

QUESTION & ANSWER TO SOLICITATION A12PS01498

- **Who is the incumbent provider for this requirement? Please provide the vendor(s) and corresponding contract number(s).**

There is no incumbent.

- **How many awards are anticipated to be made for this effort?**

There are 10 contracts that are anticipated to be awarded. One contract for each district (9) and one contract for the CFR Courts (1).

- **In the RFP on page five (5), it states that the price proposal is to be submitted as a Firm Fixed Price proposal exclusive of travel; however, on page sixteen (16) of the RFP it states that travel will be utilized in the overall pricing. Is the price proposal to include travel costs?**

The contracts will be firm fixed price. The travel will be in accordance with the (FTR) Federal Travel Regulations. Travel is estimated as a not-to-exceed amount per district, please see the chart below.

- **On page six (6) of the RFP, it states that the contractor is expected to complete six (6) court reviews within the district per performance period. Does the Government select the six (6) courts within the district to be reviewed?**

Under 25 U.S.C. 3602 et seq, the Office of Tribal Justice Support (TJS) is to conduct tribal court surveys (reviews) on an annual bases. Moreover, TJS presently has a substantial number of Tribal governments requesting tribal court reviews or surveys. The government will honor the tribal government's request for a tribal court review first, and then if necessary make a determination of the remainder of the tribal courts who have not had a review. TJS will assign reviews as deemed appropriate for each specific district.

- **On page seven (7) of the RFP, it states that the contractor should be available for an in-service training with TJS. If there is any travel expenses involved for the contractor to attend the in-service training, will the Government pay for the travel expenses? Will the Government pay for the contractor's time to attend the meeting? Should this time and travel be incorporated into the proposed budget?**

Contractor shall not propose travel. The travel will be in accordance with the (FTR) Federal Travel Regulations, which includes Per Diem rates. Travel is estimated as a not-to-exceed amount per district, please see the chart below. The in-service training is expected to be located in the middle of the country and at a location which is accessible for the contractors to attend. We understand that it will not be most convenient for all, but we will try to make it as convenient as possible. The in-service training is accepted as billable hours.

- **Does the Proposer include a proposed budget for three (3) Corrective Action Plans even though it is the Government that decides whether or not a Corrective Action Plan will be issued?**

Yes and the travel will be in accordance with the (FTR) Federal Travel Regulations. Please see revised pricing sheet.

- **Does the contractor make a presentation of the Court Review and the Corrective Action Plan, if applicable, to the Government prior to making the presentation to the Tribe?**

Yes, presentation of the corrective action plan is to the government first.

- **In Attachment 1 – Price Breakdown Sheet of the RFP, is number eight (8) Lead Project Manager under Deliverables a typo?**

Yes. There shall be only one “lead project manager” who shall be the primary point of contact on the contract and the other/additional staff, if necessary, shall be the “assistants” or the secondary personnel proposed.

- **Please clarify whether it is a mandatory requirement or a preference that the contractor reside in the proposed district. There appear to be conflicting statements in the RFP. The statement on p.7 using the mandatory "shall" - "The contractor shall reside within the proposed district”**

On Attachment 1- Price Breakdown Sheet - it states the contractor must submit a separate price breakdown sheet if interested in more than one area which implies the contractor can apply for a district he does not reside in.

The mission of this exercise is to have the tribal court reviewed by entities that understand with some specificity the needs of the tribal courts within the region. However, in the event an entity includes a consortium with individuals residing in more than one district, that should be noted and a separate price breakdown sheet should be included. Consideration will be given to the contractor located in the respected district proposed.

- **Regarding the Price Breakdown Sheet: what is the DOI's or TJS' policy on personal service payments for travel days? I wasn't able to find this information in any of the Federal Acquisition Circulars.**

Contractor shall not propose travel. The travel will be in accordance with the (FTR) Federal Travel Regulations, which includes Per Diem rates. Travel is estimated as a not-to-exceed amount per district, please see the chart below.

- **Page 3, Personnel Qualifications, b. – Would the BIA consider a lead project manager/director with a J.D. degree who is not currently a member of the bar but has extensive experience in tribal courts?**

The BIA will consider all the information in the proposals and make a determination based on the all the requirements set forth in the solicitation.

- **Page 7, Scope of Work, Phase I – Would the BIA prefer electronic version of the review? Is a hard copy required? If so, how many copies should be printed and what type of binding should be used? (comb, stitch, etc.) Should they be black and white or color copies?**

The BIA would prefer an electronic version of the review packet, with attachments. The contractor should produce one (1) color hard copy to be reviewed by the BIA.

- **Page 7, Scope of Work, Phase II-How detailed of a follow-up plan is required? How many pages? Is this to be provided in hard copy and if so how many copies should be printed and what type of binding should be used? (comb, stitch, etc.) Should they be black and white or color copies? Can this be in an electronic format?**

The follow-up plan should be as detailed as necessary to provide the tribe with the information on improving the tribal court. Electronic version is preferred.

- **Page 7, Scope of Work, Phase III-Is the BIA interested in information regarding training and technical assistance that the contractor is prepared to deliver?**

Yes, as well as other training and technical assistance that the contractor is aware of and which is specific to the needs outlined in the review and follow-up document.

- **Phase III-Would the BIA prefer electronic version of the in-depth report? Is a hard copy required? If so, how many copies should be printed and what type of binding should be used? (comb, stitch, etc.) Should they be black and white or color copies?**

The contractor should produce one (1) color hard copy to be reviewed by the BIA and an electronic version of the report, with attachments. TJS will send out copies to the tribes.

- **Page 8, It states the contractor is expected to complete a minimum of 6 court reviews during the period of performance. Nearly all of the districts have many more than 12 tribal courts-- assuming that 6 would be completed in the base year and 6 in the option year. Is it expected that the Contractor selected for the larger districts will not complete reviews of all of the tribal courts in that district within the two years?**

The contract will include option years, which will be exercised at the Government's discretion.

- **Page 10, Phase I - Performance Area, indicates the reviewers are to spend time with the community and solicit comments from stakeholders and a report of their findings. Does the BIA anticipate that these would be in the form of larger listening sessions or smaller focus group settings?**

The BIA will leave this decision up to the vendor and will make a determination as to whether the information from the stakeholders should be revisited after the first review from that particular contractor. Prior to any listening session or focus group, the contractor will seek guidance from TJS COTR/Staff.

- **For budgeting purposes, will the stakeholder meetings be at tribal facilities or will the Contractor need to rent space and a/v for the meetings?**

These reviews are done on a case by case decision. TJS will work with the tribe to set up meeting locations. These meeting locations are typically held in the tribal courtrooms.

- **Page 11, Stage Two: Corrective Action Plan** it states that the contractor will provide the information to the tribe in a manner that the tribe chooses including teleconferencing/videoconferencing. For budgeting purposes, does the Contractor budget for these costs or will the tribe provide this technology? If the Contractor is to budget for these costs how many lines need to be available and how many minutes should the call last?

These are discussions which are naturally for the contractor and the tribe. However, the contractor is ultimately responsible for completing the review. Each review is different and the contractor will have to discuss these issues with the tribe. The location may be held at a local SAC's office or a regional office near the contractor.

- **Page 12, Deliverable 3 Tribal Court Review Presentations**, for budgeting purposes will the presentations be held in tribal facilities or will the Contractor need to rent space and a/v for the meetings?

Presentations shall be presented at the tribal location or at the tribal complex.

- **Page 18, Price Breakdown-What is the estimated LOE for each of the personnel in section 9?**

The (LOE) level of effort is estimated at 800 hours for each personnel proposed. See amended pricing sheet below.

- **Page 18, Price Breakdown-Is there an overall cost estimate for this contract?**

This contract will be firm fixed price. The Government has an Independent Estimate which is used for internal use only. An overall estimated cost will not be disclosed to the any interested party.

- **Page 18, Price Breakdown-Are there ODC costs that the BIA will not approve?**

The government will only accept costs that are directly associated with the scope of work required. The ODC's must be itemized on pricing proposal.

- **If the Contractor is considering bidding on more than one District, is it acceptable to present 1 technical response with separate Price Breakdown Sheets per District?**

Yes, that is acceptable. Please see chart below.

- **The RFP seems to indicate that we must submit resumes for and identify all personnel involved. If we do not have someone identified, can we instead submit the qualifications we are seeking in a project manager and how we would find that person?**

Proposed personnel must be identified by the RFP date as an evaluation criterion for this requirement.

- **We anticipate proposing contracting with various professionals to perform the reviews, depending on the tribal court and its needs. In completing the Price Breakdown Sheet, should we list the contracts with the review team members under "Other Direct Costs", or wrap it into the price of the deliverable?**

All staff should be under personnel, on the price breakdown sheet. Proposed staff shall not be included under ODC's.

- **Do you have any more guidance on completing the price breakdown sheet, or a sample that we could look at? This format is new to us, and we want to make sure we are giving you the information you need in the right format.**

There is no sample for the price breakdown sheet. If you have any additional questions about the pricing sheet, please contact the CO, Quiana.Galloway@bia.gov.