



**REQUEST FOR PROPOSAL
HEARING OFFICER-TRIBAL GAMING MATTERS**

COLORADO RIVER INDIAN TRIBES

August 12, 2022

ISSUED BY:
Colorado River Indian Tribes
Tribal Council
26600 Mohave Rd.
Parker, AZ 85344

The Colorado River Indian Tribes (CRIT) is requesting the submission of proposals from qualified attorneys or other legal professionals to serve a two-year appointment as a Hearing Officer for the Colorado River Indian Tribes to hear disputes related to licensing and Notices of Violation issued by the Tribal Gaming Agency.

I. DETAILS:

The Colorado River Indian Tribes (CRIT) is a federally recognized Indian Tribe with almost 300,000 acres of reservation lands located in both California and Arizona. CRIT's Tribal Offices are located in Parker, AZ with several enterprises located throughout the reservation, including the Tribal Gaming Enterprise which operates the Blue Water Resort & Casino. For additional information about CRIT's history and enterprises, please visit <http://www.crit-nsn.gov/>.

II. SCOPE OF SERVICES

Hearing Officer services shall be by appointment of Tribal Council for two years and requires entering into a Professional Services Agreement. The Hearing Officer shall perform in accordance with the requirements of the CRIT Gaming Code and the Tribal Gaming Agency's Administrative Procedure Protocol. Services will be provided only on an as needed basis when a Notice of Violation is issued and disputed or there is a licensing dispute and there is no guarantee a selected candidate will perform compensable services during the term.

III. REQUIRED QUALIFICATIONS

The description of the attorney/law firm qualifications and experience submitted pursuant to this RFP shall evidence/demonstrate the attorney/law firm possesses the following:

- 1) Knowledge of tribal gaming law, regulations and policies.
- 2) Experience litigating matters before administrative and judicial tribunals including Tribal Court.
- 3) Must be over the age of 25 must never have been convicted of a felony of any kind or a misdemeanor involving theft, embezzlement, or fraud.

- 4) Must be of the utmost honesty and integrity and a person whose prior activities, reputation, habits, and associations shall not in any way jeopardize the effective regulation of gaming or the Tribes' and the public trust, confidence or interest.
- 5) Must not be affiliated with or employed by the Tribal Gaming Enterprises in any capacity.
- 6) Must not engage with or have any interest, whether financial, proprietary or otherwise, in any business which is subject to the provisions of the CRIT Gaming Code or which entails transactions with the Tribal Gaming Enterprise.
- 7) If an attorney must be admitted, or eligible to be admitted, to practice, in the highest court of a State, Commonwealth, Territory or Possession or the District of Columbia, and must be in good standing in all jurisdictions to which attorney/law firm is admitted.
- 8) Strong analytical and interpretive skills, as well as verbal and written communication expertise.
- 9) Demonstration of no current or past representation which were or would be adverse to or in conflict with CRIT interests, particularly relating to its established Colorado River water allocation.

IV. SPECIAL CONDITIONS

The successful attorney/legal professional shall be required to comply with the following:

- 1) Enter into a professional services agreement or letter of engagement for a period of two (2) years. CRIT's sovereign immunity will not be waived in any agreement or engagement and the choice of forum for any disputes shall be the Tribal Court of the Colorado River Indian Tribes.
- 2) Confirm compliance with all CRIT laws, including but not limited to, the Business and Professions Code and CRIT Gaming Code.
- 3) CRIT reserves the right to apply CRIT Tribal Member and Indian Preference in the selection of attorney/law firm.

V. SUBMISSION REQUIREMENTS

- 1) All submissions and any questions pertaining to this RFP shall be directed to:

Colorado River Indian Tribes
Office of the Attorney General

Attn. Rebecca A. Loudbear, Attorney
General 26600 Mohave Rd. Parker, AZ 85344
rebecca.loudbear@crit-nsn.gov
Phone: (928) 669-1271

- 2) All attorneys responding to this RFP shall provide one (1) electronic copy and twelve (12) paper copies of all required documents and their proposal to provide legal services.
- 3) Proposals must be received by 5:00 pm (AZ time) on September 2, 2022. Proposals received after the selection of the Hearing Officer shall not be considered, though they may be retained for purposes of consideration in subsequent years at the discretion of CRIT.
- 4) Proposals shall contain general information about the attorney/legal professional and specific information to demonstrate the attorney/legal professional can perform the scope of services in Section II and meets the qualifications outlined in Section III including the following:
 - a. A profile section to include name, business address, phone, fax, year established, and description of company, history, and philosophy.
 - b. Resume(s) or CV listing qualifications, background, experience and education.
 - c. Provide a writing sample prepared by attorney/legal professional that demonstrates strong analytical, interpretive and writing skills while performing as a hearing officer, judge, or other similar capacity.
 - d. Listing of at least three (3) different professional references and contact information where relevant or similar services were/are performed.
 - e. Certification as an Indian-owned business or statement of non-applicability.
 - f. Statement of rates, fees, expenses to provide services as a Hearing Officer for the full two-year appointment.
 - g. Provide assurances that the attorney/legal professional shall be mindful of, comply with, and enforce all applicable Federal, State, and tribal statutes and ordinances and conduct all services ethically.
 - h. Indicate availability for an interview with Tribal Council in September 2022.

- 5) The proposal should provide specifics on proposed staffing by indicating responsible partner/attorney, as well as key members of the team, their area of expertise and anticipated role.

VI. SELECTION

- 1) CRIT reserves the right to reject any and all proposals with or without cause and extend the time for submission of proposals without notice.
- 2) CRIT Tribal Council may require an in-person interview with the attorney/legal professional, to take place at CRIT Tribal Offices. The purpose of the interview would be to discuss a submitted proposal to further ascertain and clarify the qualifications and ability to perform the scope of services, gather additional information, and potentially negotiate proposed rates and fees or other agreement terms. The interview will be at the expense of the attorney/legal professional.
- 3) CRIT shall consider the qualifications of the attorney/legal professional, references, reasonableness of the fees and expenses, prior representations determined to be adverse to CRIT, and any other information provided by the attorney/legal professional in making a selection. All determinations regarding conflict and selection of attorney/legal professional shall be in the sole discretion of CRIT Tribal Council and shall be final.
- 4) There is no deadline for selection of an attorney/legal professional but those not selected from this RFP process will be so notified.