



Bois Forte Band of Chippewa
5344 Lakeshore Drive
Nett Lake, MN 55772
www.boisforte.com

**Request for Proposals (RFP) for Commissioner of
Bois Forte Cannabis Regulatory Commission**

ISSUE DATE: October 16, 2024
DUE DATE: November 9, 2024
SUBMIT TO: Bois Forte Band of Chippewa
Attn: Luke Warnsholz
Executive Director
5344 Lakeshore Drive
Nett Lake, MN 55772

Email (include both):
lwarnsholz@boisforte-nsn.gov & jessa.boyer@boisforte-nsn.gov

Overview of Need:

The Bois Forte Band of Chippewa is seeking proposals from qualified enrolled Band members to serve as a Commissioner of the Bois Forte Cannabis Regulatory Commission, which is a recently established civil regulatory agency of the Band having oversight of all cannabis-related matters within the Band's jurisdiction.

Bois Forte Background:

The Bois Forte Band of Chippewa is a federally recognized tribe situated in northern Minnesota. The Band's governing body is comprised of a five-member Council. The Band delivers government services to over 3,600 enrolled members who are located on-reservation, across the United States, and abroad. The Band provides government services through a variety of departments, including Bois Forte Health Clinic, Human Services, Police Department, DNR, Tribal Court System, Realty, Housing, Enrollment, Public Works, IT Services, Accounting, Education, and Human Resources. As the owner and operator of the Boys and Girls Club Vermilion, Fortune Bay Resort Casino, the Y-Store, and the Nett Lake C-Store, the Band is one of the largest employers within its region. You can learn more about the Band by visiting our website at: <http://www.boisforte.com/>.

Scope of Services:

The Bois Forte Cannabis Commission is a civil regulatory agency of the Band having primary oversight over most cannabis-related matters within the Band's jurisdiction. Commissioners are appointed by the Bois Forte Reservation Tribal Council for a four-year term.

The Band is seeking proposals from individuals qualified to perform the important regulatory oversight of cannabis operations within the Band's territory. Commissioners are responsible for a variety of regulatory duties regarding cannabis oversight, including, but not limited to:

- issuing regulations regarding cultivation, production and processing, retail, wholesale distribution, transport, and on-site consumption of cannabis;
- issuing, suspending, and revoking licenses issued under the Bois Forte Cannabis Regulatory Ordinance;
 - Note: The Ordinance allows the Cannabis Regulatory Commission to issue licenses to the Band and entities wholly-owned by the Band that are established under Band law. The Commission is not authorized to issue licenses to other businesses, including Band member owned businesses and other private businesses.
- auditing, inspecting and monitoring entities licensed under the Bois Forte Cannabis Regulatory Ordinance in order to ensure compliance with the Ordinance;
- investigating and aiding in prosecution of any suspicion of wrongdoing relating to cannabis activities and any suspected violation of the Bois Forte Cannabis Regulatory Ordinance,

cooperating with law enforcement and regulators, and cooperating in prosecution of offenders before any court of competent jurisdiction; and

- enforcing the requirements of the Bois Forte Cannabis Regulatory Ordinance and any Cannabis Regulatory Commission regulations.

For a more detailed list of Commission duties, please see Chapter 2 of the attached Bois Forte Cannabis Regulatory Ordinance.

In order to be eligible to serve as a Commissioner, you must:

- be age 21 or older;
- be an enrolled member of the Band residing within the State of Minnesota;
- pass a background check showing that you have not been convicted of any felony or any lesser crime if that crime involved theft, fraud, or misappropriation or embezzlement of money, under any federal, state, or tribal jurisdiction; and
- NOT be any of the following: a member of the Tribal Council or the Bois Forte Gaming Commission; a member of the board of directors of any licensee or tribally-owned enterprise that engages in any cannabis activity; an employee of any licensee or tribally-owned enterprise that engages in any cannabis activity; and, an employee of Fortune Bay Resort Casino.

Proposal Requirements:

Interested individuals should submit a proposal that includes the following components:

1. General Information/Qualifications. The proposal should include the following:
 - Contact information including the name, address, phone number, and email addresses of the individual submitting the proposal and company affiliation, if any.
 - A brief statement of the individual's qualifications together with appropriate supplemental information.
 - A statement of why the individual is uniquely qualified to complete the services, which must specifically address:
 - Experience working in the cannabis and/or compliance space;
 - Experience working with tribal governments; and
 - A summary of similar work completed.
 - A list of at least two relevant references.
 - Any other information relevant to demonstrating relevant qualifications.
2. Cost Proposal. The proposal should address the following information about costs:
 - The contractor shall describe in as much detail as possible how it charges for services, including any applicable hourly or flat fee charges, sufficient to allow the Band to assess the reasonableness of the contractor's pricing. This cost proposal shall also include any expenses for which the contractor expects reimbursement.

3. Certifications

- In addition to providing the technical proposal, the firm shall certify in its proposal to the best of its knowledge and belief, that it and its principals/employees:
 - Are not presently debarred, suspended, proposed for debarment, declared ineligible, or voluntarily excluded by any federal, state, local or tribal department or agency.
 - Have not, within a five-year period preceding the proposal, been convicted of or had a civil judgment rendered against them for commission of fraud or a criminal offense in connection with obtaining, attempting to obtain, or performing a public (federal, state, local or tribal) transaction or contract under a public transaction; violation of federal or state antitrust statutes or commission of embezzlement, theft, forgery, bribery, falsification or destruction of records, making false statements, or receiving stolen property.
 - Are not presently indicted for or otherwise criminally or civilly charged by a governmental entity (federal, state, local or tribal).
 - Have not, within a three-year period preceding the proposal, had one or more public transactions (federal, state, local or tribal) terminated for cause or default.

Selection Criteria:

The evaluation of each proposal will be based on the content of the proposals. The proposal with the highest number of points awarded will be the proposal selected to perform the services (subject to meeting all other qualifications/requirements). Each proposal can receive a maximum of 100 points. The proposals will be ranked based on the following areas with the maximum number of points for each area designated below:

- Assessment of the experience working with tribal governments (20 points);
- Ability to provide services based on qualifications and experience (60 points); and
- Competitiveness of cost proposal (20 points);

Submission Details:

Proposals may be submitted by mail or email. The Band may deem a proposal that fails to address required content as nonresponsive and ineligible for consideration.

- Due date: November 09, 2024, by 4:30 p.m., Central Time.
- Submit to: Bois Forte Band of Chippewa
Attn: Luke Warnsholz
Executive Director
5344 Lakeshore Drive
Nett Lake, MN 55772
Email (include both):

Inquiries:

Questions about this RFP may be directed via email to Luke Warnsholz, Executive Director, Bois Forte Tribal Government, at lwarnsholz@boisforte-nsn.gov. In the subject line for the inquiry, please reference “Cannabis Regulatory Commissioner RFP”.

General Terms, Limitations, Reservation of Rights

The following terms, limitations, and reservation of rights apply to this RFP:

- Interviews with top ranked individuals may be held to clarify and review proposal and qualifications only.
- The Band reserves the right to review any proposal in full or in part and to accept or reject any or all proposals.
- If necessary, contract negotiations related to the timeline may proceed following selection of the successful proposal.
- The Band reserves the right to select the successful individual on the basis of proposals received, without seeking further information for clarification from the individual.
- Any award granted pursuant to this RFP shall be subject to the terms and conditions of a written contract between the Band and the contractor selected.
- The Band reserves the right to:
 - Modify or otherwise alter any or all requirements herein. If the Band modifies a requirement, consultant/contractors will be given an equal opportunity to modify their proposals as identified in writing by the Band.
 - Reject any proposals received for whatever reason.
 - Terminate this RFP at any time, without cause or reason.
- The Band shall not be responsible for any expenses incurred by the applicant to prepare or deliver a response to this RFP.
- The Band’s determination on whether to make this award will be based solely on the Band’s best interests as understood by the Band.
- Prior to any award and upon the Band’s request, the apparent successful contractor must provide the information required of any contractor who does business with the Band, including the contractor’s legal name, address, federal tax identification number, and evidence of insurance policies required by the Band.
- The laws and procedures of the Band shall govern all rights and duties under any contract that may result from the RFP.
- This RFP shall not be construed as a waiver of the Band’s sovereign immunity.