 ****

**Request for Proposals**

Springwater Improvement RFP
BVR\_03242021

# SECTION 1. GENERAL INFORMATION

* 1. Significant Dates:

 Posted Date: 03/24/2021

 Deadline for Questions: 04/16/2021
 Closing Time and Date: 04/21/2021

#  Description of Proposals Sought:

The Buena Vista Rancheria Tribe is implementing its 2021 Springwater Improvement for Cultural Use Project which will install a treatment system within a storage shed and install water storage infrastructure for the spring on the reservation. The Spring and Springwater are spiritually and culturally significant to

Buena Vista Rancheria and the Tribe wishes the contractor to work respectfully with Buena

Vista Rancheria staff and Project Managers to improve this important cultural resource.

#  About Buena Vista Rancheria Tribe:

The Buena Vista Rancheria of Me-Wuk Indians of California (Tribe) is a federally recognized Indian Tribe with a 67.5-acre reservation located approximately 5-miles south of Ione, CA in southwestern Amador County. The Tribe has been listed by the Secretary of the Interior as such since 1985. The Tribe currently has diversified facilities and land for development.

#  Response Format:

Proposals should be prepared simply, providing a straightforward and concise delineation of the Offerors approach and capabilities necessary to satisfy the criteria listed in Section 3. The proposal may not be longer than 8 pages, single-spaced with no less than 12-point font. Emphasis in the proposals should be on completeness, clarity of content, and adherence to the presentation structure required by this RFP. Responders that deviate from the required format may be deemed non-responsive.

#  Completeness of Proposal

The Offeror must submit a completed Proposal signed by an Offeror representative authorized to bind the proposing Offeror contractually. The Offeror must identify on the form any exceptions the Offeror takes to the RFP or declare that there are no exceptions taken.

#  Response Date and Location

Proposals must be submitted no later than 5:30pm, PST on 04/16/2021. Proposals shall be submitted via an online portal: <https://rfp.collective-strategies.com/buena-vista-tribe/bvr_03_24_2021>

All proposals and accompanying documentation will become the property of the Tribe and will not be returned. Offerors accept all risk of late delivery.

#  Offeror’s Cost to Develop Proposals

Costs for developing proposals in response to the RFP are entirely the obligation of the Offeror and

are not chargeable in any manner to the Tribe—no exceptions.

#  Site Visitations

A site visit is not required for this project. By submitting his/her proposal, the Offeror acknowledges that he/she has satisfied him/herself as to the nature of the work requested.

# SECTION 2. TERMS AND CONDITIONS

 2.1 Questions Regarding the RFP

Requests for interpretation/clarification of this RFP must be submitted via the portal: <https://rfp.collective-strategies.com/buena-vista-tribe/bvr_03_24_2021>. Unauthorized contact with other tribal employees regarding this RFP may result in disqualification. All oral communications will be considered unofficial and non-binding on the Tribe.

All questions must be submitted no later than 5:30pm, PST on 04/09/2021. All responses will be posted on the web portal: <https://rfp.collective-strategies.com/buena-vista-tribe/bvr_03_24_2021>no later than 5:30 p.m. PST within 2 business days after receipt of the question. It is the Offeror’s responsibility to check the web portal for any information posted in the questions & answers section prior to submitting a proposal response.

#  RFP Amendments

The Tribe reserves the right to request any respondent clarify its proposal or to supply any additional material deemed necessary to assist in the evaluation of the proposal. The Tribe reserves the right to change the RFP schedule or issue amendments to the RFP at any time. The Tribe also reserves the right to cancel or reissue the RFP. All such addenda will become part of the RFP. It is the Offeror’s responsibility to check the portal: <https://rfp.collective-strategies.com/buena-vista-tribe/bvr_03_24_2021> for the issuance of any amendments prior to submitting a proposal response.

#  Withdrawal of Proposal

# Provided notification is received in writing to the email address provided on the web portal, proposals may be withdrawn at any time prior to the proposal response due date and time specified. Proposals cannot be changed or withdrawn after the time designated for receipt.

#  Rejection of Proposals

The Tribe reserves the right to reject any or all proposals, to waive any minor informalities or irregularities contained in any proposal, and to accept any proposal deemed to be in the best interest of the Tribe.

#  Proposal Validity Period

Submission of a proposal will signify the Offeror’s agreement that its proposal and the content thereof are valid for 30 days following the proposal response deadline unless otherwise agreed to in writing by both parties. The proposal may become part of the Contract negotiated between the Tribe and the successful Offeror.

#  Proposal Signatures

An authorized representative of the Offeror must sign proposals, with the Offeror’s address and telephone information provided. Unsigned proposals will not be considered.

#  Ownership of Documents

Any reports, studies, conclusions, and summaries prepared by the Offeror shall become the property of the Tribe. The Tribe may provide the Offeror with a limited license to use such material.

#  Limitations on Costs and Expenses

The Offeror’s cost proposal may not include: any costs that can be described as overhead, including secretarial, clerical, or file management work; on-line research services charges (in-house photocopying; unnecessary express mail/overnight courier mailings); or for developing invoices for the Tribe.

#  Dispute Resolution and Venue

The Tribe will require the selected Offeror to expressly consent to the jurisdiction of the Buena Vista Rancheria Tribal Court for any and all disputes that may arise from the Tribe engagement of the Offeror’s services, including the application of tribal law.

#  Appropriated Funds

Any contract awarded pursuant to this RFP is subject the Tribe’s appropriation and budgetary process, which operates on a calendar fiscal year from January 1 - December 31. Any required payments under the contract are contingent on the availability of funds in the tribal treasury. As funds are appropriated yearly any contract awarded would be for the remainder of the fiscal year, at which time it would be renewable on a yearly basis.

#  Indian Preference

The RFP is non-restricted, but Indian Preferences applies to the award of this contract in accordance with Regulations 24 CFR 1000.52, Section 7 (b) of the Indian Self Determination and Education Assistance Act U.S.C. 450 (b), and the Buena Vista Rancheria Tribe, Procurement and Property Management Policy & Procedure Manual.

2.12 Local Tribal Laws
Local tribal laws shall apply.

# 2.13 Debarment

Selected Offeror must sign a Certification Regarding Debarment and Suspension (See Attachment A).

# 2.14 Contract

The selected Offeror will be required to enter into the Buena Vista Rancheria Tribe’s standard form contract which will include a “no assignment” provision indicating that the Contract may not be assigned without written consent of the Tribe. Any increase in contract price following execution of the contract requires a written modification to the term to continue.

2.15 Legal Review

All contracts and addendums to existing contracts must be reviewed by the Tribal Attorney before execution. The Tribal Attorney will review contractual obligations imposed on both parties of the contract. Generally, the Tribal Attorney will not review for subject matter; however, as Offerors may attempt to modify certain terms of the agreement in the scope of work, the Tribal Attorney will review the contract in its entirety and will address any issues and concerns. The Tribal Attorney may impose amendments and require changes to specific contract wording in order to adequately protect the Tribe.

# SECTION 3. REQUESTED SERVICES

* 1. Duration of Services

The Tribe anticipates the service period for this work to take place between April 2021 and October 2021 with possible extension to November 20th, 2021 upon request to the Water Program Coordinator. If the work extends beyond this period, any agreement would require an agreed-upon modification to the term to continue.

# Scope of Work/Description of Project

The Tribe is implementing its 2021 Springwater Improvement for Cultural Use Project which will install a treatment system within a storage shed and install water storage infrastructure for the spring on the reservation. The Spring and Springwater are spiritually and culturally significant to Buena Vista Rancheria and the Tribe wishes the contractor to work respectfully with Buena Vista Rancheria staff and Project Managers to improve this important cultural resource. The Lead on this project is the Water Program Coordinator, however additional BVR staff will be involved at various stages including but not limited to the Chief Operations Officer, Tribal Historic Preservation Officer, and the Tribal Facilities Manager.

The Tribe is requesting proposals from contractors that wish to assist the Tribe in completing the project as described below:

**Project Approach**

Buena Vista Rancheria would like to approach this project in a way that intents to protect cultural resources including historical artifacts, living plants and animals, and waters that reside on the reservation land and within the project area while also meeting the requirements and needs of the project. The Tribal Historic Preservation Officer (THPO) will conduct a site assessment of the area to determine constraints and specifications to the construction of the shed and water storage tank placement. The construction designs will also need to be submitted to the BVR Water Program Coordinator (Lead Project Manager) for internal Tribal review. A cultural monitor may be assigned to observe construction activities if deemed necessary.

To protect and mitigate environmental resource impacts, BVR may require the use of Best Management Practices or BMPs to reduce potential impacts such as soil erosion or vegetation loss. Because the project site is within an oak woodland, and bordering a wetland area, care must be taken when siting a location for the water treatment shed and water storage tanks to reduce impacts to forest and wetland ecosystems. BVR project manager(s) and the Contractor will work together to reduce project impacts and determine necessary BMPs for the project.

**Scope of Work**

Task 1: Construction Planning

* Conduct a site assessment with BVR Staff/Project Managers (Chief Operations Officer, THPO, Water Program Coordinator and/or Tribal Facilities Manager) and determine the footprints for the water tanks and the Water Treatment Shed and auxiliary plumbing infrastructure and identify other needs for construction implementation
* Design the Water Treatment Shed and foundation for water storage tank(s). Submit to Water Program Coordinator for approval. (Shed can be custom built or pre-fab with custom modifications)
* Procure materials for building the shed and water storage tank foundation

Task 2: Install Water Tanks and Construct Water Treatment Shed

* Grade the footprint for the water storage tank(s), construct the foundation and install the water storage tank(s)
* Grade the footprint for the water treatment shed and construct the water treatment shed
* Purchase construction supplies and materials as needed

Task 3: Install the Water Treatment System and Auxiliary Plumbing

* Assess pluming context and needs
* Install the water treatment system inside the water treatment shed
* Install plumbing infrastructure to tie together the spring water, treatment system, storage tank to the water lines for the house on the hill and the reservation.
* Provide troubleshooting assistance

**Deliverables**

Completion of tasks outlined in the scope of work including the proper placement of water storage tank(s), construction of the water treatment shed, installation of the treatment system and plumbing. Assistance with troubleshooting the system.

* 1. COVID-19 Precautions

Buena Vista Rancheria is practicing Covid-19 safety protocols including physical distancing, mask wearing while inside or in close proximity while outdoors, regular hand washing and/or sanitizing. The Tribe wishes to ensure safety of its project managers while working with the Contractor and Crews. The Tribe anticipates the Contractor is practicing its own safety standards and requests that the Contractor adhere to its Covid-19 safety and disinfecting policies while on Tribal land.

* 1. Project Cost

The Project cost is limited to grant allocated funding. The Budget is as follows:

Contractor: $13,500 for labor costs and construction/plumbing materials and supplies.

Tribe will procure the water filtration system and already has the water tank(s).

Please provide a cost estimate in your written proposal based on project costs needed to implement the project.

* 1. Invoices and Payment

The contractor will submit invoices to the Tribe for incurred cost, at a minimum, on a monthly basis during the project period. The final invoice must be submitted to the Tribe no later than October 19th, 2021 unless an extension has been requested and granted, upon which the final invoice is due no later than November 19th, 2021. The invoices will be submitted to the Tribe either by paper mail or email to:

Buena Vista Rancheria of Me-Wuk Indians

Attn: Emily Moloney - Natural Resources Dept.

1418 20th Street Suite #200

Sacramento, CA 95811

emily@buenavistatribe.com and cc: mike@buenavistatribe.com

3.6 Required Information

 The Offeror’s Proposal must include the following:

1. Title Page. Show request for proposal (RFP) subject, name of proposer’s firm or business, address, telephone and fax numbers, name of contact person, and date of submission.
2. Transmittal Letter. A one-page summary stating the Offeror’s understanding of the work to be done and making a positive commitment to perform the work within the time period required.
3. Table of Contents. A clear identification of the material by section and page number.
4. Profile of the Offeror. Include background information on the firm or business, including the location of office(s).
5. Approach. Provide a clear description of the Offeror’s anticipated approach for providing these services and methodology for delivering products or implementing services described in the statement of work.
6. Organization and Management. Show the team proposed for the work identified, including the identification of persons assigned to individual tasks, and, if applicable, the function and responsibilities for applicable major subcontractors.
7. COVID-19 Precautions. Briefly describe all COVID-19 Precautions that will be taken by Offeror.
8. Workplace Requirements. Describe any special needs or workplace requirements of the Offeror.
9. Statement of Qualifications:

 Experience of Offeror: Provide a statement of the Offeror’s experience conducting similar
 projects.

Where applicable, experience/Qualifications of Assigned Professionals: Provide resumes for the individuals who would likely be assigned to this work including education, licensing information, background, accomplishments, relevant continuing professional education and any other pertinent information for each of the key personnel to work on the project.

1. Where applicable, offerors must include a statement in the proposal to the effect that “the key personnel assigned to this project as described in this proposal will not be removed from the audit without prior approval of the Tribal Attorney.”
2. Disclosure of Potential Conflicts of Interest. Provide a statement regarding any potential conflict of interest issues the Offeror might have or encounter in providing these services to the Buena Vista Rancheria Tribe.
3. Detailed Cost Proposal and Timeline. Provide a detailed statement of any and all costs for providing these Services as well as a detailed timeline of the Services to be completed. This statement must include proposed hourly rates for all persons employed by or contracting with the Offeror to provide the work described herein, as well as rates for travel and other expenses when travel is necessary.

# SECTION 4. PROPOSAL EVALUATION

* 1. Evaluation Procedures

A Selection Committee will evaluate proposals. The selection will consider how well the Offeror’s proposal meets the needs of the Tribe as described in the Offeror’s response to each requirement listed in Section 3.6. In evaluating the proposals, the Tribe will use a criteria evaluation process. Evaluations will be based on criteria as outlined in Section 4.2. All proposals will be evaluated using the same criteria and weighting. Any proposal that does not contain each element described in this RFP, fully completed, initiated or executed, as appropriate, may be judged to be incomplete and may not be considered further.

#  Scoring and Evaluation Factors

The evaluation factors reflect a wide range of considerations. While cost is important, other factors are also significant. Consequently, the Tribe may select a contract other than the one providing the lowest cost solution. The objective is to choose the entity capable of providing reliable and effective services within a reasonable budget.

Evaluation will be based on the following criteria:

1. Responsiveness of the proposal in clearly stating an understanding of the work to be performed. (0-20)
2. Reasonableness of overall time estimates as well as the time estimates for each major section of the work to be performed. (0-20)
3. Qualifications of Offeror (0-15)
4. Size and structure of Offeror and ability to maintain continuity of work (0-5)
5. Experience of Offeror in conducting projects (0- 20)
6. Qualifications and experience of staff to be assigned. Education, position in the Offeror, and years and types of experience will be considered (0-10)
7. Cost (0-10)
8. Indian preference (0 –10)

 Maximum Points: (100 plus (0-10) for Indian Preference)

#  In-Person Discussion Sessions

One or more Offerors who have scored well on the evaluation may be invited by the Tribe, without cost to the Tribe, to a discussion with the Buena Vista Rancheria Tribal Council, the managers of relevant tribal programs, and others invited to the Session to provide the Offeror the opportunity to demonstrate its services, to discuss its approach/methodologies, implementation process, schedule, staffing and other applicable professional services. The Discussion Session will be informal, as the Tribe is not interested in a sales presentation by Offeror but rather an interactive discussion; it is important that those key personnel identified by the Offeror to be assigned to the project will fully participate in the presentation and discussion.

#  Final Selection

The Selection Committee will formulate their recommendation for award of the contract, which will be forwarded to the Buena Vista Rancheria Council for formal acceptance. Each Offeror submitting a response to this RFP will be notified in writing as to acceptance or rejection of their proposal. Release of notification letters shall be within thirty (30) days of the proposal submission date. Buena Vista Rancheria Tribe reserves the right to delay this action if it is deemed to the in the best interest of the Tribe.

#  Contract Award and Execution

The Tribe reserves the right to make an award without further discussion of the proposals submitted. Therefore, proposals should be initially submitted on the most favorable terms the Offeror can offer.

This should not be interpreted to prohibit either party from proposing additional contract terms and conditions during negotiations of the final document.

The RFP document and the successful Offeror’s proposal response, as amended by agreement between the Tribe and the Offeror, including e-mail or written correspondence relative to the RFP, may become part of the Contract between the Tribe and the successful Offeror. Additionally, the Buena Vista Rancheria Tribe may verify the Offeror’s representations appearing in the proposal. Failure of the Offeror to perform as represented may result in elimination of the Offeror from competition or in Contract cancellation or termination.

The apparent successful Offeror will be expected to enter into a contract with the Tribe. If a contract is not entered into within a reasonable time after selecting the proposal, the Tribe may elect to cancel the award or award the Contract to the next highest ranked Offeror. The Tribe shall not be bound or in any way obligated until both parties have executed a contract. No party may incur any chargeable costs prior to the execution of a final contract.

After opening and ranking, an award may be made on the basis of the proposals initially submitted, without discussion, clarification or modification, or, the Tribe may discuss with the selected Offeror offers for cost reduction and other elements of the Offeror’s proposal. If the Tribe determines that it is unable to reach a contract satisfactory to the Tribe with the selected Offeror, then the Tribe will terminate discussions with the selected Offeror and proceed to the next Offeror in order of selection ranking until a contract is reached or the Tribe has rejected all proposals. The Tribe will not disclose any information derived from the proposals submitted from competing offers in conducting such discussions.

The Tribe reserves the right to award a contract for all or any portion of the requirements proposed by reason of this request, award multiple Contracts, or to reject any and all proposals if deemed to be in the best interests of the Tribe and to re-solicit for proposals, or to reject any and all proposals if deemed to be in the best interests of the Tribe and to temporarily or permanently abandon the procurement.