SECTION V – EVALUATION & SELECTION

1. EVALUATION OF SOQS & RESERVATION OF RIGHTS

The submissions from each prospective BIDDER will contain all required items listed in the "Submission Requirements" of this solicitation. The entire submission packet will be known as the Statement of Qualifications (SOQ). SOQ submitted by BIDDER(s) will be evaluated in accordance with the evaluation criteria set forth in this solicitation.

After evaluation of the SOQ submissions, the TRIBE will select the highest qualified BIDDER(s) under this RFQ to be placed on a pre-qualified contractors list. Said pre-qualified contractors will be eligible to bid on future as-needed services, such as the ones described in this RFQ.

This RFQ has been prepared solely to solicit SOQ. It is not a contract offer. The TRIBE shall not be obligated to enter into an agreement with any individual or firm determined to be qualified to perform the services described in this RFQ. The only document(s) that will be binding on the TRIBE are the contracts for services once duly executed by the TRIBE and the successful BIDDER(s).

The TRIBE reserves the right to conduct any investigation of the SOQ submitted by any BIDDER that it deems appropriate; negotiate modifications to any of the items submitted in the SOQ; accept or reject any or all bidder(s) responding to this solicitation; modify the selection process in any way; postpone the selection process for its own convenience at any time; waive any defects, irregularities, or informalities in any SOQ; or issue a new RFQ at any time.

The TRIBE reserves the right to negotiate terms and conditions submitted by any BIDDER in connection with this RFQ and any other with one or more qualified contractors at the same time, if such action is in the best interest of the TRIBE. The TRIBE reserves the right to delete, add, or amend any of the services listed and described in this RFQ before entering into a formal agreement with the selected BIDDER. The TRIBE reserves the right to reject incomplete, illegible, unsatisfactory and/or non-responsive submittals.

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2. EVALUATION CRITERIA

The TRIBE will conduct a comprehensive, fair, and impartial evaluation of all responses to this solicitation.

Selection of a bidder(s) will be based upon the evaluation criteria identified in the table below:

Evaluation Criteria	Points
Experience: Evaluation of BIDDER's experience in providing demolition services.	20
Capacity to Meet Timelines: Evaluation of BIDDER's capacity to meet the TRIBE's expectations of the timeline for each service. Consideration will be given to bidders who have familiarity with the area, including knowledge of and experience working in Tribal lands.	20
Pricing: Evaluation of BIDDER's submitted pricing against the market.	20
Technical Staff: Evaluation of BIDDER's technical staff with correct and sufficient qualifications for executing the full Scope of Work.	20
Total Possible Score:	80

The TRIBE may opt to select one (1) or more vendors to qualify based on the vendor responses to this solicitation as deemed relevant to the TRIBE on the basis of qualifications, with or without further discussions, interviews, or visits.

This solicitation and selection process shall in no way be deemed to create a binding contract, agreement, or offer of any kind between the TRIBE and any entity. If the TRIBE selects a CONTRACTOR(s) to provide the services described in this solicitation, any legal rights and obligations between the successful CONTRACTOR(s), if any, and the TRIBE will come into existence only when an agreement is fully executed by the parties, and the legal rights and obligations of each party shall at that time be only those rights and obligations which are set forth in the agreement and any other documents specifically referred to in that agreement and executed by the parties.

3. RIGHT TO RESCIND AWARD

The TRIBE reserves the right to rescind an award or eliminate any submission should the awardee or bidder have poor or unsatisfactory performance in performing similar or dissimilar services for the TRIBE in the past.

The TRIBE reserves the right to rescind an award should the awardee be considered, in the TRIBE's sole opinion, to be inflexible in its agreement negotiations.

4. SEMINOLE TRIBAL MEMBER VENDOR PREFERENCE

The TRIBE encourages its Members who own their own business, or who are majority owners of a business, to bid on goods and services through the competitive bidding process.

The TRIBE will give preference to qualified business entities certified by the TRIBE. "Qualified" shall mean, notwithstanding the above:

A Tribal Member, spouse, child, or business entity who:

- Is actively involved in the business and owns 51% or more of the business;
- Can provide goods or services at competitive prices;
- Has demonstrated skills and abilities to perform the task to be undertaken in an acceptable manner; and
- Can meet the application, bonding and licensing requirements.

Tribal Member Vendors will receive an additional ten (10) points in their score.

5. VENDOR APPLICATION AND REGISTRATION PROGRAM

Because the TRIBE is engaged in Indian tribal gaming in accordance with the Indian Gaming Regulatory Act and the regulations promulgated by the National Indian Gaming Commission, the TRIBE cannot engage in significant transactions with individuals or business entities whom, because of past or continuing activities, associations, or reputation, might bring discredit to the TRIBE and its gaming operations. Thus, the TRIBE has adopted a program whereby it reviews significant transactions and the persons or entities involved with those transactions to assure compliance with all applicable laws and regulations relating to gaming.

If not already an approved and registered vendor with the TRIBE, the highest-scoring or lowest-priced vendor(s) will be required to submit a completed and fully executed Vendor Application and Registration Form to the TRIBE's Purchasing Department. The highest scoring or lowest-priced vendor(s) shall not initiate this process until requested by the TRIBE's Purchasing Department.

Upon successful completion of an investigation into the past and current activities, associations, and reputation of the applicant, the TRIBE will assign a vendor number and the vendor will be added to its Master Vendor File. The TRIBE may not enter into any business transactions with any vendor whose name does not appear on its Master Vendor File.

Should the highest-scoring or lowest-priced vendor(s) be unresponsive or unable to successfully complete the vendor registration process, the TRIBE reserves the right to halt the vendor registration process with the highest-scoring or lowest-priced vendor(s) and move on to the next highest-scoring or lowest-priced vendor(s). Should the next highest-scoring or lowest-priced vendor(s) be unresponsive or unable to complete the vendor registration process, the TRIBE will

continue to halt the vendor registration process and move on to the next highest-scoring or lowest-priced vendor(s) until a vendor(s) is successfully registered.

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