

HOPI TRIBAL HOUSING AUTHORITY



REQUEST FOR PROPOSALS (RFP) LEGAL SERVICES FOR THE HOPI TRIBAL HOUSING AUTHORITY MARCH 11, 2024

The Hopi Tribal Housing Authority (HTHA) is requesting a statement of qualifications and fee proposals from the qualified professional legal firms to perform legal services. The selected firm will enter a fixed-price contract with HTHA.

Through the authority of the Native American Housing Assistance and Self Determination Act of 1996 (NAHASDA) [25 U.S.C. § 4101] the Hopi Tribal Housing Authority (HTHA) in Grant Agreement with the Department of Housing and Urban Development (HUD) is responsible to provide the Hopi Tribal people with safe, decent, sanitary and quality housing under federal regulations of the Indian Housing Block Grant (IHGB) at CFR § 1000, et seq.

Scope of Work: Provide on-site and off-site services for a term of three years. The agreement will be renewable for additional annual terms. Sixty (60) days prior to the end of the term, the Consultant will submit a new cost proposal for review and approval.

- As directed by the HTHA Board of Commissioners (BOC) and Executive Director, represent the HTHA in all legal matters that may arise including but not limited to:
 1. Legal review of all HTHA related issues
 2. Legal review on construction and service contracts
 3. Assist with Tax Credit, Mutual Help, Low Rent and NAHASDA programs
 4. Assist with HTHA with compliance with Federal requirements for procurement
 5. Advise the BOC with respect to issues facing the HTHA
 6. Attend BOC meetings necessary
 7. Review and draft contracts in compliance with Hopi and Federal laws and regulations
 8. Assist with the collection of payments from HTHA Clients
 9. Represent the HTHA in litigation before the Hopi Tribal Court and the United States Court of Appeals for the Ninth Circuit, and all other courts, as necessary

Indian Preference: The work to be performed under this contract is subject to Section 7 (b) of the Indian Self Determination and Education Assistance Act (25 U.S.C. 450 (e)). Section 7(b) requires to the greatest extent feasible.

1. Preference and opportunities for training and employment shall be given to American Indians and Alaska Natives
2. Preference in the award of contracts and subcontracts shall be given to American Indian /Alaska Native – owned enterprises as defined in Section 3 of the Indian Financing Act of 1974 [25 U.S.C. 1452]
3. The parties to this contract shall comply with the provisions of Section 7 (b) of the Indian Act
4. In connection with this contract, the contractor shall, to the greatest extent feasible, give preference in the award of any subcontractor to Indian organizations and Indian – owned economic enterprises, and preference and opportunities for training and employment to Indians
5. The contractor shall include this section 7 (b) clause in every subcontractor has violated this section 7(b) clause of the Indian Act

Selection Criteria: Selection is by competitive proposals in accordance with 24 C.F.R. § 85.36 (d) (3) and HTHA procurement policies and standards to determine the responsible firm whose proposal is most advantageous to HTHA. The selection process will consist of the HTHA evaluation, scoring and ranking of each proposal based on criteria factors below. The HTHA reserves the right to reject any and all proposals, to waive any informalities or irregularities and to award the contract that is in the best interest of the HTHA.

1. Experience and Qualifications: Up to 20 points

The name, address, phone, and fax number of the firm applying. Qualified attorneys must have or obtain a license to practice law before the Hopi Tribal Court and the United States Court of Appeals for the Ninth Circuit. Proposals should provide experience and qualifications of professional personnel that will conduct the work, testing, and reports for the project including specialized technical skills, project management skills, and experience working together as a team. A listing of professional personnel involved shall be provided including the resumes of the principal(s) and pertinent staff members that will be involved in the work. Describe past performance on contracts with Indian Tribes, government agencies and private industry in terms of quality work, cost control, cost estimating, compliance with performance schedules, and cooperation with other contractors. A completed “Statement of Qualifications” form is mandatory.

2. Specialized Experience and Technical Competence: Up to 20 points

A detailed description of experience pertinent to the scope of work described including relevant degree(s), professional membership, and licenses. Proposals should have at least five years of experience and those proposals having more years of experience will be assigned more points. Interested firms shall provide at least five projects completed in the last seven years including original scope, original budget, final scope, and final cost. Proposals should list all previous projects completed they wish to be considered. Provide firm’s experience in the field of Indian housing and more specifically with the Native American Housing and Self – Determination Act, bid construction contracts, design – build construction contracts, negotiation and execution of Tax Credit agreements. The name, address, and telephone numbers of at least three

references attesting to the qualifications of the firm. Proposals should list all references they wish to be considered. A completed Form of Non- Collusive Affidavit form is mandatory.

3. Professional Fees: Up to 25 points

The fixed price to include a list of hourly rates charged and description of cost that may be billed including hourly rate schedule for principal and pertinent staff, travel time rate, mileage rate (federal per diem), equipment rental, telephone, fax, shipping, printing, copying and other miscellaneous expenses or reimbursable, and all related expenses and travel costs. As an example, provide calculation of trip charge including related expenses from the firm's office to HTHA for two staff for two days/ two nights. The fee proposal shall also include the Hopi Office of Revenue Commission (ORC) required business license fee (5 points) to conduct business on the Hopi Reservation.

4. Financial Capability: Up to 15 points

Applicants shall submit a combined financial statement (5 points) and in other ways demonstrate that their firm is able to undertake a project such as this that will be payable on a deliverable basis (10 points)

5. Indian Preference: Up to 20 points

Indian organizations and Indian – owned economic enterprises must submit with their proposals a completed “Native American Enterprise Qualifications Statement” (NAEQS) to qualify for Indian Preference considerations. The statement must demonstrate evidence of Indian ownership and control (15 points). All proposals must contain a statement describing the methods that will be used to provide such preference or provide completed NAEQS Attachment B (5 points).

Bid Proposals due: Those qualified firms meeting the stated criteria and having the capability and qualifications, including financially, to perform the services described in this announcement are invited to respond by submitting, in person or mail, one original and three copies of the proposal to the HTHA by 2:00 p.m. Mountain Standard Time on April 15, 2024. This Request for Proposal is open to both Indian and non- Indian firms. Faxed proposals will not be accepted.

For more information call Stanley Pahe, Executive Director at (928) 737-2801, or send proposal to the attention of Felicia Yaiva, HTHA Procurement Officer at Hopi Tribal Housing Authority at P.O. Box 906, Polacca, Arizona 86042 or Fed Ex: St. Route 264 Mile Post 389.8, Polacca, Arizona 86042