

REQUEST FOR QUALIFICATIONS FOR LEGAL SERVICES FOR THE PERIOD JUNE 1, 2023 to SEPTEMBER 30, 2023

INQUIRIES AND QUALIFICATIONS SHOULD BE DIRECTED TO:

Mr. Dewey McNeill
Chair of Constitution and Ordinance Committee
Lumbee Tribal Council
Lumbee Tribe of North Carolina
Lumbee Tribal Complex
6984 NC – 711
Pembroke, NC 28372
910-736-5716
Dewey.McNeill@LumbeeTribe.com

I. GENERAL INFORMATION.

- A. Purpose. This request for qualifications (RFQ) is to contract for legal services to be provided to the Lumbee Tribal Council of the Lumbee Tribe of North Carolina from June 1, 2023 to September 30, 2023.
- B. Who May Respond. In accordance with the Lumbee Tribe of North Carolina's Procurement Policy ([LTNC Procurement Policy, Section 5](#)) and Section 101(k) of the Native American Housing Assistance and Self-Determination Act of 1996 (NAHASDA), this solicitation is restricted to Indian Owned Enterprises. In accordance with LTNC Procurement Policy, Indian Preference, Enrolled Lumbee tribal will be given preference. All applicants must be currently licensed to practice law in North Carolina. Preference will be given to applicants who maintain an office within the Lumbee tribal designated service of Robeson, Hoke, Scotland or Cumberland counties. The NAHASDA final rule, published on December 3, 2012, amended 24 CFR Sections 1000.48, 1000.50 and 1000.52 to provide for tribal preference in employment and contracting.
- C. The Lumbee Tribal Council of the Lumbee Tribe of North Carolina has need for an attorney or firm knowledgeable in Indian law to represent the Lumbee Tribal Council with legal counsel. This counsel may include but not limited to general counsel services, tort claims, contractual matters, drafting of tribal ordinances, and litigation.
- D. Instructions on Qualifications Submission.
 1. Closing Submission Date. Qualifications must be submitted no later than 11:59 PM on Friday, June 2, 2023 by email.
 2. Inquiries. Inquiries concerning this RFQ should be emailed to:

Mr. Dewey McNeill
Chair of the Constitution and Ordinance Committee

Lumbee Tribal Council of the Lumbee Tribe of North Carolina
Dewey.McNeill@LumbeeTribe.com

3. Conditions Applicable to RFQ.
 - a. This is an RFQ and does not constitute a Request for Proposal (RFP).
 - b. This RFQ does not commit the Lumbee Tribal Council to issue an RFP.
 - c. The Lumbee Tribal Council reserves the right, in its sole judgment, to reject any Respondent responding to this RFQ from further consideration for this procurement.
 - d. All Qualified Statements shall become the property of the Lumbee Tribal Council and will not be returned.
 - e. All Qualification Statements will be made available to the tribal membership at the appropriate time, as determined by the Lumbee Tribal Council, in the exercise of its sole discretion.
 - f. The Lumbee Tribal Council may request interviews of Respondents.
 - g. Neither the Lumbee Tribal Council, nor the Lumbee Tribe of North Carolina, its officers, officials, or employees shall be liable for any claims or damages resulting from the solicitation or preparation of the Qualified Statement. All costs incurred in the preparation of a proposal responding to this RFQ will be the responsibility of the Respondent and will not be reimbursed by Lumbee Tribal Council or the Lumbee Tribe of North Carolina.
 - h. It is the responsibility of the Respondent that the proposal is received by the date and time specified above. Late proposals will not be considered.
 - i. A contract for the accepted Qualified Statement will be drafted based upon the factors described in this RFQ.

4. Instructions for Qualified Statements. All Qualified Statements should be addressed as follows:

Mr. Dewey McNeill
Chair of the Constitution and Ordinance Committee
Lumbee Tribal Council of the Lumbee Tribe of North Carolina
Dewey.McNeill@LumbeeTribe.com

5. Right to Reject. The Lumbee Tribal Council reserves, holds, and may exercise, at its sole discretion the following rights and options with regard to this RFQ and the procurement process.
 - a. The right to reject any and all Qualified Statements received in response to this RFQ.
 - b. To supplement, amend or otherwise modify the RFQ through issuance of addenda.
 - c. To waive any technical nonconformance with the terms of this RFQ.
 - d. To request additional information of any or all Respondents to support the information included in any Qualified Statement.

e. The Lumbee Tribal Council may suspend, terminate or under no obligation to complete all or any portion of the procurement process described in this RFQ, in its sole discretion. If terminated, The Lumbee Tribal Council may determine to commence a new procurement process or exercise any other rights without any obligation to the Respondents.

6. Notification of Award. Upon conclusion of final negotiations with the successful attorney or firm, all Respondents submitting Qualified Statements in response to this Request for Qualifications will be informed, in writing, of the name of the successful consultant.

D. Description of Lumbee Tribal Council. The Lumbee Tribal Council of the Lumbee Tribal of North Carolina, by Article VII of the Lumbee Constitution, is vested with all legislative power to enact ordinances. Legislative power includes the enactment of annual tribal budgets following tribal hearing(s) on the budgets proposed by the Tribal Chairperson; adoption of rules and regulations of rules and regulations governing the Tribal Council's procedure and decorum, consistent with the provisions of the Lumbee Constitution, and confirmation of either employment or dismissal of a Tribal Administrator.

II. SCOPE OF SERVICES.

It is the intent of the Lumbee Tribal Council of the Lumbee Tribe of North Carolina to solicit Qualification Statements from Respondents that have expertise in tribal law, Lumbee customs, and tribal sovereignty. The successful Respondent should be able to demonstrate experience in general counsel services, tort claims, contractual matters, litigation, knowledge of tribal ordinances and Lumbee customs.

A. Submission Requirements. The Qualification State submitted by the Respondent must meet or exceed the qualifications set forth in the RFQ and shall incorporate the information requested below. A Respondent may submit supplemental information that it feels may be useful in evaluating its Qualification Statement. Respondents are encouraged to be clear, factual and concise in their presentation of information.

- 1) A. Legal Experience. The Respondent should describe its legal experience.
- 2) Name, address, contact person, and telephone number and title of person responsible of submitting the Qualified Statement.
- 3) Experience should include the following:
 - a. Experience with the areas identified within the RFQ
 - b. Organization, size, structure, areas of practice, and office location(s).

- c. Firm Qualifications. Describe the qualifications of the attorney to be assigned to the representation. Descriptions should include: Education, position in the firm, years and types of experience, and overall supervision to be exercised.

III. PROPOSAL EVALUATION

The Lumbee Tribal Council of the Lumbee Tribe of North Carolina's objective in soliciting Qualification Statements is to enable it to select a Respondent that will provide expert services. Only Qualification Statements from Respondents that, in the Lumbee Tribal Council's sole judgement, have demonstrated the capacity, experience and willingness to provide expert and high-quality services in the manner describe in this RFQ. Evaluation will consider:

1. Tribal membership and standing.
2. Bar certified and licensed.
3. Office location.
4. Knowledgeable in Indian and tribal.
5. Experience providing legal counsel.
6. Demonstrate an understanding of tribal sovereignty, Indian and tribal law, and Lumbee custom.

IV. GENERAL TERMS AND CONDITIONS

The Lumbee Tribal Council of the Lumbee Tribe of North Carolina reserves the right to reject any/or all Qualification Statements, if necessary, or to waive any informalities in the Qualification States. Each Qualified Statement must be signed by the person authorized to do so. Qualified Statements may be hand delivered or emailed consistent with the provisions of this RFQ. Late Qualified Statements will not be accepted. No Respondent shall influence, or attempt to influence, or cause to be influenced, any Lumbee Tribal Council member or officer to use his/her official capacity in any manner which might tend to impair the objectivity or independence of judgment of said member or officer, nor secure unwarranted privileges or advantages for the proposer or any other person. Should any difference arise between the contracting parties as to the meaning or intent of these instructions or specifications, the Constitution and Ordinance Committee of the Lumbee Tribal Council shall be final and conclusive.