

# REQUEST FOR PROPOSALS



## Navajo Nation Legislative Branch Office of Legislative Services

### Web Portal Legislative Resolutions Document Management RFP

RFP #: 20-09-2348LE

Navajo Nation  
Office of Legislative Services  
200 Parkway - Building #4  
P.O. Box 3390  
Window Rock, Arizona 86515

Main Phone: (928) 871-7254  
Fax Number: (928) 871-7259

[www.nnols.org](http://www.nnols.org)

September 2020

## **1 INTRODUCTION**

### ***1.1 PURPOSE***

The Navajo Nation Office of Legislative Services (hereinafter referred to as "OLS") is requesting a statement of qualifications and separate cost proposal for a Web Portal project, known as "Legislative Resolutions Document Management (RFP)". By this Request for Proposal, OLS herein requests proposals and costs by Contractors for the following services:

RFP is issued to electronically centralize 90 plus years of resolutions from the past and 50 years of resolutions into the future within the Office of Legislative Services legislation tracking system ([www.dibb.nnols.org](http://www.dibb.nnols.org)). Services may include expansion of services and capabilities based on need.

### ***1.2 SCHEDULE OF EVENTS***

#### **1.2.1 Schedule**

The following is the legislative schedule of events for this project. The schedule may change depending on the results of the responses.

<u>Event</u>	<u>Date</u>	<u>Time</u>
RFP Issued	9/2/2020	
Mandatory Pre-Bid Meeting	9/8/2020	8:30 a.m.
Deadline for Proposals	9/10/2020	11:00 a.m.
Proposal Evaluation Period	9/11/2020	
Contractor selection	9/11/2020	
Process Contract	9/11-13/2020	
Projected Start Date	9/23/2020	

#### **1.2.2 Explanation of Events**

The following paragraphs describe the activities listed in the RFP Schedule.

- Request for Proposal Issued: OLS is issuing the RFP on September 2, 2020
- Mandatory Pre-Bid Meeting: OLS will schedule pre-bid meeting for September 8, 2020 at 8:30 a.m. (Mountain Daylight Time) at the Office of Legislative Services, Window Rock, Navajo Nation, Arizona.
- Deadline for Proposals: OLS shall receive all proposals by September 10, 2020 at 11:00 a.m. Mountain Daylight Time.
- Proposal Evaluation Period: The Selection Committee appointed by the Office of Legislative Services Director shall evaluate the proposals on September 11, 2020. During this period, the OLS Director may initiate discussions with those Contractors who submitted proposals for clarifying aspects of the proposals. Proposals may be accepted and evaluated without such discussion. Discussion SHALL NOT be initiated by anyone else other than the OLS Director.

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- **Contractor Selection:** The Selection Committee shall select the Contractor and the Director of the Office of Legislative Services shall notify the selected Contractor on September 11, 2020. The selected Contractor shall be offered a contract to complete the Scope of Work. The award of a contract shall be made to the qualified Contractor whose proposal is most advantageous, taking into consideration the evaluation considerations set forth in the Evaluation Section of this RFP.
- **Process Contract:** The contract review and approval process is projected to be completed by September 11, 2020.
- **Project Start Date:** The Contract performance period is projected to begin on September 23, 2020 and is expected to be a five-year period with a five-year renewable option based on performance.

### ***1.3 OLS Director***

OLS Director shall act as the point of contact for all activities regarding this RFP. OLS Director will be responsible for decisions required of OLS regarding this RFP. OLS Director will schedule and coordinate inspections with the Contractor. OLS Director can be reached at (928) 871-7254.

All proposals shall be submitted as follows:

By certified mail to:

Or delivery by UPS/Federal Express to:

**Tom Platero, Director  
Navajo Nation Office of Legislative Services  
P.O. Box 3390  
Window Rock, AZ 86515  
BID # 20-09-2348LE**

**Tom Platero, Director  
Navajo Nation Office of Legislative Serv.  
200 Parkway Building #4  
Window Rock, AZ 86515  
BID # 20-09-2348LE**

## **2 DESCRIPTION OF NEED**

### ***2.1 BACKGROUND***

The Navajo Nation government is a three-branch government. The Navajo Nation Legislative Branch, and Navajo Nation Council reserves all powers delegated and all powers not delegated. The Navajo Nation Council shall have the authority to promulgate rules, regulations, and procedures for the conduct of its meetings and that of its committees.

## **3 GENERAL REQUIREMENTS**

### ***3.1 Scope of Work***

#### **3.1.1 Legislative Resolution Document Management System**

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The Navajo Nation - Office of Legislative Services (OLS) currently has a legislative bill tracking and report generating system web portal that will allow OLS staff to input all events regarding a proposed legislative bill. The current system is located at [www.dibb.nnols.org](http://www.dibb.nnols.org). The Legislative Resolutions Document Management System must be web-based. Base training of staff and appropriate training schedule shall be incorporated within the scope of work. Additionally, awarded contract may include expansion of services and capabilities based on need.

The application must be integrated with the current [www.nnols.org](http://www.nnols.org) website and must utilize the account manager for the website. The system must use an electronic document management system that integrates with the current Legislative website.

Anticipated contract timeframe: Contractor must provide costs for the development of this software, hosting, and maintenance for a period of five project years (2020/2021, 2021/2022, 2022/2023, 2023/2024 and 2024/2025) with a renewable option for another five project years based on performance and funds availability. On a yearly basis, the project year will begin September 1 and end August 31.

### **4 TERMS AND CONDITIONS OF REQUEST FOR PROPOSAL (RFP)**

#### ***4.1 GENERAL TERMS AND CONDITIONS***

This section shall address the terms and conditions governing this RFP.

##### **4.1.1 Procurement of RFP**

This procurement shall be conducted in accordance with all applicable Navajo Nation laws and regulations including the Navajo Business Opportunity Act. All applicable rules, regulations, and laws shall also be followed. Prospective Contractors shall familiarize themselves with Navajo Nation regulations prior to submitting responses to this RFP.

##### **4.1.2 RFP Costs**

Costs incurred in preparing, transmitting, or presenting proposals or materials in response to this RFP shall be borne solely by the Contractor submitting the proposal. The OLS shall not be held liable for any costs incurred by the respondents when preparing responses to this RFP or during negotiations associated with the award of a contract. All proposals submitted in response to the RFP become the property of the Navajo Nation and will not be returned.

##### **4.1.3 No Obligation**

This RFP, in no manner, obligates the Navajo Nation or any of its entities to the eventual purchase of services offered until a valid written contract is approved and executed by the Speaker of the Navajo Nation.

#### **4.1.4 Termination**

OLS reserves the right to reject any and all proposals. This RFP may be canceled at any time and all proposals may be rejected in whole or in part when the OLS Director determines it is in the best interest of the Navajo Nation.

#### **4.1.5 Sufficient Appropriation**

A contract awarded as a result of this RFP is contingent upon the availability of funds. A contract may be terminated or reduced in scope if sufficient funds do not exist. Sending written notice to the Contractor shall effect such termination or reduction in scope. The OLS Director's decision to terminate or reduce the scope due to insufficient appropriations shall be accepted as final by the Contractor.

#### **4.1.6 Governing Law**

Navajo Nation law governs all contractual and legal matters arising out of this RFP and shall govern any contract resulting from this RFP. By entering into and executing a contract with the Navajo Nation, the Contractor shall covenant and agree that it shall not contest or challenge the territorial, administrative, regulatory, legislative, executive or judicial jurisdiction of the Navajo Nation on the basis that such jurisdiction is inconsistent with the status of the Navajo Nation as an Indian Tribal Nation, or that the Navajo Nation government is not a government of general jurisdiction, or that the Navajo Nation government does not possess full police power (i.e., the power to legislate and regulate for the public's general health and welfare) over all lands, persons, activities, transactions, or occurrences within its territorial boundaries, or on any other basis not generally applicable in the context of a similar challenge to the jurisdiction of a state government.

#### **4.1.7 Prime Contractor**

In the event multiple Contractors submit a joint response to this RFP, a single Contractor shall be identified as the Prime Contractor. Among the prime Contractor's responsibilities are administering the overall project and coordinating and monitoring plans and schedules, maintaining the project budget and status information, administering any necessary changes, presiding over other providers participating or present at OLS meetings, and overseeing the preparation of reports and presentations. The Prime Contractor shall remain the responsible and liable party under any contract made hereunder. The Prime Contractor shall provide the name of any subcontractors it intends to employ prior to the award of this bid, the portion of the materials/labor to be furnished by any subcontractors, their telephone number, place of business, and such other information as requested by the RFP specifications. The Prime Contractor shall be responsible, in total, for all work of any subcontractors or agents of the Contractor, and of persons directly or indirectly employed by such subcontractors, and for the acts and omissions of persons employed directly by the Contractor.

#### **4.1.8 Compliance with Laws and Regulations**

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The successful Contractor shall comply with all Federal, Tribal, State, and local laws and regulations, and Navajo Nation rules and policies pertaining to work under its charge, and shall, at its expense, procure any permits that may be required.

### **4.1.9 Taxes**

The Navajo Nation is exempt from all Federal, State, and Local sales and use taxes. The eventual contract / agreement cost shall exclude all such taxes. Any business conducted by the Contractor on Navajo Nation land shall be subject to the 6% Navajo Nation sales tax.

## **PROPOSALS**

### **4.1.10 Acceptance of Conditions Governing the RFP**

The proposal shall explicitly indicate acceptance of the conditions governing this RFP in the letter of transmittal. A person responding to this RFP shall be bound by the general requirements contained in this RFP.

### **4.1.11 Mandatory Pre-Bid Meeting**

The Office of Legislative Services will have a mandatory pre-bid meeting (See 1.2 schedule of events). Potential contractors not in attendance at the mandatory pre-bid meeting shall be disqualified from submitting a bid/RFP. Please note that CDC protective measures will be taken to ensure all participants' safety at the mandatory pre-bid meeting.

### **4.1.12 Late proposals**

Regardless of cause, late proposals will not be accepted and will automatically be disqualified from further consideration. It shall be the Contractor's sole responsibility to assure delivery to the designated contact before or at the designated time. Proposals submitted by facsimile shall not be accepted.

### **4.1.13 Amended Proposals**

The Contractor may amend its proposal before the Proposal Deadline, so long as the amended proposal is a complete replacement for a previously submitted proposal.

### **4.1.14 Right to Withdraw Proposal**

A Contractor may withdraw its proposal at any time prior to the deadline for receipt of proposals. The Contractor shall submit a written withdrawal letter.

### **4.1.15 Restricted Data**

Restrictions on data included in a proposal shall be clearly stated in the proposal itself. Every page of the proprietary material shall be clearly labeled or identified with the word "proprietary". The Selection Committee will review all proprietary data.

### **4.1.16 Disclosure of Proposal Contents**

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The proposals shall be kept confidential until a contract is awarded. At that time, all proposals and documents pertaining to the RFP shall be open to the public, except for the material marked "proprietary."

### **4.1.17 Omissions**

Omission in the Contractor's proposal of any provision herein described shall not relieve the Contractor of any responsibility or obligation requisite to the complete and satisfactory delivery and implementation of any and all services described in the RFP, or relieve the Contractor of its responsibility and obligation to comply with all provisions herein.

### **4.1.18 Mistakes in proposals**

If a mistake in a proposal is suspected or alleged, OLS reserves the right to waive any informalities and minor irregularity in any proposals received.

## **CONTRACT**

### **4.1.19 Contract Format**

The RFP, its appendices, and the successful proposal shall form the basis for a contract between OLS and the successful Contractor and shall be binding on the Contractor unless OLS and an authorized representative of the successful Contractor mutually agree in writing to modification or waiver of any provision in said documents.

### **4.1.20 Contract Terms and Conditions**

Contracts between the Navajo Nation and the Contractor shall follow the standard Navajo Nation contract format. The Office of Legislative Services Director reserves the right to negotiate additional provisions if necessary. The terms set forth in the RFP, its appendices, and the proposal shall become contractual obligations if a contract award is made. Failure to accept these obligations may result in cancellation of the award. If the Contractor desires to object to terms or conditions contained in the RFP, its appendices or the standard contract, the Contractor shall propose alternative language in its proposal. The expected contract term is five years and may be extended for up to five more years at the discretion of the Navajo Nation.

### **4.1.21 Termination**

OLS reserves the right to immediately terminate any contract resulting from this RFP if the Contractor fails to comply with any provision of the contract documents, or as otherwise provided in a contract resulting from this RFP.

The performance of work under any agreement resulting from this RFP may be terminated by OLS in whole, or from time to time in part, upon written notice to the Contractor, if OLS determines that such termination is in the best interest of OLS and the Navajo Nation. The Contractor shall be compensated only for services performed before the date of termination specified in the written notice.

#### **4.1.22 Invoicing**

The Contractor awarded the contract shall submit invoices detailing services provided with a breakdown of costs and expenses. Contractor invoices shall contain only charges for those services that are completed and have been accepted by OLS. All invoices will be subject to approval by OLS.

### ***4.2 CONTRACTOR RESPONSIBILITIES***

#### **4.2.1 Contractor Project Manager**

The Contractor shall provide a Project Manager who will act as a single point of contact for all activities regarding this project. The Project Manager shall make on-site decisions regarding the scope of the work and any changes required by the work. The Project Manager shall be responsible for all aspects of the work and shall have the authority to make immediate decisions regarding implementation or changes to the work.

#### **4.2.2 Standards Of Conduct**

The Contractor shall exercise all reasonable skill, care, and diligence in its performance under this RFP and adhere to the standards of conduct listed below:

- a. The Contractor shall provide OLS with alternative methods of being reached other than the telephone (i.e. cell phones or email addresses.)
- b. In the event that OLS determines in good faith that a Contractor's employee is not conducting himself/herself in a professional manner, OLS will contact the Contractor with respect to such conduct and will act in accordance with the appropriate sections of the signed Services Agreement.

#### **4.2.3 Documentation**

Documentation provided to OLS will be in both paper and electronic format. Electronic copies should be submitted in PDF and on flash drive.



### **4.3 RESPONSE SUBMISSION**

Responses to this RFP must be submitted in sealed packages and delivered by either USPS, Federal Express delivery, or personally on or before September 10, 2020 at 11:00 AM Mountain Daylight Time, to:

Mail to: **Tom Platero, Director**  
**Office of Legislative Services**  
**P.O. Box 3390**  
**Window Rock, AZ 86515**

Or deliver to: **Tom Platero, Director**  
**Office of Legislative Services**  
**200 Parkway Building #4**  
**Window Rock, AZ 86515**

Submittals must be separated into 1) the proposal including qualifications, plans, and other supporting material and 2) the cost proposal. The two packages must be clearly marked on the exterior of the package "OLS Legislative Resolutions Document Management. Do not open until bid opening" and "OLS Legislative Resolutions Document Management-Cost. Do not open until bid opening". If the Contractor is a Navajo or Indian owned business certified by the Business Regulatory Department to provide all services described in this RFP, the Contractor shall clearly mark on the exterior of the proposal package whether it is a Priority 1 or Priority 2 business. It is the sole responsibility of the respondents to ensure that their responses arrive in a timely manner. OLS reserves the right to reject all late arrivals. The Contractor must submit five (5) paper copies and one (1) electronic copy on flash drive of the response.

#### **4.3.1 Preparing a Response**

This RFP contains the instructions governing the proposals to be submitted and a description of the mandatory requirements. A Selection Committee will determine compliance with the intent of all requirements. Responses that do not meet the full intent of all requirements listed in this RFP may be subject to point reductions during the evaluation process or may be deemed nonresponsive. Contractors shall promptly notify OLS of any ambiguity, inconsistency, or error, which they may discover upon examination of this RFP.

#### **4.3.2 Submitting a Proposal**

Each Contractor who submits a proposal agrees that:

- a. The proposal is based upon an understanding of the specifications and requirements described in this RFP.
- b. Costs for developing and delivering responses to this RFP and any subsequent presentations of the proposals as requested by OLS are entirely the responsibility of the Contractor. Budget must include costs for all five years inclusive of website costs, integrated data management system(s), maintenance costs, etc.
- c. All materials submitted in response to this RFP become the property of OLS and the Navajo Nation. Only materials that are appended to the cover letter and proposal shall be considered part of the proposal.
- d. An individual authorized to legally bind the business submitting the proposal must sign the letter of transmittal in ink and enclose the letter with the proposal. Any

significant omission/inaccurate information provided in the proposal may result in the Contractor being considered non-responsive, or an awarded Contractor being disqualified even after service has been initiated (e.g. the inability to provide staff to the level listed in the proposal may disqualify a Contractor). OLS may choose to not evaluate, may deem non-responsive, and/or may disqualify from further consideration any proposals that are difficult to read, are difficult to understand, are missing any required information, or include references to information located elsewhere, such as internet websites or libraries, or Contractor's literature.

### **4.3.3 Rejection**

A proposal may be rejected if it does not conform to the requirements contained in this RFP. Failure of a Contractor to provide costs for all items listed shall be a cause for rejection of the proposal as non-responsive. OLS reserves the right to reject proposals that are materially unbalanced, (i.e. that contain unreasonably high unit prices for some items and/or reasonably low unit prices for other items. OLS reserves the right to reject any or all proposals in part or total for any reason, or to accept any proposals if considered in the best interest of OLS and the Navajo Nation.

## **4.4 EVALUATION**

### **4.4.1 Evaluation**

#### **4.4.1.1 Selection Committee**

A Selection Committee will judge the proposals received in accordance with the scoring methodology described below. The sole objective of the Selection Committee will be to select the Contractor that is most responsive to the needs of the OLS and the Navajo Nation. The Selection Committee reserves the right to waive minor irregularities. This right is at the sole discretion of the Selection Committee.

#### **4.4.1.2 Request for Additional Information**

This RFP represents the minimum information necessary for a proposal. The Selection Committee may request additional information from the Contractor including oral presentations. Failure of the Contractor to provide information requested in the RFP may result in disqualification of the proposal.

#### **4.4.1.3 Evaluation Process**

The following steps will be observed in the evaluation of the Contractor's proposals:

- A. All proposals shall address the information described above. Failure to address the information may result in disqualification;
- B. The Selection Committee will review all proposals to determine if all mandatory information is included in the proposal, and if so, score the proposals in accordance with the scoring methodology;

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- C. Composite scores will be developed based on the individual score awarded by the Selection Committee member;
- D. The Contractor will be ranked by composite score; and
- E. The cost proposals of all qualified Contractors will be opened. OLS will select the qualified Contractor with the lowest responsive price for the best services, and may first request a "best and final offer" from all qualified Contractors prior to said selection.

### 4.4.1.4 Discussion Negotiation

Although proposals may be accepted and a contract awarded without discussion, OLS may initiate discussions with one or more Contractors, should clarification or negotiation be necessary.

### 4.4.1.5 Best And Final Offer

The "Best and Final Offer" is an option available to OLS under the RFP process, which permits OLS to request a "best and final offer" from one or more Contractors. Contractors may be contacted asking that they submit their best and final offer, which may include any discussed and/or negotiated changes.

### 4.4.2 Evaluation Criteria

As used below, "Prime Contractor" means the party or entity submitting the Proposal, and thereby offering to undertake and purporting to have the legal and practical capacity and capability to undertake the project for a specified price, and, who, if selected, shall be authorized and responsible for the management, coordination, completion, supervision, and subcontracting (if applicable) for the contracted project. It should be understood that these weighing factors are only approximations and that the proposals must be acceptable in all areas to be considered. It is OLS's intention to award the contract to the Contractor that best serves the interests of OLS.

Proposals will be evaluated by the following criteria with a total of 100 points possible; up to 5 bonus points may be granted to businesses who provide Navajo Preference certification:

#### **DESIGN AND SOLUTION SUITABILITY** - 65 points

Contractors must submit proposals, which address the RFP's description of need. A proposal, which does not address the RFP's description of need, shall be considered nonresponsive.

Proposal will be evaluated on meeting the following criteria:

- Upload documents onto OLS website – [www.dibb.nnols.org](http://www.dibb.nnols.org)
- Provide ability to search words within the documents, PDF files, etc.
- System must have a multi-level search mechanism

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- System must provide quick view of documents
- System must print documents
- System must accommodate emailing of documents located within search capabilities
- System must have capabilities to compress large files
- System must include automated backup on a regular basis
- System must have Optical Character Recognition (OCR) software and access to an OCR server
- System must have storage capacity to store all legislative resolutions and supporting documents spanning 90 plus years
- System must be capable of expansion to include new legislation resolutions and supporting documents for next 50 years
- System must include annual maintenance and support
- Proposals shall include, at a minimum 120 hours of development per year, for expansion of system services and capabilities

### **CONTRACTOR QUALIFICATIONS, REFERENCES AND PRIOR EXPERIENCE - 35 points**

This category addresses general technical expertise and excellence as well as technical expertise and experience associated with the proposed solutions design. Up to 15 points will be awarded based on the Prime Contractor's profile, credibility, and description of relevant experience especially in performance of similar projects. Up to 15 points will be awarded for the quality and timeliness of work performed for previous clients by the staff of the Prime Contractor and the comparability of such work to the requirements of this RFP. Up to 5 points will be awarded for familiarity with the Navajo Nation and/or any work previously performed on the Navajo Nation.

### **NAVAJO PREFERENCE BONUS POINTS - Up to 5 points**

Bonus points may be awarding up to 5 points for Navajo Preference Contractors. Bonus points are at the sole discretion of the Selection Committee.

#### **4.4.2.1 Right to reject**

The Office of Legislative Services Director reserves the right to reject all of the proposals if he, in his sole discretion, determines none of the proposals meets the needs of OLS. OLS reserves the right to reject any or all proposals, to evaluate proposals, to negotiate additional terms, and to accept any proposal, which is in the best interest of OLS. Responses should initially be submitted with the most favorable terms that the Contractor could propose. A best and final offer process may not be performed.

#### **4.4.2.2 Notification of award**

Notification of award will be issued in writing on or after the date specified.