



# ALBERNI-CLAYOQUOT REGIONAL DISTRICT

## Request for Proposal

### Inclusive Regional Governance – Consulting Services IRG01R-23

#### Submission Deadline:

December 04, 2023 at 2:00pm Pacific Time

#### Designated Contact Person:

Kyle Ilett, Procurement Coordinator

Email [procurement@acrd.bc.ca](mailto:procurement@acrd.bc.ca)



## SUBMISSION DETAILS

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This completed Request for Proposal must be received in the office of the Alberni-Clayoquot Regional District **not later than 2:00 PM local time, December 04, 2023** to the attention of:

Kyle Ilett, Procurement Coordinator

Email [procurement@acrd.bc.ca](mailto:procurement@acrd.bc.ca)

3008 5th Ave., Port Alberni, BC

V9Y 2E3

**Note: Office Hours 8:00am to 4:30pm**

Paper proposal submissions must be delivered to the address above in a sealed envelope and labelled "Request for Proposal IRG01R-23 – Inclusive Regional Governance - Consulting Services."

Alternatively, proposals may be submitted by email with the subject line "Request for Proposal IRG01R-23 Inclusive Regional Governance - Consulting Services " to [procurement@acrd.bc.ca](mailto:procurement@acrd.bc.ca).

Enquiries about this request shall be directed to only Kyle Ilett – Procurement Coordinator  
Email: [procurement@acrd.bc.ca](mailto:procurement@acrd.bc.ca)

Telephone: 250-720-2726



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## SECTION I – GENERAL

### 1.1 PURPOSE OF REQUEST FOR PROPOSAL (RFP)

The Alberni-Clayoquot Regional District (ACRD) is looking for a consultant to help with our Inclusive Regional Governance project. The province has committed to support inclusive regional governance by advancing First Nations participation in regional district boards in the implementation Action Plan that supports the Declaration on the Rights of Indigenous Peoples Act (Action 1.11 - Ministry of Municipal Affairs).

The ACRD may, among the submissions received, deal or negotiate with any party as the ACRD sees fit, and with more than one such party concurrently. In no event will the ACRD be required to offer any modified terms to any other party. The ACRD shall incur no liability to any person as a result of such negotiations or modifications.

### 1.2 BACKGROUND FOR RFP

The ACRD would like to explore how First Nations could become voting members of regional districts without concluding a modern treaty that specifies regional district membership.

The regional district framework provides a unique system of governance where the member jurisdictions maintain their autonomy but govern as a board of directors to make regional, regulatory, and service decisions.

This framework offers an important opportunity to bring indigenous perspective and values to regional governance and may provide balance between Indigenous peoples right to participate in decisions that impact them (i.e. regional district decisions) while maintaining First Nation decision making structures and institutions.

Achieving broader First Nation representation on regional district boards requires better understanding and recognition of:

- the significant variation of First Nation/Indigenous governments in terms of how they govern themselves
- how First Nation governing approaches intersect with regional district governance complexity of regional districts (in and of themselves) including the different numbers of municipalities, electoral areas and treaty first nations, and that each delivers a unique range of local, sub-regional, and regional services to its members.
- the need to maintain the capacity of local governments and First Nations to serve their constituents.
- and that implementation may ultimately require changes to provincial legislation, regional district letters patent, regional bylaws, policies, and agreements.



### 1.3 RFP DISTRIBUTION AND ENQUIRIES

The ACRD will not be opening Proposals in public and reserves the right to open Proposals in public at its sole discretion.

Proponents must ensure that they have received all addenda and the complete RFP. The complete document consists of twenty-one (21) pages including the Cover Page and Appendices.

All enquiries related to this RFP are to be directed in writing, only to Kyle Ilett (or designate) at the contact address below:

Kyle Ilett, Procurement Coordinator  
Email [procurement@acrd.bc.ca](mailto:procurement@acrd.bc.ca)  
3008 5<sup>th</sup> Ave., Port Alberni, BC V9Y 2E3

Information obtained from any other source is not official and should not be relied upon. Enquiries and responses will be recorded and will be distributed to all Proponents who have registered with Kyle Ilett as having received a copy of this RFP.

### 1.4 RFP TERMINOLOGY

Throughout this RFP terminology is used as follows:

- "must", "mandatory", "required" means a requirement that must be met in order for the proposal to receive consideration;
- "Proponent" means an individual or a company that submits, or intends to submit, a proposal in response to this "Request for Proposal";
- "Proposal" means any proposal made or submitted by anyone in connection with this Request for Proposal or the subject matter hereof;
- "Contract" means a written agreement resulting from this Request for Proposal executed by the Alberni-Clayoquot Regional District and the Contractor, it being understood that it may be the case that no contract will result;
- "We", "Our", "ACRD" all mean the Alberni-Clayoquot Regional District;
- "Contractor" means the Proponent(s) who is/are awarded and enters into an Agreement with the Alberni-Clayoquot Regional District for the Services as a result of this RFP.
- "Evaluation Team" means the team appointed by the Alberni-Clayoquot Regional District;



## SECTION II – TERMS & CONDITIONS

### 2.1 ESTIMATED TIME FRAME

The following timetable outlines the anticipated schedule for the RFP and contract process. The timing and the sequence of events resulting from this RFP may vary and shall ultimately be determined by the ACRD.

<b>EVENT</b>	<b>ANTICIPATED DATE</b>
Request for Proposal is issued	November 03, 2023
Deadline for receipt of questions	November 16, 2023 @2:00 PM PST
Addenda issued (if required)	November 21, 2023
Request for Proposal closes	December 04, 2023 @ 2:00 PM PST
Award Date	December 14, 2023
Services commencement date	December 19, 2023

### 2.2 RESPONSIBILITY OF PROPONENT

Proponents shall be responsible for informing themselves as to the contents and requirements of this RFP. Each proponent is solely responsible to ensure that they have obtained and considered all information necessary to understand the requirements of this RFP and to prepare and submit their proposal. The ACRD will not be responsible for any loss, damage or expense incurred by a proponent as a result of any inaccuracy or incompleteness in this RFP, or as a result of any misunderstanding or misinterpretation of the terms of the RFP on the part of any proponent.

### 2.3 EVALUATION

An evaluation committee will be reviewing the proposal submissions. The ACRD reserves the right to accept any or none of the proposals submitted.

### 2.4 PROPOSAL SUBMISSION/CONDITIONS

#### 2.4.1 Proposal Submission

Proposal submissions must include a completed Proposal Submission Form, with all addenda acknowledged.

The Proponent's Submission Form must be fully and properly completed and conform to these Instructions for Submission. Submissions which are incomplete, conditional or obscure may be rejected. Late proposals will not be accepted.



Proposal submissions must be received **no later than 2:00 PM local time on December 04, 2023** in order to be considered.

Proposals on paper must be submitted in a sealed envelope, clearly marked "Request for Proposal IRG01R-23 – Inclusive Regional Governance – Consulting Services", and directed to the person identified under the Submission Details of this RFP.

Proponents mailing proposals, or sending by courier, should allow sufficient delivery time to ensure the timely receipt by Kyle Ilett. Alternatively, Proposals may be submitted by email with the subject line "Request for Proposal IRG01R-23 – Inclusive Regional Governance – Consulting Services" to the person identified under the Submission Details of this RFP. If the Proponent chooses to submit by email the following risks are assumed

1. Delays in delivery
2. Rejection of the email
3. Emails may be delayed or rejected due to spam, virus software, or malware
4. Inboxes may become too full
5. The email may be missed and not identified as a submission

#### 2.4.2 Enquiries, Errors, Omissions and Addenda

All communications regarding the submission must be directed to the person(s) identified under the Submission Details of this RFP.

Proponents must obtain their own information on all matters and things that may in any way influence them in making their submissions.

Proponents must satisfy themselves in all respects as to the risks and obligations to be undertaken by them in order to fulfil their obligations.

Communications to the ACRD may be made only by Proponents and not by prospective subcontractors, material suppliers or others.

While the ACRD has taken considerable effort to ensure an accurate representation of information in this RFP, the information contained is supplied solely as a guideline for Proponent. The information is not guaranteed or warranted accurate by the ACRD, nor is it necessarily comprehensive or exhaustive. Nothing in this RFP is intended to relieve the Proponent from forming their opinions and or conclusions with respect to the goods and services as described by this RFP. If a Proponent discovers any inconsistency, discrepancy, ambiguity, or omission in the Proposal Documents, it must notify Kyle Ilett immediately in writing.

The ACRD may provide additional information, clarification or modification by written addenda. All such addenda shall be incorporated into and become part of the Proposal Documents. The





ACRD shall not be bound by verbal or other information explanations or clarifications not contained in such addenda.

Proponents should note that the Proposal Submission Form requires an acknowledgement of receipt of all addenda. Parties submitting proposals are responsible to ensure that they are aware and have received all addenda, and are advised to check immediately prior to submitting their Proposal Submission Form.

The ACRD will assume that all statements, verbal or in writing, made by persons submitting Proposals are true, accurate, complete and not misleading. All such statements will constitute representations and warranties made to the ACRD.

Requirements outlined in the RFPs shall not be interpreted in a way that would exclude warranties as to fitness for the purpose, suitability, or any other implied warranties.

### 2.4.3 Conditions

Proponents are advised that after receipt of proposals they may be required to provide to the ACRD additional information concerning themselves or their Proposal including further details or breakdowns, and additional information to clarify whether a proposal meets the mandatory requirements set out in this RFP

Proposals which contain qualifying conditions or otherwise fail to conform to these Instructions for Submissions may be disqualified or rejected. Anything to the contrary herein notwithstanding, the ACRD may at its sole discretion elect to retain for consideration proposals which are non-conforming, and may waive irregularities, failure to comply or time stipulations required by these Instructions for Submission, whether material or not. The stipulations herein are for the sole benefit of the ACRD and may be waived by the ACRD unilaterally.

### 2.4.4 Freedom of Information and Privacy Protection Act (FOIPPA)

The ACRD advises Proponents that submissions may be subject to the provisions of *FOIPPA* and *the Community Charter*. Proponents who wish to ensure particular parts of their submission are protected from disclosure under *FOIPPA* should specifically identify those portions that constitute a) trade secrets, and b) that are supplied in confidence, and c) the release of which could significantly harm their competitive position. Information that does not meet all three of the foregoing criteria may be subject to disclosure to third parties. Personal information provided in the submission will be collected pursuant to *FOIPPA* and the *Community Charter*. The personal information will not be released except in accordance with the *FOIPPA*.

Proposals will be held in confidence by the Regional District, subject to the provisions of the *Freedom of Information and Protection of Privacy Act*, or unless otherwise required by law. As an exception to the foregoing, Proponents are advised that any contract entered into as a result of



this RFP may be subject to Regional Board approval, which may be discussed and voted on at a meeting of the Board that is open to the public. If Board approval is required, aspects of Proposals may be provided to the Board in a publicly available staff report, and discussed at a Board meeting that is open to the public.

#### 2.4.5 Confidentiality

All submissions become the property of the ACRD and will not be returned to the Proponent. All submissions will be held in confidence by the ACRD unless otherwise required by law.

#### 2.4.6 Conflict of Interest and Legal Proceedings

Proposals will not be evaluated if the Proponent's current or past corporate or other interests are, in the reasonable opinion of the ACRD, deemed or perceived to be a conflict of interest in connection with this RFP or the activities or mandate of the ACRD.

The ACRD reserves the right to disqualify or reject a proposal in whole or in part where the Proponent or its directors, officers, shareholders or any person associated with the Proponent has a claim or has initiated a claim or legal proceeding against the ACRD with respect to any previous contracts, tenders or business transactions.

#### 2.4.7 Changes to Proposal

By submission of a clear and detailed written notice, the proponent may amend or withdraw its proposal prior to the closing date and time. The Proponent will not change the wording of its Proposal after closing and no words or comments will be added to the Proposal unless requested by the ACRD for clarification.

#### 2.4.8 Proponent's Expenses

Proponents are solely responsible for their own expenses in preparing and submitting Proposals and for any meetings, negotiations or discussions with the ACRD or its representatives and consultants, relating to or arising from this RFP. The ACRD and its representatives, agents, consultants and advisors will not be liable to any Proponent for any claims, whether for costs, expenses, losses or damages, or loss of anticipated profits, or for any other matter whatsoever, incurred by the Proponent in preparing and submitting a Proposal, or participating in negotiations for an Agreement, or other activity related to or arising out of this RFP.

### 2.5 ADDENDA

If the ACRD determines that Addendum or Question & Answer response is necessary, the ACRD will post an Addendum on the ACRD and Bid BC Websites and shall become part in parcel of the RFP Document(s).



- Questions for clarification that alter the method, pricing and or specifications of the submissions will be posted in the form of an Addenda and must be signed and included with the submission.
- Questions for clarification that do not alter the method and pricing of the submission will be posted in the form of a Question and Answer document and will not require to be signed and returned with the submission.

It is the responsibility of the Proponent to ensure that it has retrieved any Addenda as posted. Proponents are required to check the ACRD’s Website for all information.

## 2.6 OFFER ACCEPTANCE

Proponents are requested to keep their proposals open for acceptance for a period of forty five (45) days after the closing date for receipt of proposals. Proposals will be assessed during the evaluation of the proposals and any alteration could adversely impact the evaluation and ranking of the proposals

## 2.7 EVALUATION TEAM AND CRITERIA

The evaluation of Proposals will be undertaken on behalf of the ACRD by the Evaluation Team. The Evaluation Team may consult with others including ACRD staff members, third party consultants and references, as the Evaluation Team may in its discretion decide is required. The Evaluation Team will give written recommendation for the selection of a Preferred Proponent(s) to the ACRD Board.

The Evaluation Team will compare and evaluate all Proposals to determine the Proponent’s strength and ability to provide the Services in order to determine the Proposal which is most advantageous to the ACRD; using the following criteria:

Evaluation Criteria	Points	Weighting	Max Score	Section
Experience and Qualifications	/10	2.0	20	3.1
Project Understanding	/10	3.0	30	3.2
Approach and Schedule	/10	2.5	25	3.3
Social Procurement	/10	0.5	5	3.4
References	/10	1.0	10	3.5
Total (Non Monetary)			90	
Price	10	N/A	10	3.6
Total			100	

**Prices will be evaluated on a value per point basis: (Lowest Price / Proponent price)\*10.**



Points will be assigned for each criteria based on the information provided in the RFP. Scoring shall be awarded on a scale of 0 to 10, where the range is defined as follows:

0-3	Incomplete response Doesn't meet expectations Missing/mismatched attributes Poor level of details in response Unsupported claim(s)
4-7	Mostly complete response Partially meets expectations Partially fits desired attributes Medium level of detail in response Partially supported claim(s)
8-10	Meets or exceeds expectations Strongly fits desired attributes High level of detail in response Well-supported claim(s)

Note: Ratings have been noted in the Points column, and evaluation within each area of evaluation criteria will be done at the complete and total discretion of the ACRD. Submission to RFP, which is to be completed by the Proponent, must align with the above criteria.

## 2.8 NEGOTIATIONS

The top-ranked Proponent will be invited to enter into direct contract negotiations to finalize the agreement with the ACRD.

Negotiations will not constitute a legally binding offer to enter into a contract on the part of the ACRD or the proponent and there will be no legally binding relationship created with any proponent prior to the execution of a written agreement. The terms and conditions found in Schedule E are to form the basis for commencing negotiations between the ACRD and the selected proponent.

The ACRD may terminate contract negotiations with any proponent and enter into contract negotiations with the next highest-ranked proponent if, in the opinion of the ACRD at any time, the contract negotiations with the initially selected proponent will not be satisfactorily completed in its best interests.

The ACRD may, at its sole discretion, reject any or all Proposals at any time throughout the proposal evaluation, proponent selection, or contract negotiation process.



## SECTION III – SUBMISSION REQUIREMENTS

It is the sole responsibility of each Proponent to ensure their Proposal contains all required information. Failure to follow the instructions contained in this RFP may result in the Proposal being deemed non-compliant in which case, it will be returned to the Proponent and receive no further consideration.

**Schedule “A” contains the Form of Proposal and must be submitted with each proposal.**

**Please refer to Schedule “B” Statement of Work and Deliverables for requirements and Proponent reference when applicable.**

Proposals must be received by the ACRD or submitted to [procurement@acrd.bc.ca](mailto:procurement@acrd.bc.ca) before 2:00 pm on December 04, 2023, Pacific Standard Time. Late Proposals will not be accepted and will be returned to the Proponent.

Note: Although every attempt will be made to meet all dates, the ACRD reserves the right to modify any or all dates at its sole discretion at any time.

### 3.1 EXPERIENCE & QUALIFICATION

- Letter of introduction.
- Proponent’s relevant experience (with emphasis on governance either First Nations, Regional District/local government, or both), qualifications, resources, and capacity in delivering services similar to those required by the RFP.

### 3.2 PROJECT UNDERSTANDING

- Proponents should clearly demonstrate their understanding of the project requirements outlined in the RFP in their proposal. Identify the key goals that you expect to address through this project and discuss how you will deliver on these goals.
- Proponents should provide access to at least one example of a consulting project with a similar scope.
- Proponents should identify how they would approach building understanding and discussion around the governance structures this work initiative is seeking to bridge.

### 3.3 APPROACH AND SCHEDULE

- Outline your approach to communications and project management throughout the project, including work plan, timing, form and general content of progress updates to ACRD project staff. Adhere to progress report deadlines.



### 3.4 SOCIAL PROCUREMENT

Please complete the table below concerning the application of Social Procurement principles and practices in your operations and/or performance of works. Contractors may be required to provide certificates and / or 3rd party validation where applicable.

	<b>Social Procurement Principles or Practices</b>	<b>Yes</b>	<b>No</b>	<b>Describe where applicable</b>	<b>Maximum Points</b>
1	In the last three years, has the Proponent implemented any programs or initiatives to ensure greater economic opportunity and community integration for equity-seeking groups?				5
2	Does the Proponent work with Social Enterprises in any manner?				5

### 3.5 REFERENCES

Proponents shall include two (2) references of relevant experience for which they have provided similar services. With each reference, proponents shall include the organization's name, address, phone number, as well as the name and position of a person the ACRD may contact at the organization. The ACRD reserves the right to contact references without prior notification to the proponent.

### 3.6 PRICE

Proponents should state their proposed price as follows:

<b>Work Activities (by Phase)</b>	<b>Price (Excluding GST)</b>
<b>Total Price (Excluding GST)</b>	

### 3.7 INTERVIEW



The Evaluation Team may, at its discretion, invite some or all of the Proponents to a conference call or video interview to provide clarification of their Proposals. In such event, the Evaluation Team will be entitled to consider the answers received in evaluating Proposals.

## SECTION IV – SPECIFICATIONS

### 4.1 ACCEPTANCE OF TERMS

All the terms and conditions of this RFP are assumed to be accepted by the Proponent and incorporated in its Proposal, except those revisions that are proposed or requested in the Proposal and accepted by the ACRD.

### 4.2 THE ALBERNI-CLAYOQUOT REGIONAL DISTRICT RESERVE RIGHTS

The ACRD reserves the right to:

1. Waive any irregularity or insufficiency in any Proposal, whether material or not;
2. Accept the Proposal which is deemed most favorable to the interest of the ACRD;
3. Accept any Proposal in whole or in part;
4. Negotiate with the selected Proponent(s);
5. Contact references other than, or in addition to, those furnished by the Proponent.

### 4.3 NOTIFICATION OF AWARD

If negotiations result in agreement on the terms of a contract, the successful Proponent(s) will be notified in writing and required agreeable obligations will need to be fulfilled before the executing the Contract.

### 4.4 TERM OF AGREEMENT

It is anticipated that the Contract term, upon acceptance of proposal(s), shall be December 19, 2023, to June 30, 2024, and may be extended by the ACRD as required.



## SECTION V – RFP PARTICULARS

It is anticipated that the below section 5.1 will be incorporated into the contract with the successful Proponent(s).

### 5.1 CONTRACT CONDITIONS

The Proponent will be required to provide the ACRD with evidence of the following **upon execution and delivery of the Contract**.

- General Liability Insurance (\$2,000,000.00)
- Letter of Good Standing from WorkSafe BC

## SECTION VI – APPENDICES

Schedule A – Form of Proposal

Schedule B – Statement of Work and Deliverables

Schedule C – Terms of Reference





SCHEDULE A: FORM OF PROPOSAL

**RFP NO.:** IRG01R-23  
**PROJECT:** Inclusive Regional Governance  
**CLOSING:** December 04, 2023

**1. PROPOSAL SUBMISSION**

Company Name:		
Address:		City:
Postal Code:	Phone:	Fax:
Email:		Date:
Signature of Proponent:		Print Name:
Title of Proponent:		

To: The Alberni-Clayoquot Regional District

**RFP Project Title: Inclusive Regional Governance**

**I/We, the undersigned duly authorized representative of the Proponent,** having received and carefully reviewed all of the Proposal documents, including the RFP and any issued addenda posted on the Alberni-Clayoquot Regional District Website, and having fully informed ourselves as to the intent, difficulties, facilities and local conditions attendant to performing the Services, submit this Proposal in response to the RFP.

**I/We confirm** that this Proposal is accurate and true to best of my/our knowledge.

**This Proposal** is submitted this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_.

**I/We have the authority to sign on behalf of the Proponent.**

\_\_\_\_\_  
Authorized Signature

\_\_\_\_\_  
Name and Title

\_\_\_\_\_  
Date



## SCHEDULE B: STATEMENT OF WORK AND DELIVERABLES

**The budget for this project is a maximum of \$45,000.00 including all fees and expenses, which includes any administrative fees, charges for printing, copying and couriers, travel expenses, accommodation expenses, meals, public engagement room rentals. If the work and deliverables cannot be completed under the budget provided in this RFP, the ACRD will pursue additional grant funding to advance further phases and ultimately bring satisfactory conclusion to this initiative. Any identified works going beyond the specified budget should be summarized as subsequent phases with independent pricing. Our intention is to run a single RFP, and through this RFP process to identify a single successful proponent with whom all phases of this initiative can be completed. The terms of this contract will be a period of not less than 6 months and no longer than 18 months. Additional phases shall be identified as “optional”, subject to approval of the ACRD and availability of grant funding, in the contract agreement between the ACRD and the successful Proponent.**

**Appendix A – IRG01R-23 Terms of Reference has been attached to this RFP. This appendix is provided to relay the ACRD’s commitments related to the Regional District and First Nations Partner Study Grant. The next progress report due March 31, 2024, will be completed by the ACRD, with information from the successful proponent.**

**The scope of work includes all of the following:**

### Building Understanding and the Current state of relationships

- Determine and evaluate points of interactions with local First Nations in relation to specific structure, service profile, and approach to regional decision-making.
- Gather information about regional First Nations communities and how they generally govern themselves.
- Explore and describe the current state of the relationship between the specific regional district and First Nation(s) and current areas of collaboration.

### Shared Interests

- Discuss the regional district, its role, and functions, that interest the First Nations.
- Determine the kinds of regional district decisions and initiatives, the First Nations want to directly participate in. What are the ways to participate in governance? On which matters is voting critical?
- Consider how the current relationship change as a result of the First Nation(s) becoming voting members.
- Examine the benefits generated for the current regional district members by First Nations joining.



- Identifying and critically assessing barriers to successful implementation of regional inclusive governance.
- Explore approaches for structuring how regional district services that include non-treaty First Nations could be structured, with an emphasis on vote structure, member vote weighting and possible financial interfaces.

### Exploring Governance Factors

Regional districts and partner First Nations should explore key governance factors and alignment between the regional district system and First Nation self-government. Key aspects of the system to discuss include, but are not limited to:

- Constituents (e.g., who is your decision-making authority representing?) and their representative (e.g., who may be the decision-making authority at the board table and how, and by whom, may they be appointed?)
- Geographic area of jurisdiction (e.g., thoughts on what area is the decision-making authority representing geographically)
- Law-Making Authority (e.g., exploring limitations of regional district authority [e.g., not education] and limitations of existing First Nations authority [e.g., that which differs from regional district board current authority])
- Service provision (e.g., what services do the partners currently provide to one another? By what mechanisms are those services provided [e.g., 5-year service contract, users fees]; How do the partners envision this improving if membership changes? What challenges are foreseen?)
- Land use (e.g., how is land use planning conducted for the First Nation and regional district; how are they different or similar processes? How do you envision them working together?)
- Financial Contributions (e.g., How do the partners envision determining equitable cost-recovery? How is certainty of contributions achieved?)

It is the expectation that the facilitator will be coordinating and completing all project components.

### **The deliverables include all of the following:**

At the completion of the engagement work with partner First Nations, the regional district must compile a final report for the Ministry of Municipal Affairs that documents:

- Facilitate group governance discussions between ACRD and Regional First Nations governance.
- Manage Project in collaboration with Regional District and First Nations representatives.



- Identify objectives and develop a workplan.
- Description of the engagement process undertaken.
- Record of what was discussed at a thematic level.
- Observations on how to best address barriers identified and recommend possible next steps.
- Progress reports as required.

The interim report is due on or before March 31, 2024. The final report is required on or before June 30, 2024.



## SCHEDULE C: TERMS OF REFERENCE

### Regional District and First Nation Partner(s) Study Grant for Inclusive Regional Governance

#### Purpose:

The province has committed to support inclusive regional governance by advancing First Nations participation in regional district boards in the implementation Action Plan that supports the *Declaration on the Rights of Indigenous Peoples Act* (Action 1.11 - Ministry of Municipal Affairs).

These terms of reference provide background information and describe the scope for study grant-funded discussions to help regional districts and partner First Nations to explore how to enable First Nations (outside of the treaty process) to join the board table as voting members. There is latitude for regional districts and First Nations to design how they want to engage and make use of funds (e.g., hiring consultants, holding events, and administrative costs).

The intent of the study grant is to enable regional discussions that will reveal the key themes, interests, and questions to be pursued in the consultation and development of legislation to meet the varied needs of First Nations and regional governments.

#### Background

The Union of British Columbia Municipalities (UBCM), First Nations and several regional districts have directly requested that the Ministry explore how First Nations could become voting members of regional districts without concluding a modern treaty that specifies regional district membership.

The regional district framework provides a unique system of governance where the member jurisdictions maintain their autonomy but govern as a board of directors to make regional, regulatory and service decisions.

This framework offers a important opportunity to bring indigenous perspective and values to regional governance and may provide balance between Indigenous peoples right to participate in decisions that impact them (i.e. regional district decisions) while maintaining First Nation decision making structures and institutions.

Achieving broader First Nation representation on regional district boards requires better understanding and recognition of:

- the significant variation of First Nation/Indigenous governments in terms of how they govern themselves
- how First Nation governing approaches intersect with regional district governance
- complexity of regional districts (in and of themselves) including the different numbers of municipalities, electoral areas and treaty first nations, and that each delivers a unique range of local, sub-regional, and regional services to it members.
- the need to maintain the capacity of local governments to serve its constituents.
- and that implementation may ultimately require changes to provincial legislation, regional district letters patent, regional bylaws, policies, and agreements.