

**PROPOSAL DUE DATE:** Friday, September 15, 2023 at 5:00 p.m. MDT

**CONTACT PERSON:** Darrell Williams, Chapter Manager  
Aneth Chapter  
P.O. Box 430  
Montezuma Creek, Utah 84534  
Ph: (435) 651-3525  
Fax: (435) 651-3560

**E-MAIL PROPOSALS TO:** dwilliams@nnchapters.org

A. Scope of Work: The law firm selected must be able to provide services and meet requirements including, but not limited to the following:

1. Review, draft, and negotiate contracts and leases;
2. Advise on Navajo Nation Local Government organization legal issues;
3. Advise on labor and employment matters;
4. Review personnel, fiscal and other policies;
5. Attend Chapter and Committee meetings as necessary;
6. Advise on government grant and contract issues;
7. Advise on responses to subpoenas, court orders, and requests for information from third parties;
8. Defend lawsuits, administrative claims, or other legal claims;
9. Conduct litigation as necessary.

Firms are encouraged to include any specific levels of expertise in the submitted proposal.

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 also describe the precise nature of any potential conflict, including any conflicts under Section 2010(D) of the Navajo Gaming Ordinance (5 N.N.C. § 2001 *et seq.*).

## SECTION I

### *TENATATIVE SCHEDULE AND CONTACT*

SCHEDULE:	DEADLINES:
1. Due Date for Email Receipt of Proposals	Fri., September 15, 2023 at 5:00 PM DST
2. Opening and review of Submittals	Fri., September 22, 2023 at 1:00 PM DST
3. Interviews (if necessary)	September 25-29, 2023
4. Award Date for Contract	Mon., October 2, 2023 by 10:00 AM MT

Prospective Respondent may make inquiries to Darrell Williams at (435) 651-3525.

## SECTION II

### INSTRUCTIONS TO BIDDERS:

- A. PROPOSALS SUBMISSION: **Proposals must be received by email no later than 5:00 p.m. Friday, September 15, 2023.** No hard copy proposals will be accepted unless preceded by an emailed copy of proposal. The official copy must contain the complete proposal and related materials.
- 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 Aneth Chapter 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 Aneth Chapter and will not be returned to the Respondent. Responses received will be retained by the Aneth Chapter 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, 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. **TERMS AND CONDITIONS:** Respondent will be expected to agree to the Aneth Chapter's standard terms and conditions for outside counsel contracts. The Aneth Chapter 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 applicable Navajo Nation laws.
- J. **INTERVIEWS:** If necessary, the Aneth Chapter may schedule interviews with one or more attorneys/firms to interview after evaluation of the proposals. Interviewees will be notified by email.
- K. **SELECTION:** The Aneth Chapter 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.
- 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.
  3. The sole objective of the review team will be to select the bidder who is most qualified and meets the needs of the Aneth Chapter. 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.

- a. Each respondent is requested to provide (1) an explanation of the billing process, and (2) estimate of what legal services would cost, including any travel or “out of pocket” expenses.
5. CRITERIA: Proposals should discuss the following criteria, which will assist the Aneth Chapter 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.
- 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 Aneth Chapter.

### **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.
9. Each respondent needs to clearly identify the professional staff that would be assigned to address Aneth Chapter legal needs. Please indicate;
  - a. Lead Firm: name, educational background, and relevant experience with specific emphasis on providing services similar in scope and size to those outlined in this document.
  - b. All other professionals assigned to The Aneth Chapter: Name, educational background, and relevant experience with specific emphasis on providing services similar to scope and size to those outlined in this document.

10. Explain the lead firm availability and access to the Aneth Chapter. The selected firm must provide advance notification to the President and Chapter Manager of times when the lead firm will be unavailable and the names of firms who will handle Aneth Chapter matters in his or her absence.
  - a. Please note that Aneth Chapter issues often require prompt attention and demand quick response via telephone or e-mail. It is our expectation that your response time to phone calls and e-mails is minimal.