



Request for Proposals

ORGANIZATIONAL REVIEW

Kwilmu'kw Maw-klusuaqn Negotiation Office
SUBMISSION DATE: JANUARY 15, 2021

Kwilmu'kw Maw-klusuaqn Negotiation Office Request for Proposal Organizational Review

General Overview

In 2002, Canada, Nova Scotia and the Mi'kmaq entered into an Umbrella Agreement. Pursuant to this Agreement all three parties agreed to the development of three tables: Negotiation table, Consultation Table and the Tripartite Forum. The Assembly of Nova Scotia Mi'kmaw Chiefs (the Assembly) determined the implementation of the Agreement would be executed by the Mi'kmaw through a newly formed office, being the Kwilmu'kw Maw-klusuaqn Negotiation Office (KMKNO). KMKNO's mandate and authorization is to conduct rights implementation discussions and Consultations with government and industry, under direction of the Assembly, and on behalf of their member communities.

The Assembly is an unincorporated association consisting of 11 of the 13 Mi'kmaw Chiefs in Nova Scotia. The Assembly meets on a monthly basis to deliberate on issues common to all 11 Mi'kmaw communities and is the aggregate governance institution for the Mi'kmaq of the Province committed to working together as the Assembly.

With its central office located in Millbrook, Nova Scotia and several satellite offices around Nova Scotia, KMKNO delivers on its consultative and implementation discussions through a dedicated team of experts with multi-disciplinary backgrounds, under the direction of the Assembly.

KMKNO is a registered Society in the Province of Nova Scotia. The Board of Directors of KMKNO is made up of the Chiefs of the 9 communities represented in negotiations and consultation processes.

For further details on KMKNO please visit www.mikmaqrights.com

Brief Project Overview

The Board of Directors of the KMKNO are seeking proposals from an outside independent consultant to carry out an organizational review. The intent of the review is to provide recommendations on the efficacy of the current organizational structure and of the processes to carry out the organization's mandate into the future.

Background

The Assembly of Nova Scotia Mi'kmaw Chiefs (hereafter, "Assembly")

The Assembly is made up of 11 Mi'kmaq bands in Nova Scotia. Four bands are located on Cape Breton Island and seven are located on the mainland of Nova Scotia. The Assembly's 11 Chiefs convene every month and are co-chaired by two Nova Scotia Mi'kmaw Chiefs. There are two Nova Scotia Mi'kmaw communities that do not participate in the Assembly process.

The RFP process shall be under the direct authority of the Board of Directors and the Assembly, and as such, will decide which, if any, respondent will enter into a service agreement with KMKNO. The report will be provided to and the respondent will take instruction from the Board of Directors and the Assembly.

Kwilmu'kw Maw-klusuaqn Negotiation Office (hereafter, "KMKNO")

KMKNO works on behalf of the Assembly of Nova Scotia Mi'kmaw Chiefs in the negotiations and consultations between the Mi'kmaq of Nova Scotia, the Province of Nova Scotia and the Government of Canada. KMKNO was developed by the Mi'kmaq for the Mi'kmaq. The purpose of these negotiations and consultations is to implement our Aboriginal and Treaty rights from the Treaties signed by our ancestors in the 1700's.

KMKNO has been working to ensure the claims for Aboriginal rights and title are recognized, on behalf of their nine member communities through the ongoing Made-In-Nova Scotia Process and as well as under the Terms of Reference for a Mi'kmaq-Nova Scotia-Canada Consultation Process.

Project Goals & Target Audience

- a- Conduct a review of the current organization of KMKNO and make recommendations for the future in line with the priorities of the Assembly and consistent with Mi'kmaq customs, practices, traditions and culture;
- b- Provide options to the Board for any recommended changes to the organizational structure to better support negotiations, consultation, and the priorities of the Assembly, and improve the overall function of KMKNO.

Scope of Work and Deliverables

The consultant/contractor will carry out the following work:

- interview board members, the executive of the board, all thirteen Chiefs of Mi'kmaw First Nations in Nova Scotia, and KMKNO staff.

KMKNO Organizational Review

The consultant/contractor will carry out the following work:

- review of how effectively the KMKNO fulfills its purpose and whether any change in structure or operations is needed to improve effectiveness;
- review of the extent that KMKNO is accountable to the Board of Directors, the Assembly, community members, and community leadership;
- review of the organizational structure and functions;
- review of how workflow is currently managed, including prioritization, accountability measures, reporting measures, decision-making, etc.;
- review the strategic plan of the organization in relation to its organizational efficacy.

KMKNO Operational Review

The consultant/contractor will carry out the following work:

- review of all department's operational function and workflow process for each area;
- review of interdepartmental communication with each other;
- review of administrative strengths and weakness ie: financial, supervision and development of staff, risk management coordination and practices, and use of technological and identify any areas requiring additional support staffing (keeping in mind available budgets).

Implementation Discussion Table and Main Table

The consultant/contractor will carry out the following work:

- review of alignment of the Main Table annual work plan with Assembly priorities;
- review of performance in projects and activities, as directed by the Assembly;
- review of the participation of the Assembly members in Main Table discussions, in their Lead Chief roles.

Governance

KMK Board of Directors

- an interim report with presentation to the Board;
- the final report will contain an executive summary outlining the findings of the study and include a presentation to the Board;
- recommendations with options regarding organization;
- recommendations regarding necessary structural, procedural, and governance changes to be made to improve the performance of the organization.

Assembly linkage with KMKNO

- review of alignment of KMKNO work to Assembly priorities;
- review of performance of KMKNO in projects and activities as directed by the Assembly;
- review the governance structure of the Assembly and KMKNO, including how priorities are identified, approved, communicated, implemented, reported on, and reviewed to ensure performance and alignment.

Recommendations:

- identify Best Practices and performance measure that should be adopted;
- recommend an optimal organization model;
- identify staffing requirement for both current and future; and
- any other recommendations that may arise within the scope of the review.

Review Methodology

The review methodology is expected to include the following, subject to confidentiality requirements:

- a) Review of documents, records and reports;
- b) Review of proceedings of the Assembly;
- c) Conduct an online survey to collect feedback pertinent to the scope of the work;
- d) Review literature related to the roles and procedures of comparable organizations and current literature on governance and bureaucratic support models to support Indigenous governments; and
- e) Interviews as required, which may take place in person, through the phone, or video conference as the circumstances may permit.

Timeline

The contract will begin in March of 2021 with an interim report due in May of 2021 and a Final Report in August 2021. The contract will be for a period of 6 months.

Technical Requirements

All material, data and information collected as part of the study will be the exclusive property of KMKNO and the Assembly.

The consultant will provide electronic copies of both the interim and final report and all presentations to the Assembly.

The consultant will provide twenty-five (25) hard copies of the final report.

Proposal Format

The proposal should be submitted in the following format.

- a- Executive Summary
- b- Proposal Details
- c- Fees for consultant
- d- Travel costs
- e- Description of consultant team
- f- Previous experience and qualifications

Principal Point of Contact

The Executive Director of KMKNO, Janice Maloney, will be the contact for any questions related to the RFP.

Criteria for Selection

- a- Clarity of proposal/methodology
- b- Experience of consultant including demonstrated ability to meet timelines
- c- Demonstrated respect and understanding of Mi'kmaq customs, practices, traditions and culture
- d- References
- e- Cost
- f- Access to Mi'kmaw translator or translation services, or willingness to work with Mi'kmaw Kina'matnewey to acquire translation services

The Board reserves the right to not award a contract.

Proposed Timeline (4:00pm AST on the dates listed below)

- a- Call for proposals issued - December 18, 2020
- b- Letters of intent to submit - January 15, 2021
- c- Deadline for proposals - January 22, 2021
- d- Selection of consultant - February 15, 2021
- e- Project initiation - March 1, 2021

Caveat

This project is subject to fund availability.

Proposals must be inclusive of all costs including professional fees, expenses such as travel costs, focus groups, communications and printing, other disbursements and all applicable taxes.

Should no suitable proposal be received, KMKNO reserves the right to cancel or re-open the bidding for this project. The lowest bid or any consultant's proposal will not necessarily be accepted.

**Submit an electronic copy of your intention to submit no later than
4:00pm (Atlantic Standard Time) on January 15, 2021 to:**

jmaloney@mikmaqrighs.com

Please submit any questions to Janice Maloney, Executive Director, at
(902) 890-1419 or by email at the above noted address.