



REQUEST FOR PROPOSAL

Mediation Services

ISSUED

March 1, 2024

CLOSING

April 12, 2024

Request for Proposal – Mediation

The Ktunaxa Nation is made up of six Ktunaxa governments: ʔakisq̓nuk First Nation, ʔaḡam, Yaḡan nuʔkiy, yaḡit ʔa-knuḡiʔit, the Kootenai Tribe of Idaho, and the Confederated Salish Kootenai Tribes. The last two are located in the United States. The four Canadian Ktunaxa Governments of ʔaḡam, yaḡan nuʔkiy, yaḡit ʔa-knuḡiʔit are the Board of Directors who oversee and direct the CAO and the Ktunaxa Nation Council (“KNC”). The Board of Directors is soliciting proposals from qualified vendors (“Proponents”) to provide mediation services to resolve complex conflicts at the Leadership level. The objective is to resolve disagreements surrounding rights and title, land stewardship, Treaty, and Constitution & Bylaw amendments required to move the Ktunaxa Nation Council and the four Ktunaxa First Nations forward in their governance aspirations.

Proposal Submission

Interested parties are requested to submit responses electronically in PDF format to knc-hr@ktunaxa.org with the subject line “RFP Mediator”. Please note that the KNC will not be held responsible for any transmission problems or other errors that could occur.

Closing Date: 4:00pm MST on April 12, 2024

The KNC accepts no responsibility for any expenses incurred by the Proponent in the preparation and presentation of a response to this request; such expenses are to be borne exclusively by the Proponent.

There will be no public opening for this RFP.

Direct inquiries regarding this Request for Proposal to:

Codie Morigeau – CAO
Ktunaxa Nation Council
knc-hr@ktunaxa.org

Background

The Ktunaxa people are united by the Ktunaxa language and history. The Ktunaxa Nation is made up of six Ktunaxa governments: ʔakisq̓nuk First Nation, ʔaq̓am, yaq̓an nuʔkiy, yaq̓it ʔa·knuq̓iʔit, the Kootenai Tribe of Idaho, and the Confederated Salish Kootenai Tribes. The latter two governments are located in the United States. The elected leaders of the four Canadian Ktunaxa Governments of ʔakisq̓nuk First Nation, ʔaq̓am, yaq̓an nuʔkiy, yaq̓it ʔa·knuq̓iʔit are the Board of Directors who oversee and direct the CAO and the Ktunaxa Nation Council (KNC). It is important to propel Ktunaxa forward in a way that honours our united language and history not only in terms of the collective administration of the KNC, but also as the individual governments and respective organizations.

Our Nation was arbitrarily divided by the Canada/USA border but despite this we recognize and acknowledge our shared language, culture and history across that border through a protocol agreement between all six Ktunaxa governments.

The Ktunaxa Nation Council (KNC) is the administrative organization that is directed by and works for the four Ktunaxa Governments of: ʔakisq̓nuk First Nation, ʔaq̓am, yaq̓an Nuʔkiy and yaq̓it ʔa·knuq̓iʔit. The Ktunaxa Nation Vision is:

“As a Nation, we are striving to achieve strong healthy citizens and communities, speaking our language and celebrating who we are and our history in our ancestral homeland, working together, managing out lands and resources as a self-sufficient, self-governing Nation”

The KNC works for the benefit of all Ktunaxa people through various programs, services within Ktunaxa ʔamakʔis (Territory), which covers the East and West Kootenay regions of British Columbia. The KNC is made up of Core Services and 5 Sectors:

1. Economic & Investment
2. Education & Employment
3. Lands & Resources
4. Social Investment
5. Traditional Knowledge & Language

The work of the KNC is directed by a Chief Administrative Officer (CAO), who receives their direction from KNCS (“Leadership”). Leadership is made up of Nasuʔkins (Chiefs) from each of the 4 Ktunaxa First Nations and elected councilors.

The Ktunaxa First Nations have governance aspirations and have experienced significant growth and change in recent years. Conversations are required at a Leadership level to resolve contentious governance topics. These conversations require the support of a professional to support the Ktunaxa Leadership to work through difficult and uncomfortable conversations where there may be a wide spectrum of differing positions and interests.

The KNC and Leadership are seeking a qualified mediator to assist in conflict resolution at the Leadership level to address these critical and contentious governance topics.

Scope of Work

The successful proponent will be required to develop and implement a plan to engage the 5 Ktunaxa CAO's, the Senior Governance Lead, the 4 Nasu?kins, Councilors, and Elders/representatives from each of the Ktunaxa First Nations in a respectful dialogue to work through many contentious governance issues, such as:

- KNCS Constitution and Bylaw amendments
 - o the question of exclusive title and territory;
 - o the definition of stewardship in the context of land rights and title;
 - o purpose of the society
- Individual First Nations work and collective work: when and how?
- Treaty
- Other areas may also be identified by the four Ktunaxa First Nations.

The methodology of this work will be rooted in Ktunaxa Ways of Knowing and Being, traditions, culture and language.

Desired Experience and Knowledge

- Understanding of decolonization in the context of Indigenous governments
- Experience with Indigenous-led governments
- Up to date knowledge of current governance issues, historic issues, and challenges facing Indigenous governments in the BC context
- Deep knowledge and understanding of Ktunaxa and/or Indigenous culture and experience working with Ktunaxa and/or Indigenous Leaders
- Lived experience as an Indigenous person would be an asset

Desired Outcomes

- Assist the four Ktunaxa First Nations negotiate and reach a mutually agreeable settlement for how and when to work independently.
- Assist the four Ktunaxa First Nations negotiate and reach a mutually agreeable settlement for how and when to work collectively.
- Facilitate difficult discussions as outlined in scope of work, but not limited to scope of work. Additional matters may arise and be identified for assistance in finding resolution.

Proposed Timeline

Clarifying questions to be submitted by: March 15, 2024

Response to questions: March 22, 2024

Request for Proposal submission deadline: April 12, 2024

Contract awarded: May 3, 2024

Work plan due: May 24, 2024

Submission Guidelines

Within the submission, the proponent must describe:

1. The intended approach to deliver the desired outcomes as outlined above
2. Listing of qualification and experience in delivering the requested services
3. Description of First Nations government experience, including a description of any specialized or unique skills, knowledge, services and/or programs the Proponent may offer
4. The methods/philosophy that will be used to facilitate a respectful mediation process resulting in the desired outcomes
5. How the results will be captured/reported
6. Breakdown of fees

The project will be tendered at the discretion of the KNC Leadership. Proposals will be reviewed with consideration for consultant's previous experience in the field, the plan to meet proposal outcomes, and the best overall value for the intended product.

The KNC would like to thank you in advance for your time and attention to this request for proposal. Should you have any questions and/or comments, please do not hesitate to contact Codie Morigeau, Chief Administrative Officer (CAO) at knc-hr@ktunaxa.org.