



Unama'ki Institute of Natural Resources (UINR)

REQUEST FOR PROPOSALS (RFP)

Issued: July 13, 2022

PROJECT TITLE: Addressing Environmental Regulatory Gaps in First Nations in Nova Scotia

PROPOSAL DUE DATE: August 12, 2022

CONSULTANT ELIGIBILITY: This procurement is open to consultants or individuals that satisfy the minimum qualifications stated herein and are eligible to work in Canada.

PURPOSE AND BACKGROUND: The UINR and CMM are the two main technical bodies who represent the 13 Mi'kmaq communities in Nova Scotia on all matters concerning natural resource management. There are currently eight member communities who are part of The CMM: Acadia, Annapolis Valley, Bear River, Glooscap, Sipekne'katik, Millbrook, Paqtnkek, Pictou Landing. UINR represents the five Mi'kmaw communities of Unama'ki – Eskasoni, Membertou, Potlotek, Wagmatcook, and We'koqma'q. While UINR and The CMM are providing supports to different Mi'kmaq communities across Nova Scotia, they often collaborate with KMKNO to deliver programs and initiatives to ensure consistent communication and to provide province-wide support and guidance. UINR and CMM have been working collaboratively with KMKNO to engage communities on discussions concerning environmental regulatory gaps on reserve. To date, a report has been completed exploring strategies Indigenous communities in Canada have adopted to bridge the regulatory gaps regarding land and environmental management on reserves. As stated in the report, "Environmental management within Canada's provinces is primarily done through provincial legislation [1]. However, because reserve lands are under federal jurisdiction, this means that provincial environmental laws do not apply. Although the federal government has the power to develop environmental legislation for reserve lands, it has not done so, or has done so minimally. Furthermore, federal environmental regulations may be outdated (e.g. Indian Reserve Waste Disposal Regulations) and are not always strictly adhered to [2, 3]. As such, land and environmental management is poor on reserves, which has resulted in environmental degradation, health concerns, and negative impacts to cultural and traditional Indigenous practices." –Jamie Lantz (Bridging the Gap: Addressing Environmental Regulatory Gaps in Canada's Indian Act). In 2020-2021, UINR and CMM held initial discussions with

Mi'kmaw communities to determine how best to address these gaps. Engagement to date has, however, been limited due to concerns around Covid- 19.

UINR

UINR represents the five Mi'kmaw communities in Unama'ki or what is now known by settlers as Cape Breton, Nova Scotia. UINR has been actively involved in environmental management since 1999. UINR's strengths are the ability to weave scientific research with Mi'kmaw knowledge and engage Elders, Knowledge Holders and youth to ensure Mi'kmaw values and knowledge are protected and shared. UINR has an extensive established network of partners. The Mi'kmaw guiding principles of Netukulimk and Etuapmunk are the foundation of UINR's work.

CMM

The Confederacy of Mainland Mi'kmaq is a Tribal Council, representing the interests of eight Mi'kmaw communities. The CMM's mission statement is:

“To proactively promote and assist Mi'kmaw communities' initiatives toward self determination and enhancement of community.”

Over the last several years, the list of programs, services and directorates the organization offers has expanded and diversified.

The organization now has the following directorates:

- 1.) Department of Common Services
- 2.) Department of Aquatics and Fisheries Resource Management
- 3.) Department of Governance
- 4.) Department of Health Services
- 5.) Department of History & Culture
- 6.) Department of Community Services & Infrastructure
- 7.) Department of Environment and Natural Resources.

The Environmental Regulatory Gap Project is housed under the Department of Environment & Natural Resources (DENR). The DENR is responsible for advocating for, and empowering, CMM's Member Communities' participation and stewardship interests within the Federal and Provincial mandates relating to Environment, Natural Resources, Climate Change, Lands & Forestry and Agriculture. The DENR strives to review and communicate how various legislative regulations will impact communities, identify capacity gaps and areas for opportunity and organize and facilitate training and mentorship needs to fill CMM's mission. The DENR's major programs include: 1.) Forestry, 2.) Environmental Services and 3.) Agriculture and Climate Change.

OBJECTIVES AND SCOPE OF WORK

Objectives for the project:

This project intends to build on the momentum created from previous community sessions to identify what is currently being done on environmental management on reserve lands. There is a need to identify community priorities and perspectives in Nova Scotia Mi'kmaq communities and explore what is working and if there are lessons learned that can be shared with other communities to address regulatory gaps. The project will also engage communities to identify specific regulatory gaps, governance/administrative needs, and capacity and training needs. From this engagement with communities' possible solutions to address environmental regulation gaps on reserve will be identified. The successful applicant will work in collaboration with KMKNO to deliver this project to Mi'kmaw communities in Nova Scotia.

DELIVERABLES AND TIMING

Measurable deliverables are to be completed by 31 March 2023 and include the following:

Task	Deliverable	Start
Planning meeting with partners	Meet with partner organizations (UINR, CMM, KMKNO) to coordinate overall scope and approach for community engagement and strategy sessions. May involve participation in regional planning sessions to identify priorities and perspectives.	August 2022
Co-development of engagement process with communities	Meet with NS Mi'kmaw communities to determine preferred process for community engagement and identify key individuals for interviews.	September 2022
Community Engagement	Interviews with key individuals to identify assets, needs and gaps in environmental regulations on reserve.	September 2022
Develop Planning Strategy	Assist in the development of a Planning Strategy with recommendations focused on options and possible solutions to address the regulatory and capacity gaps identified. Identify key partners roles in Addressing Regulatory Gaps in Nova Scotia (KMKNO, Assembly, Provincial Departments, CMM & UINR)	November 2022
Present Strategy to communities for review/ input and finalization	Present plan to communities for review and input before finalization	January 2022

GENERAL INFORMATION FOR PROPOSAL SUBMISSION

Interested parties are required to submit one copy of their proposal. The proposal must arrive at UINR no later than **12 Aug 2022**. UINR assumes no responsibility for delays and all late proposals will be disqualified from further consideration.

Electronic proposals must be emailed as an attachment in Microsoft Word or as a PDF to Lisa Young, Executive Director, UINR at lisa@uinr.ca. If UINR’s email is not working on the submission date, appropriate allowances will be made. All communication between the Consultant and UINR shall be with the Executive Director as follows:

Name	Lisa Young
Email Address	lisa@uinr.ca
Mailing Address	4102 Shore Rd, Eskasoni, NS B1W 1M4
Phone Number	(902) 379-2163

Any other communication will be considered unofficial and non-binding with UINR.

ESTIMATED SCHEDULE OF PROCUREMENT ACTIVITIES

Issue request for proposals	13 July 2022
Proposals due	12 Aug 2022
Notify “Apparent Successful Contractor”	17 Aug 2022
Sign contract and begin work	19 Aug 2022
Hold progress meeting with UINR staff	03 Oct 2022
Submit final report and end of contract	31 March 2023

UINR reserves the right to revise the above schedule if required.

PROPRIETARY INFORMATION/PUBLIC DISCLOSURE

Proposals submitted in response to this competitive procurement will become the property of the UINR.

REVISIONS TO THE RFP

If revisions are made to the RFP, addenda will be provided via email to firms and individuals who have made their interest aware to the UINR Executive Director. Please send your name, email address, and telephone number to the Executive Director to receive RFP addenda.

RESPONSIVENESS

All proposals will be reviewed by the Executive Director and UINR staff to determine compliance with administrative requirements and instructions specified in the RFP. Failure to comply with any part of the RFP may result in rejection of the proposal as non-responsive. UINR also reserves the right to waive minor administrative irregularities.

MOST FAVOURABLE TERMS

UINR reserves the right to contact a Consultant for clarification or make an award without further discussion of the proposal submitted. Therefore, the proposal should be submitted initially using the most favorable terms the Consultant can propose. There will be no best and final offer procedure.

The Apparent Successful Contractor should be prepared to accept this RFP for incorporation into a contract. Contract negotiations may incorporate some or all of the Consultant's proposal. It is understood that the proposal will become a part of the official procurement file on this matter without obligation to UINR.

COSTS TO PROPOSE

UINR will not be liable for any costs incurred by the Consultant in preparation of a proposal submitted in response to this RFP, in conduct of a presentation, or any other activities related to responding to this RFP.

NO OBLIGATION TO CONTRACT

This RFP does not obligate UINR to contract for services specified herein.

REJECTION OF PROPOSALS

The UINR reserves the right at its sole discretion to reject any and all proposals received without penalty and a contract as a result of this RFP.

COMMITMENT OF FUNDS

The Executive Director of UINR or delegate is the only individual who may legally commit UINR to the expenditures of funds for a contract resulting from this RFP. No cost chargeable to the proposed contract may be incurred before receipt of a fully executed contract.

PROPOSAL CONTENTS

The Proposal must contain a comprehensive description of services including the following:

- A. Project Approach/Methodology – a complete description of the proposed approach and methodology for the project. The section should convey the Consultant’s understanding of the proposed project.
- B. Work Plan - Include all project requirements and the proposed tasks, services, activities, etc. necessary to accomplish the scope of the project defined in this RFP. This section must contain sufficient detail for the evaluation team to understand the Consultant’s knowledge of the subject and skills necessary to successfully complete the project. Include any required involvement of UINR staff.
- C. Project Schedule - Include a project schedule indicating when the elements of the work will be completed. Project schedule must ensure that any deliverables requested are met.
- D. Outcomes and Performance Measurement – Describe the impacts/outcomes proposed to achieve as a result of the delivery of these services including how these outcomes would be monitored, measured and reported to UINR.
- E. Risks - The Consultant must identify potential risks that are considered significant to the success of the project. Include how the Consultant would propose to effectively monitor and manage these risks, including reporting of risks to the UINR.
- F. Deliverables – Fully describe deliverables to be submitted under the proposed contract. Deliverables must support the requirements set forth in Objectives and Scope of Work.
- G. Project Management
 1. Project Team Structure/Internal Controls - Identify key project team members noting the project lead and any partners or subconsultants.

2. Staff Qualifications/Experience - Identify responsibilities and qualifications of each of the team members. Brief (maximum 2 pages each) CVs may be included in an appendix. The consultant must commit that staff identified in its proposal will actually perform the assigned work. Any substitutions must be pre-approved by UINR.

H. Experience of the Consultant

1. Indicate the experience the Consultant and any subcontractors have in the following areas:
 - Knowledge of environmental regulations and their applicability on First Nation reserves
 - Conducting key informant interviews with Indigenous Elders and community members.
 - Preparing strategic plans and presentations.
 - Other relevant experience that indicates the qualifications for the performance of the potential contract.
 - A list of contracts the Consultant has had during the last five years that relate to the Consultant's ability to perform the services needed under this RFP.

I. References

Provide names, addresses, telephone numbers, fax numbers and email addresses of three (3) business references for the Consultant and three (3) business references for the lead staff person for whom work has been accomplished and briefly describe the type of service provided. Do not include current UINR staff as references. By submitting a proposal in response to this work request, the vendor and team members grant permission to UINR to contact these references and others, who from UINR's perspective, may have pertinent information. The UINR may evaluate references at the UINR's discretion.

J. Identification of Costs

Identify all costs in Canadian dollars including all expenses to be charged to accomplish the objectives of the contract. A fully detailed budget outlining deliverables with staff costs, travel costs, and other costs is required as outlined in the RFP.

EVALUATION AND CONTRACT AWARD

Proposals will be evaluated strictly in accordance with the requirements stated in the RFP and any additional addenda. Proposals will be reviewed, evaluated, and ranked by a team designated by UINR.

UINR will notify the Apparently Successful Contractor of their selection in writing following the evaluation process. Individuals or firms not selected for further negotiation or award will be notified separately by email or facsimile.