

# REQUEST FOR PROPOSALS

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LITTLE RIVER BAND OF OTTAWA INDIANS  
2608 GOVERNMENT CENTER DRIVE  
MANISTEE, MI. 49660  
PHONE: (231) 398-6845

**REGARDING: Tribal Council Legal Services**

**PROPOSALS DUE: MARCH 10, 2022**

## 1. PURPOSE

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Little River Band of Ottawa Indians, a federally recognized Indian Tribe, is soliciting LEGAL REPRESENTATION from qualified individuals or firms for the Little River Band of Ottawa Indians Legislative Branch. The Tribal Council is the head of the Legislative Branch and is made up of nine (9) Tribal Member Representatives.

The Little River Band of Ottawa Indians is a sovereign and federally recognized Tribal government. Our governmental offices are based in Manistee, Michigan, within the boundaries of a 70,000-acre reservation along the Manistee River, established under the 1836 Treaty of Washington. The LRBOI and the United States reaffirmed their government-to-government relationship under P.L. 103-324, enacted in 1994. The Tribe has since developed a governmental infrastructure and service delivery system necessary for rebuilding a sustainable tribal community.

This RFP does not commit the Tribal Council to accept any proposal submitted. The Tribal Council reserves the right to accept or reject any and all proposals, and to accept or reject any or all items in any proposal. The Tribal Council reserves the right to negotiate with any and all proposers and any and all parts of the proposals received, including, but not limited to, cost and other relevant details and to accept the proposal most advantageous to, and in the best interest of, the Tribal Council. The Tribal Council is not responsible for any costs incurred by the respondents in the preparation of responses to this RFP. The terms "vendor", "bidder," and "respondent" are used interchangeably throughout this RFP and are intended to refer to a person or entity submitting, or intending to submit, a proposal in response to this RFP.

### 1.1 SCOPE OF WORK: PLEASE SEE ATTACHMENT A

## 2. RFP ADMINISTRATIVE PROCEDURES

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**2.1 RFP CONTACT AND SUBMISSION.** The individual named below is the Tribal Council Contact. The Contact shall be the sole point of contact regarding this RFP from the date of issuance until selection of the successful bidder. To ensure clear and accurate communication and avoidance of the appearance of impropriety, from the date of issuance of this RFP until announcement of the successful bidder, proposers may contact only the RFP Contact. The RFP Contact will respond only to questions submitted in writing in accordance with this RFP. In the event that a vendor or someone acting on the vendor's behalf attempts to discuss this RFP verbally or in writing with any employee of the Tribe other than the RFP Contact/Contract Administrator designated below, the vendor may be disqualified as a prospective bidder.

Tribe's RFP Contact:

All proposals should be sent by emailed to:  
venuswilson-torres@lrboi-nsn.gov

Or mailed or delivered to:  
Venus Wilson Torres, Legislative Director  
Little River Band of Ottawa Indians  
2608 Government Center Drive  
Manistee, MI. 49660

**2.2 RFP TIMETABLE.** The dates set forth are subject to change, at the sole discretion of the Tribe:

### EVENT

### DATE

2.2.1 RFP Issued

On or before February 24, 2022

2.2.2 Deadline

5:00 P.M. EASTERN Time, March 10, 2022

## **2.3 DUTY TO EXAMINE AND INQUIRIES REGARDING THE RFP.**

- 2.3.1** It is the responsibility of each bidder to examine the RFP, including all amendments, seek clarification in writing (inquiries), and examine their proposal for accuracy before submitting the proposal. Lack of care in preparing a proposal shall not be grounds for modifying or withdrawing the proposal after the proposal due date and time, nor shall it give rise to any contract claim.
- 2.3.2** All inquiries concerning this RFP, including any questions related to the terms and conditions of this RFP, shall be made in writing and submitted to the RFP Contact at the physical address or email address noted above. Verbal inquiries will not be accepted.

## **2.4 CONTENT OF RFP AND SUPERSEDING EFFECT.** This RFP is designed to provide prospective bidders with information necessary for the preparation of competitive proposals. Each bidder is responsible for determining all factors necessary for the submission of a comprehensive and compliant proposal. Proposals submitted in response to this RFP should be based solely on the material contained in the RFP, including any amendments. This RFP supersedes all previous RFPs and all proposals, oral and written, and all negotiations, conversations, communications and discussions heretofore had between the parties, related to the subject matter of this RFP.

- 2.4.1 AMENDMENT OF RFP.** Tribal Council reserves the right to amend this RFP at any time. In the event it becomes necessary to amend, add to, or delete any part of the RFP, an amendment will be provided to all known vendors/prospective bidders who received the original RFP and will be posted on the Tribe's website.

## **2.5 OPENING OF PROPOSALS.** The proposals will be opened during a CLOSED BID OPENING on Friday March 11, 2022, or as soon thereafter as practicable.

INTERVIEWS: The Tribal Council may conduct interviews with Legal Counsel to clarify aspects set forth in their proposals or to assist in finalizing the ranking of top-ranked proposals. The interviews shall be conducted via zoom.

## **2.6 REJECTION OF PROPOSALS.** Notwithstanding any other provision of this RFP, at any time prior to execution of a written Contract, the Tribal Council reserves the right to reject any or all proposals, in whole or in part, to advertise for new proposals, to abandon the need for such services, and to cancel this RFP if it is in the best interest of Tribal Council.

## **2.7 COSTS OF PREPARING PROPOSALS.** The costs of preparing the proposal are the sole responsibility of the vendor. Tribal Council is not responsible for any costs incurred by vendor which are related to the preparation or delivery of the proposal or any other activities carried out by the vendor related to this RFP.

## **2.8 PROPOSALS PROPERTY OF THE TRIBAL COUNCIL.** All proposals become the property of the Tribal Council and shall not be returned to the bidder submitting a proposal. The bidder agrees that the Tribal Council may copy the proposal for purposes of facilitating the evaluation of the proposal or for any other reason.

## **2.9 BIDDER'S REPRESENTATIONS.**

- 2.9.1** By submitting a PROPOSAL, the bidder certifies that they are authorized, and bar licensed to practice law and willingly to be licensed by the Little River Band of Ottawa Indians Tribal Court.
- 2.9.2** By submitting this bid, the bidder certifies that they are experienced and qualified to perform the services required by this RFP and is properly staffed, organized, and financed to perform such services, and to commence such services immediately.
- 2.9.3** By submitting a bid, the bidder certifies that their bid and proposal were made and submitted without collusion or fraud and that they have not offered or received any kickbacks or inducements from any other bidder, supplier, manufacturer or subcontractor in connection with its bid. The bidder also

certifies that they have not conferred with any Tribal employee having official responsibility for this procurement transaction, any payment, loan, subscription, advance, deposit of money, services or anything of more than nominal value, present or promised, unless consideration of substantially equal or greater value was exchanged.

**2.10 NATIVE AMERICAN PREFERENCE REQUIREMENTS.** Proposals are subject to the Tribe's General Procurement Policies and Procedures. Proposers claiming Native American Preference under this proposal, must include documentation that confirms that the proposer qualifies of having Native American Preference.

**2.11 PROPOSAL EVALUATION AND SOURCES OF INFORMATION.**

2.11.1 Proposals will be evaluated by the Tribal Council as follows:

- Price, including hourly rates for attorneys and support staff
- Terms and conditions
- Delivery time
- Understanding of scope of work
- Ability and history of successfully completing contracts of this type
- Indian preference, minority owned, and small business preferences.

2.11.2 The Tribal Council reserves the right to request additional information from any bidder prior to final selection and award of a bid, and the bidder shall furnish to the Tribal Council all such information and data as may be requested. The Tribal Council also reserves the right to obtain from any and all sources, information concerning a bidder or a bidder's products, services or personnel, to make such reasonable investigations as the Tribal Council deems proper and necessary to determine the ability of a bidder to perform the services contemplated by this RFP, and the right to consider information from other sources such as the bidder's performance of other contracts. The Tribal Council may use any of this information to evaluate a bidder's proposal.

**2.12 AWARD AND NOTIFICATION.** The Tribal Council reserves the right to either award a contract without further negotiations with the successful bidder or to negotiate contract terms with the selected bidder if in the best interest of the Tribe. The successful bidder may be required to attend a post-award meeting with representatives of the Tribe to discuss the terms and conditions of the purchase contract.

**2.13 DISPUTES.** In case of any doubt or differences of opinions as to the contents of this RFP, or interpretation of any provision of this RFP, the decision of the Tribal Council shall be final and binding upon all parties.

**3. CONTENT AND FORMAT OF PROPOSAL**

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**3.1 CONTENT.** Each proposal shall respond completely to the following questions and requests for information:

**3.1.1** Please provide the following:

1. Experience relevant to project. Number of similar projects performed and number of qualified staff assigned to the project.
2. Proposed price.
3. Physical address of law firm or office.
4. Name and title of person(s) authorized to conduct discussions or negotiations. Contact email(s) and phone number(s).
5. Brief history of firm's work.

6. Certificate of insurance, if applicable.
7. Applicable State or Federal License.
8. Please provide three (3) client references and contact information with a similar scope of services.
9. Completed W9.
10. Indian Preference if claiming Native American Preference, please provide documentation of Indian Preference.
11. Any additional information you find relevant to the RFP.

#### 4. REQUIREMENTS

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- 4.1 **MARKETING PROHIBITION.** The successful bidder shall not use the name of, or refer to, Little River Band of Ottawa Indians or Tribal Council in any marketing activity. Nor will the successful bidder use said names or references thereto in any endorsement of its company, products, or services, without the written consent of the Little River Band of Ottawa Indians.
- 4.2 **NO ASSIGNMENT.** No bidder may assign its bid/proposal or any rights or obligations with respect thereto to any other party.
- 4.3 **TAXES:** The Little River Band of Ottawa Indians is exempt from Michigan sales and use tax on materials that are purchased, used or acquired in performance of a contract entered into by the Tribe for construction, renovation or improvements of real property owned by the Tribe or owned by the federal government in trust for the Tribe, if the real property is located within the Tribal and Trust Lands. The proposer should follow the State's general rules regarding nonprofit hospitals and housing to determine what is considered affixed and made a structural part of the exempt real property. Sales and use taxes shall not be included in the bid amount. Awarded bidder will receive a Certificate of Exemption packet after execution of the contract and a purchase order is issued.

**END OF RFP**

## **ATTACHMENT A**

**The Tribal Council of the Little River Band of Ottawa Indians is requesting legal services from individuals or law firms that have previous experience providing assistance to tribes.**

### **SCOPE OF WORK**

The duties of the Attorney are provided as examples of the current needs, but the Tribal Council reserves the right to amend and make changes:

- a. Must be a lawyer in good standing with a license to practice, preferably in the state of Michigan and must be willing to be admitted to the Little River Band of Ottawa Indians Tribal Court;
- b. Must be willing to interpret LRBOI Tribal Law and LRBOI Constitution, State and Federal law and to explain in layman's terms legal concepts clearly and effectively;
- c. Available on short notice to provide on-call assistance and advice by attendance at Tribal Council meetings as necessary;
- d. Provide legal counsel, guidance, direction, interpretations and opinions for Tribal Council where the Unified Legal Department is prohibited from participating;
- e. Provide legal defense to actions initiated against the Tribal Council, including requests from third-parties, where the Unified Legal Department is prohibited from participating;
- f. Assisting in the representation of the Tribal Council before various courts, administrative agencies, mediation between branches and committees as directed by the Tribal Council;
- g. Draft legislation, reports, letters, memorandum, and other legal documents including legal opinions as necessary for Tribal Council including; and
- h. Provide Tribal Council assistance and representations in declaratory judgment actions as applicable.