

Morongo Band of Mission Indians

Request for Proposals (RFP)

**MORONGO
BAND OF
MISSION
INDIANS**



A SOVEREIGN NATION

For: CONSERVATOR OF THE PERSON SERVICES CONSERVATOR OF THE ESTATE SERVICES

I. Introduction and Purpose

The Morongo Band of Mission Indians (MBMI) is soliciting proposals from qualified and responsive firms or individuals, appropriately licensed and bonded, to provide professional Conservator of the Person (COP) and/or Conservator of the Estate (COE) services to individuals who are in conservatorships governed by Morongo law in the Morongo Tribal Court. It is anticipated that any contracts resulting from this RFP would commence immediately.

II. Background and Project Description

As a federally recognized Indian Tribe and sovereign government, MBMI operates its own judicial system. The Morongo Tribal Court exercises jurisdiction over the application and enforcement of Morongo laws including Ordinance 42, the Vulnerable Adult Protection Ordinance, available online at

<https://morongo.sfo2.digitaloceanspaces.com/morongo.com/42-Vulnerable-Adults-Ordinance.pdf>. The Morongo Tribal Court considers Petitions for Conservatorship of individuals who meet the criteria established by this Ordinance. When the Tribal Court establishes a Conservatorship, it appoints a Conservator of the Person, a Conservator of the Estate, or both.

The Tribe is soliciting proposals from qualified firms or individuals capable of providing services to individuals (Conservatees) who are found to be in need of a conservatorship by the Morongo Tribal Court.

The responsibilities of the Conservator of the Person are broad and subject to the direction of the Court. See Scope of Work *infra*.

The responsibilities of the Conservator of the Estate include general management of finances and are generally subject to direction of the Court. See Scope of Work *infra*.

III . Scope of Work

As COP, the selected individual or firm will manage the daily needs of the Conservatee in compliance with Ordinance 42 and Orders of the Morongo Tribal Court including the responsibility to:

1. Provide or arrange for adequate living facilities;
2. Arrange all appropriate and timely medical treatment, and arrange or provide for transportation;
3. Provide or arrange for appropriate meals;
4. Provide or arrange for personal care (including bathing and toileting, if necessary) and for housekeeping to ensure a reasonably clean living space;
5. Provide for clothing, transportation, and suitable recreation;
6. Provide periodic reports to the Tribal Court regarding the physical and mental status of the Conservatee, including how the person's needs are being met and what services are being provided;

As COE, the selected individual or firm will manage the Conservatee's estate. Duties may include, but are not limited to, the following:

1. Manage the Conservatee's finances, including determining the amount(s) and source(s) of income and preparing an appropriate budget to provide for the daily living expenses as well as anticipated extraordinary expenditures;
2. Collect income due to the Conservatee and pay the Conservatee's bills in a timely manner to the extent funds are available;
3. Locate, take inventory of, take control of, and wisely manage the Conservatee's assets, and wisely invest that portion of the Conservatee's assets not needed to pay for daily living expenses, subject to Tribal Court approval;
4. Identify and ascertain the validity of all debts owed by the Conservatee, all claims made against the Conservatee, and all contractual obligations made prior to the appointment of the Conservator of the Estate in amounts over \$500.00;
5. Timely file and pay all taxes due; and
6. Provide an accounting to the Tribal Court on a periodic basis showing income and expenditures of the Conservatee's Estate along with a current inventory of all assets of the estate and all debts owed by the estate.

IV. Desired Qualifications

The Tribe seeks proposals from individuals or firms with the requisite knowledge, skill and experience to perform the duties of a Conservator of the Person and/or Conservator of the Estate as outlined above. Such individuals or firms must be able to be bonded and must be licensed fiduciaries.

V. Proposal Requirements and Submittal Process

Proposal Content: Each responding individual or firm must include in its proposal the items listed below:

1. Company Information: The complete name of the individual or firm, the address, and the name, title, address, and phone number of the designated company representative who is authorized to respond to questions from MBMI.
2. References: At least three references, which should be individuals or entities familiar with the services provided by the proposing individual or firm. Include the name of the reference, a brief description of the services which were provided, and the name, address, and telephone number of the contact person for each reference.
3. Narrative: Describe the proposing individual's or firm's:
 - a. experience providing COP or COE services;
 - b. understanding of the role and responsibilities of a COP or COE; and
 - c. knowledge of and adherence to state or federal ethics and standards for COP, COE, and fiduciary roles.
4. Insurance: Each proposing individual or firm must include in its proposal a certificate of insurance.
5. Personnel: Each proposing individual or firm should include, if relevant, information describing how qualified personnel will be recruited, hired, trained and supervised, to assure a timely and appropriate level of service.

Clarifications, Exceptions or Deviations: Each proposing individual or firm is asked to describe any exception or deviation from the requirements of the RFP. Each clarification, exception, or deviation must be clearly identified. If the proposing individual or firm has no clarifications, exceptions, or deviations, a statement to that effect must be included in the proposal.

The following contractual terms must be included, if relevant:

1. Indemnification
2. All Required Insurance in place prior to the start of services
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/Bondability/Business License

The selected individual or firm will have ten (10) days to produce the required insurance coverage documentation, including a certified endorsement naming MBMI as additionally insured.

Do not purchase additional insurance until the contract has been awarded.

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

Cost Proposal: The Cost Proposal must fully describe all costs and charges to MBMI for the conservator of the estate services. Each proposing individual or firm may also include additional information to further describe the proposed costs.

Each proposing individual or firm will include a cost proposal based upon the payment structures typical in the industry (e.g., per hour; per client; etc.). Include a statement of the minimum/maximum hours of service to be billed per client and whether travel costs are included in the proposed cost. The selected individual or firm will be paid on a periodic basis and only by approval of the Court in compliance with Ordinance 42.

MBMI reserves the right to select any or no bidder as a result of this RFP, and the right to withdraw the RFP completely. MBMI also reserves the right to negotiate fees with the selected individual or firm.

Contact Information: For questions and clarification regarding the RFP please contact the MBMI Tribal Services Administrator, Attn: Sasha Waters at swaters@morongo-nsn.gov.

Schedule:

The following schedule shall govern this RFP. All dates and times referred to in this RFP are Pacific Daylight Time (PDT).

Release of the RFP: Friday, January 19, 2024
Question/Clarification Period: Friday, March 1, 2024 by 5:00pm
RFP Responses Due: Tuesday, March 19, 2024 by 5:00pm
Bid Award: Friday, April 5, 2024

Note: The above dates and times are subject to change as the discretion of the MBMI.

Submission Deadline and Submittal Location:

All electronic submittals should be emailed to RFPResponses@morongo-nsn.gov.

All responses must be submitted or emailed, no later than March 19, 2024 by 5:00pm Pacific Time.

Submissions received after the deadline will be returned unopened. Please note that only one submission is allowed from each Proposer.

In the alternative, one (1) hard copy can be mailed to the Morongo Administration Building at:

Morongo Band of Mission Indians
Attention: Sasha Waters, Tribal Services Administrator
12700 Pumarra Road
Banning, CA 92220