



**REQUEST FOR PROPOSAL
LEGAL SERVICES FOR BROADBAND
COLORADO RIVER INDIAN TRIBES**

JULY 11, 2022

ISSUED BY:
Colorado River Indian Tribes
Tribal Council
26600 Mohave Rd.
Parker, AZ 85344

The Colorado River Indian Tribes (CRIT) is requesting the submission of proposals for qualified attorneys or law firms with an expertise rural tribal broadband grant and regulatory compliance to provide CRIT with advice, counsel, and assistance in its pursuit of rural tribal broadband development on the Colorado River Indian Reservation including grant funding, regulatory compliance, utility development, and commercial transactions.

I. DETAILS:

The Colorado River Indian Tribes (CRIT) is a federally recognized Indian Tribe with almost 300,000 acres of reservation lands located in both California and Arizona. CRIT's Tribal Offices are located in Parker, AZ with several enterprises located throughout the reservation. For additional information about CRIT's history and enterprises, please visit <http://www.crit-nsn.gov/>.

II. SCOPE OF SERVICES

Legal services under the contract which shall be entered into by and between CRIT and the successful attorney/firm may include but shall not be limited to:

- 1) Advise, consult, and meet with CRIT Tribal Council, CRIT Office of Attorney General, CRIT Planning Department, and CRIT Tribal Broadband Team on development of broadband on the Colorado River Indian Reservation.
- 2) Drafting of grant applications and compliance with grant awards.
- 3) Development of existing and future fiber lines, including renewing or obtaining rights-of-ways.
- 4) Ensuring federal regulatory compliance throughout all stages of development.
- 5) Drafting of tribal ordinances and/or other policies related to utility development for broadband.
- 6) Drafting or review of commercial transactions or documents needed to for utility development.
- 7) Consult with Bureau of Indian Affairs, USDA, FCC, and other government agencies when requested by CRIT Tribal Council.
- 8) Advocate for and defend CRIT in administrative, regulatory and legal proceedings relating to broadband development.

III. REQUIRED QUALIFICATIONS

The description of the attorney/law firm qualifications and experience submitted pursuant to this RFP shall evidence/demonstrate the attorney/law firm possesses the following:

- 1) Admitted, or eligible to be admitted, to practice, in good standing, with State of Arizona and/or State of California; the Federal District Court of Arizona and/or Federal District Courts of California preferred but attorney/law firm may be admitted to another State and Federal court. Must be in good standing in all jurisdictions to which attorney/law firm is admitted.

- 2) Strong analytical and interpretive skills, as well as verbal and written communication expertise.
- 3) Proof of all necessary and/or required insurance coverage.
- 4) Demonstration of no current or past representation which was or would be adverse to or in conflict with CRIT interests.
- 5) Demonstration of experience working on Rural Broadband Grant regulatory compliance; telecommunication regulatory compliance; experience working closely with rural Tribes; experience working with the states of Arizona and California in obtaining or complying with their requirements for their public utility broadband infrastructure grants in addition to federal requirements.

IV. SPECIAL CONDITIONS

The successful attorney/law firm shall be required to comply with the following:

- 1) Enter into a professional services agreement or letter of engagement for a period of at least one (1) year. CRIT's sovereign immunity will not be waived in any agreement or engagement and the choice of forum for any disputes shall be the Tribal Court of the Colorado River Indian Tribes.
- 2) Confirm compliance with all CRIT laws, including but not limited to, the Business and Professions Code.
- 3) CRIT reserves the right to apply CRIT Tribal Member and Indian Preference in the selection of attorney/law firm.
- 4) Attorney/law firm shall maintain a policy of professional liability insurance in an amount of at least \$1,000,000.00 per occurrence.

V. SUBMISSION REQUIREMENTS

- 1) All submissions and any questions pertaining to this RFP shall be directed to:

Colorado River Indian Tribes
Office of the Attorney General
Attn. Rebecca A. Loudbear, Attorney General
26600 Mohave Rd.
Parker, AZ 85344
rloudbear@critdoj.com
Phone: (928) 669-1271

- 2) All attorneys/law firms responding to this RFP shall provide one (1) electronic copy and twelve (12) paper copies of all required documents and their proposal to provide legal services.
- 3) Proposals must be received by 5:00 pm August 22, 2022. Proposals received after the selection of the attorney/law firm shall not be considered, though they may be retained for purposes of consideration in subsequent years at the discretion of CRIT.
- 4) Proposals shall contain general information about the attorney/law firm and specific information to demonstrate the attorney/law firm can perform the scope of services in Section II and meets the qualifications outlined in Section III including the following:
 - a. A profile section to include company name, business address, phone, fax, year established, and description of company, history, and philosophy.
 - b. Resume(s) listing experience and education.
 - c. Qualifications for key personnel that will be providing services.
 - d. Background/history for key personnel that will be providing services.
 - e. Industry experience providing services as outlined in this RFP.
 - f. Listing a brief description of completed, similar projects with at least three (3) different references and contact information for three (3) projects.
 - g. Certification as an Indian-owned business or statement of non-applicability.
 - h. Statement of cost for professional services.
 - i. Provide assurances that the attorney/law firm will be mindful of, comply with, and enforce all applicable Federal, State, and tribal statutes and ordinances.
 - j. Provide an assurance that the company will work with CRIT Tribal Council and designated staff and a description of the coordination process.
 - k. Indicate availability for an interview with Tribal Council in September 2022.
- 5) Proposals shall also contain full disclosure and detailed information regarding the rates, fees, expenses, and retainer requirements that would be charged by the attorney or law firm for providing legal services to CRIT. The length of time those fees can be guaranteed shall also be provided. Any required professional services agreement or letter of engagement terms and conditions must also be submitted with the proposal for

consideration. Proposals may also contain information regarding any alternative/creative fee arrangements.

- 6) The proposal should provide specifics on proposed staffing by indicating responsible partner/attorney, as well as key members of the team, their area of expertise and anticipated role.

VI. SELECTION

- 1) CRIT reserves the right to reject any and all proposals with or without cause and extend the time for submission of proposals without notice.
- 2) CRIT Tribal Council will require an in-person interview with the attorney/law firm, to take place at CRIT Tribal Offices. The purpose of the interview would be to discuss a submitted proposal to further ascertain and clarify the qualifications and ability to perform the scope of services, gather additional information, and potentially negotiate proposed rates and fees or other agreement terms. The interview will be at the expense of the attorney/law firm.
- 3) CRIT shall consider the qualifications of the attorney/law firm, reasonableness of the fees and expenses, prior representations determined to be adverse to CRIT, and any other terms required by the attorney/firm in making a selection. All determinations regarding conflict and selection of attorney/law firm shall be in the sole discretion of CRIT Tribal Council and shall be final.
- 4) There is no deadline for selection of an attorney/law firm but those not selected from this RFP process will be so notified.