



February 13, 2020

Subject: Request for Proposal No. 2020-02  
Title: Designation of Aboriginal Communal Fishing License-- Lobster Area 33

Dear Sir/Madam:

You are invited to submit one (1) signed copy of a proposal to lease one of the two Sipekne'katik Band's Aboriginal Communal Fishing Licenses 110122 and 109828 for Lobster Area 33 for the 2020-21 season.

Sealed proposals will be accepted until 12:00 PM Atlantic Time March 20, 2020. Proposals must be signed, submitted in a sealed envelope and addressed:

**Re: RFP 2020-02**

Director of Operations  
Sipekne'katik Band  
522 Church Street  
Indian Brook, NS  
B0N 1W0

RFP documents may be downloaded from <http://sipeknekatik.ca/category/public-tenders/>

Those who submit a proposal agree to be bound by the instructions, clauses and conditions of the Request for Proposals and accept the clauses and conditions of any resulting contract. Proponents are encouraged to register their intention to submit a proposal with the Director of Operations, to ensure they receive any addendum or notifications regarding the RFP.

The Sipekne'katik Band will not necessarily accept the most profitable or any of the proposals received and it reserves the right to accept or reject any or all proposals received, which shall be final and at the sole discretion of the Band.

Yours truly,

Director of Operations

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## ART 1: GENERAL INFORMATION

### **1. Definitions**

“Band” means the Sipekne’katik or its representative.

“License” means the Band’s Aboriginal Communal Fishing License 33 for lobster for the 2020-21 fishing season.

“Proponent” means a person or organization that submits a Proposal in response to this RFP. The terms “Proponent” and “Contractor” are used interchangeably in this RFP.

### **2. Introduction**

Sipekne’katik is located in Indian Brook, Nova Scotia, 28.8 kilometers southwest of Truro. With 2519 members, the Sipekne’katik Band is the second-largest First Nation in Nova Scotia and the largest on the Nova Scotia mainland. In addition to its reserve at Indian Brook, the Band also has reserve land in New Ross, Wallace Hills, Grand Lake and Pennal.

The Sipekne’katik Band is seeking proposals from qualified lobster harvester to lease the Band’s Aboriginal Communal Fishing License for lobster during the 2020-21 Fishing Season 33.

### **3. Business Objectives**

Sipekne’katik is committed to continuous economic development, of which its commercial fishery enterprise is a core component. As the Sipekne’katik Band grows and expands through economic development, all Band members share in the benefits.

The commercial fishing licenses held by the Sipekne’katik are issued to the First Nation for the collective benefit of all Band members. The licenses are intended to provide opportunities for members of the Sipekne’katik First Nation to conduct fishing and related activities, and to build capacity in the commercial fishery.

### **4. Other Core Values**

Sipekne’katik holds a fundamental belief that a strong commitment to the environment as well as the health and safety of its employees, visitors and contractors is essential to the optimal operation and long-term viability of its business. In line with this belief is the Sipekne’katik Band’s commitment to ensuring that its employees and contractors know their environmental, health and safety responsibilities and work in as safe a manner as possible.

The Sipekne'katik Band will take every opportunity to align itself with contractors that are equally committed to the health and safety of their employees and the work site environment.

## **5. Scope of Services and Deliverables**

The principal services and deliverables are as follows:

- (i) To lease the non-quota based lobster fishery allocated by the Department of Fisheries and Oceans (DFO) to the Sipekne'katik Band pursuant to its Aboriginal Communal Fishing License in Lobster Fishing Area 33. The competitive leasing fee must be paid in advance of the fishery.
- (ii) To provide training and capacity-building to members of Sipekne'katik in the lobster fishery.

The Contractor is expected to manage and fulfill the conditions of the Aboriginal Communal Fishing License, as established by the DFO, in the most profitable manner possible. The fishery operator is expected to do so while at the same time ensuring the safety of workers, the integrity of the natural environment, and the training and capacity-building objectives of the Aboriginal Communal Fishing License.

The Contractor is responsible for providing all vessels, equipment, trap, crew and other human resources necessary to fish the lobster under the License.

The Contractor shall be required to employ a minimum of two (2) qualified member of the Sipekne'katik as deckhands or mates at 10% of catch for each Sipekne'katik deckhands

The Contractor must comply with the requirements of the Aboriginal Communal Fishing License established by the DFO related to, amongst other things:

- (i) Radio and communications equipment
- (i) Vessel monitoring system
- (ii) On-board monitoring
- (iii) Gear, trap and tag specifications
- (iv) Identification requirements, including display of VRN on vessel and gear
- (v) Commitment to Report Incidental catch and species at risk
- (vi) Monitoring and reporting to DFO

## **PART 2: PROPONENT INSTRUCTIONS**

### **1. Basic Instructions**

Proponents agree to be bound by the instructions, clauses and conditions of this RFP and accept the clauses and conditions of any resulting contract. Proponents are encouraged to register their intention to submit a proposal with the Director of Operations in order to ensure they receive any addendum or notifications regarding the RFP.

Proposals will be assessed in accordance with the entire requirement in this Request for Proposals, including the mandatory and point-rated criteria detailed in Part 3. An evaluation team composed of representatives of the Band and appointed by the Sipekne'katik Band Council will evaluate the bids. The evaluation team may include third-party representatives.

Proponents should include the information included on the proposal bid application attached as appendix A:

1. Their legal name;
2. The name and contact person (including this person's mailing address, phone and email address) authorized by the Proponent to enter into communications with the Sipekne'katik Band with regards to:
  - a. Their Proposal; and
  - b. Any contract that may result from their Proposal.
3. Name, model and other specifications, Vessel Registration Number (VRN), Vessel Identification Number (VIN) of the vessel to be designated by the Band pursuant to the *Aboriginal Communal Fishing License Regulations*;
4. The name and contact information for the captain(s) to be designated by the Band pursuant to the *Aboriginal Communal Fishing License Regulations*.
5. References
6. Does a Conflict of interest

The Band will not necessarily accept the most profitable, or any, of the proposals received. The Band reserves the right to accept or reject any or all proposals received, which shall be final and at the sole discretion of the Band.

### **2. Confidentiality of Proposals**

All Proposals, including documents submitted to the Band by a Proponent in connection with a Proposal or pursuant to the RFP, become the property of the Band and shall not be returned to Proponents. They shall be received and held by the Band in confidence and shall not be disclosed to third parties, except as may be necessary for the proper evaluation of the Proposals.

Proponents shall not be entitled to know the content of other Proponents' Proposals.

### **3. Anticipated Timeline**

<b>Activity</b>	<b>Timeline</b>
Request for Proposal Issued	February 13, 2020
Request for Proposal Closed	March 20, 2020
Evaluation of Proposals	March 23, 2020
Lead Proponent Notified	Fourth week of March 2020
Agreement Finalized and Signed	Fourth week of March 2020
Lobster fishing season opens	November 30, 2020

### **4. Revisions or Withdrawal of Proposals**

Proposals may be revised by written notice to the Director of Operations by courier or hand delivery provided that revisions are received before the deadline for submission of Proposals. Any change resulting in a change in the Proposal price must be supported by a suitable adjustment to the tender security (in accordance with Part 3(I)(1)).

A Proposal may be withdrawn by submitting written notice of withdrawal to the Director of Operations by courier, hand delivery or email. A Proposal withdrawn after the Closing Time cannot be resubmitted.

### **5. Right to Amend or Terminate RFP Process**

The Band is not under any obligation to award a contract and reserves the right to amend by addendum any term of the RFP documents or to terminate this RFP process at any time.

**APPENDIX A – Proposal Application (Once complete please deliver)**

1. **LEGAL NAME:** \_\_\_\_\_

2. **NAME OF CONTACT PERSON/AGENT:** \_\_\_\_\_

3. **Mailing Address/Phone number** \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

4. **Fishing Equipment Information:**

<b>Fishing Vessel Name</b>	
<b>Vessel Registration Number</b>	
<b>Name of Captains</b>	

5. **References:**

<b>NAME</b>	<b>CONTACT INFORMATION</b>

6. **Proposed Lease offer: \$**

7. **Please identify if you have any potential conflict of interest with Sipekne'katik.**

8. **Are you a Sipekne'katik Band Member.**    Yes    No

**SIGNATURE** \_\_\_\_\_ **DATE** \_\_\_\_\_

(ONCE COMPLETED THIS APPLICATION SHOULD BE SEALED AND SUBMITTED BY OR BEFORE THE DEADLINE)