



Spokane Tribal Enterprises

**REQUEST FOR PROPOSAL FOR PROFESSIONAL
LEGAL SERVICES - HUMAN RESOURCES**

**INQUIRIES AND PROPOSALS SHOULD BE
DIRECTED TO:**

**Denise Abrahamson
Human Resources Director
P.O. Box 98
6195 Ford-Wellpinit Road
Wellpinit, WA 99040
Denise@spokoenterprises.com**

I. GENERAL INFORMATION.

- A. **Purpose** This request for proposal (RFP) is to contract for legal services to be provided to the **Spokane Tribal Enterprises (STE)** for the purpose of updating and revising the Employee Policy Manual, (EPM) and HR Standard Operating Procedures, (SOP), as well as recommendations and policy development including, but not limited to; social media, performance management, pandemic, telework, emergency leave, etc.
- B. **Who May Respond** Attorneys and legal professionals with expertise in the human resources field, especially in the area of Tribal Human Resources/ Tribal employment law. The Attorney must have knowledge and experience in this field to assist STE with recommendations and guidance to develop the requested deliverables.

C. **Instructions on Proposal Submission**

1. **Closing Submission Date.** Proposals must be submitted no later than **4:00 pm** on March 11, 2022
2. **Inquiries.** Inquiries concerning this RFP should be mailed to:

Denise Abrahamson
Human Resources Director
Spokane Tribal Enterprises Human Resources Department
P.O. Box 98
Wellpinit, WA 99040-0098

Or e-mailed to: **Denise Abrahamson, Human Resources Director**
Denise@spokoenterprises.com

3. **Conditions of Proposal.** All costs incurred in the preparation of a proposal responding to this RFP will be the responsibility of the Attorney and will not be reimbursed by STE.
4. **Instructions to Prospective Contractors.** Your proposal should be addressed as follows:

Denise Abrahamson
Human Resources Director
Spokane Tribal Enterprises
Human Resources Department
P.O. Box 98
6195 Ford-Wellpinit Road
Wellpinit, WA 99040-0098
Denise@spokoenterprises.com

It is important that the proposal be submitted in a sealed envelope clearly marked in the lower left-hand corner with the following information:

Request for Proposal

4:00 pm, March 11, 2022.

SEALED PROPOSAL For Legal Services

Failure to do so may result in premature disclosure of your proposal. It is the responsibility of the Attorney to ensure that the proposal is received by STE, by the date, time and in the manner specified above. Late, unsealed proposals will not be considered.

5. **Right to Reject.** STE reserves the right to reject any and all proposals received in response to this RFP. A contract for the accepted proposal will be in STE's preferred format and drafted based upon the factors described in this RFP.
6. **Notification of Award.** It is expected that a decision selecting the successful proposal will be made within four (4) weeks of the closing date. Upon conclusion of final negotiations regarding the successful proposal, all other Proposers will be informed, in writing, of the name of the successful Attorney.

D. Description of Entity

STE is comprised of several different businesses that include, Arby's, Spokane Tribal Credit, Wellpinit Trading Post, Tshimakain Creek Labs, T-Creek Research & Diagnostics, Two Rivers Resort RV Park and Marina, as well as our four Spoko Fuel Convenience Store Gas Stations. On average we have approximately 150 employees depending on the season, with future growth expected. Our businesses are located in rural locations in Eastern Washington, with our headquarters in Wellpinit, WA.

II. SCOPE OF SERVICES The Attorney shall be readily available to perform the following professional consulting services:

- A. Updating and revising the EPM
- B. Creation of business specific Standard Operating Procedures
- C. Recommendations for development of new policies
- D. Advise on individual labor and employment matters

III. PROPOSAL CONTENTS The Attorney, in its proposal, shall include the following:

- A. **Prior Experience:** The Attorney shall describe their experience related to the areas

outlined in the scope of services above. Please submit a statement of similar projects completed.

- B. **Price:** The Attorney's proposed price should include information on the hourly billing rates of each attorney or other legal staff who are expected to work on this representation and charges for expenses, if any, such as legal research, copies, and faxes. Total contract amount shall not exceed \$60,000.00.

IV. **PROPOSAL EVALUATION**

- A. **Submission of Proposals.** All proposals shall include one (1) original and three (3) copies.

- B. **Evaluation Procedure and Criteria.** STE's Human Resources Director and Office of Spokane Tribal Attorney, (OSTA), will review proposals and make recommendations to the CEO for final approval. The Human Resources Director and/or CEO may request a meeting with some qualified Attorneys prior to final selection. Proposals will be reviewed in accordance with the following criteria:

- **Maximum Points: 40: Responsiveness, Reliability, Responsibility and Technical Qualifications:**
 - Attorney's responsiveness, reliability, responsibility, technical qualifications, skill, knowledge, and experience in similar projects will be considered under the review.
- **Maximum Points: 20: Fees and Immediate Availability**
 - Cost of services provided by the attorney will be considered under this criterion. In addition, the promptness of delivery of services will be factored into consideration of cost for services
- **Maximum Points 5: Consultant's References**
 - Attorney should provide 3 references, providing names, addresses and telephone numbers for the Tribe to contact.
- **Maximum Points: 10: Native American Preference**
 - Native American owned and controlled companies will receive preference in accordance with 25 U.S.C. §450e (b) (7). Companies claiming Indian preference must furnish adequate proof of at least 51% Indian ownership and control with their quote in order to secure Indian-owned preference. A successful attorney will be required to comply with all applicable Federal and Tribal laws and regulations in effect during the contract period, including the Indian preference requirements of the Tribe.
- **Maximum Points: 25: Evidence of Completeness and Quality of Project Plan**
 - The extent to which the attorney describes the steps it will take to perform all work necessary to ensure it meets the standards sufficient for complete operation of the work.

V. **PROPOSAL TIMELINE**

During the period from your organization's receipt of this Request for Proposals and until a contract is awarded, your organization shall not contact any employee of STE for additional information except in writing directed to Denise Abrahamson at Denise@spokoenterprises.com.

VI. **QUESTIONS**

Questions for the purpose of clarifying the RFP must be submitted **in writing via email to** Denise@spokoenterprises.com and must be received no later than 4:00 p.m. on February 25, 2022.

VII. **GENERAL INFORMATION**

A. **Contract Award**

STE reserves the right to award the contract in a manner deemed to be in the best interests of STE. Contract shall be in STE standard format.

B. **Stability of Proposed Prices**

All proposed pricing must be valid for a period of thirty (30) days from the due date of the proposals.

C. **Amendment or Cancellation of the RFP**

STE reserves the right to cancel, amend, modify, or otherwise change this RFP at any time if it deems it to be in the best interests of STE.

D. **Proposal Modifications**

No additions or changes to any proposal will be allowed after the proposal due date, unless such modification is specifically requested by STE. STE, at its option, may seek Attorney's retraction and clarification of any discrepancy or contradiction found during its review of proposals.

E. **Attorney Presentation of Supporting Evidence**

Attorney's must be prepared to provide any evidence of experience, performance, ability, and/or financial surety that STE deems necessary or appropriate to fully establish the performance capabilities represented in their proposals.

F. **Attorney Demonstration of Proposed Services and/or Products**

Attorney's must be able to confirm their ability to provide all proposed services.

G. Erroneous Awards

STE reserves the right to correct inaccurate awards. This includes revoking the awarding of a contract to an Attorney and subsequently awarding the contract to a different Attorney.

Such action shall not constitute a breach of contract on the part of STE because the contract with the initial Attorney will be deemed voided as if no contract were ever in place.

H. Ownership of Proposals

All proposals shall become the property of STE and will not be returned.

I. Ownership of Subsequent Products

Any product, whether acceptable or unacceptable, developed under a contract awarded as a result of this RFP shall be the sole property of STE unless otherwise stated in the contract.

J. Oral Agreement or Arrangements

Any alleged oral agreements or arrangements made by Attorney's with STE will be disregarded in any proposal evaluation or associated award.

K. Not a Contract

This RFP is not a contract and, alone, shall not be interpreted as such. Rather, this RFP serves only as the instrument through which proposals are solicited. STE will pursue negotiations with the highest scoring proposal. If, for some reason, STE and the initial Attorney fail to reach consensus on the issues relative to a contract, then STE may commence contract negotiations with other Attorneys. STE may decide at any time to start the RFP process again.

The selected Attorney will be required to sign a standard tribal contract.

ADDITIONAL INFORMATION:

- Attorney will meet with HR and OSTA (in house legal) staff to review project planning, coordination and current EPM to be updated and studied in order to clarify Scope of Services, issues, concerns, desired outcomes, as well as to define expectations. It is expected that the attorney will need to meet with HR and OSTA staff on a regular and consistent basis to review interim work products and to receive direction and input from HR, CEO and OSTA.
- Attorney will be provided all relevant documents.
- Attorney will prepare an update to the current EPM to reflect best practices, including recommendations to ensure legal compliance with

applicable law.

- Attorney shall make every reasonable effort to streamline the EPM so that it is an easy-to-use guide for employees and HR management while ensuring necessary professional outcomes and appropriate policy language are present to provide the best practice product that also protects STE from employee liability.
- Attorney will review the update to EPM with HR staff and OSTA.
- Attorney will provide training curriculum to supervisors on the updated EPM. As part of this curriculum, attorney will develop a summary of key changes to aid with communication and training.
- Attorney will provide deliverables in an editable (Word) electronic format.