

REQUEST FOR PROPOSALS
For
Special Counsel Legal Services
For the Oglala Sioux Tribe

OGLALA SIOUX TRIBE
Legal Department
P.O. Box 1204
Pine Ridge, South Dakota 57770
(605) 867-2138

Release Date: July 27, 2022
Proposal Must be Received No Later Than: December 2, 2022 at 4:00 p.m. MST

SECTION I – GENERAL INFORMATION

REQUEST FOR PROPOSAL NOTICE

Notice is hereby given that the Oglala Sioux Tribe will accept Proposals for Special Counsel for various legal services for the Oglala Sioux Tribe until December 2, 2020 at **4:00 p.m. MST**. Late proposals will not be accepted.

All Proposals shall be clearly identified as the “Proposal for Special Counsel Legal Services – [SPECIFY AREA]” and sent via email to: **LisaC@ostlegal.org**.

Proposals will be evaluated and the Special Counsel will be determined and announced no later than December 31, 2022. The Tribe reserves the right to reject any or all Proposals, waive formalities, negotiate terms and conditions, and to select the Special Counsel that best meet the needs of the Tribe.

During the evaluation process, the Oglala Sioux Tribe reserves the right, where it may serve the Tribe’s best interest, to request additional information or clarifications, or to allow corrections of errors or omissions. At the discretion of the Tribe, firms submitting proposals may be requested to make oral presentations as part of the evaluation process. Inquiries and clarifications should be directed by e-mail to the following contacts: Lisa Cummings at LisaC@ostlegal.org.

CONDITIONS AND STIPULATIONS, SCOPE OF WORK

You are invited to submit your Proposal based on the information contained in this Request for Proposal. Unless a specific note is made to the contrary in your Proposal or a subsequent contract, we will assume that your Proposal conforms to the Oglala Sioux Tribe’s Specifications and an award to you will bind you to comply fully with all of the following Conditions and Stipulations and Scope of Work.

General Conditions and Stipulations

- The Oglala Sioux Tribe (“Tribe”) reserves the right to accept or reject any or all proposals and to waive formalities and select the Proposer that best meet the needs of the Tribe. The Tribe’s

objective is to select Special Counsel who will provide the best possible service at the best possible cost while meeting the Request for Proposal specifications. The Tribe is not obligated to award the contract based on cost alone. The Tribe reserves the right to designate more than one Special Counsel.

- The Special Council shall work with the OST Legal Department.
- **INDIAN PREFERENCE.** Pursuant to Section 7(b) of the Indian Self Determination and Education Assistance Act (25 USC 450e (b)), in selecting qualified firms, preference shall be given to qualified Indian enterprises and organizations. Any firm seeking Indian preference in this RFP must provide evidence it is not less than 51% Indian owned and controlled.

Scope of Work

The Tribal Council seeks individuals or law firms to provide legal counsel services to the Oglala Sioux Tribe for the following areas:

1. Federal Congressional Matters

- Advise and consult on federal budgets and legislation
- Draft memoranda on proposed legislation, comment letters, and prepare testimony for congressional hearings
- Draft proposed legislation and changes
- Set up meetings with congressional staff and federal agencies
- Provide general legal advice
- Assist In-House Counsel with projects as assigned

2. Litigation

- Represent the Tribe in litigation in state and federal court
- Provide general legal advice
- Assist In-House Counsel with projects as assigned

3. Code Drafting

- Advise and assist the Tribe with codification, revision, and access to the OST Tribal Laws
- Provide general legal advice
- Assist In-House Counsel with projects as assigned

4. Treaty Rights and Protection

- Advise and assist the Tribe on legal issues related to the 1851 Treaty with the Sioux and 1868 Fort Laramie Treaty
- Advise and assist the Tribe on legal issues related to federal laws applying to the Pine Ridge Indian Reservation
- Assist with litigation and administrative hearings related to treaties
- Provide general legal advice
- Assist In-House Counsel with projects as assigned

Single or Multiple Areas

The Tribal Council anticipates awarding one contract per area. However, proposers may combine proposals if applying for multiples areas.

SECTION II- PROPOSAL REQUIREMENTS

REQUIRED CONTENTS OF PROPOSAL

The proposal should address all the points outlined here as required.

A. Cover Letter

B. Proposal:

1. Firm History and Experience
2. Qualifications
3. Expertise
4. Proposed Fee Schedule
5. References:
6. Previous engagements with the Oglala Sioux Tribe and/or other tribes:

C. Copies of the following items:

1. State Bar License and Certificate of Good Standing.
2. Business license for the Oglala Sioux Tribe **or** Oglala Sioux Tribal Court Bar License
3. Federal debarment and suspension check.
4. Statement of compliance with Tribal, Federal, and State laws, including EO 11246 (“Equal Employment Opportunity”), as amended by EO 11375 and supplemented in 41 CFR, part 60.
5. Proof of Indian preference, if claimed.

SECTION III – PROPOSAL EVALUATION

PROPOSAL EVALUATION

A. Criteria

The Tribe will evaluate proposals based on the needs of the Tribe. The following criteria will be used in evaluating each of the proposals:

1. Cost.
2. Experience and Qualifications.

B. Review of Proposals

The Tribal Council will interview candidates and make the selection(s). Unless otherwise notified, interviews shall take place via Zoom. The successful candidates will be required to enter into a written agreement with the Oglala Sioux Tribe. This agreement will for one (1) year term, and will expire on December 31, 2023 and may be renewed at the discretion of the Oglala Sioux Tribal Council for an additional year.

The Tribe will choose the proposal(s) that best fits its needs. The Tribe is not obligated to award the contract based on cost alone nor is the Tribe obligated to award only one Special Counsel.