REQUEST FOR PROPOSALS

FOR

ENVIRONMENTAL SERVICES

FOR

TULE RIVER TRIBAL COUNCIL

PROPOSALS DUE: Friday June 4, 2010 by 5:00 pm

SUBMIT TO:

ATTN: Sam Cohen, Tribal Administrator
Tule River Tribal Council
PO Box 589
Porterville, Ca. 93258

NOTE: ONE (1) ORIGINAL AND THREE (3) COPIES OF THE PROPOSAL (NO FAXED OR EMAILED SUBMISSIONS) ARE DUE BY FRIDAY, JUNE 4, 2010 BY 5:00 PM

REQUEST FOR PROPOSAL

FOR

ENVIRONMENTAL SERVICES

The Tule River Tribal Council (TRTC) is seeking proposals from firms that are qualified to conduct and prepare an Environmental Assessment on tribally owned trust lands within the boundaries of the Tule River Indian Reservation, County of Tulare, California. The full Request for Proposals (RFP) is available by calling Sam Cohen, Tribal Administrator at 559.781.4271 or downloading the RFP at www.tulerivertribe-nsn.gov.

1. PURPOSE AND BACKGROUND:

The Tule River Tribe Council (TRTC) has recently been awarded American Recovery and Reinvestment Act (ARRA) funds through a Department of Justice (DOJ), Correctional Facilities on Tribal Lands Program grant for Category II, Construction of a Single Tribe or Multi Purpose Justice Center. Specifically, the proposed Justice Center will align with the other tribal and non-tribal social service, health, and legal entities to provide probation services, substance abuse and mental health screening, assessment and treatment services, employment assistance, family reunification, and referrals. The Tribe will coordinate inmate services with the California Department of Corrections and the Tulare County Sheriff's Department on issues including parole supervision, probation monitoring, court supervision, transportation, and case management.

An artist rendering of the proposed facility is attached as Exhibit A along with the proposed site as Exhibit B. The EA would be developed following the National Environmental Policy Act of 1969 (NEPA), to assist the U.S. Department of Justice (DOJ) to comply with 42 U.S.C. § 4371 et. seq., all applicable federal regulations and Office of Justice Programs, Program Guidance on Environmental Protection Requirements and Environmental Impact Review Procedures for the VOI/TIS Grant Program Interim Final Rule, copies of which are attached hereto as Exhibit C, to supply DOJ with all available, relevant information to perform an environmental review for the proposed property; and to carry out mitigating measures required by DOJ.

2. SCOPE OF SERVICES:

The consultant shall provide the following services to the TRTC:

- Provide a list of data needed to develop the EA.
- Meet with TRTC at their office. Existing information about the Project will be provided to the proposer in either hard copy or electronically during the meeting.
- Development of a memo summarizing the meeting. The memo shall also outline any additional data needed that was not provided during the meeting for development

of the EA for the Project. In addition a draft Table of Contents for the EA shall be provided at this time.

- Participate in conference calls with TRTC, Justice Solutions Group (JSG) and DOJ to confirm the outline of the EA and to discuss related questions.
- Development of an EA for the Project. The scope of the EA should include the following components:
    - Purpose and Need of the Project
    - Proposed Action and Alternatives
    - Affected Environment (at a minimum, for the Proposed Action and the No Action Alternative)
    - Mitigation Measures (if necessary)
    - Cultural Resources Survey and Biological Assessment
    - Compliance of Section 106 of the National Historic Preservation Act
    - Environmental Consequences (at a minimum, for the Proposed Action and the No Action Alternative)
    - Provide public Notice of Availability for Public Review and Comment and respond to all public and agency comments
    - List of Agencies Contacted
    - References
    - List of Preparers
    - Figures, Tables and Appendices

    The following assumptions should be made for the development of an EA for the Project:

    - The EA would be developed following the National Environmental Policy Act of 1969 (NEPA), to assist the U.S. Department of Justice (DOJ) to comply with 42 U.S.C. § 4371 et. seq., all applicable federal regulations and Office of Justice Programs, Program Guidance on Environmental Protection Requirements and Environmental Impact Review Procedures for the VOI/TIS Grant Program Interim Final Rule.
    - One Draft EA will be submitted electronically to TRTC for internal review and comment.
    - Five (5) hard copies (along with the electronic version) of the Final EA (along with all supporting documentation) will be submitted to TRTC within ten (10) business days of receipt of TRTC's comment on the Draft EA.

The final EA must be completed and received by TRTC within 125 days of the Project meeting.

3. PROPOSAL CONTENT:

The proposal itself shall be organized in the following format and information sequence:

- State full name and address of your organization.

- Provide a brief description of your firm, including qualifications, experience and ability to perform the scope of work in this RFP. Identify specific experience with NEPA related EAs for tribal projects in general and specifically for correctional and detention facilities with a working knowledge of DOJ requirements. Provide a list of municipalities and firms with which your firm has served as a consultant in a similar capacity to this engagement. Please include contact information and a brief summary of the work performed for three (3) projects.
- Provide a detailed scope of work for the engagement, including a listing of assumptions and deliverables for each task, estimated hours by task and schedule.
- Include names of lead professional personnel, titles and roles to be assigned to the project. Resumes of lead professionals documenting similar experience should be included in the proposal.
- Provide a proposed fee arrangement. Proposers should include an all-inclusive fixed fee. Additional fee arrangements may also be proposed.
- Include any topics not covered in the FRP which you wish to disclose to the TRTC which further describes your firm's level of qualifications.

Prior to opening of the proposals, a proposer may correct, modify or withdraw their proposal up until the date and time indicated for submittals on the cover of this RFP. A proposer who wishes to withdraw a proposal must make the request in writing to the agent indicated on the cover of this RFP. Any correction or modification to a proposal must be submitted electronically, clearly identifying itself as being a correction or modification to the proposer's proposal.

4. BASIS FOR THE AWARD:

A Selection Committee has been established in order to review and evaluate all proposals submitted in response to this Request for Proposal. The Committee shall conduct a preliminary evaluation of all proposals on the basis of the information provided with the proposal, the ability of the proposer to perform, past performance, ability to meet time requirements, principals assigned to the project and an understanding of the work to be performed and the needs of the Tribe.

Based upon the results of the preliminary evaluation, the highest related proposer(s) may be invited by the TRTC to make an oral presentation to the Selection committee. This Committee will then conduct a final evaluation of the Proposers. The Selection Committee shall then negotiate a proposed contract with the highest qualified Proposer. At the time the proposed contract is negotiated, the Proposer and the Selection Committee may negotiate any changes desired in the RFP if deemed in the best interest of the TRTC. If a satisfactory proposed contract cannot be negotiated with the highest qualified Proposer, negotiations will be terminated. Negotiations shall then be undertaken with the second most qualified Proposer and so on.

Each submission will be evaluated in accordance with the equally valued criteria set forth below:

Environmental Assessment Experience: 35 Points

- A listing of all similar projects listing the Project name, dollar value, company name and phone number, and year completed.

Proposed Management Fees and Services: 20 Points

- Describe the services provided during the environmental assessment phase and associated management fees structure. Provide additional information as necessary to describe your management approach to insure a successful project.

Project Performance: 15 Points

- Provide information on past projects and performance in meeting budgets and schedules while maintaining the quality of work. Describe your company's approach to Total Quality Management and Safety.

Project Team: 15 Points

- Demonstrate expertise and experience in working as a team with the proposed consultants and subcontractors. Include pertinent information on home and branch offices of environmental consulting services. Describe the history and philosophy of each firm. List which offices will handle this project. List, by name, those individuals in the organizations who would be assigned to work on this project in a project manager, or superintendent capacity. Provide an organizational chart to illustrate project organization and provide a resume of each person.

Indian Preference: 10 Points

- Document extent of Native American ownership and staff for prime firm and subs.

Experience with Native American tribes or organizations: 5 Points

- Describe experience working with tribes and /or Native American organizations and how Tule River would benefit from your firm being selected.

5. SUSPENSION AND DEBARRMENT

The Contractor certifies that it is not suspended or debarred under federal law and regulations or any other state's laws and regulations.

6. SUBMISSION OF PROPOSALS:

All proposals must be submitted to the address indicated on the cover of this RFP. Each submission must have a date and time stamp before the date and time stamped indicated on the cover of the RFP. Questions regarding this RFP must be addressed to the Sam Cohen, Tribal Administrator at (559) 781-4271.

RFP RESPONSES MUST BE SENT TO:

Sam Cohen, Tribal Administrator
Tule River Tribal Council
PO Box 589
Porterville, Ca. 93258

7. AWARD:

The TRTC reserves the right to accept or reject any proposal or to hold the proposals for ninety (90) days before rendering a decision. Acceptance of any firm's response does not place the TRTC under any obligation to accept the lowest priced response.

8. INSURANCE:

Insurance Requirements for RFP
Environmental Services

The Vendor shall maintain throughout the entire term of its agreement with the TRTC the following insurance coverages:

1. *Comprehensive General Liability* insurance, which provides coverage for operations liability and personal injury and advertising liability:

    - Must be written on an occurrence basis;
    - The Tule River Tribal Council and their employees, agents and officers designated as additional insureds;
    - Completed operations and products liability insurance must be maintained for a period of not less than three (3) years following completion of the contract;
    - Contractual liability must insure any indemnities contained in the contract.
    - Limits of liability not less than $1 million combined single limit occurrence for bodily injury and property damage and $2 million in the aggregate.
2. *Comprehensive automobile liability*, which provides coverage for liabilities arising out the ownership, operation and maintenance of motor vehicles.

- The Tule River Tribal Council and their employees, agents and officers to be designated as additional insureds;
- Coverage shall apply to all owned non-owned and leased (rental) vehicles;
- Limits of liability not less than $1 million combined single limit per occurrence for bodily injury and property damage and $2 million in the aggregate.

3. *Worker's Compensation coverage*, which complies with statutes and regulations of the State of California and the Tule River Tribal Council.
4. *Employer's liability insurance*, with minimum limits of liability of $100,000 each accident, $100,000 disease, each employee and $100,000 disease policy limit.
5. *Professional liability insurance*, which covers the services of the Vendor as defined in the Contract. Minimum limit of liability is $2,000,000.

Additional Requirements:

- Any insurance underwritten on a claims made as opposed to an occurrence basis shall contain retro-active date of the date the contract is executed or commencement of services, whichever is earlier and an extended reporting period of not less than three (3) years following termination of the contract or completion of the services provided hereunder whichever is later.
- All insurance required hereunder shall contain thirty days (30) prior written notice to the Risk Manager of Tule River Tribal Council in the event of cancellation, termination or material change in any terms and conditions of the insurance required hereunder.
- The Vendor agrees to waive any claim, right of claim against the Tule River Tribal Council, which is or may insured under any of the insurance policies required hereunder. All insurance required hereunder shall contain waivers of subrogation in favor of the TRTC, and their employees, agents and officers and shall be primary without any right of contribution from any insurance maintained by or on behalf of the TRTC.
- The Vendor shall provide certificates of insurance, which evidence the insurance required hereunder.