

# Request for Proposals – Five Year Review

## Impact And Benefit Agreement For National Wildlife Areas And Migratory Bird Sanctuaries In The Nunavut Settlement Area

**Release Date: Sept 27, 2011**  
**Due Date: November 4, 2011**



Environment  
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**REQUEST FOR PROPOSALS  
NUNAVUT TUNNGAVIK INCORPORATED**

**CONSERVATION AREAS IIBA  
FIVE YEAR REVIEW**

**Summary**

Nunavut Tunngavik Incorporated (NTI), the land claims organization for Inuit in Nunavut, the three Regional Inuit Associations of Nunavut, and the Canadian Wildlife Service are seeking a consultant or team of consultants to carry out a five-year review of the Inuit Impact and Benefit Agreement (IIBA) for National Wildlife Areas and Migratory Bird Sanctuaries in the Nunavut Settlement Area. This IIBA details mutual rights and obligations for the use and administration of the lands collectively known as Conservation Areas delineated in the IIBA,

The Conservation Areas IIBA was signed in 2008 by NTI, Nunavut's Regional Inuit Associations, and the Nangmoutaq Hunters and Trappers Association on behalf of Inuit; and the federal Department of Environment on behalf of the Canadian Wildlife Service. It includes provisions for, among other things, co-management by Inuit and CWS, Inuit land use, Inuit cultural resources associated with Conservation Areas, contracting and tourism opportunities, employment, education and research.

The review will include an assessment of the extent to which CWS and Inuit have been able to implement their respective IIBA responsibilities, interviews of key participants in various activities connected to the IIBA, and recommendations that can be used by all parties in renegotiation of the IIBA, slated to take place in 2012-13.

## A. INSTRUCTIONS TO PROPONENTS

1. Proposals must be received by NTI no later than 5 p.m. ET on November 4, 2011 at the following address:

**Nunavut Tunngavik Inc.**  
**Implementation Department**  
**Attention: Hazel Ootoowak**  
**3rd Floor, Igluvut Bldg.**  
**P.O. Box 638**  
**Iqaluit, Nunavut X0A 0H0**  
**Tel: (867) 975-4900 Fax: (867) 975-4943**  
**E-mail: [hootoowak@tunngavik.com](mailto:hootoowak@tunngavik.com)**

2. Proposals, in paper copy form, must be submitted in a sealed envelope. The words **CA IIBA Five Year Review**, the closing date, and the proponent's name, must be included on the proposal and on the outside of the envelope.
3. Proposals transmitted by fax or e-mail will be accepted under the following conditions:
  - The faxed or e-mailed proposal must be received on or before the closing date at the fax number or e-mail address stated in this Request for Proposals (RFP).
  - To ensure that the proposal is received before the closing date, it is recommended that it be sent by fax or e-mail well in advance of the closing date, and that the proponent confirm receipt by return e-mail or fax or by telephone inquiry. NTI will not accept liability for any claim, demand or other actions for any reason should a fax or e-mail transmission be interrupted, not received in its entirety, received after the stated closing time and date, received by any other fax unit other than at the fax address stated above, or for any other reason.
4. NTI will not consider any proposal that:
  - Is delivered after the closing date or time.
  - Is delivered to any address other than that provided above. After the closing date, only the identity and addresses of the proponents will be made public.
5. Proponents must address any questions to Hazel Ootoowak at the NTI Implementation Department, Tel: (867) 975-4900 Fax: (867) 975-4943 or by e-mail at [hootoowak@tunngavik.com](mailto:hootoowak@tunngavik.com). All questions and answers will be circulated to all vendors invited to bid on this RFP. Questions will be accepted until October 28, 2011 at 5 p.m. ET.
6. This is an RFP: It is not a tender or an offer. NTI is not bound to accept any proposal or the proposal that provides for the lowest cost or price.
7. NTI has the right to cancel this RFP at any time and to reissue it for any reason

whatsoever, without incurring any liability and no proponent shall have any claim against NTI as a consequence.

8. If a contract is awarded as a result of this RFP, it shall be awarded to the proponent who is most responsive and whose proposal provides the best potential value in the sole opinion of NTI. A proponent who is responsive is one who best meets the requirements described in this RFP and possesses the ability to perform fully the requirements described in the RFP.
9. The negotiation and execution of a written agreement shall constitute the making of a contract. No proponent shall acquire any legal or equitable rights or privileges whatsoever under this RFP until the contract is signed.
10. The contract will contain relevant provisions from this RFP, from the accepted proposal, as well as such other terms as may be mutually agreed upon, whether arising from the accepted proposal or as a result of any negotiations. NTI reserves the right to negotiate modifications with any proponent who has submitted a proposal.
11. In the event of any inconsistency between this RFP, and the ensuing contract, the contract shall govern.
12. Any amendments made by NTI to this RFP will be issued in writing and sent to all who have received the documents.
13. NTI shall not be liable for any costs of preparation or presentation of proposals.
14. An evaluation committee will review each proposal. NTI reserves the exclusive right to determine the qualitative aspects of all proposals relative to the evaluation criteria.
15. Proponents may amend their proposal up to the closing date and time by mail or fax or e-mail. A proposal may not be amended after the closing date, but may be withdrawn by the proponent at any time prior to acceptance.
16. NTI will consider the use of Inuit goods, services, labour, and training in any evaluation of a proposal.
17. A listing of approved Inuit firms can be obtained from NTI at (867) 975-4900.
18. Proposals may be short-listed. Proponents whose proposals are short-listed may be requested to make a formal presentation. Such presentations shall be made at the cost of the proponent.
19. The proposal and accompanying documentation submitted by the proponent become the property of NTI and will not be returned but will be kept as confidential.
20. It is expected that a winning proposal may be identified by November 11, 2011 by 5 p.m. ET.

21. Vendors whose offers have been rejected will receive written notification within approximately ten business days of the selection

## **1. BACKGROUND**

The Inuit Impact and Benefit Agreement (IIBA) for National Wildlife Areas and Migratory Bird Sanctuaries In the Nunavut Settlement Area, collectively known as Conservation Areas, was signed in 2008 by Nunavut Tunngavik Inc, Nunavut's Regional Inuit Associations, and the Nangmautaq Hunters and Trappers Association on behalf of Inuit: and the federal Department of Environment on behalf of the Canadian Wildlife Service. This Agreement, known as the Conservation Areas IIBA, was negotiated pursuant to Article 9 ("Conservation Areas") of the Nunavut Land Claims Agreement. A copy is attached.

The current term of the Conservation Areas IIBA is seven years, terminating March 31, 2014. The entire Agreement is subject to renegotiation and potential renewal following that date.

### **1.1 Principles**

Part 2.1 of the Conservation Areas IIBA identifies the following principles:

- 2.1.1 The unique relationship between the Inuit of Nunavut and the ecosystems of the NSA is ecological, spiritual and social in nature. Inuit Qaujimajatuqangit is a related body of knowledge, which is necessary to and which Inuit shall bring to responsible decision-making regarding the lands, waters and marine areas of the NSA.
- 2.1.2 NWAs and MBSs make an important contribution to wildlife and wildlife habitat conservation in the NSA, Canada and the world. They shall be co-managed by Inuit and CWS in accordance with the NLCA, this IIBA, approved Management Plans, Inuit Qaujimajatuqangit, scientific information and, except where inconsistent with the NLCA, the Migratory Birds Convention Act, the Canada Wildlife Act, the Species at Risk Act and other applicable legislation.
- 2.1.3 Inuit should fully benefit from and fully participate in the economic and other opportunities arising from the establishment and management of NWAs and MBSs.
- 2.1.4 The establishment and management of NWAs and MBSs should avoid social and cultural disruption to Inuit and their relationship with and use of the lands (including IOL), the waters and the resources of NWAs and MBSs.
- 2.1.5 The establishment and management of NWAs and MBSs shall be consistent with Inuit harvesting rights under the NLCA.
- 2.1.6 The Inuit Language should be preserved and its use should be supported and promoted in the establishment and management of NWAs and MBSs.
- 2.1.7 The archaeological and cultural heritage of Inuit should be protected in the establishment and management of NWAs and MBSs.
- 2.1.8 The opportunities for Inuit provided by this IIBA should build capacity, and encourage self-reliance and the cultural and socio-economic well-being of Inuit.
- 2.1.9 The implementation of this IIBA should be co-operative, in good faith, and based on the mutual commitment of the Parties.

## **2. FIVE YEAR REVIEW – SCOPE**

### **2.1 Scope**

Section 15.5 of the IIBA stipulates that the parties to the agreement will conduct a joint review of the IIBA five years after it is signed. The IIBA does not make recommendations with respect to the specific contents of the evaluation.

The Five Year Review is intended to give Inuit and the CWS a detailed account of work done by and for all parties in relation to the objectives and principles of the Agreement, and to form the basis for renegotiation of the Agreement, stipulated in Section 15.6 of the IIBA.

#### **Suggested scope of the written report includes:**

- a) A summary of the annual reviews prepared to date jointly by NTI and the CWS;
- b) A review of CWS Implementation funding, notably with respect to establishment and operation of Area Co-Management Committees (ACMCs);
- c) A review of Inuit Implementation Funding, notably with respect to the Inuit Tourism Development Fund, Cultural Resource Inventories, and development of Interpretive Materials.
- d) Working through the subjects of each chapter of the IIBA, an analysis of any issues or gaps that come to light that may not have been dealt with in a) b) or c).

### **2.2 Specific Requirements**

#### **a) Summary of Annual Reviews**

An important source of data for the Five Year Review will be the annual reviews required pursuant to Section 15.4 of the IIBA. Slightly abbreviated from Section 15.4, the annual reviews are expected to:

- (i) review the performance of the parties against the IIBA objectives and principles,
- (ii) review the progress of the Area Co-Management Committees (ACMCs);
- (iii) review the progress of the Nunavut Tunngavik Incorporated (NTI) in completing the Inventories, and
- (iv) the development of interpretive materials,
- (v) the administration of the Inuit Tourism Providers Fund;
- (vi) review progress by the Canadian Wildlife Service (CWS) with respect to the provision of Inuit contracting and business opportunities,
- (vii) employment and training of Inuit students and
- (viii) Inuit for field research projects;

- (ix) review progress by the NTI in developing sustainable tourism around Qaqqulluit, Akpait, and Ninginganiq National Wildlife Areas (NWA);
- (x) review the progress by all parties in coordinating the work of the IIBA with other government departments and agencies;
- (xi) make amendments to the IIBA as required;
- (xii) make a summary report available to the public, and
- (xiii) consider any other matter which will assist in the effective implementation of the IIBA.

The Five Year Review will review and roll together preceding annual reviews taking these categories into account, and will fill any gaps to date in reporting for any of these categories.

**b) CWS Implementation Funding**

Section 15.2.3 (a) of the IIBA states that the \$2,700,000 in CWS IIBA Implementation Funds will be held and administered to pay the costs of the ACMCs, student initiatives, Inuit research assistants, and compensation for bear kills.

While the Five Year Review will be expected to address all these aspects of CWS implementation of the IIBA, the Review will be expected to pay special attention to

- i) the establishment, terms of reference, training, and functioning of Area Co-Management Committees;
- ii) Inuit Field Research Assistant/student mentoring; and
- iii) systemic challenges CWS faces implementing the IIBA.

**c) Inuit Implementation Funding**

Section 15.2.3 (b) of the IIBA states that the \$5,600,000 in CWS IIBA Implementation Funds will be held and administered to pay the costs of Cultural Resource Inventories, Interpretative Materials, the Inuit Tourism Providers Fund, and the development of environmentally sustainable tourism and guiding in and around Ninginganiq NWA and Clyde River, and Akpait NWA, Qaqqulluit NWA and Qikiqtarjuaq.

To date no work has been done relating to Ninginganiq, Akpait, or Qaqqulluit NWAs, so the Five Year Review would not be expected to place much emphasis on progress with obligations relating to these NWAs.

NTI has commissioned some preliminary work on Cultural Resource Inventories and Interpretive Materials, but the main body of work in these areas will be done in Years 5,6, and 7 of the Agreement. Although these aspects of the Agreement are extremely important when considered in light of the Agreement’s objectives, the Five Year Review will only be required to assess interim progress regarding this funding, rather than any achieved outcomes.



The Inuit Tourism Providers Fund is the segment of NTI Implementation funding in which the most progress has been made. The review will need to consider progress on the Major Projects in Gjoa Haven, Arviat, and Cape Dorset, as well as a number of Secondary projects being administered by the RIAs.

The review should also consider challenges faced by NTI and the RIAs in administration and implementation of the IIBA, notably with respect to the Tourism Providers' Fund.

#### **d) Additional Analysis**

The Review will also need to examine the IIBA chapter by chapter to ensure that all aspects of the Agreement have been dealt with, and to assess and report on any issues that may not have been covered by the work identified in sections 2.2 a ) – c) above.

### **3. REVIEW METHODOLOGY**

#### **Contractor Minimum Requirements**

Work on the Review must be completed by March 16, 2012.

The successful contractor carrying out the Review will focus on evaluation of the success of the parties in meeting the Agreement's objectives.

In addition to work identified in Section 2 the contractor will be expected to either hold a workshop with the NTI/CWS IIBA Implementation Working Group (in conjunction with a scheduled meeting of that body). If the Parties are able to attend a Workshop it will be held in Yellowknife in December 2011. The Working Group includes representatives from NTI and three RIAs, as well as CWS officials charged with overseeing CWS obligations regarding the Conservation Areas IIBA. If for some unforeseen reason the Parties are not able to meet for this workshop the contractor will conduct interviews with all members of the Working Group.

As indicated in the Schedule in Section 4 the contractor will meet a second time with the Working Group on or around February 21, 2012 to present the interim report.

The contractor will be expected to budget only for his or her own costs to attend such workshops or meetings with the Working Group.

The contractor will also be expected to conduct interviews with key members of existing ACMCs, and key participants in major projects for the Tourism Providers Fund. The contractor will review the Arviat Tourism Project in more depth than those in either Gjoa Haven or Cape Dorset, as it is the most developed of the three major projects. Travel to any of the major project communities will not be required.

**Contractors will not be required to carry out community consultations.** In 2012-13 Environment Canada will be conducting a summative evaluation of the IIBA as a requirement of the Treasury Board submission that provides funding in support of the implementation of the IIBA. The evaluation will assess the success of the parties in meeting the objectives defined in the TB Submission, and will include a community

consultation process, which the Parties will use to supplement the findings of the Five Year Review.

The Five Year Review will not include audits of financial expenditures; financial auditing and other aspects of comptrollership are conducted under other departmental and NTI programs and policies.

#### **4. BUDGET AND SCHEDULE**

The schedule for work on the review is as follows:

	<b>Task</b>	<b>Completed by</b>
4.1	Contract Award	November 8, 2011
4.2	Conference call NTI/CWS and Contractor	November 14, 2011
4.3	Contractor meeting #1 with CA IIBA Implementation Committee	December 6, 2011
4.4	Contract work <ul style="list-style-type: none"> <li>• Summary of annual reviews</li> <li>• Review of CWS Implementation funding</li> <li>• Review of Inuit Implementation Funding</li> <li>• Analysis of additional issues or gaps</li> </ul>	February 17, 2012
4.5	Interim report	February 17, 2012
4.6	Contractor meeting with CA IIBA Implementation Committee	February 21, 2012
4.7	Final Report	March 16, 2012

Contract budget: \$65,000, not including GST.

## 5. PROPOSAL EVALUATION

The proposals will be evaluated according to the following criteria.

Project team's knowledge, skills and experience	40%
Project approach and work plan	40%
Fees and expenses	10%
Inuit content	10%

a) The proponent must address the specific qualifications and experience of the project team for the proposed project. Include resumes of all resource persons to be involved in the project.

b) Project approach and work plan

The proponent must provide a complete outline illustrating the approach to the project that demonstrates the following:

- Conformity to the terms and conditions of the RFP;
- An understanding of the project requirements and deliverables;
- An approach to the project that will meet project requirements on a timely basis;
- Organizational and managerial competence;
- A detailed work plan, to include:
  - Tasks and phases to be completed.
  - Completion dates.
  - Project controls.

References with respect to previously completed successful projects of a similar nature must be included, with contact information provided (names, addresses and telephone numbers).

c) Subcontracting

Details of any and all subcontracting arrangements proposed by the proponent must be provided.

d) Fees and Expenses

The proposal should provide an outline of the preferred billing arrangements and include a description of a standard invoice. The proposal must include a detailed statement of the charges to be incurred. Costs must be stated in Canadian funds.

## 6. INUIT FIRM BID ADJUSTMENT

1. Inuit Firms, registered on NTI's Inuit Firm Registry, or recognized as Inuit Firms by agreement between NTI and the Inuvialuit Regional Corporation, shall receive a bid adjustment (Inuit Firm Bid Adjustment) of 10% on the fees and expenses

component of the contract proposal.

2. Inuit Firms must provide details of their Inuit Firm status in order to receive an Inuit firm bid adjustment.
3. Pro-Rating of Inuit firm bid adjustment: Contract proposals must include details concerning all sub-contractors, including the fees and expenses attributable to the subcontractor. The Inuit firm bid adjustment shall not be applied to any portion of the contract proposal where the work is to be subcontracted to a non-Inuit firm. The Inuit firm bid adjustment may be applied to those contract proposals made by non-Inuit firms with respect to any portion of the contract proposal where the work is to be subcontracted to an Inuit firm