

# NNDOJ Review Checklist: Services Contract



\_\_\_\_\_  
Consultant Name

Requested  Document Review (164/EOR)  
review:  Contract Pre-Review (RFS)

Doc. No: \_\_\_\_\_  
Doc. No. Date: \_\_\_\_\_

NNDOJ INTERNAL USE	
NNDOJ Intake Date:	_____
NNDOJ Tracking #:	_____

**Selected Consultant:** \_\_\_\_\_  
*Business Name*

\_\_\_\_\_  
*Authorized Agent Name* *Authorized Agent Title*

**Procuring Department:** \_\_\_\_\_

**Project Sponsor:** \_\_\_\_\_  
*(if different from Procuring Department)*

**Procuring Employee:** \_\_\_\_\_  
*Name* *Title*

**Packet Organization:** Client, is packet organized the same as listed in the checklist?  Yes If not, reorder packet

**Comments to NNDOJ:** \_\_\_\_\_

## Section 1: 164-Reviewer Documentation

- 1.1: **164 Review Signature Form**, with reviewer signatures *(Exec. Order No. 06-2023 & Guidelines § 107 (“Guidelines”))*
  - Either the 164 Review Form or the Executive Official Review Form
  - For re-submissions, include prior Document Review Form with NNDOJ legally insufficient finding
- 1.2: **OOO Memo to Reviewers/Sign-Off Sheet**, if any *(2 N.N.C. § 164; 12 N.N.C. § 360(E); Guidelines § 110)*
  - Review documentation issued by the Office of the Controller
- 1.3: **OMB Review Documentation**, if any *(2 N.N.C. § 164; 12 N.N.C. § 360(E); Guidelines § 110)*
- 1.4: **Navajo Business Opportunity Act Clearance** *(5 N.N.C. § 207(A); Procurement Rules & Regs. § IV(F) (“NNPRR”))*
  - Issued by Business Regulatory Department, a.k.a. “Blue Sheet”
- 1.5: **this Contract Review Checklist**, completed

## Section 2: Navajo Nation Issued Clearances and Forms

- 2.1: **Procurement Clearances**, current as of NNDOJ submission *(12 N.N.C § 1505; Memo BRD-24-0028)*
  - 2.1.1 **Office of the Controller** Dated:\_\_\_\_\_  Compliant  Not Compliant
    - Issued within 30 days of the date indicated on the Document Review form or current as of NNDOJ review
  - 2.1.2 **Office of the Navajo Tax Commission** Dated:\_\_\_\_\_  Compliant  Not Compliant
    - Issued during the same fiscal year quarter as the date indicated on the Document Review form or current as of NNDOJ review—e.g., if submitting in quarter 2, must be issued in Jan., Feb., or Mar.
- 2.2: **Documentation explaining how established MFP or Estimated Cost Form** *(12 N.N.C. § 331; NNPRR § II(H))*
  - Created by the Procuring Party before issuing solicitation

## Section 3: Contract

- 3.1: **Primary Contract: Mutual Terms and Conditions** *(12 N.N.C. § 360; NNPRR § IV(G),(I))*
  - If Exhibits C-E not pending NNDOJ review, provide four (4) final, authorized agent signed copies
  - If Exhibits C-E need NNDOJ Review, submit Contract for Pre-Review (Request for Service)

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- 3.2: **Exhibits to Primary Contract** (12 N.N.C § 331(D), 360; NNPRR § IV(G)(I))
  - Shall be clearly marked with exhibit letter and title—e.g., “Exhibit A-Scope of Work”—and show the page number of total number of pages on each page within the exhibit
- 3.2.1: **Exhibit A – Scope of Work**
  - Includes description/specifications of goods or services sought as detailed in the solicitation
- 3.2.2: **Exhibit B – Budget & Accounting Codes**
  - Includes exhaustive list of all costs, including allowed reimbursements, for each element or phase of the work, including services, labor, fees, and other per item costs
- 3.2.3: **Exhibit C – Consultant’s Additional Terms & Conditions**, if provided
- 3.2.5: **Exhibit D** - \_\_\_\_\_
- 3.2.5: **Exhibit E** - \_\_\_\_\_

## Section 4: Consultant Documents

- 4.1: **Consultant’s Complete Offer**, signed by authorized agent (12 N.N.C § 311, 330; NNPRR §§ III(G)(8), IV(D)(6))
  - Examples: Bid, Proposal, Statement of Qualification, Quote
- 4.1.1: **Certification Regarding Debarment & Suspension** (12 N.N.C § 366)
- 4.1.2: **Certification Regarding Non-collusion** (12 N.N.C. § 303(B); 2 N.N.C. §§ 3741-58)
- 4.1.3: **IRS form W-9** (Rev. March 2024)
- 4.1.4: **NBOA Priority Certificate**, if applicable (5 N.N.C. § 205) Expiration Date: \_\_\_\_\_
  - Issued less than 1 year prior to the date of the offer opening
- 4.1.5: **Certificate of Good Standing** (5 N.N.C. §§ 3175, 3630, 3892) Dated: \_\_\_\_\_
  - Check here if Consultant is a sole proprietor; no Certificate of Goods Standing is necessary
  - Issued less than 1 year prior to the document review packet submission to DOJ
- 4.1.6: **Certification Regarding Subcontractors**, if Consultant is Prime Contractor (5 N.N.C. § 206(E))
  - Required if work relates to management, coordination, completion, or supervision of contract project
- 4.1.7: **Consultant License(s)/Credential(s)/Resume(s)** for project staff (NNPRR § IV(A)(4))
  - Must be valid at contract execution and match the services, goods, or construction sought
- 4.1.8: **Joint Venture/Partnership/Teaming Agreement**, if applicable
  - Used when two or more entities agree to work on the project as a single, named entity
- 4.2: **Insurance Documentation** (NNPRR § XIX(A))
  - 4.2.1: **Risk Management Program Review Letter**
    - Must note the Consultant meets minimum insurance requirements
  - 4.2.2: **Certificate of Insurance** Expiration Date: \_\_\_\_\_
    - Insurance shall name the Navajo Nation as an additional insured party

## Section 5: Funding Documents

- 5.1: **Budget Verification Sheets and Forms/Job Status Inquiry Prints** (12 N.N.C. §§ 304(B), 370; NNPRR § IV(H))
  - Must show verification of allowable costs, funds availability, and funds encumbrance
- 5.2: **Funding Source Documentation** (See 12 N.N.C. §§ 304(B), 370)
  - Examples: Navajo Nation Council Resolution appropriating the funds; executed IGA, executed funding agreement

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## Section 6: Offer Solicitation and Selection Documents

- 6.1: Notice of Contract Award** (12 N.N.C. §§ 342(H), 343(H); NNPRR § III(H), IV(E))
  - Usually a letter or email sent to the selected Contractor
- 6.2: PROVIDE DOCUMENTS ONLY FOR THE PROCUREMENT METHOD USED**
- A: If used Competitive Selection Methods Procurement** (12 N.N.C. §§ 342-44, NNPRR §§ III-IV)
  - Used when the procurement selection method requires use of: Invitation for Bid, Request for Proposals, or Request for Statement of Qualifications
  - 6.2.1: Offer Opening attendance sheet** (12 N.N.C. §§ 342(F), 343(G); NNPRR §§ III(F), IV(G))
  - 6.2.2: Offer Evaluation tabulation page(s)** (12 N.N.C. §§ 342(G), 343(H); NNPRR §§ III(G), IV(D))
    - Include one per evaluator for every offer reviewed
  - 6.2.3: Proof of Public Notice** (12 N.N.C. § 341; NNPRR §§ III(D)(3), IV(A)(6))
    - Examples: Saved pdf of advertisement webpage; copy of newspaper or other publication advertisement
  - 6.2.4: Solicitation** (12 N.N.C. § 330-31(F))
    - Must include evaluation criteria for assessment of all Offers received
    - Include any issued corrections, amendments, or addendums
    - Examples: Invitation for Bids, Request for Proposals; Request for Statements of Qualification; direct requests for quotes from vendors
  - 6.2.5: List of Vendors Directly Notified, if applicable** (NNPRR §§ III(E)(3), IV(B)(3))
    - Name all vendors directly contacted including the date and manner of contact
- B: If used Small-Purchases Procurement** (12 N.N.C. § 345, NNPRR § VI)
  - Used when the procurement's MFP is \$50,000.00 or less
  - 6.2.1: Small Purchase Solicitation Attempt documentation**  
PROVIDE ONE OF THE FOLLOWING:
    - for first attempt, copies of offers received; OR
    - for second or later attempts, evidence of prior solicitation(s)
  - 6.2.2: Offer Evaluation documentation** (NNPRR § VI(D)(4))
    - May be informal, shall be written, and note an offer's responsiveness to the written request for quote
  - 6.2.3: Notice and Competition documentation** (NNPRR § VI(D)(3))  
Provide ONE of the following:
    - request for quote sent to Vendors, including all relevant NBOA Priority vendors on Source List; OR
    - proof of public notice
      - Examples: Saved pdf of the advertisement webpage, newspaper, or other publication
  - 6.2.4: Solicitation Document** (12 N.N.C. § 330-31(F))
    - Must include criteria by which all Offers are to be evaluated and any issued corrections or amendments
    - Example: Requests to vendor for quotes
- C: If used Emergency Purchases Procurement** (12 N.N.C. § 347; NNPRR § VIII)
  - Used when seeking to procure directly from a vendor in an emergency
  - 6.2.1: Justification memo, approved by NNDOJ and the Purchasing Manager** (NNPRR § VIII(C))
  - 6.2.2: Solicitation Documentation** (12 N.N.C. § 330-31(F))
    - Must include criteria by which all Offers are to be evaluated and any issued corrections or amendments

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→ Examples: Requests to vendors for quotes

D: If used **Direct Source** Procurement (12 N.N.C. § 348)

→ Used when seeking to procure directly from one of many vendors able to provide the goods, services, or construction sought

6.2.1: **Justification memo**, approved by NNDOJ (12 N.N.C. § 348(C))

6.2.2: **Solicitation Documentation** (12 N.N.C. § 330-31(F))

→ Must include criteria by which all Offers are to be evaluated and any issued corrections or amendments

→ Examples: Requests to vendors for quotes

E: If used **Solo Source** Procurement (12 N.N.C. § 349)

→ Used when seeking to procure directly from the only vendor able to provide the goods, services, or construction sought

6.2.1 **Justification memo**, approved by DOJ and the Purchasing Manager (12 N.N.C. § 349(B))

6.2.2: **Solicitation Documentation** (12 N.N.C. § 330-31(F))

→ Must include criteria by which all Offers are to be evaluated and any issued corrections or amendments

→ Examples: Requests to vendors for quotes