

# Request for Proposals (RFP) for Legal Services to GRTI and Affiliates

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## 1. Introduction

The purpose of this Request for Proposal is to obtain the services of a highly qualified law firm to serve as outside general counsel to Gila River Telecommunications, Inc. (GRTI). The law firm shall report directly to the GRTI Board of Directors and in conjunction with the Senior Management for GRTI and its Affiliates. A successful firm should meet or exceed the qualifications stated herein and, in general, be accessible to GRTI and Affiliates and its staff to provide advice and counsel on a wide range of legal matters.

The attorneys principally responsible for the representation should have extensive experience practicing in the areas of Federal Indian law and include commercial transactions located within tribal reservations, with a preference for tribally owned firms, as consistent with the Gila River Indian Community's ("GRIC") preference in hiring for Community owned business or business owned by members of other federally recognized Indian Tribes. In addition, the firm should be committed to rendering sound legal advice with suitable objectivity and professional detachment. While GRTI understands that the firm may represent the GRIC or other entities of the GRIC, the firm will need to demonstrate and provide a statement that they have no conflicts of interest, perceived conflicts of interest, nor anticipated future conflicts of interest.

## 2. Background

The Gila River Indian Community is a federally recognized Indian Tribe, with a predominantly rural reservation located in Pinal and Maricopa counties of Arizona, bordering the southern part of the Phoenix metropolitan area. The Community consists of two distinct tribes, the Pimas (Akimel O'odham) and Maricopas (Pee Posh). GRIC is a rural desert community with several residential sites scattered throughout the reservation. With a land area of more than 580 square miles and a population (as of December 2022) of 23,040.

The Gila River Reservation consists primarily of rural areas with some wildland/urban interface areas in the northern-most parts of the reservation. There are over 70 miles of state and interstate highways, large farming operations, major infrastructure, improved and rural housing developments, 12 schools, 3 industrial developments, 4 large-scale casinos, an upscale outlet mall.



Among other initiatives and programs, the Community, through its wholly owned telecommunications enterprise, Gila River Telecommunications, Inc. (GRTI) has been working to expand broadband and wireless telephone access throughout the Community and in surrounding areas, including other rural areas within Pinal and Maricopa counties.

In 2015, the GRIC Tribal Council also formed the Gila River Broadcasting Corporation (GRBC), a public service entity whose purpose, as defined in its corporate charter, is to provide a broad base of educational, cultural, and informational programming in the Gila River Indian Community area and to contribute to tribal economic development and support tribal self-governance.

Prior to the formation of GRTI in 1988, telephone service within the Community was provided by Mountain Bell/US West. Service was viewed as expensive and poor quality, with many shared (party) lines. At that time, less than 10% of Community members had phone service, and access to emergency services support was difficult and time consuming.

GRTI was initially formed in 1988 as a partnership with the National Telecommunications Companies (NATELCO). Telephone service was extended to 40% of Community members, then 60%, then 80% as of 2014. GRTI is now a 100% Tribally-owned business enterprise serving as the incumbent local exchange carrier (ILEC) for the Community. GRTI is a Tribally-chartered corporation with federally regulated revenues and expenses. GRTI's formal mission statement, as amended in August 2017, is to provide leading edge, affordable telecommunication services while creating jobs and revenues for the Gila River Indian Community. As of 2022, GRTI had 4,165 voice lines and 3,123 DSL customers.

Native Technology Solutions, Inc. (NTS) is a telecom and cable equipment sales, services and maintenance company, formed in 2006 to provide service to GRIC and off-GRIC businesses. Services include:

- PBX business phone systems
- Structured cabling systems
- Paging systems & sound reinforcement
- Access control & intrusion detection
- Video surveillance

NTS recently added an Outside Plant Construction department performs aerial and underground fiber construction service for the local service providers and tribes. Services include the following:

- Underground Utilities—Installation and replacement of copper communications cable, fiber optic innerduct, and fiber optic cable in underground duct systems.
- Aerial Utilities—Installation and maintenance of all aerial plant systems using the latest state-of-the-art equipment available.
- Fiber Optic Splicing—splicing and maintenance needs for fiber and copper cables, both inside and outside plant.

Gila Local Exchange Carrier, Inc. dba Alluvion Communications (Alluvion), is a competitive local exchange carrier (CLEC) serving areas outside of GRIC with non-regulated revenues and expenses. Alluvion offers wholesale and advanced retail services, and a fully redundant, survivable route for the Community's communications. Its expanded technology is geared to assist business development outside the boundaries of GRIC and into surrounding areas. As of 2018, Alluvion had 313 access lines.

Gila River Broadcasting Corporation (GRBC) – GRBC is a Community-chartered public benefit corporation formed in 2015 to provide educational, cultural, and informational programming for the Community and to contribute to tribal economic development and support tribal self-

governance. GRBC created and operates the first Low Power Television station operating in Indian Country with both English and O’odham language programming.

GRBC was chartered by the GRIC Tribal Council in 2015. Although GRBC was formed as a public-benefit corporation with a nonprofit educational purpose, it was placed under GRTI for management oversight and budget control due to GRTI’s expertise in the area of FCC-regulated communications service. It is anticipated that GRBC’s television programming and video production activities will be used extensively in the digital media and technology training activities of the Digital Communications Initiative, including with interns, small businesses, and others, with the ultimate goal of making this a self-sustaining public service that continues to provide job training and employment opportunities for future generations.

Digital Connect Initiative (DCI) is a nonprofit digital equity initiative of GRTI. Our goal is to bridge the digital divide in the Gila River Indian Community and Indigenous communities everywhere. The GRTI board of directors created DCI in recognition of the need to promote digital inclusion, leverage broadband connectivity for community and economic advancement, and embrace modern technology as a resource for heritage preservation in the digital age. As a technology leader, Gila River Telecommunications, Inc. is the ideal host for the Digital Connect Initiative.

### **3. Scope of Services**

GRTI is seeking a firm to provide legal counsel to represent GRTI in the following areas:

1. Contract negotiations
2. Vendor agreements—Represent and provide advice and counsel to GRTI in drafting and negotiating agreements with vendors
3. Federal Indian Law and Policy
4. Representation to and with other Community entities, including the GRIC Law Office
5. Non-Profit and charitable organization regulation and policy
6. Cyber-Security
7. Employment and Human Resources
8. GRTI Board Governance
  - Attend monthly Board meetings as needed
9. Review, interpret and advise on organizational policies, bylaws and procedures (e.g. Conflict of Interest Disclosures)
10. Federal Communications Commission (FCC) policies and regulation related to construction, licensing, and operation of LPTV stations
11. Federal Communications Commission policies regarding Rate of Return Incumbent Local Exchange Carriers

12. State of Arizona Regulated Telecommunications regulatory compliance
13. Any other items as required

## 4. References

Candidates shall provide contact information for 3 references. Preference will be provided to candidates who provide references consistent with the scope of work, and particular work related to tribal telecommunications entities.

## Project Schedule and Deliverables

### Deadline for Proposals:

DEADLINE: April 21, 2023 at 5:00 pm

Submissions shall be electronically submitted to:

Jennifer Burkhalter, CEO

Gila River Telecommunications

jburkhalter@gilarivertel.com

copy to:

Please submit any inquiries to the same.

### Email:

**Hand Delivery:** To <name and address>

**Mailed:** <name and address>

**Envelope:** If the method of delivery is by envelope, whether mailed or hand-delivered, the envelope should be clearly marked: **RFP – <description>**

**Number of Copies if Mailed or Hand Delivered:** <number of copies>

### Contact:

**Review of Proposals and Interviews of Firms Date:**

**Selection of Firm Date:**

**Project Timeframe:**

**Product Format and Quality:**

**Project Budget:**

The submittal must include the following:

**1. Company Business Plan RFP Selection Weighting Table**

<b>Criteria</b>	<b>Weight</b>
General and relevant qualification of Firm(s) and personnel	20 points
Specific experience with scope of services to be provided	30 points
Fees	20 points
Tribal Member, Arizona Tribal Member, or other Federally Recognized Tribe Business	10 points
Proximity to GRTI Offices	5 points
References	5 points
<b>Total Submittal Review Points</b>	<b>90 points</b>
Interview (Only top 3 ranking applicants will be included)	10 points
<b>Total Possible Points</b>	<b>100 points</b>

Top ranking firms will be invited to meet with a Company review team. The selection committee will make their recommendation to the General Manager on or before <date>.