



**Request for Proposals (RFP):**

**External Legal Council**

Issue date: January 20, 2023

Submission deadline: February 17, 2023, at 12:00 Noon MST

Dene Tha' First Nation

Chateh, Alberta

## Request for Proposals

Dene Tha' Frist Nation (DTFN) is seeking proposals for external legal counsel pertaining to Nation matters.

Proposals are to be submitted by:

- E-mail to DTFN's Executive Director of Operations

Until:

February 17, 2023, at 12:00 Noon MST

(Closing time and date for receipt of responses)

For questions or clarification please contact:

Jordan Asels

Executive Director of Operations

Dene Tha' First Nation

Chateh, Alberta

Jordan.Asels@denetha.ca

(780) 841-9097

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## Section 1: RFP Information

### 1. Terminology

Throughout this RFP, terminology used is as follows:

“**Closing date**”: the date, as stated in this document, after which responses to this RFP will no longer be accepted.

“**Closing time**”: the time on the closing date after which responses to this RFP will no longer be accepted.

“**DTFN**”: Dene Tha’ First Nation

“**Proponent**”: an individual or a company that submits, or intends to submit, a response to this RFP.

“**Contractor**”: Successful proponent of this RFP

“**RFP**”: this request for proposals document and associated appendices.

“**Mountain Standard Time**”: MST

### 2. RFP Timetable

The following timetable outlines the anticipated schedule for the RFP process. The timing and the sequence of events resulting from this RFP may vary only at the determination of DTFN.

Event:	Date
Request for proposal issue date	January 20, 2023
Deadline for inquiries on RFP	12:00 Noon MST on February 10, 2023
Closing time and date for receipt of responses	12:00 Noon MST February 17, 2023
Interviews and Presentations	TBD



## Section 2: Project Information

### 1. About Dene Tha' First Nation

The Dene Tha' (or People Common to the Territory, or Common Peoples) are divided into three separate communities located in Northwest Alberta – Bushe River, Meander River, and Chateh (formerly known as Assumption). Total acreage is 74,224. These reserves are accessible in different ways, such as winter road, road, water, and rail.

Today, approximately 1800 people live on the reserves and about another 600 live off the reserves. The predominant linguistic group is Athapaskan Dene. Governance is by a chief and an eight-member council all of who are elected by members via a custom electoral system.

Dene Tha' First Nation has over 350 dwellings. A school provides K through grade 12 education to more than 450 students. Transportation, counselling, a boarding home, support and accommodation is also provided. Dene Tha' is part of the North Peace Tribal Council (NPTC), which administers post-secondary education resources. Health and nursing services include the Meander River Health Centre and the Assumption Nursing Station. Social services include social assistance, adult in-home care, the Winbert Didzena Memorial Children's Centre, alcohol counselling services, a family violence healing team, community health resources, and Child and Family Services provided by the NPTC Child Welfare Agreement.

Dene Tha' First Nation economic activities include a gas station/food store; other stores (hardware, crafts, fur purchasing); a laundromat; a post office; a bottle depot; snack and coffee shop; Dene Tha' Construction; and natural gas distribution. Member-owned businesses provide taxi service, home building and electrical services, and small engine repair.

Mission:

*“Dene Tha' will progress with culture and education; make lasting initiatives that will enable our nation to have a transparent governance to provide a proficient quality of service for our communities.”*



## 2. Project Scope and Goals

DTFN is seeking to retain outside counsel to provide legal services. The contractor shall be readily available to perform the following legal services, as requested by the Executive Director of Operations and/or Chief and Council:

- Extensive experience representing First Nation's in the areas of treaty & land rights/entitlements
- Review, draft, and negotiate contracts and leases
- Advise on individual labor and employment matters
- Review personnel, fiscal and other policies, as well as corporate by-laws
- Advise on government grant and contract issues
- Advise on responses to subpoenas, court orders, and requests for information from third parties
- Defend lawsuits, administrative claims, or other legal claims
- Conduct litigation as necessary
- Other legal services as needed

It is preferable for an attorney or firm to submit a proposal covering all of the above areas.

## Section 3: Proposal Submission Requirements

### 1. Response Content Requirements

The response should include the following at a minimum:

- a) Proponent Experience and Qualification
  - i. A business profile that indicates time in business, overall related experience, and experience with similar projects or services.
  - ii. Include three (3) similar projects / clients you have conducted business with in the last five (5) years including brief description of services. Experience working with other First Nations is considered an asset.
  - iii. Bio's of key team members that will have direct relationships with DTFN.
  - iv. Provide a resume, or similar document, outlining the qualifications, background, experience, and past projects for each team member.
- b) Fees
  - i. Submit detailed billing statements for all services and positions (counsel to administration) billed at an hourly rate, if any, broken down into time increments of no more than a quarter hour.
  - ii. Include rates for additional fees that maybe be incurred outside hourly rate provided (example: travel and disbursements)



### Section 3: Instructions to Proponents

#### 1. Schedule

Intended term for the contracted services is 36 months, unless otherwise mutually agreed upon.

#### 2. Evaluation Criteria

Responses received by DTFN will be reviewed and evaluated based on the following criteria:

Submission requirements:	Max Score
1. Corporate Experience	40
2. Project Team	35
3. Fees	25
<b>Total Score</b>	<b>100</b>

#### 4. Interviews and Presentations

DTFN will establish a shortlist of proponents who will be interviewed and/ or will be asked to make a formal presentation. These interviews and/ or formal presentations will be at DTFN's discretion.

#### 5. Who May Respond.

Only attorneys who are currently licensed to practice law in Alberta, Canada and maintain an office within Canada, or law firms including such attorneys, may respond to this RFP.

#### 4. Financial Information

Proposals must be stated in Canadian dollars only, no other currency will be accepted. Proposals must include taxes.

Eligible proponents are required to separate taxes from the price of the services in the proposal. The taxes must be quoted as follows:

GST
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## 5. Submission Instructions

Proposals are to be submitted by e-mail to DTFN's Executive Director of Operations no later than February 17, 2023, at 12:00 Noon MST

Jordan Asels

Executive Director of Operations

Dene Tha' First Nation

Jordan.Asels@denetha.ca

Proposals are to be submitted as a PDF or Word document and must be less than 3MB.

## Section 5: RFP Terms and Conditions

### 1. Eligibility

Responses will not be evaluated if the proponent's current or past corporate or other interests may, in DTFN's opinion, give rise to a conflict of interest in connection with this project.

### 2. Enquiries/ Time Extension

It is the responsibility of the proponent to obtain clarification of the requirements contained in this RFP, if necessary, prior to the deadline for enquiries on February 3, 2023. All enquiries and other communications related to this RFP throughout the solicitation period and until contract award are to be sent via the e-mail address noted above.

### 3. Acceptance of Responses

This RFP should not be construed as an agreement to purchase goods and/ or services. Notwithstanding anything contained in or arising from this RFP, DTFN is not bound to award business to any proponent that submits a response. DTFN will be under no obligation to receive further information, whether written or verbal, from any proponent.

Acceptance of a response will not constitute approval of any activity or development contemplated in any response that requires any approval, permit or licence pursuant to any federal, provincial, regional district or municipal statute, regulation or bylaw.





#### **4. Incomplete Proposals**

Responses to this RFP, that do not, in the opinion of DTFN, adequately address all the requirements of this RFP will be rejected outright, at the discretion of DTFN. Ambiguous, unclear or unreadable proposals may be rejected.

#### **5. Proponents' Expenses**

All costs incurred in the preparation of responses to the RFP are the sole responsibility of the proponent and will not be chargeable to DTFN. DTFN is not liable to any proponent for loss of anticipated profit in connection with any sale of goods and/ or services, or any matter whatsoever.

#### **6. Opening of Proposals**

DTFN will open all proposals to this RFP privately and unannounced.

#### **7. Proposal Validity**

Proposals shall be final and binding on the proponent for sixty (60) days from the RFP's closing time and date and may not be altered by subsequent offerings, discussions, or commitments unless the proponents are asked to do so with DTFN. The proposal will be used as the basis for the services agreement.

#### **8. Subcontracting**

The successful proponent may subcontract only upon written approval from DTFN, such approval shall not be unreasonably withheld.

