



REQUEST FOR PROPOSALS

PROFESSIONAL SERVICES TO DEVELOP
AN INDIAN COUNTRY OPPORTUNITY ZONE
TECHNICAL ASSISTANCE PROGRAM AND
QUALIFIED OPPORTUNITY ZONE FUND

Total Budget: \$67,000

Projected Start Date: October 28, 2019

Projected End Date: April 30, 2020

~~RFQ Due Date: October 14, 2019 at 4:00 MDT~~

**Revised Due Date: Friday, October 18, 2019 at
4:00 MDT**

Leonard Smith, Executive Director

lsmith@nadc-nabn.org

Sue Taylor, Development Director

staylor@nadc-nabn.org

Native American Development Corporation

17 North 26th Street

Billings, Montana 59101

406-259-3804

REQUEST FOR QUALIFICATIONS (RFQ)

SECTION 1 – GENERAL INFORMATION

1.1 Purpose

Native American Development Corporation (NADC) is soliciting proposals from a team of one or more qualified Consultants to provide professional services related to the development of an Opportunity Zone Technical Assistance Program and Qualified Opportunity Zone Fund for Indian Country.

1.2 General Submission Information

NADC intends to award a single contract for professional services in an amount not to exceed \$67,000, including travel. Qualified individuals or firms must have the knowledge and capacity to deliver the Scope of Work in its entirety.

1.3 Questions

Written questions regarding this proposal shall be submitted to:

Sue Taylor, Development Director
staylor@nadc-nabn.org

Deadline for questions: ~~Wednesday, October 9, 2019~~ **Wednesday, October 16, 2019 at 4:00pm Mountain Daylight Time.**

1.4 Intent to Propose

Prospective Consultants are not required to submit an e-mail notice of *Intent to Propose*, however, NADC will distribute submitted questions and answers to prospective Consultants who make a proposal declaration on or before Wednesday, ~~October 9, 2019~~ **October 16, 2019** at 4:00pm MDT.

1.5 Preparation Costs

NADC shall not be responsible for proposal preparation costs, nor for costs including attorney fees associated with any (administrative, judicial or otherwise) challenge to the determination of the highest-ranked Proposer and/or award of contract and/or rejection of proposal. By submitting a proposal each Proposer agrees to be bound in this respect and waives all claims to such costs and fees.

SECTION 2 – RULES GOVERNING COMPETITION

2.1 Examination of Proposals

Proposers should carefully examine the entire RFQ, any addenda thereto, and all related materials and data referenced in the RFQ. Proposers should become fully aware of the nature of the Work and the conditions likely to be encountered in performing the Work.

2.2 Proposal Acceptance Period

Award of this proposal is anticipated to be announced within **forty-five (45) calendar days**, although all offers must be completed and irrevocable for **sixty (60) days** following the submission date. Notice to proceed will be given upon timely, successful contract negotiation between NADC and Consultant.

2.3 Proposal Format

Proposals are to be prepared in such a way as to provide a straightforward, concise delineation of the Proposer's capabilities to satisfy the requirements of this RFQ. Emphasis should be placed on:

- Conformance to the RFQ instructions
- Methodology and timeline utilized to complete Scope of Work
- Previous experience with Indian Country projects

2.4 Signature Requirements

All proposals must be signed. An officer or other agent of a corporate vendor, if authorized to sign Contracts on its behalf; a member of a partnership; the owner of a privately owned vendor; or other agent if properly authorized by a Power of Attorney or equivalent document may sign a proposal. The name and title of the individual(s) signing the proposal must be clearly shown immediately below the signature.

2.5 Proposal Submission

An electronic submission of the proposal must be received by NADC no later than **4:00pm on ~~Monday, October 14, 2019~~ Friday, October 18, 2019**. Proposals shall be delivered to:

Sue Taylor, NADC Development Director
staylor@nadc-nabn.org

2.6 News Releases

News releases pertaining to the award resulting from the RFQ shall not be made without prior written approval of NADC.

2.7 Disposition of Proposals

All materials submitted in response to this RFQ become property of NADC.

2.8 Modification/Withdrawal of Proposals

A respondent may withdraw a proposal at any time prior to the final submission date by sending written notification of its withdrawal, signed by an agent authorized to represent the agency. The respondent may thereafter submit a new or modified proposal prior to the final submission date. Modifications offered in any other manner, oral or written, will not be considered. A final proposal cannot be changed or withdrawn after the time designated for receipt, except for modifications requested by NADC after the date of receipt.

2.9 Oral Change/Interpretation

No oral change or interpretation of any provision contained in this RFQ is valid. Written addenda will be issued when changes, clarifications, or amendments to proposal documents are deemed necessary by NADC.

2.10 Late Submissions

PROPOSALS NOT RECEIVED BY THE DATE AND TIME SPECIFIED IN THE COVER LETTER WILL NOT BE CONSIDERED AND WILL BE DEEMED UNRESPONSIVE.

2.11 Rejection of Proposals

NADC reserves the right to reject any or all proposals if determined to be in the best interest of the organization.

SECTION 3 – SCOPE OF WORK

3.1 Project Scope

Task I: Develop Goals and Tools for the launch of an Indian Country Opportunity Zone Technical Assistance (TA) Program

The Technical Assistance program will be built through a combination of research, NADC staff input, Tribal planning department and economic development project partner input to assist the designated tracts with the identification and development of projects that would generate jobs, strengthen the local and regional economy, and be attractive for private investment through a layered financing stack, including the potential deployment of a Qualified Indian Country Opportunity Zone Fund.

1. Consultant will research existing Opportunity Zone programs to determine appropriate program goals, tools, forms, checklists, evaluation methods, and strategies to include in an Indian Country TA program.
2. Consultant will draft TA program goals and objectives based on above research; mindful of the objectives that apply to a range of projects, with a focus on light manufacturing, energy production, agriculture, and workforce development
3. Consultant will present draft TA program tools and methodology to NADC staff, Montana and Wyoming Tribal planning departments and economic development partners, gather input and modify program based on their input and needs.
4. Consultant will finalize TA program and present to NADC staff and Board.
5. Consultant will assist NADC Development Director in the preparation of educational and marketing materials to promote TA program.
 - Materials will be printed by NADC
 - Materials will be posted to the existing NADC website by NADC staff
6. NADC will be responsible for TA program implementation.

Deliverables:

- Summary of research results
- TA Program goals and objectives
- TA project evaluation forms, checklists, and methodology for implementation
- Educational and marketing materials to promote TA program

Task 2: Develop and assist in the launch of a Qualified Indian Country Opportunity Zone Fund in compliance with Tax Act

This Opportunity Zone Fund will be established for the specific purpose of growing existing and emerging businesses in Indian Country by providing access to private investment capital that can be combined with public funding, tax credits, and other private lending, leading to economic development, resiliency, and economic diversification for these distressed areas.

1. Consultant will research IRS requirements for a qualified Opportunity Zone Fund utilizing these and other appropriate sources:
 - US Impact Investing Alliance Framework
 - CDFA (Council of Development Finance Agencies) Resources <https://www.cdfa.net/cdfa/cdfaweb.nsf/resourcecenters/OZ.html>
 - Lower Brule Tribal Community Development Finance Institution (Sioux Tribe, South Dakota)
 - Economic Innovation Group <https://eig.org/opportunityzones>

2. Consultant and/or a qualified financial advisor with Opportunity Zone Fund subject matter expertise will provide NADC with further education as to fund formation, lending compliance, reporting mechanisms and transparency policy
 - Consultant and/or financial advisor will determine and recommend the appropriate form of fund organization, such as a Real Estate Investment Trust (REIT)
 - Consultant and/or financial advisor will provide recommendations for an appropriate lending compliance plan, reporting mechanism(s), and transparency policy

3. Consultant and/or qualified legal advisor with Opportunity Zone Fund subject matter expertise will review Opportunity Zone Fund formation, documentation, and provide legal opinion as to the Fund's compliance with a Qualified Opportunity Fund.
 - Legal advisor will review recommendations from financial advisor regarding the preferred form of organization, lending compliance plan, reporting mechanisms, and transparency policy.
 - Legal advisor will prepare appropriate documentation for Agency filing(s)
 - NADC will file documentation with appropriate agency(ies)

4. Consultant will assist NADC Development Director in the preparation of educational and marketing materials for the Opportunity Zone Fund.
 - Printed materials will be prepared for handout to each Reservation.
 - Materials will be posted to the existing NADC website.

Deliverables:

1. Lending compliance plan, reporting mechanisms, transparency policy
2. Documentation for agency filing(s)
3. Documentation of approved filings from applicable local, state, and/or federal agency
4. Educational and marketing materials for Opportunity Fund lending program

Please note that the Scope is inclusive for the establishment and launch of fund. Post launch activities, specifically soliciting investment for the Qualified Opportunity Zone Fund, will be conducted outside of the Scope, with other resources, and not considered part of the project.

Task 3: Technical Assistance and Opportunity Zone Fund Program Launch

As a result of completion of this task, NADC will provide direct access to NADC's Opportunity Zone TA program and Opportunity Zone Fund to enable future projects to progress from planning and finance, to construction and completion allowing these distressed communities to expand their economy, attract private investment, and provide jobs within their jurisdiction.

- NADC staff and Consultant will launch the Opportunity Zone Fund program and promote it through a site visit to each Montana and Wyoming reservation.
- NADC staff and Consultant will assist Montana and Wyoming Tribal planning offices and Indian Country project partners with the identification and prioritization of potential Opportunity Zone projects within their designated tracts.

Deliverable:

- List of prioritized projects and recommended next steps for each Montana and Wyoming Reservation to work from.

3.2 Project Schedule

Projected Start Date: October 28, 2019

Projected End Date: April 30, 2020

SECTION 4 – PROPOSAL AND SUBMISSION REQUIREMENTS

To achieve a uniform review process and obtain the maximum degree of comparability, the proposals shall be organized in the manner specified below. Proposals shall not exceed nine (9) pages in length (excluding resumes, attachments, or dividers). Information in excess of those allowed will not be evaluated/scored. One page shall be interpreted as one side of single-spaced, typed, 8½" X 11" sheet of paper.

4.1 Cover Letter (Limited to 2 Pages)

- A. Identify the RFQ project for which proposal has been prepared.
- B. Briefly state your firm's understanding of the services to be performed and make a positive commitment to provide the services as specified.
- C. Provide the name(s) of the person(s) authorized to make representations for your firm, their titles, address, and telephone numbers.
- D. The cover letter must be signed by a corporate officer or other individual who has the authority to bind the firm. The name and title of the individual(s) signing the proposal must be clearly shown immediately below the signature.

4.2 Table of Contents (1 Page)

Clearly identify the materials by Section and Page Number.

4.3 Proposal Narrative (Limited to 6 Total Pages)

A. Firm Experience (0-25 Points)

- 1. Detail the firm's Opportunity Zone knowledge and experience.
- 2. Detail the firm's experience with Native American consulting, project planning, project management, and/or project implementation.
- 3. Provide references for which your firm has provided the same or similar services. Include a point of contact, current telephone number, and a brief description of the services provided.

B. Key Project Staff and Subconsultants (0-25 Points)

Identify key project staff, task leaders, and subconsultants, along with their availability, expected to provide services on behalf of the firm. Resumes should be included for each of the individuals and subconsultants referenced, which details their relevant experience. Performance on projects, especially Native American, should be noted.

C. Available Resources and Consultant Location (0-10 Points)

- 1. Provide information on personnel resources available to your firm, which indicates that you have access to the services necessary to perform the work in the time available and within the required standard.
- 2. Describe the firm's ability to meet in person with NADC program staff and each of

the Montana and Wyoming reservations during the performance of the Contract.

D. Project Methodology and Approach (0-30 Points)

Provide detailed information on the firm's methodology, including timeline, in meeting the scope of work requirements identified in Section 3. Provide breakdown of each task and subtask. Describe overall approach to include special considerations, which may be envisioned in scoping, completing, and managing small tasks.

E. Project Budget (0-10 Points)

Provide detailed information on the firm's budget allocation, by task.

F. Total Possible Score (100 Points)

SECTION 5 – EVALUATION CRITERIA AND SELECTION PROCESS

5.1 Evaluation Criteria

Submittals will be evaluated in accordance with the following criteria:

A.	Firm Experience	0-25 Points
B.	Key Project Staff and Subconsultants	0-35 Points
C.	Available Resources and Consultant Location	0-10 Points
D.	Project Methodology and Approach	0-20 Points
E.	Project Budget	1-10 Points
	Maximum Score	100 Points

5.2 Qualitative Rating Factor

Firms will be ranked using the following qualitative rating factors for each RFQ criterion:

1.0	Outstanding
0.8	Excellent
0.6	Good
0.4	Fair
0.2	Poor
0.0	Unsatisfactory

The rating factor for each criterion category will be multiplied against the points available to determine the total points for that category.

A committee of individuals representing NADC will perform evaluation of the proposals. The committee will rank the proposals as submitted.

NADC reserves the right to award Contract(s) solely on the written proposal.

NADC also reserves the right to request oral interviews with the highest-ranked firms (short-list). The purpose of the interviews with the highest-ranking firms is to allow expansion upon the written responses. If interviews are conducted, a maximum of three firms will be short-listed. A second score sheet will be used to score those firms interviewed.

The final selection will be based on written proposals and oral interviews, if conducted. The same categories and point range will be used during the second evaluation as for the first. The highest-ranked Proposer, after the second scoring, if performed, will be invited to enter into contract negotiations with NADC for the purposes of Contract Award.

SECTION 6 – CONTRACT NEGOTIATION PROCESS

The highest-ranked Proposer(s) may be invited to enter into Contract negotiations with NADC. If an agreement cannot be reached with the highest-ranked Proposer, NADC shall notify the Proposer and terminate negotiations. The second highest Proposer may be contacted for negotiations. This process may continue until successful negotiations are achieved. However, NADC reserves the right to terminate negotiations with any Proposer should it be in the organization's best interest. NADC reserves the right to reject any and all proposals submitted.