



Arizona Indian Gaming Association

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# **Request for Proposal Professional Services – Association Attorney**

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July 2011

**Presented by:  
Valerie Spicer  
Acting Executive Director**

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## Overview

The Arizona Indian Gaming Association ("AIGA" or "Association") is a 501 (c) 6 non-profit organization with a membership of 18 tribes.

AIGA was established on November 21, 1994 by Arizona tribal leaders. The Association's mission is to advance the lives of Indian people – economically, socially, and politically – so Indian tribes in Arizona can achieve their goals of tribal sovereignty, self-reliance, and self-determination by supporting tribal gaming enterprises on Arizona Indian lands. Speaking on behalf of its member tribes with one, unified voice; AIGA serves as an information clearinghouse and educational, legislative and public policy resource for tribes, policymakers and the public on Indian gaming issues and tribal community development. The Association is deeply committed to maintaining and protecting Indian sovereign governmental authority.

AIGA is seeking an attorney or firm to represent the Association's interests. In order to prevent any conflict of interests, the respondent may not currently or during the term of this engagement represent an Arizona tribe for any specific reason. We invite interested law firms and individuals with a minimum of five (5) years of federal Indian and gaming law experience, to include at least the Indian Gaming Regulatory Act (IGRA) and the Arizona Tribal-State Gaming Compacts, to submit a written proposal.

As the AIGA attorney, the selected law firm or individual will be expected to provide a wide range of legal services to the Association. The attorney will be selected by the AIGA Executive Committee and will work closely with the AIGA Executive Director, the Executive Committee and other staff. The AIGA attorney's primary role is to provide expert legal advice to the AIGA Tribal Leaders, Executive Committee and Executive Director. The selected attorney shall perform the tasks specified in the Request for Proposal (RFP).

Firms and individuals are hereby invited to submit a proposal based upon the requirements and conditions set forth in the RFP.

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## Mailing Instructions

Arizona Indian Gaming Association  
Valerie Spicer  
Acting Executive Director, AIGA  
2214 N Central Avenue Suite 250  
Phoenix, AZ 85004

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## Inquiries

Questions regarding this RFP should be submitted to Valerie Spicer @ [valerie.spicer@azindiangaming.org](mailto:valerie.spicer@azindiangaming.org) or by calling 602-307-1992.

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## **Submittal Date**

### **Eight (8) copies are due Valerie Spicer no later than August 8, 2011**

Proposals should provide a straightforward and concise presentation adequate to satisfy the requirements of the RFP. Emphasis should be on completeness and clarity of the proposal.

Responsiveness to the RFP will be a principal basis for evaluation. AIGA reserves the right, without qualification, to:

- Select any proposal based on written or oral communication with any or all of the firms or individuals when such action is considered to be in the best interest of AIGA.
- Reject all proposals.
- Exercise discretion and apply its judgment with respect to any proposals submitted.

All proposals will be deemed confidential and will be retained by AIGA.

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## **Proposal Content**

### **Experience and Qualifications**

1. Please describe the nature of your law firm's practice and your qualifications for providing legal services for AIGA. Please provide the professional experience of the individual who will be designated to serve as the primary attorney, as well as for others who you anticipate will be involved in providing legal services to AIGA.
2. Please provide the overall capabilities, qualifications, training and areas of expertise for each of the principals, partners and associates of the law firm, including the length of employment for each person and his/her area of specialization for those involved in the assignment.
3. For the person whom you propose to designate as the primary attorney, and for each person or firm you propose to designate as a deputy, supporting counsel for special services or backup, please provide the following:
  - a) Legal training and years of practice (including date of admission to the Arizona Bar)
  - b) Years of Indian law practice (general law and/or gaming law) as a full-time tribal attorney and/or in a private law office specializing in the representation of tribes.
  - c) Knowledge of, and experience with, federal Indian and tribal gaming law or other gaming sector experience or policy, including gaming compact negotiations and election initiative support.
  - d) Types of clientele represented and years representing each.
  - e) Experience in the area of contracts.
  - f) If the firm/individual, or any of the attorneys employed by the firm, have ever or currently, represent any clients adverse to Indian tribes, tribal casinos, or other tribal interests. If so, please provide the client(s) and matters of representation.
  - g) Affirmation that the firm/individual, or any of the attorneys employed by the firm, does not currently, and during the term of this engagement will not, represent an Arizona tribe for any reason.
  - h) If the firm/individual, or any of the attorneys employed by the firm, have ever

been sued by cities or other clients for malpractice, been the subject of complaints filed with the State Bar, or had discipline imposed by the State Bar, please provide information on the nature of the incident, the dates of the matter began and was concluded, and the results of the situation.

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## **Requirements and Compensation**

- 1) Must be a member in good standing of the Arizona Bar. The AIGA attorney will be required to attend AIGA attorney work group meetings and AIGA Tribal Leaders meetings. AIGA prefers that the time needed for these meetings, including travel be included in any retainer fee arrangement proposed. There is at least one (1) of each meeting per month.
- 2) Related duties will include: rendering of legal advice and opinions concerning legal matters that affect AIGA; such as legal work pertaining to special circumstances including but not limited to federal laws and rules governing Indian gaming, legal analysis and interpretation of the Arizona-Tribal gaming compact and its appendices, election initiative support, and contracting services.
- 3) The monitoring of pending and current state and federal legislation and court decisions as appropriate. Please define what type of work you would consider to be extra or specialized work which would be billed in addition to basic services.

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## **Evaluation and Selection Process**

All proposals must be received by Valerie Spicer by August 8, 2011.

Proposals will be screened, and the top candidates will be selected by Valerie Spicer and the Executive Committee. The top candidates will be subsequently submitted to AIGA Tribal Leaders.

Qualifications for top candidates will be verified and references will be checked by Valerie Spicer.

In reviewing the proposals, AIGA will carefully weigh:

- a. Depth and breadth of experience and expertise in the practice of federal and Arizona gaming law, most specifically in those areas most often encountered by the Association.
- b. Capability to perform legal services promptly and in a manner that permits the AIGA Board and staff to meet established deadlines and to operate in an effective and efficient manner;
- c. Degree of availability for quick response to inquiries that arise out of day- to- day operating questions or problems;
- d. Degree to which firm and individual attorneys stay current through continued professional development and active communication with practitioners in the tribal gaming law field;
- e. Communication skills;
- f. Cost of services; and
- g. Other qualifications/criteria as deemed appropriate by the AIGA Executive Committee.

AIGA will conduct interviews of top candidates and make the final selection.

The Executive Committee will negotiate the final contract.

The Executive Committee will formally approve the contract and appoint the next AIGA attorney. Services to AIGA are anticipated to begin shortly thereafter.