

REQUEST FOR PROPOSALS (RFP) FOR LEGAL SERVICES

Purpose of RFP

The Flathead Reservation Water Management Board (Board) invites the submittal of responses to this Request for Proposals (RFP) from a qualified individual or qualified firm(s) interested in providing legal services as Counsel to the Board. The Board intends to consider firms and/or individuals who possess the professional and administrative capabilities to provide the scope of services below detailed.

Board Information

The Board is independent and was created by the Confederated Salish and Kootenai Tribe (CSKT)-Montana water rights compact (§ 85-20-1901, MCA) and the Unitary Administration and Management Ordinance (§ 85-20-1902, MCA and CSKT Ordinance No. 111-A). The Board is an exclusive regulatory body for water rights administration on the Flathead Indian Reservation. The Board also issues new water rights and processes change applications.

Scope of Work

The Board is seeking a firm/individual to dedicate 20-30 hours per month depending on the issues faced. In addition to providing legal representation for the Board, Counsel shall perform the following functions:

1. Reviews, analyzes, and negotiates where necessary contracts, including the Montana water rights compact and the Unitary Administration and Management Ordinance.
2. Researches, interprets, and applies law, court decisions, and other legal authority in the preparation of opinions and briefs; prepares formal legal opinions upon request of the Board.
3. Drafts legal documents and resolutions for the Board; explains the foregoing to the Board; and answers questions related thereto.
4. Analyzes legislation affecting the Board.
5. Engages in litigation-related matters including drafting, discovery, court attendance, mediation, investigation, hearings, trials, and similar activities.
6. Prepares for and attend the Board meetings.
7. Reviews, analyzes, drafts, and revises policies, manuals, and other memoranda for the Board to ensure they are coherent, enforceable, and consistent with state and federal law.
8. Advises the Board.
9. Performs other such duties as may be required by virtue of the position.

Selection Process

From a review of the proposals received, the Board may invite several firms or individuals to be interviewed before making the final selection. If the Board desires to interview a firm or individual, that firm or individual will receive notification of the date and time of the interview.

The selected firm or individual will negotiate with the Board on fee and contract conditions. If, in the sole opinion of the Board, an agreement cannot be achieved with the first firm or individual of choice, negotiations will proceed with the second or subsequent choice until a mutually agreed contract can be negotiated.

Submittal Requirements

Interested parties should submit the following items in packet form to the Board for consideration. Electronic submission will be accepted; however, we ask that you provide this information in a single PDF file:

1. Qualifications of Firm, specifically as they relate to Board experience.
2. Available resources to complete required work.
3. Responsiveness to the RFP, including any additional documents submitted.
4. Professional references.
5. Fee Schedule.

Additional Instructions, Notifications, and Information

No Gratuities

Individuals and/or firms responding to this RFP will not offer any gratuities, favors, or anything of monetary value to any Board member for the purpose of influencing the selection. Any attempt to influence the selection process by any means, other than disclosure of qualifications and credentials through the proper channels, will be grounds for exclusion from the selection process.

All Information True

By submitting a response, individuals and/or firms represent and warrant to the Board that all information provided in the response submitted shall be true, correct, and complete. Those who provide false, misleading, or incomplete information, whether intentional or not, in any of the documents presented to the Board for consideration in the selection process may be excluded.

Interviews

After the initial evaluation of the statements of qualifications, individuals and/or firms will be notified of their status in the selection process.

Inquiries

Do not contact the Board to make inquiries about the progress of the selection process. Those individuals and/or firms will be contacted when it is appropriate to do so. Process inquiries may be directed to Melissa Schlichting at Melissa.Schlichting@cstk.org or (406) 475-2891.

Contract Negotiations

This RFP is not to be construed as a contract or as a commitment of any kind. If this RFP results in a contract offer by the Board, the specific scope of work, associated fees, and other contractual matters will be determined during contract negotiations.

No Obligation

The Board reserves the right to: (1) evaluate the responses submitted; (2) waive any irregularities therein; (3) select candidates for the submittal of more detailed or alternate proposals; (4) waive interviews of any kind before accepting a proposal; (5) accept any submittal or portion of submittal; (6) reject any or all individual and/or firms submitting responses, should it be deemed in the Board's best interest; or (7) cancel the entire process

Professional Liability Insurance

Individuals and/or firms shall have the appropriate liability insurance written by an insurer authorized to transact insurance in the State of Montana. Individuals and/or firms shall also be members in good standing of the Montana Bar.

Submittal Instructions

The Board will receive responses to this RFP at the address set forth below until 5:00 p.m. on **June 30, 2022**. Responses should be directed to:

Clayton Matt, Chairman
Flathead Reservation Water Management Board
P.O. Box 37
Ronan, MT 59864

Via email: cmatt4wmb@gmail.com