

# **Morongo Band of Mission Indians Request for Proposal (“RFP”)**

**MORONGO  
BAND OF  
MISSION  
INDIANS**

## **Title: Conservatorship of the Estate Services**



**A SOVEREIGN NATION**

### **I. Introduction and Purpose**

The Morongo Band of Mission Indians (“MBMI”) is soliciting proposals from qualified and responsive firms and/or individuals, appropriately licensed and bonded, to provide professional Conservator of the Estate (“COE”) services to eligible individuals, who are ordered by the Morongo Tribal Court to have a public guardian or conservator. It is anticipated that any contracts resulting from this RFP would commence immediately.

### **II. Background and Project Description**

The MBMI Reservation is in The Pass region of Southern California; between the San Gorgonio and San Jacinto Mountain ranges. MBMI is the owner/operator of the Morongo Casino Resort Spa, and several other businesses.

As a sovereign government, MBMI operates its own judicial system. Tribal members and others within the jurisdiction of MBMI use the Morongo Tribal Court as a forum to resolve certain civil, family, and dependency law issues consistent with Tribal laws, policies, customs and traditions.

Consistent with MBMI customs and traditions, the Morongo Tribal Court is a forum for individuals and/or the Morongo Children and Family Services to initiate a conservatorship proceeding for incapacitated or otherwise vulnerable adults within the jurisdiction of MBMI. It is in the Court’s discretion to make such orders requiring the appointment of a conservator. The MBMI Tribal Council has authorized this RFP to solicit proposals for firms and/or individuals capable of providing services to manage Tribal Member estates under conservatorship of the Morongo Tribal Court. For the persons or firms selected, the Morongo Tribal Court would make appointments as COE, for the management of conservatees’ finances, protection of the conservatee’s income and property or assets, preparation of an inventory of the conservatee’s property or assets, payment of conservatee’s bills, confirmation that the conservatee receives all income and benefits to which she or he is entitled, confirmation that the conservatee’s tax returns are filed on time and all taxes paid, maintaining of accurate financial records, and regularly reporting of the conservatee’s financial condition to the Morongo Tribal Court.

### **III. Scope of Work**

As COE, the selected entity will manage the conservatee's estate. Duties may include, but will not be limited to, the following:

1. Seek and receive prior court approval required for fees, borrowing, loans, and gifts.
2. Keep estate money and property separate from your or anyone else's money or property.
3. Make sure that estate bank account is an interest-bearing account.
4. Pursue claims against others on behalf of the conservatee's estate when it is in the best interests of the conservatee or the estate to do so.
5. Learn about and collect all public and insurance benefits for which conservatee is eligible.
6. Evaluate the conservatee's ability to manage cash and other assets.
7. Locate and take responsible steps to ensure the safety of the conservatee's estate planning documents.
8. Guard against inappropriate disclosure of the conservatee's financial information.
9. Determine the appropriate kind and adequate level of insurance for the estate.
10. Communication with the conservator of the person and trustee.
11. Locate and take possession of the estate's property and prepare an updated inventory.
12. Comply with MBMI laws and orders of the Morongo Tribal Court.

### **IV. Desired Qualifications**

1. Upon order of the Morongo Tribal Court, the ability to post a Conservator Bond.
2. Professional Fiduciary's License in good-standing, and/or provide proof of exemption from licensing requirements.
3. Ability to maintain an open collaborative relationship with Morongo Family and Children Services Department.
4. Ability to respond to financial requests in a timely manner.
5. Operate the service program in a cost effective manner with full reporting to MBMI officials as requested or required.
6. Provide service as agreed upon under any resulting contract. No excuse or deviations will be accepted for non-compliance with this requirement, absent prior arrangements with designated personnel.
7. Provide the service consistent with all applicable statutes, rules and ethical requirements of the profession and/or industry standards.
8. Knowledge and previous work experience in the MBMI community and/or other Native American communities.

### **V. Proposal Requirements and Submittal Process**

**Proposal Content:** Each proposing entity will include in its proposal the items listed below:

1. Company Information - Each proposing entity will include in its proposal the complete name of the company, the company's address, and the name, title,

- address, and telephone number of the designated person in the company who is authorized to respond to any questions that MBMI may have concerning this RFP.
2. Proposing entity's general reputation and experience in providing the designated service to similar clients, institutions, or governmental entities.
  3. References - Each proposing entity will submit, at a minimum, three references of entities that it provides the same or similar service as required by this RFP. Included should be the name of the company, a short description of the contracted services, and the name, address, and telephone number of the contact person for that reference.
  4. Narrative – Describe the proposing entity's:
    - a. experience providing conservatorship of the estate services,
    - b. understanding of the role and responsibilities of a conservator of the estate, and
    - c. knowledge of and adherence to state or federal ethics and standards for conservator of the estate/fiduciary roles.
  5. Insurance - Each proposing entity must include in its proposal a certificate of insurance coverage.
  6. Personnel - Each proposing entity will include information on how sufficiently trained personnel will be recruited, hired, supervised, and maintained so quality services can be delivered timely.

**Clarifications, Exceptions or Deviations:** Each proposing entity shall describe any exception or deviation from the requirements of the RFP. Each clarification, exception or deviation must be clearly identified. If your entity has no clarifications, exceptions or deviations a statement to that effect shall be included in this section.

The following contractual terms are non-negotiable:

1. Indemnification
2. All Insurance Requirements Prior to the Start of the Agreement
3. Termination
4. Ownership/Use of Contract Materials and Products
5. Disputes
6. Governing Law
7. Confidentiality
8. Subcontractors
9. Reporting Requirements
10. Evidence of Insurability/Business License. All proposing entities shall submit evidence of all required insurance.

The selected entity awarded the contract will have ten (10) days to produce the required insurances, including a certified endorsement naming MBMI as additionally insured.

Do not purchase additional insurance until this bid has been awarded.

Provide a copy of current business license or other applicable licenses.

**Cost Proposal:** Cost proposal must fully describe all costs and charges to MBMI as a part of the service/project. Each proposing entity may also include additional documents to further display the proposed costs.

Each proposing entity will include in the proposal a cost proposal based upon the payment structures typical in the industry; per hour; per client; etc. Include minimum/maximum hours of service to be billed per client and whether or not travel costs are included in the proposed cost or unit price. The selected entity will be paid on a monthly basis based upon invoices submitted with sufficient documentation provided to MBMI to reflect the demand for payment.

MBMI reserves the right to negotiate final fees with the selected entity.

Contact Information: For questions and clarification regarding the RFP please contact: MBMI Legal Dept.

**Schedule of Events:**

Issue of the RFP	April 25, 2018
Question/Clarification Period	April 25 through May 7, 2018
RFPs Due	May 25, 2018 not later than 3:00 pm
Bid Award	To Be Determined

**Submission Deadline and Submittal Location:** All RFPs are due not later than 3:00 pm on Monday, May 25, 2018 and should be emailed to: [awilson@morongo-nsn.gov](mailto:awilson@morongo-nsn.gov) or a hard copy can be delivered or mailed to the Morongo Administration Building at:

Morongo Band of Mission Indians  
Attention: Legal Dept.  
12700 Pumarra Road  
Banning, CA  
92220