



NAVAJO NATION DEPARTMENT OF JUSTICE
OFFICE OF THE ATTORNEY GENERAL

ETHEL BRANCH
Attorney General

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Deputy Attorney General

NAVAJO NATION DEPARTMENT OF JUSTICE
REQUEST FOR PROPOSALS

PROPOSAL DUE DATE: **Friday, November 22 at 5:00 p.m. MT**

CONTACT PERSON: Sage Metoxen
Navajo Nation Department of Justice
Office of the Attorney General
(928) 871-6345

E-MAIL PROPOSALS TO: contracts@nndoj.org and smetoxen@nndoj.org

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

- Review existing reports addressing historic petroleum releases from storage tanks at a gas station on the Navajo Nation, including reports on site characterization, groundwater monitoring, remedial alternatives, and costs of cleanup
- Assess the proposed remediation solutions for the site and its potential for success
- Provide a cost estimate for the alternative proposed for the site, including number of years to achieve NNEPA cleanup standards and taking into account operation and maintenance of the remedy, contingencies and inflation
- Answer questions from legal and technical staff pertaining to the reports and the contractor's assessment

B. Fees: Respondent(s) must describe in detail the hourly rate or other basis by which the Respondent will bill time, and also describe the Respondent's timekeeping and invoicing practices.

C. Conflicts: Respondent must affirmatively state whether 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 Respondent 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
TENTATIVE 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, November 22, 2024 at
5:00 PM MT
- Monday, November 25, 2024
- Week of December 2, 2024
- Friday, December 6, 2024
by 5:00 PM MT

Prospective Respondent may make inquiries to Sage Metoxen at smetoxen@mndoj.org or 918-853-5992.

SECTION II

INSTRUCTIONS TO BIDDERS:

- A. **PROPOSALS SUBMISSION: Proposals must be received by email no later than 5:00 p.m. MT on Friday, November 22, 2024.** No hard copy proposals will be accepted unless preceded by an emailed copy of the 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 email 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 proposal 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 containing 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. 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.

- F. **INCURRING COSTS:** Any costs incurred by the Respondent in the preparation or transmittal of 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. **TERMS AND CONDITIONS:** Respondent will be expected to agree to the Navajo Nation Department of Justice's standard terms and conditions for outside 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.
- I. **GOVERNING LAW:** The review of this RFP will be reviewed in compliance with Navajo Nation laws.
- J. **INTERVIEWS:** If necessary, the Department of Justice may schedule interviews with one or more Respondents after evaluation of the proposals. Interviewees will be notified by email.
- K. **SELECTION:** The Department of Justice will select one individual or firm to award a contract to perform the work set forth in the Scope of Work after review of the proposals and completion of interviews (if any). Selected individuals will be notified by email.
- 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 for 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.
 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 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. The proposal should specifically address the degree of knowledge, experience, qualifications, and expertise Respondent possesses in the following areas:
- a. Complying with relevant Federal, State and Navajo Nation Government processes and law.
 - b. Working with indigenous nations on environmental matters.
 - c. Technical approaches to cleanup of petroleum-contaminated soil and groundwater.
 - d. Addressing disposal of contaminants.
 - e. Assessing cleanup alternatives and costs of cleanup.
 - f. Geology of the contaminated area.
 - g. Ability to fulfill the identified scope of work.
 - h. Ability to satisfactorily meet project timelines.
 - i. Ability to work collaboratively with Navajo Nation Department of Justice attorneys and staff.
 - j. Whether Respondent has priority contractor status under the Navajo Business Opportunity Act.

M. **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;
2. Provide a description of how the contractor meets the qualifications to perform the Scope of Work;
3. Identify and provide a biography and/or resume for each member of the team that will perform the Scope of Work;
4. Identify the fees for each individual team member;
5. Identify the expenses the contractor will charge;
6. Provide an affirmative statement regarding conflicts as indicated on page 1 of the proposal;
7. Include the signature of an individual authorized to contractually obligate the contractor.