



TARGETED REQUEST FOR PROPOSAL (RFP)

PROPOSALS FOR INDEPENDENT LEGAL ADVICE FOR CLFN CP HOLDERS

CURVE LAKE FIRST NATION
22 WINOOKEEDAA ROAD
CURVE LAKE, ONTARIO K0L 1R0

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1. SUMMARY AND BACKGROUND

Curve Lake First Nation is requesting proposals from targeted individuals and law firms to provide legal advice to certain members of our First Nation who own Certificates of Possession (“CP”) in an area affected by a proposed settlement of a Flooding Claim.

The purpose of this Request for Proposal (“RFP”) is to solicit proposals from specific individuals or firms, conduct a fair and extensive evaluation based on criteria listed herein, and select the Proposal that best represents the knowledge and experience needed to complete the task.

Curve Lake First Nation is located on a peninsula situated between Buckhorn Lake, Harrington Narrows and Chemong Lake. It is affiliated with the Union of Ontario Indians and is one of seven Williams Treaty First Nations.

The total registered population of Curve Lake First Nation is 2314. There are 952 members who live on reserve while 1362 live off of the reserve. There are approximately 270 affected CP lots held by approximately 136 individuals who live either on or off-reserve.

The Council is comprised of one (1) Chief and eight (8) Councilors, who are active in the negotiation and settlement of the Flooding Claim.

2. PROPOSAL GUIDELINES

This Request for Proposal represents the requirements for a targeted, yet competitive process. Proposals will be accepted until 12 pm (noon) **Monday July 9th, 2018**. Any proposals received after this date and time will be returned to the sender.

If the individual or firm submitting a proposal must outsource or contract any work to meet the requirements contained herein, this must be clearly stated in the Proposal. Additionally, all costs included in Proposal must be all-inclusive to include any outsourced or contracted work. Any proposals which call for outsourcing or contracting work must include a name and description of the organizations being contracted.

All costs must be itemized to include an explanation of all fees and costs.

Contract terms and conditions will be negotiated upon selection of the winning bidder for this RFP. All contractual terms and conditions may be subject to review by Curve Lake First Nation legal department and will include scope, budget, schedule, and other necessary items pertaining to the project.

Proposal Inquiries

All questions, requests for information, instructions or clarifications regarding any part of this RFP must be set out in writing and directed to:

Abigail McCue, A/General Manager
22 Winookeedaa Street
Curve Lake First Nation, ON, K0L 1R0
705-657-8045
AbigailM@curvelake.ca

All questions related to this RFP or any clarification with respect to this RFP must be made no later than 3 Business Days prior to the closing date of this RFP in order that staff may have sufficient time to respond. Curve Lake reserves the right to extend the deadline for questions, if required, regarding this RFP.

Written answers or clarifications to issues of substance shall be shared with all Proponents and shall be issued as part of the RFP in the form of an Addendum. This RFP and all addendum(s), if any, shall also be posted on Curve Lake's website.

Submissions and Closing Date

The **closing date for proposals is set for Monday July 9th, 2018 at noon**. Only proposals that are mailed or emailed will be accepted. If packages are mailed, please send 3 copies of the Proposal. Packages should be clearly marked "Proposal" for Independent Legal Advisor for CLFN CP Holders.

Proposals should be submitted to the attention of:

Abigail McCue, A/General Manager
22 Winookeedaa Street
Curve Lake First Nation, ON, K0L 1R0
705-657-8045
AbigailM@curvelake.ca

3. PROJECT PURPOSE AND DESCRIPTION

The purpose of this project is as follows:

Curve Lake First Nation is finalizing the settlement of a longstanding flooding claim with Canada (as represented by Indian and Northern Affairs Canada "INAC") that has resulted in the flooding of approximately 525 acres of the reserve's shoreline ("Flooding Claim"). A condition of settlement of the Flooding Claim is to legalize future flooding, which will be done through a Ministerial Letter of Permit issued by the Department of Indigenous Affairs to Parks Canada. A small portion of some CP lots along the shoreline are located within the permit area. In an effort to properly inform the affected CP holders, Curve Lake First Nation Council has chosen to offer independent legal advice to those CP holders affected by the MLP regarding the nature and extent of impact that the Settlement Agreement and MLP will have on their rights. There are approximately 136 individuals who may individually or as joint tenants, hold CPs to an estimated 270 lots.

The role of the selected individual or firm that will provide independent legal advice to the CP holders will be to work with the General Legal Counsel for Curve Lake, namely Candice

Metallic, Maurice Law, to understand the claim, the Settlement Agreement and the MLP and the impacts on affected CP holders. The role of the firm or individual selected is not to review the overall Agreement or process, but rather to advise affected CP holders on how their rights are impacted and addressed in the settlement process.

4. SCOPE

The scope of this work includes but may not be limited to:

- Attend teleconferences with General Legal Counsel and confer as necessary
- Review documents relevant to the settlement of the Flooding Claim
- Attend two information sessions to be held with affected CP holders, and possibly two general community information sessions
- Provide advice, answer questions via telephone upon request by a CP holder(s) on matters relevant to the Flooding Claim

5. REQUEST FOR PROPOSAL AND PROJECT TIMELINE

Request for Proposal Timeline:

All proposals in response to this RFP are due no later than **12:00 pm (noon) EST Monday July 9th, 2018.**

Evaluation of proposals will be conducted from July 10th, 2018 until July 13th, 2018. If additional information or discussions are needed with any bidders during this time, the bidder(s) will be notified.

The decision of the selected firm will be made no later than July 16th, 2018. Contract negotiations will be completed by July 20th, 2018.

Notifications to bidders who were not selected will be completed by July 27th, 2018.

Project Timeline: Project must be completed by September 30th, 2018.

6. BUDGET

All Proposals must include proposed costs to complete the tasks described in the project scope. The total cost of this Scope of Work shall not exceed \$30,000 (inclusive of disbursements).

NOTE: All costs and fees must be clearly described in each proposal.

7. BIDDER QUALIFICATIONS

Bidders should provide the following items as part of their Proposal for consideration:

- Proof of eligibility to practice in Ontario;

- Description of experience in providing legal advice within an established framework;
- References from clients;
- Anticipated resources you will assign to this project (total number, role, title, experience); and
- Timeframe for completion of the project.

8. EVALUATION CRITERIA

Curve Lake First Nation will evaluate all proposals based on the following criteria. To ensure consideration for this Request for Proposal, your Proposal should be complete and include all of the following criteria:

- Overall Proposal suitability: Proposal must meet the scope and needs included herein and be presented in a clear and organized manner
- Organizational Experience: Bidders will be evaluated on their experience as it pertains to the scope of this project
- Previous work: Bidders will be evaluated on examples of their work pertaining to Consultation in the area of Education
- Value and cost: Bidders will be evaluated based on the work to be performed in accordance with the scope of this project