

REQUEST FOR PROPOSAL
FOR
NIMIIPUU ENERGY CONSULTANT SERVICES FOR TRIBAL UTILITY AUTHORITY
(TUA) FEASIBILITY & FRAMEWORK DEVELOPMENT IN ASSOCIATION WITH 2024
Tribal Energy Development Capacity (TEDC) Division of Energy and Mineral
Development (DEMD) GRANT FUNDS

September 14, 2026 – October 5, 2026

Location: 120 Bever Grade, Lapwai, ID 83540

Nimiipuu Energy is soliciting proposals from qualified consultants with demonstrated expertise in Tribal Utility Authority (TUA) Development, Energy Policy, Renewable Energy Planning and Regulatory Analysis.

The selected consultant will support Nimiipuu Energy in following:

- Assess the legal, regulatory, and operational feasibility of a Nez Perce Tribal Utility Authority
 - Draft the necessary legal and regulatory framework for TUA establishment
 - Develop policies, ordinances, and codes needed for TUA implementation
- Develop the legal, regulatory, and operational framework needed to reclaim Tribal control of energy resources, lower energy burdens, and increase renewable energy deployment
- Analyze the potential benefits and requirements for implementing Virtual Net Metering (VNM), Virtual Power Plants (VPPs), and higher-capacity net metering
- Conduct stakeholder engagement including Tribal leadership, community members, utility companies and regulators
- (Optional) Assist Nimiipuu Energy in the development of a Strategic Energy Plan and conduct an Operational Audit

HOW TO SUBMIT A PROPOSAL

Proposals are due before 4:30 pm October 5, 2026. Late submissions will not be considered.

Mail: Nimiipuu Energy, PO Box 365, Lapwai, ID 83540

Email: tuim@nezperce.org, nikesaa@nezperce.org, and accounts@nimiipuu.energy

Questions can be directed to the emails identified above no later than **4:30 pm October 2, 2026**.

SELECTION PROCESS AND RFP SUBMITTAL DELIVERABLES

Qualifications: Demonstrated expertise in Tribal Utility Authority (TUA) Development, Energy Policy, Renewable Energy Planning, Regulatory Analysis and Operational Auditing

Scoring Criteria:

- Project-specific relatability – 40 pts
- References – 20 pts
- Methodology and ability to complete work on schedule – 30 pts
- Native and/or Veteran consultant – 10 pts

Total Possible = 100 pts

What needs to be submitted with RFP:

1. *Consultants resume*
2. *Provide at least 2 references of past projects with at least 1 reference being a project of similar complexity.*
3. *Provide a cost estimate of services as detailed in the Scope of Work.*

Selection Process:

Scoring will play a part in the selection process but is not the final decision-making factor. Interviews may be conducted to help with the decision-making process if needed. Consultant award will be announced 5 - 10 business days upon closing date.

TIME FOR COMPLETION

The consultant submitting qualifications pursuant to this RFP shall be required to commit to the execution of the work commencing within twenty-one days of award notification. All deliverables shall be completed no later June 30, 2027.

PROJECT OVERVIEW

The Nez Perce Tribe is actively expanding its clean energy capacity to reduce energy burdens on Tribal members, increase energy sovereignty, and support a sustainable, resilient future. Despite the installation of more than 1.6 MW of solar across homes and Tribal buildings, current regional energy tariffs—administered by the Idaho Public Utilities Commission (IPUC)—restrict the economic and operational viability of Tribal renewable energy development.

These limitations include:

- Prohibitions on Virtual Net Metering (VNM)
- Prohibitions on Virtual Power Plants (VPPs)
- Restrictive net metering capacity caps (e.g., 100 kW limits)
- Inability to negotiate tariffs tailored to Tribal circumstances

To overcome these barriers, the Tribe seeks to establish a Tribal Utility Authority (TUA) to assert regulatory sovereignty, create Tribal energy policies, engage directly with utilities, and implement technologies such as VNM and VPPs that can dramatically expand renewable access and affordability.

This project will determine the feasibility of establishing the TUA and develop the legal framework, regulations, and policies necessary for Tribal adoption.

(Optional) Assistance in developing a Strategic Energy Plan and an optional Operational Audit may be conducted on NMPE to evaluate current structure, workflows, financial performance and to help identify any gaps/lapses within NMPE's ability to perform at a high level.

SCOPE OF WORK

The Nez Perce Tribe seeks to establish a Tribal Utility Authority (TUA) to regain control of its energy resources, optimize energy generation, reduce energy burdens, and ensure the equitable distribution of renewable energy. This scope of work outlines the tasks, methodology, project phases, timeline, and methods of measurement for achieving these objectives.

Task 1: Consultant Selection and Initial Consultation (Month 1-2)

- **Task Description:** The Tribe will contract a consultant with expertise in Tribal Utility Authorities (TUAs), energy policy, and renewable energy implementation.
- **Outcome:** Selection of consultant and agreed-upon project framework.

Task 2: Research and Legal Framework Development (Month 2-4)

- **Task Description:** The consultant will conduct an in-depth analysis of the current regulatory environment, including Idaho Public Utilities Commission (IPUC) regulations, energy tariffs, and the Tribe's rights under all relevant treaties, such as the Treaty of 1863. The consultant will also assess the potential benefits of Virtual Net Metering (VNM) and Virtual Power Plants (VPPs) for the Tribe.
- **Outcome:** Comprehensive report detailing the legal requirements, regulatory options, and framework for the TUA, along with an analysis of VNM and VPP feasibility for the Tribe.

Task 3: Stakeholder Engagement and Capacity Building (Month 3-5)

- **Task Description:** The consultant will assist the Tribe in engaging relevant stakeholders, including Tribal members, utility companies, legal advisors, and policy makers, to inform and gather support for the creation of the TUA.
- **Outcome:** Stakeholder buy-in and feedback incorporated into the project's design, and a clear understanding of the community's energy priorities.

Task 4: Drafting of Tribal Utility Authority Code and Policies (Month 5-7)

- **Task Description:** Based on the research and stakeholder engagement, the consultant will work with Tribal legal teams to draft a comprehensive TUA Code and policies for energy production, storage, and distribution, including provisions for Virtual Net Metering, Virtual Power Plants, and higher net metering capacity limits.
- **Outcome:** Draft Tribal Utility Authority Code and policies ready for Tribal Council review and approval.

Task 5: Legislative and Regulatory Advocacy (Month 7-9)

- **Task Description:** The consultant will support the Tribe in advocating for necessary regulatory changes to implement the TUA and allow for expanded net metering, VNM, and VPP systems. This may involve discussions with local utility companies (Avista Utilities and Clearwater Power Co.), state regulators, and policymakers.
- **Outcome:** Secured agreements or approvals for regulatory changes that allow for the TUA to be established, along with the implementation of virtual net metering and larger capacity net metering systems.

Task 6: Establishment of the Tribal Utility Authority (TBD)

- **Task Description:** Finalize the establishment of the TUA, including the appointment of TUA leadership, integration of key policies, and establishment of operational guidelines.
- **Outcome:** Official creation of the Nez Perce Tribal Utility Authority, with operational capacity to oversee energy production, storage, and distribution, as well as renewable energy policy implementation.

DELIVERABLES

The proposed TEDC project to determine the feasibility of a Nez Perce TUA will generate a series of deliverables aimed at creating a sustainable, sovereign energy framework for the Tribe. These deliverables include critical regulations, codes, ordinances, processes, procedures, and reports that will guide the Tribe's energy future. Each deliverable will be designed to ensure that the Tribe can effectively manage its energy resources, reduce energy burdens, and foster long-term energy independence.

1. Tribal Utility Authority Code and Policies

Description: The consultant will draft a complete comprehensive TUA Code, which will outline the governance, operations, and regulatory framework of the Tribal Utility Authority. This code will define the structure of the TUA, including leadership roles, decision-making processes, and financial operations. It will also establish policies for renewable energy production, net metering, Virtual Net Metering (VNM), Virtual Power Plants (VPPs), and energy storage systems.

- **Content:**
 - o Legal structure and governance of the TUA
 - o Energy production and procurement policies, including renewable energy standards
 - o Net metering policies, including higher capacity limits and provisions for VNM and VPPs
 - o Tribal sovereign rights and the legal framework for negotiating directly with utility providers
 - o Procedures for managing and distributing energy resources within the Tribal homelands

2. Regulatory Amendments and Advocacy Strategy

Description: A detailed advocacy strategy plan and set of regulatory recommendations will be developed to enable the Tribe to negotiate directly with utility companies and seek amendments to the current state-level energy regulations in Idaho and Washington that impact Tribal lands. This will involve advocacy efforts to secure changes to net metering rules, capacity limits, and the integration of VNM and VPP technologies. Research legislation such as, Idaho House Bill 329 – Idaho Usage Tax and determine any authority the TUA would have to tax per kWh and collection of utility taxes. Research if the Local Utilities are using excess power put back onto the grid by NPT/NMPE systems and selling off reservation, could we collect tax? And at what rate would we tax?

- **Content:**

- o Regulatory amendments proposals to the Idaho Public Utilities Commission (IPUC), Washington Public Utilities Commission and local utility providers
- o Determine through the WA PUC how NMPE can sell electricity to WA homeowners
- o A strategic advocacy plan to secure support for TUA establishment and regulatory flexibility
- o Relevance of Idaho House Bill 329 as it applies to the TUA.

3. Stakeholder Engagement Reports

Description: Reports documenting the stakeholder engagement process will be produced throughout the project. These reports will summarize consultations with Tribal members, utility companies, legal advisors, and state regulators to ensure that the TUA's formation is community-driven and has broad support.

- **Content:**

- o Stakeholder engagement summaries, including feedback from community workshops and meetings
- o A record of consultations with utility companies, legal advisors, and state policymakers
- o A summary of community priorities and input incorporated into the project's design

4. Consultant Progress Reports

Description: The consultant will submit monthly progress reports to NMPE, detailing the work completed, the current status of each task, and any issues or challenges encountered. These reports will track the project's alignment with the proposed timeline and objectives.

- **Content:**

- o A summary of tasks completed, tasks in progress, and any adjustments to the timeline or scope of work
- o Key achievements and milestones, such as the completion of the legal framework, regulatory advocacy results, and stakeholder engagement outcomes
- o Identification of any issues or challenges encountered, along with proposed solutions
- o Updated timeline and projected completion of remaining tasks

5. Final TEDC Project Report

Description: The final report will be a comprehensive document that summarizes all tasks, deliverables, and outcomes of the TEDC project. This report will include an overview of the TUA establishment process, complete legal and regulatory framework,

and the strategies for energy independence and sustainable growth. It will also provide recommendations for future steps, including potential funding sources, partnerships, and opportunities for further energy development.

- **Content:**

- o An overview of the project's goals, methodology, and tasks completed
- o A detailed document of the TUA Code, policies, and governance structure
- o A summary of regulatory changes suggested
- o A detailed roadmap that the Tribe can follow to establish the TUA

Project Location: Nez Perce Reservation, Idaho



TENTATIVE TIMEFRAME

Task	Timeline	Outcome
Consultant Selection and Initial Consultation	Month 1-2	Consultant contracted and project framework aligned
Research and Legal Framework Development	Month 2-4	Detailed report and legal framework drafted
Stakeholder Engagement and Capacity Building	Month 3-5	Stakeholder support and community buy-in
Drafting of TUA Code and Policies	Month 5-7	TUA Code and policies ready for review
Legislative and Regulatory Advocacy	Month 7-9	Secured regulatory approvals and utility agreements

Contact Information

Name: Tui Moliga

Phone: 208-790-6744

Email: tuim@nezperce.org

Name: Nikesa Aubertin

Phone: 208-750-6325

Email: nikesaa@nezperce.org

INSURANCE AND BONDING REQUIREMENTS Consultant will provide a copy of insurance and bonding upon request