



## **ASSEMBLY OF FIRST NATIONS REQUEST FOR PROPOSALS (RFP)**

**Preliminary Analysis – Allegations and/or Evidence of Financial  
Impropriety at the Assembly of First Nations (AFN)**

### **INTRODUCTION**

The Assembly of First Nations (AFN) is the national representative organization of First Nations in Canada. The AFN represents and advocates First Nations interests for more than 600 First Nations from across the country.

The AFN invites qualified individuals or companies to submit proposals to provide timely solicitation of potential allegations and/or evidence of financial impropriety at the AFN through a call out for submissions that will thereafter be reviewed and analyzed for the purposes of determining the validity of the allegations and whether further investigation, such as a forensic audit is required.

### **OBJECTIVE**

The AFN is seeking the services of an individual or organization to conduct a review of allegations of financial impropriety at the AFN. The individual or organization will gather potential evidence and then proceed with a review of relevant financial transactions and policies, provide an analysis of that review for the purposes of determining whether and how policy was breached, and provide a preliminary report of the review and analysis, including a recommendation on whether a forensic audit is warranted.

### **BACKGROUND INFORMATION**

The AFN is engaged in promoting the objectives and priorities of First Nations as per the mandates provided by First Nations-in-Assembly. First Nation leaders (Chiefs) from coast to coast to coast provide the mandate for the work of the AFN through resolutions passed at Assemblies held at least twice a year. As stated in the AFN Charter, the purpose, authority, responsibilities, and jurisdiction of the AFN are derivative in nature and scope. Resolutions reflect national consensus of the rights-holding First Nations on policy matters.

The AFN Charter serves as a guide for the operations and governance of the AFN. The mandate of AFN Chiefs Committee on Charter Renewal (CCOCR) is to consult with First Nations (including all peoples of Turtle Island) about the structure of the AFN and assist in developing viable options on AFN restructuring. The CCOCR will develop reports and recommendations for viable AFN Charter amendments while taking into account:

- a) The role and nature of the AFN to ensure appropriate governance is consistent with nation building.
- b) The governance structure of the AFN to enable leaders of traditional governance systems, clans, and modern governance arrangements to participate in decision-making.

In July 2022, alongside allegations of corruption and financial impropriety within the AFN, the CCOCR was mandated to make recommendations regarding the scope and nature of a forensic audit of AFN finances not to be limited in time to anything less than ten years. Allegations of impropriety include staff payouts and contracts paid without receipt of deliverables.

In July 2023, the CCOCR was directed to implement aspects of AFN Resolution 43/2023, *Review of the Past Ten Years of Assembly of First Nations/ National Indian Brotherhood Audits*. This mandate established that, based on the available facts, a forensic audit may not be warranted, and that the CCOCR would instead provide recommendations on the nature and scope of an independent audit to support the determination of the need for further investigation (e.g., a forensic audit). The CCOCR would then provide a recommendation to First Nations-in-Assembly as soon as possible.

The CCOCR has developed and approved a workplan for implementing this mandate which includes retaining the services of a contractor to undertake the work detailed in the next section of this Request for Proposals.

## SCOPE OF WORK

### **Evidence Collection and Analysis:**

The successful proponent will receive allegations and/or probable evidence of financial impropriety at the AFN from all sources through a call out for submissions. They will conduct a review of any allegations or evidence, as well as relevant financial transactions and policies, and provide an analysis to the CCOCR of what is received. The analysis will be based on the evidence collected.

The temporal scope of the review is ten years, as per AFN Resolution 43/2023; any allegations, evidence, transactions and policies identified for review must have occurred or been in effect from July 2013 onward. As the ten-year time frame is greater than the statutory seven years for retentions of books and records, the AFN may not have complete records for the full period of the review.

Examples of evidence of impropriety could include:

- Payments made without supporting documentation.
- Payments made without the authorization of the appropriate AFN employee.
- Contracts entered into that did not follow the requirements set out in the financial policies of the AFN applicable at the time of the contract.
- Contracts paid without receipt by the AFN of the deliverables set out in the contract.

Any evidence of such improprieties may indicate the need for forensic investigation of a single transaction, a category of transactions, or a specific period of time.

To warrant a forensic audit of all transactions over the past ten years, evidence must point to a pattern of impropriety applicable to that period of time and to more than one type of payment.

**Financial Policy Review:**

The successful proponent will also review the financial policies and practices in place at the AFN over the period from July 2013 to July 2023. That review will include the following:

- Identifying how the current practice and process of awarding contracts is exercised;
- Reviewing any concerns, past or present, with conflicts of interest with respect to the National Chief's Office, AFN Executive Committee members, and AFN Secretariat;
- Reviewing policies and processes with respect to transparency, accountability and reporting to the AFN Executive Committee on contracts awarded, regardless of value;
- Making recommendations to strengthen financial policies and procedures with respect to conflict of interest;
- Making recommendations on potential amendments to the financial policies and procedures on how to ensure greater transparency and accountability, compliance and consistency with other governance tools and processes; and
- Making recommendations with respect to potential governance models which distinguish and clarify political versus administrative roles and responsibilities.

**Deliverables:**

A preliminary report of allegations and evidence received, analysis of allegations and evidence against the criteria provided, and the review of financial policies and practices as set out herein. The successful proponent may also be required to provide an update to First Nations-in-Assembly during the 2023 Special Chiefs Assembly to be held from December 5 to 7, 2023, in Ottawa. This update may be delivered remotely.

**Project Time Frame:**

The work shall be conducted between October 30 and November 30, 2023.

## PROPOSAL SUBMISSION INSTRUCTIONS

All proposals shall be received by the AFN no later than October 19, 2023, at 5:00 p.m. EDT.

All proposals will clearly identify the name of the proponent. The subject title must read: "RFP for Preliminary Analysis."

Proposal Submissions shall be sent by email to: [ReginaT@afn.ca](mailto:ReginaT@afn.ca)

### **Proposal Submission Requirements:**

All proposals shall include the following information:

1. An Executive Summary outlining the background information of the proponent and/or their organization, including contents of the proposal.
2. Qualifications: provide a description of the proponent's capabilities/experience specifically related to the review and analysis of financial policies, practices and evidence of impropriety.
3. A statement and description of the resources required to complete the work.
4. Project Organization: Identify the composition of the proposed project team, if any, including:
  - a) Project team members;
  - b) Description of the roles of the team members; and
  - c) Level of experience of the team members specific to work or knowledge related to review and analysis of financial policies, practices and evidence of impropriety.
5. Cost Breakdown: The Proponent shall provide a detailed cost breakdown for the proposed services, showing the total cost for the performance of all services, expenses, materials, deliverables, and software/hardware costs (if applicable), to be used for completion of the work. Total cost shall be in Canadian dollars inclusive of all fees and taxes.

## RIGHTS OF THE AFN

The AFN reserves the right to:

- a) reject any or all proposals received in response to this Request for Proposals;
- b) enter into negotiation with one or more Consultants on any or all aspects of their respective proposals;
- c) accept any proposal in whole, or in part;
- d) cancel and/or re-issue the modified version of a given RFP requirement at any time;
- e) award one or more contracts;

- f) verify all information provided with respect to a given RFP requirement, including the right to request a confirmation of the Consultant's legal status and signed documentation; and
- g) award contracts without competition for follow-up work, if any, to the selected Consultant for a given project requirement.

**EVALUATION CRITERIA**

The AFN will select the Proponent(s) which, in the AFN’s sole discretion, best serves the overall needs of the AFN. The following is a summary of the general considerations that will be used to determine the Proponent(s) that will be selected:

1. Expertise of Firm/Organization submitting the proposal	40%
2. Proposed Work Plan and Approach	40%
3. Total price	20%

**MISCELLANEOUS PROVISIONS**

**Price**

Contractors must provide a firm fixed price, including administrative fees, travel, material costs, and HST.

For the proposal to be considered, the total costs must not exceed **\$45,000**.

**Role of AFN Secretariat Staff**

The successful proponent can expect the full cooperation of the AFN Secretariat Finance Sector and senior management.

**Confidentiality**

Responses to this RFP will be considered as confidential information by the AFN and will be used solely for the purposes of selecting the successful bidder.

**Clarification/ Questions**

All on-time proposals will be acknowledged. Requests for clarification and/or questions regarding this RFP should be directed to:

Regina Toulouse  
 Executive Coordinator,  
 Strategic Policy Integration  
 Assembly of First Nations  
 55 Metcalfe Street, Suite 1600  
 Ottawa, ON K1P 6L5  
 Telephone: 613-327-1488

Electronic Mail: [ReginaT@afn.ca](mailto:ReginaT@afn.ca)

**Submission of Proposals**

Only submissions that meet the deadline will be considered. Responses to this RFP must be received by the close of business (5:00pm EDT) on October 19, 2023.

Submissions shall be sent by Electronic Mail to: [ReginaT@afn.ca](mailto:ReginaT@afn.ca)

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