

REQUEST FOR PROPOSAL
BID NO: 14-10-1296LE

The Navajo Nation Purchasing Services Department is soliciting for sealed proposals and bids to conduct a **Comprehensive Classification and Wage Scale Study for the Navajo Nation Judicial Branch**.

To obtain RFP package go to:

- Website: www.navajocourts.org OR
- Website: <http://www.nnooc.org/RFPs-Advertisements.html>
- Closing Date: November 21, 2014 @ 4:00 p.m (MST).

Run Date: November 1, 5, 8 & 12, 2014.

Published in Albuquerque Journal and Arizona Republic.

Judicial Branch of the Navajo Nation

Administrative Office of the Courts

P.O. Box 520 ♦ Window Rock, Arizona 86515
Telephone 928-871-6762 ♦ Fax 928-871-6761



Request for Proposals Comprehensive Classification and Wage Scale Study RFP No. 14-10-1296LE

Background Information.

The Navajo Nation Judicial Branch (“NNJB”) is issuing this Request for Proposals (“RFP”) to solicit responses from the most qualified individual or company that is a well-established and highly-qualified Human Resources Consultant to produce and supply to the NNJB in a timely manner:

- A comprehensive evaluation of the NNJB’s employee wage scale for multiple key classifications of position by comparison with similar tribal, federal, state and other employers throughout the region based on relevant standards of comparison;
- A report detailing the key findings of the evaluation containing an implementation plan for updating employee compensation;
- A standardized procedure that the NNJB can use to determine employee eligibility for wage/salary step increases, emphasizing career development, training, years of service, standard competencies and the employee’s value to the NNJB; and
- Recommendations based on evaluation of classified and unclassified positions to determine which ones, if any, should be classified, updated and reclassified or eliminated.

The NNJB requires the specialized services of an HR Consultant whose practice focuses primarily on the discipline of HR classification and compensation.

Mission: The NNJB Human Resource Department is required to ensure the fair and consistent application of policies and procedures, to provide employee services in hiring, compensation and benefits; to support employment services for current, former and potential employees; to provide a full array of opportunities for persons to obtain meaningful employment, career development and training; and, to ensure the protection of information through privacy and confidentiality standards.

- **History.** In 1959, the Navajo Nation Council eliminated the Courts of Indian Offenses and in its place created its own Navajo Nation courts. These courts assumed responsibility for criminal and civil matters within the Navajo Nation territorial jurisdiction. Today, the NNJB is comprised of eleven (11) judicial districts, one (1) circuit court, the supreme court, peacemaking, probation & parole services and the administrative office of the courts.
- **Operations and Needs.** The NNJB workforce and employment base has been expanded and diversified in response to several economic, social, funding and reorganization initiatives, adopted customized wage scales, legislative direction, and changes in the current and potential workforce profiles and qualifications.

The NNJB is obligated to become more responsive to the competitive nature of employers in seeking out, hiring and retaining good employees. The NNJB's Pay Scale has not been updated for several years and does not represent a fair market wage for most classified positions and needs to position the NNJB as an employer to compete for resources and provide internal equity that represents "equal pay for equal work", injects fairness into the Pay Schedule and creates a standardized factor evaluation that can adjust to fit organizational requirements. As the NNJB operations have expanded, "new" positions have been created which do not fit within the current employee classification system used by the NNJB's HR Department and we need measures established for which we have no market data.

Accordingly, the NNJB requires recommendations for position descriptions and classification standards for those positions. The NNJB seeks an HR Consultant that possesses specialized expertise in compensation analysis to provide a comprehensive employee wage scale survey, compensation evaluation and report.

The NNJB operates a sophisticated court system with an average workforce of 250+ full time, part time, temporary and trainee positions. The workforce is paid primarily through Navajo Nation general funds. There are external funding sources such as PL 93-638 and external grants that also fund several positions. There are over twenty-nine (29) business units that represent the following classification of positions: court administrator, court clerk, bailiff, probation officer, traditional program specialist, office technician, custodian, financial technician, automation/information services, computer operation, construction manager, financial manager, secretary, grant administrator, government relations officer, budget analyst, teen coordinator, law clerk, program coordinator, HR specialist, bi-cultural manager, care coordinator, community development specialist, and directors. Not included in this study will be the following positions: justices, judges and staff attorneys.

1.0 Technical Requirements.

The Consultant must accomplish the following tasks and provide the following deliverables in a timely manner:

1.1 Compensation Evaluation and Report.

- Conduct a comprehensive evaluation of all positions with the NNJB by comparing the wages and salaries to those of similar Federal, State, Tribal and other employers and entities throughout the region based on considerations of geographical differentials, industry differentials, organization size, total compensation strategy, non-union comparison. Include a determination of internal Equity for position comparisons, fairness into the wage scale, equal pay for equal work, factors that can be adjusted to fit the NNJB's requirements, measures of relative worth within the NNJB and establish a corresponding wage/salary scale for each position.
- Conduct a desk audit. The desk audit will be the method used for obtaining information about a position. It will involve interviews held by the Consultant and Human Resources (HR) Director with the employee and the supervisor. A position desk audit will focus solely on the current work assigned and does not address hypothetical or projected duties. Positions are classified based on major regular and recurring duties. Minor or temporary duties do not affect the position's classification. Additionally, volume of work is not grade controlling but rather a position management consideration. Finally, a classification determination should not address concerns regarding an individual employee's qualifications, promotion, or work performance.
- Review background materials including organizational charts, budgets, existing wage and salary surveys and classification plan, grant and contract requirements and personnel rules and regulations. Conduct interviews with a representative sample of employees in all position classes, including the use of questionnaires and other effective methods of defining and contacting targets, and evaluating the market data.

- Analyze NNJB operations and determine the adequacy of current pay policy, organizational charts and position classifications in relation to Tribal, Federal and State contract personnel pay requirements. Make recommendations to accommodate pay strategies to maintain compliance.
- Recommend a schedule for wage and salary increases and other adjustments to the NNJB wage scale and compensation plan in order to maintain competitiveness.
- Perform an evaluation of all positions to determine their status as exempt or non-exempt under the Fair Labor Standards Act.
- Coordinate and schedule regular meetings with NNJB Director of Special Project and Human Resources and key Tribal management to provide project updates and discuss specific study methods, major findings, and plan implementation.
- Prepare and submit to the NNJB a report detailing major findings of the evaluation containing an implementation plan for updating employee compensation.

1.2 Develop Procedure to Determine Eligibility for Wage/Salary Increases.

- Work with identified HR and management staff to develop a standardized procedure to determine employee eligibility for wage/salary step increases, emphasizing career development, training, years of service, and the employee's value to the NNJB.

1.3 Position Descriptions and Classification Standards for Currently Unclassified or Misclassified Positions.

- Identify and recommend classification standards and pay for currently unclassified or misclassified positions and/or those that can be eliminated from the classification plan.
- Evaluate identified and currently classified positions to determine whether those positions should be updated and reclassified with updated position descriptions. This step should be completed before the Compensation Evaluation and Report referenced above in Section 2.1.

2.0 Project Management Plan.

Proposals must present the Consultant's expertise, technology, methodology, and approach and demonstrate their ability to control and integrate the proposed plan. Promotional literature and other public relations documents must not be included. The Consultant must demonstrate an ability to communicate effectively with adverse work force, including top-level management.

2.1 Implementation/Scope. Proposals must include a plan for implementing the project described in this RFP. The plan must be comprehensive enough in scope and detail to convey the ability of the Consultant to manage this project. The plan must detail project tasks, staffing levels, and product delivery dates. Consultants must describe the proposed project management structure and identify key personnel to be assigned to the project to satisfy the requirements of this RFP. Resumes/curriculum vitae for all key personnel must also be included in this section.

2.2 Project Management Plan Evaluation. The NNJB believes that effective management is an important component of successful project implementation. Proposals will be evaluated in light of completeness and responsiveness of your project management plan to the requirements identified above. As part of the project management plan, the Consultant should demonstrate experience evaluating and building compensation programs, writing position description and classification standards, and conducting wage scale surveys for entities similar to the NNJB and include references related to those experiences. Experience building compensation programs for tribal entities will also be considered in the evaluation process.

- **RFP Schedule.**

RFP Released: October 29, 2014
Published: November 1, 5, 8 and 12, 2014
Proposals Due: November 21, 2014
Evaluations Complete: December 3, 2014
Award Notice: December 5, 2014

Contractors accept all risk of late delivery of mailed proposal regardless of fault.

- **Executive Summary.** The Consultant must provide an executive summary to familiarize the NNJB with the key elements and unique features of their proposal briefly describing how they intend to accomplish their work. The summary must be written with the executive in mind and should not be overly technical, but rather concentrate on the business reasons for selecting your proposal.
- **Contact Information.** Please use the following names and contacts to communicate with the NNJB concerning this RFP. Consultants who solicit information about this RFP either directly or indirectly from other sources will be disqualified.
- **Submission of Proposals.** Proposals are due by November 21, 2014 at 4:00 p.m. Additional proposal materials should be packaged separately, but should be sent with the proposal itself. One original and three copies must be submitted. All correspondence and Proposals should be marked as follows, **NNJB Comprehensive Classification and Wage Scale Study, RFP No. 14-11-1296LE** .

Mail to: Navajo Nation Purchasing Department

ATTN: Lorita Etsitty, Buyer
P. O. Box 3150
Window Rock, AZ 86515
(928) 871-6317

OR

Deliver to: Navajo Nation Purchasing Department

ATTN: Lorita Etsitty, Buyer
Purchasing Services c/o Education Center
Morgan Boulevard
Window Rock, AZ 86515
(928) 871-6317

- **Organization and Content.** All proposals shall be typewritten on standard 8 1/2" X 11" paper and bounded.
 1. Four (4) original copies of the proposal shall be submitted in flat bound form to facilitate filing.
 2. Appearance of proposal, including methodical and logical organization, is important and professionalism in proposal presentation should not be neglected.
 3. Letter of Interest - Proposal shall have a Letter of Interest stating the firm's interest in delivering the product and services as specified in RFP# 14-11-1296LE. The letter of Interest shall have an original signature of individual(s) responding to this RFP.
 4. Contact Information - Proposal shall provide the following contact information:
 - a. Person or firm responding to RFP# 14-11-1296LE;
 - b. Name, title, and contact number(s) of person(s) authorized to provide clarification on submitted proposal and negotiate on behalf of the firm regarding proposal and relative documents.

5. Statement of Qualification - Proposal shall have a Statement of Qualification which will address the following:
 - a. The firm's ability to provide services.
 - b. Previous experience and past performance providing similar services; including references (contact information) of previous clients served within the last three (3) years; and
 - c. Information of the firm's prior experience working with Native American tribes, especially the Navajo Nation.

- **Questions.** Contractors must submit questions, if any, in writing by mail, email or fax to the person listed below. Questions Specific to the RFP Tasks and Deliverables may be directed to:

Rosita Kelly, Director
Judicial Branch - Human Resources Office
PO Box 520
Window Rock, Arizona 86515
Office: 928-871-7023
Fax: 928-871-6862
Email: rkelly@navajo-nsn.gov

3.0 RESPONSE AND CONTRACT INFORMATION

3.1 No Press Release or Public Disclosure. Consultants must not release information about this RFP. The successful Consultant must not issue a press release regarding this RFP unless reviewed and expressly authorized by the NNJB in writing.

3.2 Award Notification. After a final selection is made, the successful Consultant will be invited to negotiate a contract with the NNJB; remaining Consultants will be notified of their selection status.

3.3 Ownership of Materials. All materials submitted in response to this RFP become the property of the NNJB. Proposals and supporting materials will not be returned to suppliers.

3.4 Rejection of Proposals. The NNJB reserves the right to reject any and all proposals. One copy of each proposal will be kept on file for sixty days following the proposal response deadline unless otherwise agreed to in writing by both parties. The proposal will become part of the Contract negotiated between the NNJB and the successful Contractor; all other copies will be destroyed, along with collateral materials sent with the proposal, upon completion of the selection and contract process.

3.5 Proposal Costs. The NNJB is not responsible for any costs incurred by the Consultant in preparing the proposal, including visits to any sites. Costs must include all direct and indirect costs. Expenses must include as applicable any and all travel, overhead, materials and supplies, telephone, computer, facsimile machine, office equipment, personnel costs (salary & fringe benefits), licensure, fees, training expenses and materials, sub-contracts (if applicable) and any other costs the contractor will incur for this contract

3.6 Errors in Proposal. The NNJB is not liable for errors in Consultant proposals. A Consultant may correct an error in his or her proposal with the NNJB's approval. Changes after the submission date may be made only to correct an error in an existing part of the proposal. New materials will not be considered and must not be submitted. No oral, telephonic, or faxed modifications or corrections will be accepted.

3.7 Indian Preference in Contracting. Pursuant to applicable Navajo Nation Law, the NNJB is required to give preference to qualified Navajo or other Indian business enterprises when awarding contracts. Navajo preference applies in the award of the contract and the work to be performed under the contract.

3.8 RFP Amendments. The NNJB 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 NNJB reserves the right to change the RFP schedule or issue amendments to the RFP at any time. The NNJB also reserves the right to cancel or reissue the RFP. All such addenda will become part of the RFP. It is the Contractor’s responsibility to check the NNJB’s website (www.navajocourts.org) for the issuance of any amendments prior to submitting a proposal response.

3.9 Proposal Signatures and Contact Information. An authorized representative must sign proposals, with the Contractor’s physical and mailing address and telephone information provided.

3.10 Insurance Requirements and Hold Harmless. The NNJB will require the selected Contractor to comply with the requirements for worker’s compensation coverage or liability coverage. Questions regarding insurance requirements can be discussed with the Navajo Nation Office of Risk Management at (928) 871-6335. The Contractor shall hold harmless, defend, and indemnify the NNJB and the NNJB agents and employees against any liability that may be imposed upon them by reason of the Contractor’s failure to provide workers’ compensation or liability coverage.

3.11 Compliance with Federal and Tribal Laws. The contractor, in the performance of the Contract, agrees to follow all required Tribal, State and Federal Laws.

3.12 Debarment and Suspension. Selected consultant must sign a Navajo Nation Certification Regarding Debarment and Suspension.

4.0 Final Selection and Award.

4.1 Scoring and Evaluation Factors Evaluation will be based on the following criteria:

Firm’s (and sub-consultant’s if applicable) qualifications and experience to perform, report and deliver the products identified in 1.0 then again in 2.0 of this RFP.	35
Qualifications and relevant experience of firm’s personnel (and sub-consultant’s personnel if applicable) likely to be assigned for any particular work assignment created by this RFP	25
Cost and rates: for all expenses related to this RFP	20
Schedule for milestones and completion	10
Navajo Preference	10

4.2 Contract Award and Execution. The NNJB reserves the right to make an award without further discussion of the proposal submitted. The foregoing should not be interpreted to prohibit either party from proposing additional Contract terms and conditions during negotiations of the final document.

4.3 Contract with NNJB. The Contractor selected, as the apparent successful Contractor will be expected to enter into a Contract with the NNJB. The NNJB 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. The NNJB may not disclose any information derived from the proposals submitted from competing offers in conducting such discussions. The NNJB 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 NNJB and to re-solicit for proposals, or to reject any and all proposals if deemed to be in the best interests of the NNJB and to temporarily or permanently abandon the procurement.