



**Bureau of Indian Affairs
Office of Tribal Justice Support
Request for Proposal (RFP) A12PS01498
Tribal Court and CFR Court Reviews**

**Attachment 5
Technical Evaluation Criteria**

EVALUATION FACTORS FOR AWARD

TECHNICAL EVALUATION CRITERIA:

Proposals will be evaluated based on the information presented in the written proposals, and as discussed under the Past Performance criterion. Such information will demonstrate to the evaluators the offerors' qualifications and scored as follows:

Value Descriptive Statement	
Outstanding	The response to the factor is superior in most features.
Excellent	The response to the factor is good with some superior features. Information provided is generally clear, and the demonstrated ability to accomplish the technical requirements is acceptable with the possibility of more than adequate performance.
Acceptable	The response to the factor is adequate. Overall, it meets the specifications and requirements, such that the technical evaluation team believes that the offeror could perform to meet the Government's minimum requirements.
Unsatisfactory	(1) The factor is addressed, but contains deficiencies and/or weaknesses that can be corrected only by major or significant changes to relevant portions of the proposal, or the factor is addressed so minimally or vaguely that there are widespread information gaps. In addition, because of the deficiencies, weaknesses, and/or information gaps, serious concerns exist on the part of the technical evaluation team about the offeror's ability to perform the required work; or (2) The factor is not addressed, or is totally deficient and without merit.

All evaluation factors other than price, when combined are significantly more important than price. The government may award this contract based upon initial proposals received without discussions; therefore, the proposer is advised to submit their best approach.

The evaluation criteria listed below are presented in descending order of importance:

- a. Personnel Qualifications & Experience
- b. Understanding the Requirements & Technical Approach
- c. Past Performance

Offerors will be primarily evaluated on their written proposal and will be carefully evaluated for quality, clarity, and consistency. The written materials should contain at least the following: proposal overview, technical understanding, management approach, and at least three examples of a past, relevant work product. The written proposal must demonstrate the offeror's technical knowledge, understanding, management approach, and ability to meet all requirements within the Statement of Work (SOW).

PERSONNEL QUALIFICATIONS & EXPERIENCE

The personnel proposed shall have knowledge and experience in the subject areas addressed in the SOW. The proposer shall submit resumes of the proposed personnel as a part of their proposal submission. Specifically, the proposed personnel should have the following:

- a. Contractor must possess a J.D. degree from an accredited university;
- b. Be an active member of the bar (any state jurisdiction);
- c. Significant experience as a tribal judge, tribal administrator, prosecutor, civil attorney or public defender, and have worked extensively in the court system within the last 5 years;
- d. Significant experience in working with tribal governments and ability to provide constructive criticism to tribal courts and tribal governments regarding difficult situations which arise in the tribal court arena;
- e. Experience in conducting trial court reviews or trial court evaluations within the last 5 years;
- f. Contractor will be expected to compose a team of court personnel to conduct the Trial Court Performance Standards and Measurement System (TCPS).
- g. Contractor's team must have significant tribal court experience and should include either a former or present tribal judge, either a prosecutor or public defender or civil attorney who has worked in tribal courts, either a present or former court administrator, social worker, tribal probation officer, and any other individual the Contractor believes would be capable of performing a court review based on the Trial Court Performance Standards and Measurement System (TCPS).

UNDERSTANDING OF THE REQUIREMENTS AND TECHNICAL APPROACH

The proposer shall demonstrate a clear understanding of the SOW objectives and scope; present a logical, rational, and complete approach for accomplishing the work outlined in the SOW. The proposer's presentation illustrates a proposal that is reasonable, responsive, and addresses all aspects of the technical requirements. Simple statements of compliance (i.e., "understood", "will comply") without a detailed description of how compliance will be achieved will not be considered sufficient evidence that the proposed services can technically meet the requirements of this SOW.

- a. Familiar with the particular tribal courts in the District for which the application has been made.
- b. Must be accessible to tribal courts and the tribal codes within the District for which the application has been made.
- c. Contractor and team shall have an understanding of the challenges tribal courts face in the budget arena.
- d. Contractor and team shall have an understanding of the challenges tribal courts often face on the due process and separation of powers issues.
- e. Ability to properly present an unmet needs section with the tribal court review, which focuses on types of cases, including civil, criminal and juvenile cases, plea bargaining and tribal court mediation, drug courts, family courts and way in which a court might provide alternative sentencing which includes mental health options.
- f. Contractor and team shall have proficiency in understanding how to properly provide productive feedback to tribes and tribal courts regarding the functions of the tribal court.
- g. Ability to provide proper guidance to court clerks, regarding all the important duties a court clerk provides.
- h. Contractor must possess exceptional writing skills

PAST PERFORMANCE

Offerors' past performance will be evaluated based on the information obtained by contacting the Offerors' supplied references and/or on other information obtained by the Government from other sources. Offerors will be evaluated on previous customer satisfaction in areas including quality of performance, technical knowledge, timeliness of performance, cost control, management approach, key personnel availability and participation in completing work, and overall satisfaction. Additionally, the Offerors will be evaluated on the relevance of their previous experience to the task areas of the SOW programs it supports.

- a. A list of three (3) completed or active contracts for related or similar services. The Government will evaluate past performance on contracts that are similar in nature to the requirements of this RFP. Contracts listed shall include those entered into with the Federal Government, agencies of state and local Governments or commercial customers.

Offerors with no past performance history, whose past performance history is clearly not relevant, or for whom past performance data is not available, will not be evaluated favorably or unfavorably on past performance for those reasons. Every attempt will be made to ascertain meaningful past performance information on which the offeror's prior performance can be evaluated.

(End)