENTS:

1. Identify the name and title of the person authorized to negotiate the contract; and
2. A description of how the attorney/firm meets the qualifications to perform the Scope of Work; and
3. Identity and provide a biography and/or resume for each member of the legal team that will perform the Scope of Work; and
4. Identify the fees for each individual team members; and
5. Identify the expenses the attorney/firm will charge; and
6. Provide affirmative statement regarding conflicts as indicated on page 1 of the proposal; and
7. Complete Demographic Data Report; and
8. Proposal must be signed by the individual authorized to contractually obligate the attorney/firm.



Firm Name _____

Comments related to any of the above:

Navajo Nation Department of Justice
Office of the Attorney General
PO Box 2010
Window Rock, Arizona 86515
(928) 871-6345