



Northwest Arctic Borough

SERVING THE COMMUNITIES OF:

Ambler Buckland Candle Deering Kivalina Kiana
Kobuk Kotzebue Noatak Noorvik Selawik Shungnak

REQUEST FOR PROPOSALS RFP NO. 16-45

SECTION I – ANNOUNCEMENT

The Northwest Arctic Borough, the home rule, regional government for Northwest Alaska, requests proposals for a mining tax advisor to assist the Borough in implementing and calculating its severance tax under the Northwest Arctic Borough Code, Chapter 7.10., adopted Borough tax regulations, the Alaska Mining License Tax, and any other applicable state laws. Responses to this RFP will be used during the evaluation process to select and negotiate with a qualified firm to perform the work described in this RFP. The Borough may interview in person the top qualified firms in order to make the final selection. The Borough Assembly shall approve the award of this contract based on the evaluation criteria identified in Section III of this Request for Proposals (RFP).

This RFP does not commit the Borough to enter into a contract, nor does it obligate the Borough to pay for any costs incurred in the preparation and submission of responses to this RFP for or in anticipation of any contract. The Borough reserves the right at its sole discretion: to make selections, to reject any or all submissions, to issue subsequent RFPs, to remedy technical errors in the RFP process, and to enter into a contract for all or some of the services described in this RFP.

Proposals must be received by the Northwest Arctic Borough Clerk, P.O. Box 1110, Kotzebue, Alaska 99752 or at the Borough office located at 163 Lagoon Street, Kotzebue, Alaska 99752, by 4:30 p.m., local time on Monday, March 7, 2017. The proposals will be opened publicly at 9:00 a.m. on Tuesday, March 8th, 2016 or as soon thereafter as practicable. **Proposals received after the time established for receiving proposals will not be considered. FACSIMILE AND EMAIL PROPOSALS WILL NOT BE ACCEPTED.**

RFP documents may be obtained from the office of the Northwest Arctic Borough Clerk by mail, email, at www.nwabor.org, or in person at the Borough offices in Kotzebue, Alaska or by calling (907) 442-2500, ext. 105. Questions about this RFP may be directed to the Christine Hess, General Counsel, at chess@nwabor.org or (907) 442-2500. Email communication is also permitted after initial contact by telephone or mail.

NORTHWEST ARCTIC BOROUGH

Clement Richards, Sr., Mayor

RFP 16-45 Tax Advisor

2-19-2016

Date

SECTION II - INSTRUCTIONS TO PROPOSERS

PROPOSAL PREPARATION

Proposal Format: Proposals must be typewritten or prepared in ink and must be attached to the form provided in Section IV of the Request for Proposals (RFP). Proposals must also include a completed "Local Bidder Certificate" found in Section V of the RFP. No oral, telephone, email, or facsimile proposals will be accepted. See Proposal Submission below.

Conformance to Proposal Requirements: Proposals must conform to the requirements of the RFP. All necessary attachments (residency statement, references, descriptive literature, etc.) must be submitted with the proposal. Proposal prices must be stated as indicated in the proposal. Failure to comply with all requirements of the RFP may result in proposal rejection.

Signature on Proposal: An authorized representative of the proposer must sign proposals in ink. Signature on a proposal certifies that the proposal is made without collusion with any person, firm, or corporation making a proposal for the same goods and/or services and is in all respects fair and without collusion or fraud. Signature on a proposal also certifies that the proposer has read and fully understands all proposal specifications, terms, and conditions.

Proposal Modification: Modifications or deletions made before submitting a proposal must be initialed in ink by the person signing the proposal. Proposals, once submitted, may be modified in writing before the time and date set for proposal closing. Any modifications shall be prepared on the proposer's letterhead, signed by an authorized representative, and state that the new document supersedes or modifies the prior proposal. Modifications must be submitted in a sealed envelope clearly marked "Proposal Modification" and identify the proposal number and closing date.

Proposal Withdrawals: Proposals may be withdrawn in writing on proposer's letterhead signed by an authorized representative and received by the Borough Clerk prior to proposal closing time. Proposals may also be withdrawn in person before proposal closing time upon presentation of appropriate identification.

Proposal Submission: Hard copy sealed proposals must be received and time-stamped by the Borough Clerk prior to proposal closing time. No proposal received after proposal closing time will be considered. To ensure proper identification and handling, all proposals must be submitted in a sealed envelope, clearly labeled "**RFP 16-0.**" The Borough Clerk shall not be responsible for the proper identification and handling of any proposal not submitted in an envelope bearing the required proposal label.

Mail to:
Borough Clerk
Northwest Arctic Borough
P. O. Box 1110
Kotzebue, AK 99752

Proposal Opening: Proposals will be opened at 9:00 a.m. on Tuesday, March 8, 2016, in the Northwest Arctic Borough Assembly Chambers (unless otherwise specified), 163 Lagoon Street,

Kotzebue, Alaska 99752. Proposers may be present; however, award decisions will not be made at the opening, and any proprietary information may be withheld from public inspection.

Evaluation Criteria: Proposals will be evaluated based on the evaluation criteria set forth in Section III of this RFP and on the recommendations received from the Evaluation Committee.

Award: The contract will be awarded for financial advising services based on the evaluation criteria and to the proposer who, in the discretion of the Borough, offers the best combination of price and performance and meets all requirements of the specifications. At its discretion, the Borough may award contracts to more than one proposer. Upon successful completion of the contract, the Borough may consider awarding subsequent projects to the selected contractor(s).

Proposal Rejection: The Borough reserves the right to reject any or all proposals.

Local Bidder Preference: "Local Bidders" are entitled to a 5% bid preference as described in the Northwest Arctic Borough Code ("NABC") § 6.16.370, but a contract under this RFP will not be awarded on the basis of cost alone.

Payment: Monthly invoices shall be submitted along with activity reports and an itemized list of time and materials. Proposals that require payment in less than 30 days after receipt of invoice or delivery of goods or services, whichever is later, may be rejected.

Proposal Results: Only a proposer who receives an award will be notified of proposal results; unsuccessful proposers will not be notified. Proposal files are public records and available for review at the Borough Clerk's office between 9:00 a.m. - 11:00 a.m. and 2:00 p.m. - 4:00 p.m. Monday through Friday.

Equal Opportunity: Proposals will receive fair and equitable consideration without regard to race, color, religion, sex, age, national origin, or handicap.

Contact: Direct questions regarding RFP requirements to:

1. Christine Hess, General Counsel, in person or by mail at the Borough offices or by phone at (907) 442-2500, or chess@nwabor.org
2. Email communication is also permitted after initial contact by telephone or mail.

SECTION III – EVALUATION CRITERIA

This RFP is to provide services identified in Section VI related to assisting the Borough in implementing and calculating its severance tax under the Northwest Arctic Borough Code, Chapter 7.10., adopted Borough tax regulations, the Alaska Mining License Tax, and any other applicable state laws.

INITIAL EVALUATION CRITERIA: The Evaluation Committee shall evaluate Proposals on the following criteria:

Minimum Criteria (no points)

1. 5 years in business
2. Current business license
3. Prior tax advising service for municipal governments or other similar organization regarding the implementation, calculation, and auditing of severance taxes
4. Professional Liability Insurance and Workers' Compensation insurance as required by law

Criteria to be Scored and Weight

1. Fee structure (20 points)
2. Prior tax and audit experience of multi-national mining operations or other extractive industries (30 points)
3. Prior tax advising service experience for municipal governments or other similar organization regarding the implementation, calculation, and auditing of mining severance taxes (50 points)

AWARD: Proposals must demonstrate ability to provide services outlined in the "Scope of Services" and include all "Information Required" as described in Section VI of this RFP. If awarded, the contract will be awarded at the discretion of the Borough Assembly to the proposer who is judged to offer the best combination of price and performance, and to have met all specified qualifications. The Borough fully reserves the right to exercise subjective judgment in ranking proposals.

SECTION IV - PROPOSAL SUBMISSION FORM

I, the undersigned, submit the following proposal for municipal finance advising services as further described in this Request for Proposals.

Proposer's Signature: _____

Proposer's Printed Name: _____

Company Name: _____

Address: _____

Phone: _____

Fax Number: _____

Email Address: _____

Business License Number: _____

Federal Tax ID Number
(EIN): _____

DUNS Number: _____

SECTION V – LOCAL BIDDER CERTIFICATE

“Local Bidder” Certification:

Yes, I certify that I am a “local bidder.” The Northwest Arctic Borough Code (“NABC”) § 6.16.370 describes the requirements to be considered a “local bidder.” Local bidders are eligible for a 5% preference in price consideration. Price consideration is not the sole criteria for awarding a contract under this RFP.

No, I am not a “local bidder” as described in NABC § 6.16.370.

SECTION VI - DETAILED SPECIFICATIONS

At this time, the scope of services includes the following minimum specifications. The scope of services will be finalized once the contractor(s) for the project is selected.

1.0 Scope of Services:

The Northwest Arctic Borough is the home rule, regional government for Northwest Alaska, covering an area about the size of Indiana. The Northwest Arctic Borough, requests proposals for a mining tax advisor to assist the Borough in implementing and calculating its severance tax under the Northwest Arctic Borough Code, Chapter 7.10., adopted Borough tax regulations, the Alaska Mining License Tax, and any other applicable state laws.

The tax advisor must have substantial experience in the analysis and calculation of mining severance taxes and auditing experience of multi-national mining companies. Experience working in Alaska is desirable. The advisor will serve at the pleasure of the Mayor and under the direction of the Mayor and his designated advisors, including the Borough Treasurer and General Counsel.

The specific scope of services includes:

- Work with the Borough on the implementation and calculation of the mining severance tax under the Northwest Arctic Borough Code, Chapter 7.10., adopted Borough tax regulations, the Alaska Mining License Tax, and any other applicable state laws.
- Assist the Borough Finance Department as needed on the implementation of the severance tax under the Northwest Arctic Borough Code, Chapter 7.10., adopted Borough tax regulations, the Alaska Mining License Tax, and any other applicable state laws.
- Assist with the drafting or review of any relevant tax regulations.
- Perform any audits of tax returns as needed.
- Report to the Borough Mayor, or his designated agent on a regular basis.
- Other assistance as requested by the Borough.

This scope of services is provided as a general guide, and is not intended to be a complete list of all necessary services.

2.0 Agreement Period

The contract will commence April, 2016. The Borough may terminate the contract upon 15 days' notice.

3.0 Payment

Pre-transaction fees should be billed on an hourly basis and invoiced on a monthly basis.

4.0 Review and Selection Process

- 4.1 The Northwest Arctic Borough Evaluation Committee consists of the Borough Mayor, the BAF Committee Chair, Borough Treasurer, Director of Government Affairs, and the Chief of Staff. The Borough reserves the right to modify the membership of the Evaluation Committee.
- 4.2 The Evaluation Committee will rank the proposals against the criteria in Section III of this RFP and submit its recommendation to the Assembly for approval and execution of a contract. The Assembly will award the contract in its sole discretion and judgment.
- 4.3 The Northwest Arctic Borough may reject any proposal not in compliance with all prescribed public bidding procedures and requirements in this RFP, and may reject any or all proposals upon a finding that it is in the Borough's interest to do so. The Borough also reserves the right to waive any informality in any proposal and to delete matters from proposals if not prohibited by law.

5.0 Information Required

Proposers must submit one (1) clearly marked "Original" and three (3) copies of their proposal. The Borough reserves the right to solicit additional information from applicants if the Borough deems such information is necessary during the evaluation process.

Responses to this RFP shall include the following components:

- 5.1 Name, mailing address, telephone, and email address.
- 5.2 Number of years in business.
- 5.3 List of proposed personnel to be involved with this project, their education and experience related to the requested services, and the name of the individual who would be the Borough's primary contact during the project.
- 5.4 Staff availability, considering the current and planned work.
- 5.5 Specialized experience with similar clients.
- 5.6 Past record of performance performing similar services for municipal clients.
- 5.7 Proposed methodology for providing proposed services.
- 5.8 Overview of service and communication proposal.
- 5.9 A minimum of two (2) references. List contact name, address, phone number, fax number, and email address for each reference. *The Borough reserves the right to investigate the references and the past performance of any applicant with respect to its successful performance of similar services, compliance with specifications and contractual obligations, completion of prior projects on time, and other factors related to the services under this RFP. The Borough shall not be limited to the references provided by the proposer.*