

Tk'emlúps te Secwépemc



2017-03

Request for Proposal

Kinder Morgan Cultural Heritage Study

Registered Environmental Specialist/Writer

April 6, 2017

Preface

The sole purpose of the content contained in this document and all resulting responses are intended to assist the Tk'emlúps te Secwépemc (TteS) (formerly Kamloops Indian Band), identify potential consultants for a specific project as outlined. The responses will help TteS isolate the party that is most likely to fulfill its requirements.

Specific requirements outlined and selection of the successful respondent does not constitute the final terms or agreement of an engagement. A separate agreement between the two parties will determine the ultimate terms.

TteS prides itself on its operating and management principles to be a professional, fair and diverse organization that cherishes its privilege to serve its membership. With this in mind it seeks a fair and unbiased selection process and intends to uphold the qualification requirements outlined without prejudice.

**TK'EMLÚPS TE SECWÉPEMC
REQUEST FOR PROPOSAL
KINDER MORGAN CULTURAL HERITAGE STUDY
ENVIRONMENTAL SPECIALIST/WRITER**

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SECTION I INTRODUCTION

The Secwépemc, which may loosely be translated to (“the people”), are the northernmost Salish-speaking occupants of the Interior Plateau and northernmost of the Plateau people of the region of northwestern North America, with an expansive traditional territory of approximately 156,000 square kilometers in the southern interior of British Columbia. There now exist 17 Indigenous communities in the territory, many of whom amalgamated from what were at one time, thirty-two Secwépemc villages spread throughout the territory in the mid-1800s, before smallpox decimated the population.

The Tk’emlúps and Skeetchestn Bands, collectively known as the Stk’emlúpsemc te Secwépemc Nation (“SSN”), represent one of seven named socio-geopolitical parts of the Secwepemcúl’ecw (territory) and of the Secwépemc.

Stk’emlúpsemc te Secwépemc histories are expressed not only through chronological oral narratives, but are also depicted in the features in, around and under our landscapes, as is evident in sacred areas, such as coyote rock. Research on Secwépemc oral histories and information about cultural practices and indigenous laws and traditions was carried on during the late 1800s and early 1900s by ethnographers such as James Teit (*The Shuswap*, 1909); George M. Dawson (1891) and Franz Boas (1891, 1895), and in the twentieth century by several anthropologists and linguists (M. Ignace, R. Ignace, R. Bouchard and D. Kennedy, A. Palmer, G. Palmer, N. Turner, A. Kuipers, Dwight Gardner). Numerous archaeological studies have been carried out, including early work by Harlan Smith (1899), and through systematic excavations, including salvage excavations by Sanger (1968), Hayden (1992, 2000), Carlson and Wilson (1980), and more recently through Archaeological Overview and Impact Assessments. Various Traditional Use Studies, Oral History Projects, and other cultural heritage research reports carried out by and/or for the Tk’emlúpsemc te Secwépemc have provided further baseline data relevant for this proposed study, the Tk’emlúpsemc te Secwépemc Cultural Heritage Study (“CHS”).

Information derived from the proposed Kinder Morgan Cultural Heritage Study would be invaluable to our community as it enables us to make informed decisions and/or contributions to the operational and strategic planning of the territory.

¹ See M. Ignace 1998, *The Shuswap (Secwepemc)*. In: D. Walker ed., *Handbook of North American Indians Vol. 12, The Plateau*; M. Ignace and R. Ignace, *Secwepemc Resources* (with assistance from Dan Marshall, Mike Anderson and Celia Nord), *SSN Cultural Heritage Study – First Preliminary Report*, May 20, 2013. Unpublished, p. 17.

² Ibid.

Award

The TteS is not under any obligation to award a contract and reserves the right at its sole discretion to terminate or amend this RFP at any time.

It is TteS' policy to practice Preferential Hiring as per Section 16, Special Programs, pursuant to the Canadian Human Rights Act and Section 42 of the British Columbia Human Rights Code.

The Respondent must provide a brief outline which identifies the opportunity to provide a mentor/mentee relationship throughout the Project.

About Kinder Morgan

Kinder Morgan Canada operates a number of pipeline systems and terminal facilities including the Trans Mountain pipeline, the Cochin pipeline, the Puget Sound and the Trans Mountain Jet Fuel pipelines, the Westridge marine terminal, the Vancouver Wharves terminal in British Columbia and the North Forty terminal in Edmonton, Alberta.

Trans Mountain currently transports approximately 300,000 barrels per day (bpd) of crude oil and refined petroleum from the oil sands in Alberta to Vancouver, British Columbia and Washington State. Kinder Morgan Canada is pursuing a proposed \$5.4 billion expansion of Trans Mountain, which would increase capacity to 890,000 bpd. Canadian producers and oil marketing companies have signed firm contracts supporting the project for approximately 708,000 bpd. Pending regulatory approvals, the expanded pipeline expected to be completed in 2019.

SECTION II REQUEST FOR PROPOSAL TIMELINE

1. Critical milestones:

The following table details the expected timelines regarding the RFP completion, clarification and selection process. Please note that some dates are tentative and subject to change.

Milestone	Date
RFP Issuance Date	April 6, 2017
Qualification Statement from Respondent	April 14, 2017 at 3:00 pm
RFP Questions Due from Respondent	April 19, 2017
RFP Question Responses	April 26, 2017
RFP Closes	May 2, 2017 at 3:00 pm
RFP Selection and Contract Execution	May 6, 2017
Project Initiation	May 15, 2017

2. Respondent Questions

All questions should be directed to Freda Jules, Lands, Leasing and Tax Manager at freda.jules@kib.ca & karen.aird@kib.ca. Please provide a list of any questions by **April 19, 2017**. A summary of all questions and answers will be forwarded to all respondents via email as an addendum to this RFP by **April 26, 2017**.

3. Respondent Questions

It is the respondent's responsibility to assure that all addenda have been reviewed and must sign and return **Appendix A – Qualification Statement from Responder** via email no later than **April 14, 2017 at 3:00 pm**.

4. Receipt and review of proposals

Proposals will be received until the date and time shown herein. TteS will not accept any proposal received after the date and time specified.

5. Right to Request Additional Information

Kamloops Indian Band reserves the right to request any additional information to assist in the review process, including requiring oral presentations of proposals to TteS Chief and Council and/or staff members, adjudication panel or Finance and Audit Committee.

6. Right to Reject Proposals and Cancel RFP

Kamloops Indian Band reserves the right to reject any and all proposals at any time. Kamloops Indian Band reserves the right to cancel, withdraw, modify or reissue this RFP at any time for any reason.

SECTION III CULTURAL HERITAGE STUDY SERVICES REQUIRED

Study Area Scope

The proposed study is intended to provide TteS and SSN the opportunity to gather information in the corridor in which Kinder Morgan operates the Trans Mountain Pipeline on Tkemlúpsemc ell Stk'emplúpsemc Territory. The corridor is approximately 103 kilometers long running on the west side of the North Thompson River from the overlapping northern boundary with the neighboring Secwépemc group, the Simpcw First Nation, located in the Louis Creek area, and running south to the border with the Lleképemc in the Logan Lake highlands area. In the Kamloops area, the pipeline trajectory crosses the South Thompson River near Kamloops Airport and runs south by Jacko Lake and then south from there to the above-mentioned border with the Lleképemc.

Regarding the width of the study corridor, it is TteS and SSN's position that the Cultural Heritage Study needs to accommodate TteS and SSN's past historic and ongoing use and occupancy of the area as circumscribed by watersheds rather than a narrow corridor in the immediate surroundings of the proposed pipeline trajectory. Thus, a map of the overall study area as representing integrally connected environments stewarded, used and occupied by the Tkemlúpsemc ell Stk'emplúpsemc, will be provided as part of the proposed research.

The central portion of the study area intersects with and overlaps with the study area of the Cultural Heritage Study currently underway by SSN towards the proposed KGHM/Ajax Mine. However, the important areas north of this to McLure and Louis Creek and south to the Logan Lake Highlands are not addressed in the KGHM/Ajax Cultural Heritage Study, and therefore need to be addressed in detail specific to TteS and SSN's Kinder Morgan expansion project.

Thus, the area of study will be from Stk'emplúpsemc southern boundary with the Lleképemc to the boarder of the Simpcw.

Subject Areas of Focus

The study will include a contextualizing site-specific use of areas within a seasonal round approach. This approach moves beyond mapping and describing specific locations of traditional use and knowledge to integrating the collective land occupancy and travel on the land throughout the seasons and throughout history to arrive at descriptions of the long-term life experience on the land. These subjects areas will include, but are not limited to :

- Past and ongoing fishing for anadromous fish and other species in the North Thompson and Main Thompson River mainstream and its tributaries, and in lakes within the watershed area of the study area;
- Past and ongoing hunting activity and areas within the study area;
- Past and ongoing plant gathering (food plants, medicinal plants, cultural/spiritual use plants, plants in technology) within the study area;

- Documenting Indigenous interests, values, protocols and legal traditions related to plants, animals, and the land in general;
- The braiding of Indigenous and Western ecological knowledge in land conservation and planning;
- Accumulative impacts; and
- Social economic, biological and ecological research in so far as it will show the livelihood of the TteS and SSN, and its members' use and relevance on the land.

The study will be led by a team of researchers and professionals who specialize in Aboriginal Rights/Title and litigation research, Secwépemc history and culture, traditional use and occupancy studies, and Indigenous knowledge and oral history research. All experts/consultants will have a long-standing track record of recognized and respected professional conduct by their peers and previous clients, and will be members of their various professional associations, abiding by ethical guidelines.

The Respondent will be required to work with the Lands, Leasing and Tax Manager and the Natural Resources Manager to access pertinent lease instruments and land description. Other key staff may be required from time to time.

In addition, the CHS study will provide subsequent dialogue with Membership as it pertains to the overall TteS Comprehensive Community Plan.

SECTION IV REQUEST FOR PROPOSAL REQUIREMENTS

General Information

All proposals submitted will be irrevocable for sixty (60) days following the closing, subject only to the following:

- Notwithstanding the above, a respondent will be permitted to withdraw its proposal prior to the closing date provided that it has first notified the TteS in writing of its intention to do so. A respondent which has so withdrawn a proposal may submit a new proposal, prior to the closing date, pursuant to this request, provided that such action is done in compliance herewith.
- Notice in writing to a respondent of the acceptance of its proposal by the TteS and the request for a formal presentation of the Cultural Heritage Study as outlined in its response to the RFP.
- Notice in writing to a respondent of the acceptance of its proposal and formal presentation by the TteS and the subsequent execution of an engagement letter shall constitute the making of the Contract for Services.

Proposal Form and Content

Covering letter should clearly state the Respondent's understanding of the services to be provided. The letter must include the name(s) of the person(s) who will be authorized to make representations for the consultant, their title(s) and contact information. The person signing the covering letter must be authorized to bind the proposer.

A table of contents should follow the covering letter, identifying the following topics by page number:

1. Respondent profile including experience and qualifications.
2. Detailed proposal of what will be delivered, expected outcomes and benefits to the community.
3. Detailed project timeline including milestones, meetings, progress reporting and community engagement.
4. Detailed project methodology explaining each project task including what will be expected of the Consultant, TteS staff and any other external groups.
5. Detailed plan outlining community engagement and other stakeholder consultations.
6. Detailed budget including rates, expenses, travel and taxes.
7. Provide two (2) References that you have worked with in a Consultant relationship.
8. Describe other consulting services that may assist the TteS and SSN.

SECTION V TABLE OF TIMELINES, PHASES AND TASKS

The project will be from May 2017 until April 2018. Your proposal should reflect this timeframe and clearly show how specific tasks and phases.

SECTION VI

SUBMISSION OF PROPOSALS

- Proposals must be hand delivered or couriered inclusive of three (3) sealed hard copies and one (1) electronic copy in a Microsoft compatible format clearly marked **2017-03 RFP Kinder Morgan Cultural Heritage Study – Environmental Specialist/Writer** to the Tk'emlúps te Secwépemc office at 406-345 Chief Alex Thomas Way, Kamloops BC, V2H 1H1 no later than **3:00 PM, LOCAL TIME, May 2, 2017**.
- Proposals received after this time will not be considered. It is the sole responsibility of the respondent to deliver their proposal to the TteS before this time.
- Proposals will not be accepted by mail, facsimile or email.
- Proposals are to be clearly marked with the name and address of the Respondent.
- It is the Respondent's sole responsibility to ensure their submission is received when, where and how it is specified in the RFP. The TteS is not responsible for lost, misplaced or incorrectly delivered submissions.
- All submissions will be date and time stamped.
- The TteS is not liable for any costs incurred in the preparation of the proposals.
- All submissions received shall become the property of the TteS and may be considered public information (after the contract is awarded) unless the proponent requests that certain components of the submission, other than price, remain confidential.
- Any inquiries regarding this RFP should be directed to:

Freda Jules - Lands, Leasing and Tax Manager

Telephone: 250.828.9819

E-mail: freda.jules@kib.ca

Karen Aird – Project Coordinator

Telephone: 205.314.1590

Email: karen.aird@kib.ca

- The successful respondent will be required to direct all communications related to their contract through the designated TteS staff named above. Information obtained from any other source is not official and should not be relied upon.
- Communications directly to Chief and Council concerning the RFP are not permitted without prior approval. Any attempts to contact Chief and Council with questions or comments about this project by a submitting proponent will be construed as an attempt to seek preferential or biased treatment and immediate disqualification will result.
- The TteS reserves the right to:
 - Accept no proposal.
 - Accept or reject any proposal whether complete or not.
 - Negotiate changes to the successful proposal.
 - Reject any proposal it considers not in its best interest.
 - Not accept the lowest priced proposal.
- If a member of Council has a direct or indirect interest in the contract, then the respondent shall report this to Council upon being notified of the award of the contract.
- The respondent warrants and represents that it has not received any information or a record not generally available to the public from any Council member or former Council member, unless such information is provided herein.

SECTION VII ENVIRONMENTAL SPECIALIST/WRITER OVERVIEW

- Develops an environmental monitoring program to determine present and potential impacts on the environment (air, soil, water and biota) and reports findings to the Cultural Heritage Study Team, government bodies and proponents.
- Prepares an environmental impact assessment based on the results of the environmental monitoring program.
- Conducts research on fish, wildlife and plant species, including ethno-botany (medicines, foods, tools, implements) to understand how the Project may impact the Secwépemc's ability to continue to practice their Aboriginal rights and express their interests on the territory.
- Assists with evaluating cumulative impacts of the Project on the environment and the Secwépemc's ability to continue to use and occupy the land and resources.
- Assists with report writing and presentation of material.
- Other duties as necessary.

SECTION VIII PROPOSAL EVALUATION CRITERIA

Proposals will be evaluated on the basis of the following criteria:

Consultant: _____

Criteria	Score Value	Weight %	Comments
1. Understanding of Engagement Proposal submitted on time. Demonstration of full understanding of the work to be performed. References submitted – two (2).	0-5	10	
2. Consultant Profile and Experience with First Nations Engagements Experience with other First Nations Cultural Heritage Studies. Demonstrate how proponent can meet the Cultural Heritage Study criteria as set out in this proposal. Availability of proponent to provide services.	0-5	25	
3. Community Engagements Demonstrate ability to work with TteS community and SSN communities. Demonstrate a communications strategy with TteS community.	0-5	25	
4. Quality of Proposal Clear description of structure approach, components and work schedule. Approach used to gain an understanding of the TteS and SSN. Estimate of hours devoted to the Cultural Heritage Study.	0-5	10	
5. Additional Services Ability to provide input and expertise in ancillary areas relevant to the Project. Accessibility of the Consultant. Methodology for providing interim and progress reporting to the TteS. Creativity in preparing the deliverables.	0-5	10	
6. Budget Proposal Fee Proposed fees and interim disbursements, including extra billing practices.	0-5	20	

Appendix A:
Qualification Statement from Respondent

I, _____, confirm receipt of the Tk’emlúps te Secwépemc 2017-03 Request for Proposal – Kinder Morgan Cultural Heritage Study – Registered Environmental Specialist/Writer dated April 6, 2017.

I, _____, acknowledge this Qualification Statement from Respondent form must be signed and returned to Freda Jules, Lands, Leasing and Tax Manager, no later than 3:00 pm on April 14, 2017 via email to freda.jules@kib.ca & karen.aird@kib.ca .

I, _____, fully understand that only potential responders who elect to return this completed form with the indicated intention of submitting a proposal will receive copies of all Responder written questions and TteS written responses to those questions as well as any RFP amendments, if any issued.

This Potential Responder does not intend to respond to this Request for Proposal.

This Potential Responder intends to respond to this Request for Proposal, and the authorized signature below indicates our acceptance of all the terms and conditions as presented in the 2017-03 Request for Proposal – Kinder Morgan Cultural Heritage Study – Environmental Specialist/Writer.

Potential Responder: _____

Represented by: _____

Title: _____ Phone Number: _____

Email: _____ Fax Number: _____

Address: _____

City: _____ Province: _____ Postal Code: _____

Authorized Signature: _____ Date: _____

Qualification Statement of Responder form must be directed via email to:

Freda Jules
Lands, Leasing and Tax Manager
Tk’emlúps te Secwépemc
406-345 Chief Alex Thomas Way
Kamloops, BC V2H 1H1
freda.jules@kib.ca

Karen Aird – Project Coordinator
Kinder Morgan Cultural Heritage Study
Tk’emlúps te Secwépemc
335-345 Chief Alex Thomas Way
Kamloops, BC V2H 1H1
karen.aird@kib.ca