

**The Klamath Tribes
Request For Qualifications Statement(RFQS)
Associate Judge
Klamath Tribes Judiciary
RFQS # KTJ1323-1AJ**

Introduction:

The Klamath Tribes Judiciary (KTJ) is requesting Qualifications Statement from Native American judges and attorneys interested in serving as an Associate Judge for the KTJ Tribal Court. The Associate Judge will join a court staff which includes a Chief Judge, Judicial Director, Court Clerk, Juvenile Probation and Victim Services.

Subject to the direction of the Chief Judge, judicial duties may include presiding over and adjudicating cases involving civil matters, housing, guardianships, juveniles, domestic violence restraining orders and employment rights. Because the KTJ has the capacity for remote proceedings, judicial services may be on or off-site.

The Klamath Tribes and the Associate Judge will enter a contract subject to terms and scope of work more specifically provided for in the contract. The Tribe is requesting a qualifications statement which clearly sets forth experience, qualifications, hourly rate for judicial services and related expenses such as food, travel, and lodging. It is anticipated that the Associate Judge will provide approximately 8 to 10 hours of judicial services per month, depending upon the Tribal Court docket.

A. Scope of Work:

Described below are the technical requirements for the services to be procured, including the minimum essential characteristics and standards which it must meet to satisfy its intended use.

1. The Associate Judge will provide Judicial Services to Klamath Tribal Courts at the request of Court Staff or the Chief Judge.
2. The professional will work with tribal departments/programs.
3. The professional must have a substantial understanding or experience working with or within Native American communities.
4. The professional must have tolerance and patience to work with distressed or frustrated persons who are unfamiliar with the legal process.
5. The professional must be available to meet with the judicial panel in person and by Zoom. The professional may be asked to present or answer questions for the Klamath Tribes Tribal Council and Klamath Tribes General Council.
6. The professional shall submit detailed billing statements for all services billed at an hourly rate, broken down into time increments of no more than a quarter hour.

B. Required Qualifications:

The professional must meet or exceed the following required qualifications:

1. Must possess a Juris Doctorate from an accredited school of law or has served as a judge for at least one year.

2. Must be a Native American that is at least thirty (30) years of age. Native American (or Indian) is defined under Klamath Tribal law as “any person of Indian descent who is a member of a federally recognized Indian tribe under the laws of that tribe and any other person recognized by federal law as an Indian for any propose (KTCT 11.02(g)).
3. Must not have ever been convicted in any court of felony or within the last twelve (12) months of a misdemeanor, nor dishonorably discharged from any military service.
4. Must not be a candidate or hold the office of the Chairman, Vice-Chairman, Secretary, Treasurer, or a member of the Tribal Council.
5. Must pass a thorough background investigation.
6. Must be able to travel and hold hearings both in-person in Chiloquin, Oregon, and telephonically or by Zoom.
7. Must comply with the Judicial Standards of Conduct in KTC 11.24.
8. Must provide a one-to-two-page writing sample to demonstrate the ability to draft and interpret laws with consistency to produce a comprehensive, well-written document.
9. Subject to KTCT 11.17 – Election of Associate Judges – file for election at the next General Council election.

C. Evaluation Factors and Scoring:

1. Selection Procedures: The Klamath Tribes’ Administration utilizes this formal advertising of Request for Qualifications (RFQS) to award to the most highly rated qualifications statement, which can be subject to negotiation of fair and equitable compensation. All timely responses to this RFQS will be considered. Klamath Tribes’ Administration and the KTJ reserves the right to reject all qualifications statements based on documented reasons including determining any or all qualifications statements to be non-responsive.
2. Method of Review: The Klamath Tribes’ Administration and its authorized representatives will review all qualifications statements received and may contact the party to request further information. The Klamath Tribes’ Administration may accept any given RFQS as submitted or may negotiate with the party to establish terms most advantageous to the Klamath Tribes. The decision of the Klamath Tribes’ administration and Tribal Court shall be final and not subject to appeal.
3. Method of Scoring: All qualifications statement’s received on time will be evaluated and scored as follows:
 - a. (0-35 points) Scope of Work and Qualifications. The qualifications statement must fully demonstrate ability to carry out each requirement listed in this RFQS specifically in Section A above.
 - b. (0-25 points) Required Qualifications. The Qualifications Statement must meet or exceed the requirements listed in Section B.
 - c. (0-10 points) Cost: Cost will be determined by formula method, if possible.
 - d. (0-10 points) References: A record of integrity, judgment, performance, and timeliness in the execution of previous jobs will garner higher points.
 - e. (0-20) Writing Sample: The writing sample must demonstrate the professional’s ability to draft and interpret laws with consistency to produce a comprehensive, well-written document.

- f. Indian preference: At minimum 15% of the evaluation points shall be granted to qualifications statement's that demonstrate entitlement to Indian Preference, which points shall not be available to non-Indian parties when using Method #3 of the Klamath Tribes Procurement Policy.
- g. In the case of duplicate qualifications statement's, the earliest postmarked envelope will be reviewed unless otherwise advised in writing by the applicant that the later qualifications statement is the appropriate one to review.

100 TOTAL POINTS POSSIBLE (without Indian Preference)

D. Instructions for Submitting Qualifications Statement:

- 1. Return one unbound qualifications statement in a sealed envelope clearly marked according to the instructions below. **Alternate, emailed or faxed qualifications statement will not be accepted.**
- 2. Sealed qualifications statement can be submitted , through US Postal Service to PO Box 436, Chiloquin, OR 97624; or in person or by ground delivery at 501 S. Chiloquin Blvd. Chiloquin, OR 97624 to the attention of:

The Klamath Tribes / Administration Office
Attention: Jackie Galbreath, Purchasing Agent
 P.O. Box 436
 501 S. Chiloquin Blvd.
 Chiloquin, OR 97624

- 3. On outside of sealed envelope write: **"KTJ1323-1AJ and your name"**
- 4. At this time qualifications statements cannot be accepted by email.
- 5. For any questions on the qualifications statement and requirements, please contact Danita Herrera at (541) 783-3020, option 2, ext. 2, or email danita.herrera@klamathtribalcourts.com.

E. Closing/Opening Date and Time and Method of Solicitation:

- 1. Qualifications statement will be accepted at the address above up to **4:00 p.m. on March 28, 2023**. All timely responses to this RFQS will be considered. The Klamath Tribes reserve the right to reject all qualifications statement including any qualifications statement received after the closing date and time. If at the time of the scheduled closing date, Klamath Tribes Administration and Kamath Tribal Judiciary is closed due to uncontrolled events or administration closures, the qualifications statement will be accepted until 4:00 p.m. on the next normal business day.
- 2. The Grant and Contract Compliance Officer will assign a review panel to open and review all timely qualifications statements by email and Zoom starting the week of March 30, 2023. This process may take up to two weeks to complete and all responders will be notified by email after the selection has been made.
- 3. This RFQS has been published by:

F. Indian Preference:

	Publication in a Newspaper of general circulation
x	Direct solicitation of RFQS from an adequate number of known sources
x	Klamathtribes.org

1. To the greatest extent feasible, preference and opportunities for training and employment shall be given to Indians, and preference in the award of contracts and subcontracts shall be given to Indian organizations and Indian-owned economic enterprises. Indian Preference is given to Indian-owned enterprises that provide proof of at least 51 percent ownership of the enterprise submitted on an Indian Enterprise Qualification Statement showing:
 - ownership, control, and interest;
 - certification by contractor's tribe that she/he is enrolled with the Tribe;
 - evidence of stock ownership, structure, management, control, and financing affecting the Indian character of the enterprise;
 - evidence that the contractor has the technical, administrative, and financial capability to perform contract work of the size and type involved.
2. Preference and opportunities for training and employment in connection with the administration of these activities shall be given to Indian and Alaskan Natives.

G. Provisions:

1. If required, all parties must submit with their qualifications statement a statement detailing their employment and training opportunities and their plan for providing preference to Indians. All contractors must observe the Klamath Tribes' Indian preference policy.
2. The Klamath Tribes shall conduct all procurement transactions in a manner that provides fair and open competition.
3. The Klamath Tribes shall provide fair and equitable treatment for all persons or firms who are in the business of supplying goods and services.
4. The Klamath Tribes wish to assure that supplies, services, and construction are procured efficiently, effectively, and at the most favorable prices available.
5. The Klamath Tribes shall take reasonable affirmative steps to assure that DBE's, WBE's and MBEs are used when possible but without infringing on Indian preference where Indian preference is applicable.
6. The Klamath Tribes shall not use federal grantor funds to do business with any entity who is disbarred in accordance with the Federal Government Disbarment list.
7. Request For Qualifications Statement may be terminated by The Klamath Tribes' Administration at any time for cause.
8. Each party submitting a qualifications statement is certifying that he/she has not colluded with any other person, firm or corporation regarding securing the services being solicited.
9. No employee, officer, or agent of the Klamath Tribes may solicit or accept gratuities, favors, or anything of monetary value from contractors, potential contractors, or parties to subcontractors.
10. Negotiation: Provisions not addressed by this solicitation will be negotiated with the professional once a selection has been made.
11. Agreement: The selected professional will enter into an enforceable agreement that fully conforms to the contracting provisions pursuant to OMB Circular A-87 and CircularA-133 and funding grant(s). Copies of these requirements are available for review at the grantee's offices.

