



REQUEST FOR PROPOSAL (RFP)
FOR LEGAL SERVICES FOR
SANTA FE INDIAN SCHOOL BROADBAND
PROGRAM

Issued by Santa Fe Indian School
1501 Cerrillos Road
Santa Fe, NM 87505

INQUIRIES AND PROPOSALS SHOULD BE
DIRECTED TO:

Michael Manuelito, Co-Director SFIS Broadband
Office: 505-216-7365
Email: mkmanuelito@sfis.k12.nm.us

Due February 21, 2025, by 4pm
Late proposals will be rejected

I. GENERAL INFORMATION.

- A. **Purpose.** This request for proposal (RFP) is to contract for legal services to be provided to the **Santa Fe Indian School Broadband Projects.**
- B. **Who May Respond.** Attorneys currently licensed to practice law in **New Mexico**, or law firms including such attorneys, may respond to this RFP.
- C. **Instructions on Proposal Submission.**
1. **Closing Submission Date.** Proposals must be submitted no later than **4:00 pm on February 21, 2025**
 2. **Inquiries.** Inquiries concerning this RFP should be emailed to:

Michael Manuelito, Co-Director SFIS Broadband
Office: 505-216-7365
Email: mkmanuelito@sfis.k12.nm.us
 3. **Conditions of Proposal.** All costs incurred in the preparation of a proposal responding to this RFP will be the responsibility of the Proposer and will not be reimbursed by the Santa Fe Indian School (hereinafter referred to as SFIS).
 4. **Instructions to Prospective Contractors.** Your proposal should be addressed as follows:

Michael Manuelito, Co-Director SFIS Broadband
Office: 505-216-7365
Email: mkmanuelito@sfis.k12.nm.us

It is important that the proposal be submitted by email clearly marked in the subject line with the following information:

Request for Proposal
February XX, 2025
PROPOSAL for Legal Services for Santa Fe Indian School Broadband

Failure to do so may result in premature disclosure of your proposal. It is the responsibility of the Proposer to ensure that the proposal is received by SFIS, by the date, time and in the manner specified above. Later, unsealed proposals will not be considered.

5. **Right to Reject.** SFIS reserves the right to reject all proposals received in response to this RFP. A contract for the accepted proposal will be drafted based upon the factors described in this RFP.

6. **Notification of Award.** It is expected that a decision selecting the successful proposal will be made within four (4) weeks of the closing date. Upon conclusion of final negotiations regarding the successful proposal, all other Proposers will be informed, in writing, of the name of the successful Proposer. It is expected that the contract will be a three-year contract.

- D. **Description of Entity.** SFIS is a tribally controlled school established pursuant to the Tribally Controlled Schools Act (Public Law 100-297 as amended, 25 U.S.C. 2501 *et seq*) and is owned and operated by the Nineteen Pueblo Governors of New Mexico; SFIS is organized pursuant to the New Mexico Non-Profit Corporation Act. In 2000, Congress enacted the Santa Fe Indian School Act, (Public Law 106-568), which placed into federal trust status the SFIS campus for the benefit of the Nineteen Pueblos of New Mexico.

II. SCOPE OF SERVICES. The Proposer shall be readily available to perform the following legal services, as requested by the Project Director, Superintendent, and/or Board of Trustees:

- A. Review drafts of contracts and agreements with suggestions in draft language.
- B. Advise on legal issues related to tribal, federal/state offices, and all other businesses working with and/or contracted by SFIS.
- C. Advice on individual labor and employment matters as pertains to the SFIS Broadband Projects.
- D. Review, advise, and develop personnel, fiscal and other policies, as well as SFIS bylaws.
- E. Advise on Human Resources policies and/or procedures as it relates to SFIS Broadband projects.
- F. Advise on responses to subpoenas, court orders, and requests for information from third parties.
- G. Defend lawsuits, administrative claims, or other legal claims relating to SFIS Broadband projects.
- H. Conduct litigation as necessary.

Although it is preferable for an attorney or firm to submit a proposal covering all of the above areas, SFIS will consider proposals emphasizing expertise in subsets of these areas.

III. PROPOSAL CONTENTS. The Proposer, in its proposal, shall, as a minimum, include the following:

- A. **Legal Experience.** The Proposer should describe its experience related to the areas outlined in the *Scope of Services* section of the RFP. There is a particular interest in the following topic areas: tribal nations/entities; state agencies; federal agencies; government grants and contracts; and general business operations. Additionally, if applicable, provide a description of any experience advising organizations comparable to SFIS that offer similar programs and government-funded services.
- B. **Organization, Size, Structure, and Areas of Practice.** The Proposer should describe its organization in terms of the following:

- size
- structure,
- areas of practice
- office location(s)
- small or minority-owned business

Please include a copy of the Equal Opportunity/Affirmative Action Policy, if available.

C. Attorney Qualifications. The Proposer should separately attach a description of the qualifications of attorneys to be assigned to the representation. Descriptions should include:

1. Professional and educational background of each attorney.
2. Overall supervision to be exercised.
3. Prior experience of the individual attorneys with respect to the required experience listed above. Include resumes only of attorneys likely to be assigned to the representation. Education, position in firm, years and types of experience, and continuing professional education will be considered.

D. Price. The proposed price should include information on the hourly billing rates of each attorney or other legal staff who are expected to work on this representation and charges for expenses, if any, such as legal research, copies, faxes and electronic communication. Also include a retainer amount that would be charged to advise SFIS on routine matters that could be handled over the telephone or otherwise without extensive research or other legal work. SFIS reserves the right to negotiate with the Proposer on the structure of the billing and/or retainer fee.

IV. PROPOSAL EVALUATION.

A. Submission of Proposals. All proposals should include one PDF format with signatures approval of submission.

B. Evaluation Procedure and Criteria. SFIS's Broadband Co-Director and appropriate staff will review proposals and make recommendations to the Superintendent and Board of Trustees for final approval. The Broadband Co-Director, Superintendent, and/or Board of Trustees may request a meeting with some qualified Proposers prior to final selection. Proposals will be reviewed in accordance with the following criteria:

1. Proposed approach to scope of work.
2. Level of experience of the individual(s) identified to work on this matter.
3. The Proposer's experience with similar clients and legal matters.
4. Cost.
5. Interviews, if conducted.

C. Required Format for Proposals. All proposals must follow the required format. Failure to follow the required format may result in disqualification of a proposal:

1. Page Limit: 12, including cover page
2. Attorney Qualifications section should be attached and is not included in the page limit

3. Page Size: 8 ½ x 11; portrait
4. Font Size: 12
5. Font Type: Times New Roman
6. Double-spaced
7. Margins: 1" minimum on the top, bottom, and sides of all pages
8. All pages must be numbered; double-sided printing is acceptable
9. Do not use material in proposals dependent on color distinctions, animated electronics, etc.
10. Do not place proposals in notebooks or binders as all responses will be emailed.
11. Do not include attachments other than those requested or required by this RFP.

V. PROPOSAL TIMELINE.

During the period from your organization's receipt of this Request for Proposals and until a contract is awarded, your organization shall not contact any employee of SFIS for additional information except in writing directed to Michael Manuelito at mkmanuelito@sfis.k12.nm.us.

<u>Milestone</u>	<u>Date</u>
<u>Release RFP to Vendors</u>	<u>February 4, 2025</u>
<u>Vendor Questions (if any) Due</u>	<u>February 14, 2025</u>
<u>Answers to RFP Questions Released</u>	<u>February 17, 2025</u>
<u>Proposal Responses Due from Vendors</u>	<u>February 21, 2025</u>
<u>Finalists selected; invitations to demonstrate with scenarios to guide</u>	<u>February 27, 2025</u>
<u>Vendor Selection & Notification of Intent to Award</u>	<u>February 27, 2025</u>
<u>Contract Negotiations</u>	<u>February 28 – March 10, 2025</u>
<u>Final Acceptance</u>	<u>March 14, 2025</u>

VI. QUESTIONS.

Questions for the purpose of clarifying the RFP must be submitted **in writing by email** and must be received no later than **4:00 p.m. on February 14, 2025**.

Questions must be emailed to Michael Manuelito at mkmanuelito@sfis.k12.nm.us.

Questions and responses will be posted as an "Addendum to the PROPOSAL for Legal Services for Santa Fe Indian School Broadband" on the SFIS website at sfis.k12.nm.us by 4:00 p.m. on February 14, 2025

Please note that submissions of questions for responses do not in any way enhance or guarantee

the chances of receiving a contract through this proposal.

VII. GENERAL INFORMATION.

A. Contract Award

SFIS reserves the right to award the contract in a manner deemed to be in the best interests of SFIS Broadband.

B. Stability of Proposed Prices

Any price offerings from Proposers must be valid for a period of 30 days from the due date of the proposals.

C. Amendment or Cancellation of the RFP

SFIS reserves the right to cancel, amend, modify, or otherwise change this RFP at any time if it deems it to be in the best interests of SFIS.

D. Proposal Modifications

No additions or changes to any proposal will be allowed after the proposal's due date, unless such modification is specifically requested by SFIS. SFIS, at its option, may seek Proposer retraction and clarification of any discrepancy or contradiction found during its review of proposals.

E. Proposer Presentation of Supporting Evidence

Proposers must be prepared to provide any evidence of experience, performance, ability, and/or financial surety that SFIS deems necessary or appropriate to fully establish the performance capabilities represented in their proposals.

F. Proposer Demonstration of Proposed Services and/or Products

Proposers must be able to confirm their ability to provide all proposed services.

G. Erroneous Awards

SFIS reserves the right to correct inaccurate awards. This includes revoking the awarding of a contract to a Proposer and subsequently awarding the contract to a different Proposer. Such action shall not constitute a breach of contract on the part of SFIS because the contract with the initial Proposer will be deemed voided as if no contract were ever in place.

H. Ownership of Proposals

All proposals shall become the property of SFIS and will not be returned.

I. Ownership of Subsequent Products

Any product, whether acceptable or unacceptable, developed under a contract awarded as a result of this RFP shall be the sole property of SFIS unless otherwise stated in the contract.

J. Oral Agreement or Arrangements

Any alleged oral agreements or arrangements made by Proposers with SFIS will be disregarded in any proposal evaluation or associated award.

K. Not a Contract

This RFP is not a contract and, alone, shall not be interpreted as such. Rather, this RFP serves only as the instrument through which proposals are solicited. SFIS will pursue negotiations with the highest scoring proposal. If, for some reason, SFIS and the initial Proposer fail to reach consensus on the issues relative to a contract, then SFIS may commence contract negotiations with other Proposers. SFIS may decide at any time to start the RFP process again.

The selected Proposer will be required to sign a formal contract.

L. Subcontractors

SFIS must approve any and all subcontractors utilized by the successful Proposer prior to any such subcontractor commencing any work. Proposers acknowledge by submitting a proposal that any work provided under the contract is work conducted on behalf of SFIS and that the SFIS Co-Director or designee may communicate directly with any subcontractor as SFIS deems necessary or appropriate.

It is also understood that the successful Proposer shall be responsible for all payment of fees charged by the subcontractor(s). A performance evaluation of any subcontractor shall be provided promptly by the successful Proposer to SFIS upon request. The successful Proposer must provide the majority of services described in the specifications.

M. Contract Terms and Funding

The contract shall be effective on the date indicated on the contract. SFIS may extend the contract for additional time to complete the project if required.

VIII. PROPOSAL SELECTION AND AWARD

- A. Evaluation Committee
- B. Preliminary Evaluation
- C. Right to Reject Proposals
- D. Proposal Scoring
- E. Evaluation Criteria
- F. Interviews/Presentations, and/or Site Visits
- G. Final Evaluation
- H. Award and Final Offers
- I. Notification of Intent of Award
- J. Appeals Process
- K. Negotiate Contract Terms

IX. COST PROPOSAL

A. General Instructions (*All prices must be in U.S. Dollars*)

SFIS will score the cost proposals by prorating with the lowest cost proposal given the highest score. The formula is as follows:

Calculation of points awarded to subsequent proposals will use the lowest dollar proposal amount as a constant numerator and the dollar amount for the firm being scored as the denominator. This number is multiplied by the number of points given to the cost section of the RFP, resulting in the cost of proposal score.

Lowest Cost Proposed (Constant)

----- X Maximum Points Assigned to Cost = Your Score

Proposed Cost

B. Pricing

The awarded contractor must hold the accepted prices and/or costs for the entire contract period unless negotiated with a change and/or extension but not before any work is completed.