

Tk'emlúps te Secwépemc



2017-04

Request for Proposal

Kinder Morgan Cultural Heritage Study

Historical Researcher/Writer

April 4, 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
HISTORICAL RESEARCHER/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's 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 4, 2017
Qualification Statement from Respondent	April 7, 2017 at 3:00 pm
RFP Questions Due from Respondent	April 11, 2017
RFP Question Responses	April 18, 2017
RFP Closes	April 25, 2017 at 3:00 pm
RFP Selection and Contract Execution	April 27, 2017
Project Initiation	May 1, 2017

2. Respondent Questions

All questions should be directed to Freda Jules, Lands, Leasing and Tax Manager at freda.jules@kib.ca. Please provide a list of any questions by **April 11, 2017**. A summary of all questions and answers will be forwarded to all respondents via email as an addendum to this RFP by April 18, 2017.

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 7, 2017 at 3:00 pm**.

3. 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.

4. 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.

5. 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

Scope of services

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 Tk'emlúpsenc ell Stk'emlúpsenc 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 neighbouring 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 Tk'emlúpsenc ell Stk'emlúpsenc, 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'emlúpsenc southern boundary with the Lleképemc to the border of the Simpcw.

Subject Areas of Focus

Beyond documenting and mapping site-specific information of traditional use and impacts through the recording of map biographies that represent the recollections of Secwépemc Elders, traditional knowledge keepers and members in the study area, however, we propose an integrated approach to the study of Secwépemc's traditional use and knowledge by capturing the voices of Elders and traditional knowledge keepers and community members, especially as told in Secwépemc language, that will throw light on the connection to the land and the living resources by way of the "storied discourses" about the land.

We also include contextualizing site-specific use of areas within a seasonal rounds 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. Subject areas of focus for the proposed study will be researched by compiling and triangulating existing ethnographic, ethno historical, archaeological and oral history information, and in addition, carrying out interviews with elders, traditional knowledge keepers and community members. These subject areas will include, but are not limited to:

- Traditional village and camp sites;
- 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;
- Spiritual and culturally important places in the study area, including those connected to the historical and cultural identity, indigenous laws and collective memories of the TteS and SSN;
- Travel routes and trails that document the past and ongoing use and occupancy of the area;
- The interconnections of the Simpcw Tk'emplúsemc and Stk'emplúsemc Secwépemc , and the Lleképemc in the study corridor, their past and present genealogical and social interactions;
- Ethnohistorical information on TteS and SSN and Secwépemc 19th and early 20th century use and occupancy of the study area, including changes to, and restrictions on Secwépemc occupancy and use imposed by Colonial, Federal and Provincial laws, policies and sanctions; 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 reliance 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 Project Coordinator 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.

Approach for Gathering Cultural Heritage Information

Archival Review

The following repositories will also be utilized as resources for linking genealogy to the land and the people within the Traditional Territory:

1. The British Columbia Archives contains a very extensive collection of archival material that is immediately applicable to Secwépemc cultural uses. In past research, searches conducted through their website and through physical research in the archives have resulted in photographs, records, correspondence and maps which confirm Secwépemc land use and occupancy.
2. The National Archives of Canada contains a wealth of archival material relevant. Most have been generated through the Department of Indian Affairs and date back to the late 1800s. Some records have been microfilmed (i.e. Record Group 10 [RG 10]) can be through microfilm and microfiche copies from the University of BC library; other materials still require in situ research. There are some records (late 1950's onwards) that will require consultation either at the provincial branch of the National Archives in Burnaby or direct access at the National Archives in Ottawa via a contractor.
3. The Hudson's Bay and Northwest Company (NWC) Archives possess Post Journals, Reports on Districts and fur traders' correspondence from the Hudson's Bay and NWC trading post, Fort Thompson and then Fort Kamloops. Some of these fur trade records exist only at the Kamloops Museum and Archives, others are available as microfilm copies through the BC Archives, yet others are only available at the HBC Archives in Winnipeg. The Canadian Museum of Civilization contains archival, ethnographical, photographic and sound records that can be utilized for the study. Access could be via an independent contractor.
4. Archaeology Branch (Ministry of Small Business, Tourism and Culture) in Victoria would contain extensive documentation of archaeological sites within the Traditional Territory. It may also contain important information on burial sites.
5. Secwépemc Archives and the Kamloops Archives and Museum.
6. The City of Kamloops and the Secwépemc Lands Title offices.
7. Private Collections of individuals who have worked with and/or are Secwépemc.
8. The Archaeology Branch: RAAD database.

Throughout the entire spring to late fall, the Secwépemc travelled to and from resource-producing locations, camping in idyllically located sites for extended periods of time. During the seasonal rounds (nek'wellténecwm) spent camping, large amounts of meat, fish, and plant foods were preserved for the winter, mainly by drying. Some of these foods were cached at the processing localities, while other portions were packed to their winter village sites for storage.

The traditional subsistence economy of the Secwépemc was characterized by the pursuit of migrating salmon along the Fraser and Thompson Rivers and their tributaries; the hunting of mule deer and other ungulates along the forest edge and in the alpine and subalpine; and the controlled harvesting of wild food plants, including roots, greens, tree cambium, berries, fungi,

and lichen, throughout their territory. In addition to those large-scale recurring resources, the Secwépemc pursued, on a day-to-day basis, small game, a variety of river and lake fish and other edible foodstuffs. Documenting Secwépemc resource harvesting and their annual cycle of subsistence according to seasonal rounds activities, provides a linkage between access and resource use protocols and laws practiced by the Tk'emlúpsenc ell Stk'emlúpsenc te Secwépemc.

During the CHS, the researchers will describe in detail the totality of the Secwépemc seasonal rounds in the proposed project area, and how these rounds informed on viable Indigenous economies and extensive social networks.

Documentation of Indigenous Legal Traditions and Cultural Values

Indigenous legal traditions and cultural values held by the Tk'emlúpsenc ell Stk'emlúpsenc te Secwépemc communities are reflected throughout their society. While the outward cultural expression may vary between Indigenous Nations, there are some cultural values that run parallel, but differ greatly from western values. In customary Aboriginal societies, cultural values, such as behavior etiquette, was primarily taught through storytelling in informal settings. Values were also demonstrated in rites of passage, dreamtime ceremonies, burials, naming's, etc. Values were not expressed as a list on a sheet of paper, but were explicit and implicit, as were the legal traditions that reinforced these values. It was the collective communities' responsibility to be role models and reinforce their cultural values.

Some of the cultural values that are unique to traditional Indigenous societies include:

- The interpretation of a family, peace, burials, births, health, time, willpower, ownership, property and taboos;
- The transmission of culture (orally, through ceremonies, dreams, etc.);
- Respect for Wisdom and the Elderly;
- Structure of the society;
- A focus on the collective rather than the individual;
- Resource caretaking and procurement practices;
- Beliefs pertaining to prophecies and dreamtime stories; and
- Spiritual connections and rites.

Once these cultural values become solidified by an Indigenous community as a norm for guiding relationships between members, they may evolve into legal traditions. Indigenous legal traditions, also referred to as customary laws, govern spiritual practices and traditions, and guide relationships with other people and other forms of life as part of the Aboriginal peoples' relationship with the land and its resources. The Secwépemc continue to practice and honor their legal traditions and values, and is expected that this project will assist with the documentation of these traditions in relation to identified cultural resources in the project area.

Moreover, the Secwépemc have well defined and articulated legal traditions pertaining to land tenure and occupancy, which must be understood by any visitor/proponent/government agency wishing to conduct activities on our territory that may impact our land and resources.

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 Consultant'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

(2017-2018)

Phase	Task	May	Aug	Sept Oct	Dec Jan	Feb	May
<p>Phase I</p> <p><i>A Preliminary Research Summary Report that summarizes the project team’s expertise, qualifications, roles and responsibilities; a summary analysis of previously identified cultural heritage sites and uses; results from the literature review, and a preliminary analysis of primary and secondary information.</i></p>	Establish Project/set infrastructure/hire staff						
	Start Documentary Research						
	Conduct initial community meetings, and set up training workshops and establish interviews						
	Complete Preliminary Research Summary Report						
<p>Phase II</p> <p><i>An interim Cultural Heritage Impact Assessment Report on historical and contemporary land/resource uses, heritage resources, traditional use/cultural heritage identified to date, and that will include data about the potential impacts foreseen and possible mitigation measures.</i></p> <p><i>A Draft Final Technical report submitted to Kinder Morgan,</i></p>	Continue data collation, review and analysis, complete desktop analysis						
	Complete Interim Cultural Heritage Impact Assessment						
	Conduct initial cultural heritage field recognizance						
	Completion of a majority of interviews and field visits						

<i>summarizing, in draft form, the total results of the Cultural Heritage Study with respect to the traditional and ongoing use of the study corridor and its linked watersheds, and on potential Project-related effects and recommended mitigation measures required for the Consultation Plan and Environmental Assessment of the Project</i>	Complete initial maps						
	Complete Draft Final Technical Report						
Phase III <i>A Final Technical Report submitted to Kinder Morgan, summarizing the results of the Cultural Heritage Study on potential Project-related effects and recommended mitigation measures required for the Consultation Plan and Environmental Assessment of the Project.</i>	Finish additional research						
	Production of GIS Maps						
	Production of Final Technical Report						
	Community review meeting						
	Incorporate changes from feedback.						
	Establish storage/housing mechanism and procedures for research material/raw data.						
	Completion of all documents						

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 – Historical Researcher/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, April 11, 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

- 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 HISTORICAL RESEARCHER/WRITER OVERVIEW

- Conducts all historical research relevant to the study
- Conducts a professional analysis of historical material for the purpose of this study
- Summarizes and analyses historical data as part of the draft report
- 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 – Historical Researcher/Writer dated April 4, 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 7, 2017 via email to freda.jules@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 – Historical Researcher/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