



The Minnesota Chippewa Tribe

REQUEST FOR PROPOSAL FOR LEGAL SERVICES FOR THE PERIOD

January 1, 2017 – December 31, 2020

Administration
218-335-8581
Toll Free: 888-322-7688
Fax: 218-335-8496
Home Loan
218-335-8582
Fax: 218-335-6925
Economic Development
218-335-8583
Fax: 218-335-8496
Education
218-335-8584
Fax: 218-335-2029
Human Services
218-335-8586
Fax: 218-335-8080

INQUIRIES AND PROPOSALS SHOULD BE DIRECTED TO:

Gary S. Frazer, Executive Director
The Minnesota Chippewa Tribe
P.O. Box 217
15542 State Hwy 371 NW
Cass Lake, MN 56633
Phone: 218-335-8581, ext. 101
FAX: 218-335-8496
gfrazier@mnchippewatribe.org

I. GENERAL INFORMATION.

- A. Purpose. This request for proposal (RFP) is to contract for legal services provided to The Minnesota Chippewa Tribe for a period of three years beginning January 1, 2017 – December 31, 2020
- B. Only attorneys who are currently licensed to practice law in the State of Minnesota and maintain an office in Minnesota or law firms including such attorneys may respond to this RFP.
- C. Instructions on Proposal Submission:
 1. Proposals must be submitted no later than 4:30 p.m. on December 9, 2016.
 2. Inquiries concerning this RFP should be mailed to:

Gary S. Frazer, Executive Director
The Minnesota Chippewa Tribe
P.O. Box 217
15542 State Hwy 371 NW
Cass Lake, MN 56633
Or e-mailed to gfrazier@mnchippewatribe.org

3. All costs incurred in the preparation of a proposal responding to this RFP will be the responsibility of the Offeror and will not be reimbursed by Minnesota Chippewa (hereinafter referred to as MCT).

4. Your proposal should be addressed as follows:

Gary S. Frazer, Executive Director
Minnesota Chippewa Tribe
P.O. Box 217
15542 State Hwy 371 NW
Cass Lake, MN 56633

It is important that the Offeror's proposal be submitted in a sealed envelope, clearly marked in the lower left-hand corner with the following information:

Request for Proposal
4:30 p.m., 12/9/2016
SEALED PROPOSAL for Legal Services

Failure to do so may result in premature disclosure of your proposal. It is the responsibility of the Offeror to insure that the proposal is received by MCT, by the date and time specified above. Late proposals will not be considered.

5. Right to Reject. MCT reserves the right to reject any and all proposals received in response to this RFP. A contract for the accepted proposal will be drafted based upon the factors described in this RFP.
6. **Indian Preference Applies.**
7. Small and/or Minority-Owned Businesses. Efforts will be made by MCT to utilize small businesses, women and/or minority owned businesses. Offeror qualifies as a small business firm if it meets the definition of "small business" as established by the Small Business Administration (13 C.F.R. § 121.201).
8. Notification of Award. It is expected that a decision selecting the successful Firm will be made within two (2) weeks of the closing date for the receipt of proposals. Upon conclusion of final negotiations with the successful Firm, all Offerors submitting proposals in response to this Request for Proposal will be informed, in writing, of the name of the successful consultant. It is expected that the contract will be a contract for work performed within the specified contract period with fees considered on a monthly basis.

- D. MCT is a tribal government, has been determined to be exempt from Federal income tax under Indian Tax Status Act, Revenue Ruling 67-284. MCT has an annual budget of approximately \$7,000,000] and is governed by a twelve (12) member Board (Tribal Executive Committee), which meets four (4) times per year. MCT employs 52 people. Administrative offices are located at 15542 State Hwy 371 NW, Cass Lake, MN. Other offices are located in Duluth, MN and Virginia, MN. The Minnesota Chippewa Tribe, comprised of the Bois Forte, Fond du Lac, Grand Portage, Leech Lake, Mille Lacs, and White Earth reservations, is a federally recognized tribal government that, through unified leadership, promotes and protects the member Bands while providing quality services and technical assistance to the reservation governments and tribal people.

II. **SCOPE OF SERVICES.** The Offeror shall be readily available to perform the following legal services, as requested by the Executive Director and/or Tribal Executive Committee:

1. Review, draft, and negotiate contracts and leases
2. Advise on organization legal issues
3. Advise on individual labor and employment matters
4. Review personnel, fiscal and other policies, as well as corporate by-laws
5. Attend Tribal Executive Committee and Subcommittee meetings as necessary
6. Advise on government grant and contract issues
7. Advise on responses to subpoenas, court orders, and requests for information from third parties
8. Defend lawsuits, administrative claims, or other legal claims
9. Conduct litigation as necessary
10. Other legal services as needed.

Although it is preferable for an attorney or firm to submit a proposal covering all of the above areas, MCT will consider proposals for subsets of these areas.

Offeror shall be prepared to submit detailed billing statements for all services billed at an hourly rate, broken down into time increments of no more than a quarter hour.

III. **PROPOSAL CONTENTS.** The Offeror, in its proposal, shall, as a minimum, include the following;

- A. **Legal Experience.** The Offeror should describe its legal experience, including the names, addresses, contact persons, and telephone numbers of at least three clients, preferably including clients similar to MCT. Experience should include the following categories:
 1. Experience advising tribal organizations.
 2. Experience advising clients, conducting similar programs and government-funded services.
- B. If the Offeror is a firm, it should describe its organization, size, structure, areas of practice, and office location(s). Indicate, if appropriate, if the firm is a small or minority/owned business. Also include copy of Equal Opportunity/Affirmative Action Policy, if the firm has one.
- C. **Attorney Qualifications.** The Offeror should have experience in the following areas: Indian Law, non-profit and tax-exempt organizations; real estate, including bond financing; government grants and contracts; labor and employment; and general business operations. The Offeror should describe the qualifications of attorneys to be assigned to the representation. Descriptions should include:
 1. Professional and education background of each attorney.
 2. Overall supervision to be exercised.

3. Prior experience of the individual attorneys with respect to the required experience listed above. Only include resumes of attorneys likely to be assigned to the representation. Education, position in firm, years and types of experience, and continuing professional education will be considered.
- D. Price: The Offeror's proposed price should include information on the hourly billing rates of each attorney or other legal staff who is expected to work on this representation and charges for expenses, if any, such as legal research, copies, and faxes. Also include a monthly flat fee that would be charged to advise on routine matters that could be handled over the telephone or otherwise without extensive research or other legal work. MCT reserves the right to negotiate with the Offeror on the structure of the billing and/or retainer fee

IV. PROPOSAL EVALUATION

- A. Submission of Proposals. All proposals shall include an original and six (6) copies.
- B. MCT's Executive Director and Officers will review proposals and make recommendations to the Tribal Executive Committee for final approval. The Executive Director and/or the Tribal Officers may request a meeting with some qualified Offerors prior to final selection. Proposals will be reviewed in accordance with the following criteria:
1. Proposed approach to scope of work.
 2. Level of experience of the individual(s) identified to work on this matter.
 3. The Offeror's experience with similar clients and legal matters.
 4. Response from references.
 5. Cost.
 6. Interviews, if conducted.