



Bois Forte Band of Chippewa

5344 Lakeshore Drive
Nett Lake, MN 55772
www.boisforte.com

**Request for Proposals (RFP) for
*ARPA STRATEGIC PLANNER***

ISSUE DATE: August 16, 2021

DUE DATE: September 14, 2021

SUBMIT TO: Bois Forte Band of Chippewa
Attn: David Morrison Sr.
Secretary/Treasurer
5344 Lakeshore Drive
Nett Lake, MN 55772
Email: david.morrison@boisforte-nsn.gov

1. Background Information on the Bois Forte Band

The Bois Forte Band of Chippewa is a federally recognized Band 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, Fortune

Bay Resort Casino, and several enterprises. 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/>.

As a federally recognized tribe, the Band is a direct recipient of federal funds issued under the American Rescue Plan Act (“ARPA”) and administered by a variety of federal agencies, including funds from the State and Local Fiscal Recovery Fund (FRF) administered by the U.S. Department of Treasury.

2. RFP Overview

The Band wishes to engage a consultant/contractor to assist in the planning and implementation of projects and initiatives funded by COVID-19 pandemic federal relief, including funds from the FRF, in order to facilitate economic recovery from the pandemic. To that end, the Band invites you to submit a response to this RFP. In evaluating applicants, the Band, will focus primarily on responses to “Qualifications and Expertise” section, the price proposal submitted, and whether the consultant/contractor is a Native Contractor afforded Native Preference.

Proposals must:

- As a general matter, be responsive to the work described in the “Scope of Work” section of the RFP.

The Band’s intent is that the Scope of Work and Deliverables will be identified in a final contract/agreement and will be substantially similar as those identified in the RFP. However, the Band is open to suggested changes to the Scope of Work, provided that those changes will better equip the Band to achieve its objectives for the strategic plan (as determined by the Band).

- Directly address the applicant’s experiences and abilities, as identified in the “Qualifications and Expertise” section of the RFP.
- Provide your best price proposal for the anticipated Scope of Work.
- Provide 3 (three) references for which you have successfully completed a project similar in scope to the RFP request. Please include the name of the responsible individual, his/her title and phone number, his/her company, and the associated project. This information will be considered confidential and shall not be disclosed beyond the Band or its direct agents.
- Disclose any contracts, services rendered, relationships, circumstances, or interests between the applicant, its consultants, or subcontractors and other clients that could pose any conflicts of interests, influence judgment or impair objectivity, or give the appearance

of such conflicts related to this Project. If there have been no such relationships, a statement to that effect should be included in the proposal.

- Include a certification acknowledging that information disclosed by the Band as a part of the Project shall not be disclosed to any party other than Bois Forte, or its assigned representatives, and all findings and Project conclusions shall be treated as proprietary information.
- Certify 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 and Federal, State, Local or Tribal department or agency.
 - Have not within a five-year period preceding this 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 this application/proposal had one or more public transactions (Federal State, Local or Tribal) terminated for cause or default.

Commented [JH1]: There won't be any information provided by the Band that's confidential before the vendor is selected. We also don't want a confidentiality statement that's overly broad, because there may be circumstances when the Band wants the vendor to share the information with other entities.

We can always put a confidentiality statement in the ultimate contract that's entered into. I would recommend that we simply get rid of this statement.

Scope of Work

The Band has received various types of federal funding pursuant to various federal relief bills, including the CARES Act, ARPA, and the FRF allocated under the ARPA and administered by the U.S. Department of Treasury ("Relief Funds"). The Band plans to engage a consultant/contractor to assist in the planning and implementation of projects and initiatives funded by the aforementioned programs, in order to facilitate a strong governmental and economic recovery from the pandemic. Once Band priorities and associated funding support are identified, the Band desires to coordinate with the consultant/contractor to implement the priorities in a way that accomplishes the Band's goals, minimizes administrative burdens, and collects data necessary for reporting purposes. To accomplish these broad objectives, the Band anticipates that the consultant/contractor will undertake the following tasks/duties:

- Identify the short- and long-term needs faced by the Band, Band agencies, and Band enterprises, together with the resources and/or tools that each entity needs in order to successfully address those needs. This would include:
 - Gathering existing Band information to conduct preliminary analysis on the existing strengths, weaknesses, opportunities, threats, and needs faced by the Band's government and enterprises, particularly considering the pandemic and its effects. Such Band information may include documentation, financial and employment data, pre-existing strategic plans, departmental budgets for the use of Relief Funds, and Tribal Council's preliminary assessment on pandemic response priorities and projects.
 - Meeting with the leaders of the Tribal government and enterprises (as designated by the Band), Bois Forte ARPA Office staff, and Band members to assess their perspectives on the short- and long-term needs faced by the Tribal government and enterprises, together with the tools needed to address those needs.
 - Based on the initial analysis, public and employee surveys (as applicable), and meetings, produce a report summarizing findings on the Tribal government and enterprises' strengths, weaknesses, opportunities, threats, and short- and long-term needs.
- Identify the short- and long-term strategic priorities for addressing the Band's most pressing needs.
- Identify the realistic and practical steps that the Band, agencies, and enterprises should take to implement the short- and long-term strategic priorities.
- Identify how the Band can best utilize the Relief Funds in conjunction with other available resources to implement and/or support the Band's short- and long-term strategic priorities.
- Proactively identify opportunities to maximize funding to support short- and long-term strategic priorities.
- Identify the ways in which other traditional and non-traditional funding sources can be coupled with ARPA funding to maximize funding support.
- Coordinate with Band leadership, department directors, and Band employees to implement ARPA funded projects in a manner that accomplishes the Band's goals, minimizes administrative burdens, and collects necessary data for reporting purposes.

- Provide administrative and management expertise for development of programs and initiatives to implement the Band’s short- and long-term strategic priorities.
- Coordinate with the Band’s existing legal counsel to ensure that ARPA funding priorities are consistent with applicable laws and regulations, and that the Band maintains the necessary documentation to support compliance.

3. Selection Criteria

Proposals will be evaluated based on the following criteria and according to the following weight: applicant’s response to the “Qualifications and Expertise” section of the RFP, the applicant’s price proposal, and whether the applicant is a Native Contractor (afforded Native Preference, as described below).

30% - Responsiveness to “Qualifications and Expertise”

30% - Experience of applicant / team members

25% - Experience with Tribal Governments

15% - Native Preference

4. Proposal Submission Requirements

All consultants/contractors submitting a proposal in response to this RFP must ensure the proposal includes the following content. The Band may deem a proposal that fails to address content that is applicable to the company as non-responsive and ineligible for consideration.

4.1 Cover Letter – Please submit a cover letter or cover page that identifies the legal name of the consultant/contractor, the appropriate contact information, the date of the proposal, and briefly describes why the applicant is best suited to deliver the services described in the Scope of Work.

4.2 Qualifications and Expertise – Proposals should address how the consultant/contractor’s experience and abilities equip it to successfully provide the Scope of Work outlined above. At a minimum, the proposal should address:

- Experience working with and advising Tribal governments and enterprises, elected officials, and leadership.
- Understanding of the various funding opportunities available to Tribal governments to respond to and recover from the COVID-19 pandemic, under the ARPA Act, as well as a firm command of the eligible uses for those various funds.

- Experience scoping and managing strategic planning processes that involves data and records analysis, surveys, interviews, and facilitated discussions with key officials and employees.
- Experience gathering, organizing, and effectively analyzing existing Tribal information, records, financial data, etc., to inform strategic plan.
- Process of facilitate discussion and strategy development with Tribal elected officials and government leaders.
- Process of facilitating Tribal leadership’s evaluation of competing priorities and coordinating consensus around a uniform set of priorities.
- Process used to implement Band-selected projects in a manner that accomplishes the Band’s goals, minimizes administrative burdens, and collects necessary data for reporting purposes.
- Experience in successfully coordinating with existing tribal legal counsel to ensure selected projects/funding priorities are compliant with applicable laws and regulations.
- All current certificates/ professional licenses relevant to completing the Scope of Work.

4.3 Price Proposal – Please provide a price proposal that identifies all fees and costs (out-of-pocket expenses) necessary to carry out the Scope of Work. If consultant/contractor price proposal is based on a fee structure other than a flat fee (e.g., an hourly rate), please identify the rate(s) applicable and provide an estimate of the total for fees and costs.

4.4 Native Preference (if applicable) – This RFP is not restricted to companies owned by Native persons. However, preference will be given to Native and Alaska Native consultant/contractors (“Native Consultant/Contractor”) that submit responses that are substantially equal to responses submitted by a non-Native consultant/contractor. Native Consultant/Contractor or “Indian-Owned Economic Enterprise” means any Indian-owned commercial, industrial, or business concern established or organized for the purpose of profit, provided that such Indian ownership shall constitute not less than 51 percent of the enterprise, and that ownership shall encompass active operation and control of the enterprise on a continuing basis for the duration of the project. A consultant/contractor claiming Native Preference may be required to submit evidence demonstrating qualification for that preference.

5. Submission Detail

Proposals may be submitted by mail, by facsimile, or by email. The Band may deem a proposal that fails to address content that is applicable to the company as non-responsive and ineligible for consideration.

- Due date: September 14, 2021, by 3:30 p.m., Central Time.

- Submit to: Bois Forte Band of Chippewa
Attn: David Morrison Sr.
Secretary/Treasurer
5344 Lake Shore Drive
Nett Lake, MN 55710
Email: david.morrison@boisforte-nsn.gov
Fax: 218-757-3312

6. Inquiries

Questions about this RFP may be directed via email to Darlene Johnson, ARPA Coordinator, at djohnson@boisforte-nsn.gov. In the subject line for the inquiry, please insert "RFP – ARPA Recovery Strategic Planning".

7. General Terms, Limitations, Reservation of Rights

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

- 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/consultant selected.
- The Band reserves the right to:
 - Modify or otherwise alter any or all requirements herein. If the Band modifies, consultant/contractor's 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, or to attend a virtual pre-award conference with the Band.
- 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 proposer must provide the information required of any consultant/contractor who does business with the Band, including the consultant/contractor's legal name, address, federal tax identification number, and evidence of insurance policies that meet minimum insurance specifications for the award.

- The consultant/contractor must maintain for the duration of the agreement's term a general liability insurance policy (with coverage limits of at least one-million dollars (\$1,000,000.00) each occurrence and two-million dollars (\$2,000,000.00) aggregate) and a workers' compensation insurance policy (at the limits required by the state in which the company is situated).
- The consultant/contractor must disclose to the Band the use and identity of all subcontractors it uses in carrying out the requirements herein. The Band reserves the right to approve all subcontractors chosen (in its sole discretion). The consultant/contractor shall be solely responsible for the satisfactory performance of and compensation to all subcontractors.
- The laws and procedures of the Band shall govern all rights and duties under any contract that may result from the RFP.
- In the event of bankruptcy or receivership of any consultant/contractor, the applicable contract is null and void, and is terminated without further notice.
- This RFP shall not be construed as a waiver of the Band's sovereign immunity.