



Request for Proposals

Medical Cannabis Program

The Seneca Nation has issued an RFP for a technical partner to develop a medical cannabis program on its Territories. Interested cannabis cultivation businesses are invited to submit a letter of interest, statement of qualifications, and a detailed project structure and service proposal to the Seneca Nation. Proposals are due on or before October 16, 2020. The Nation plans to schedule interviews in mid-November and select the successful candidate by early December. A copy of the RFP is available by calling the Office of the President at 716-945-1790, or on the Nation's website at www.sni.org.

The Seneca Nation desires to enter into an agreement with the selected candidate. Applicants should be experienced in the medical cannabis industry, and be prepared to provide the Seneca Nation with guidance, expertise, and technical capacity related to the proposed medical cannabis program.

Proposals should be submitted to:

**Office of the President
Seneca Nation
PO Box 231
Salamanca, New York 14779
Attn: Millicent Proud, Executive Assistant**

Proposals Due: **October 16, 2020**

Issued Date: **September 22, 2020**

***Seneca Nation
Request for Proposal
Medical Cannabis Program***

A. Notice of Intent

The Seneca Nation (the “Nation”) seeks to partner with an outside business entity to launch a medical cannabis program on its sovereign lands. This intended program will utilize the Nation’s unique sovereign status to cultivate, extract, process, transport and sell medical cannabis to qualified patients from one or more dispensaries on the Seneca Nation Territories.

Proposals are being solicited by the Nation, a sovereign and federally recognized Indian nation with lands bounded by western New York. The Nation reserves the right to accept, reject or negotiate any or all proposals or any portion thereof. Price shall not be the sole criteria for selecting a medical cannabis firm. Rather, scope of available services, experiences with similar clients in medical and/or recreational cannabis ventures, and references shall also be considered.

Information provided in this request is to be used only for purposes of preparing a proposal detailing the scope and cost of partnering with the Seneca Nation on a proposed medical cannabis program. It is expected that each candidate submitting a proposal will read this request with care, as failure to meet the conditions or specifications herein may invalidate a proposal.

Requests for additional information clarifying the specifications should be directed via email or fax to Seneca Nation, Attn: Executive Assistant to the President, at 716-945-1790 or Millicent.Proud@sni.org. This RFP and all modifications, clarifications or interpretations will be available for review and downloading from the Seneca Nation website at www.sni.org. Applicants are encouraged to check the website periodically for modifications to the original proposal.

B. Introduction to the Seneca Nation

The Seneca Nation is a federally-recognized, self-governing Indian nation bounded by Western New York with approximately 8,500 enrolled members. The Nation is one of the original Six Nations of the Iroquois Confederacy, which also consists of the Cayuga, Onondaga, Oneida, Mohawk and Tuscarora nations. The Nation holds title to five distinct Territories in New York State, including land in Niagara Falls and Buffalo and land set aside by the 1794 Treaty of Canandaigua: the Allegany, Cattaraugus and Oil Spring Territories.

The Nation is governed by a sixteen-member Nation Council, which exercises the Legislative authority of the Nation consistent with the Nation’s Constitution. The

Nation's Executive Power is vested in the President, Treasurer, and Clerk, each of whom are elected for two year terms. The Nation's Constitution also created a Judicial Branch, exercised by the Peacemakers Court and the Surrogate Court.

C. General Information

A written agreement will be drawn up between the Seneca Nation, and the selected business entity specifying the terms and conditions that will govern the Nation's proposed medical cannabis program.

Records, files, data and work product regarding the Nation and this engagement will remain the property of the Nation.

D. Procedures for Submission of Proposals

Three physical copies of the proposal shall be submitted to the address indicated below no later than **October 16, 2020**. The Nation may reject any proposal that is received after the specified date and time.

**Office of the President
Seneca Nation
90 Ohi:yo Way
P.O. Box 231
Salamanca, New York 14779
Attention: Millicent Proud, Executive Assistant**

E. Interpretation of Specifications

If any person contemplating submitting a proposal is in doubt as to the meaning of any part of this request, he/she may submit a request in writing or email to the Office of the President for an interpretation. **Any such request must be received by the Nation not later than by 5:00 P.M on October 2, 2020.** The Applicant submitting the request will be responsible for its prompt delivery. Any interpretation of these specifications will be via addendum posted to the Nation's website. Oral explanations will not be binding.

F. Consideration of Proposal

The Office of the President shall represent and act for the Nation in all matters pertaining to the review and consideration of responses to this request for proposal. The Nation reserves the right to reject any or all proposals.

G. Proposal Format

Please include in your proposal the following:

- **Introduction:** A brief overview and introduction of the Applicant's business and owners, and the business's history in the cannabis industry. Please include whether prior projects were medical or non-medical cannabis businesses, how those businesses utilized tribal sovereignty, and describe the process of gaining applicable approvals required for operation of the businesses. (15%)
- **Personnel/Project Team** - Description and professional resume of key project team members who will be managing the business, any executive team members, advisors or consultants to the executive team, and a statement as to the availability of each person and their respective services. The qualifications should include descriptions of any similar cannabis or non-cannabis projects, complete with references. (20%)
- **Project Plan:** Detailed plan providing the scope of the proposed business. Please also include a projected timeline of commencing business, the business's proposed business structure, operation and security plan, proposals for potential conversion to a recreational cannabis program, and any environmental impacts of the proposed project. Describe how the business will contribute to the community and describe any existing ties to the Seneca community or the tribal community at large. (30%)
- **Economics:** Submit a breakdown of the projected initial costs, income and hiring for the proposed project. This submission should also include the proposed financial structure for the program. (20%)
- **References:** Provide 2-4 references from past or current partners, clients and/or customers in the cannabis industry. (10%)
- **Format:** Proposals must be organized, labeled or tabbed consistent with these requirements. The submittal must consist of 8 1/2" by 11" paper. All proposals must be signed by a person authorized to sign on behalf of the Applicant and to bind the Applicant to statements made in response to this RFP. (5%)

H. Qualifications

Any selected parties are expected to have the following qualifications:

1. Demonstrated knowledge and experience in developing successful businesses in the medical and/or recreational cannabis markets;
2. Expertise in state and federal cannabis laws and regulations as they apply to Indian nations;
3. Demonstrated ability to operate the proposed medical cannabis program consistent with the Nation's sovereign status;
4. Demonstrated ability and willingness to work with the Nation to develop any laws, regulations, or regulatory structure needed to operate the proposed medical cannabis program consistent with all existing applicable federal, state, and Seneca Nation laws.

I. Additional Terms

The following additional terms shall apply to this RFP:

1. Irrevocability of Proposals: The Applicant may amend or withdraw its proposal prior to the closing date and time. An Applicant who has withdrawn a proposal may submit a new proposal prior to the closing provided that such proposal is done in accordance with the terms and conditions of this RFP.
2. Applicant's Expenses: Applicants are solely responsible for their own expenses in preparing, and submitting, a proposal and for subsequent negotiations with the Nation, if any. The Nation will not be liable to any Applicant for any claims, whether for costs or damages incurred by the Applicant in preparing, and submitting, the proposal, loss of anticipated profit in connection with any final Contract, or any other matter whatsoever.
3. Currency and Taxes: Prices and estimates must be in U.S. dollars.
4. Acceptance of Proposals: This RFP should not be construed as an agreement to partner with the Nation. The Nation is not bound to enter into an Agreement with the selected Applicant. Proposals will be accessed in light of the evaluation criteria. The Nation will be under no obligation to receive further information, whether written or oral, from any Applicant.
5. Form of Contract: by submission of a proposal, the Respondent agrees that, should it be identified as the preferred consultant, it is willing to enter into a Contract with the Tribe, subject to successful negotiations by both parties, in writing.
6. Ownership of Proposals: All documents, including proposals submitted by Applicants in response to this RFP become the property of the Nation. They will be received and held in confidence to the extent allowable by law.
7. Confidentiality of Information: Information pertaining to the Nation obtained by the Applicant as a result of participation in this Project is confidential and must not be disclosed without written authorization from the Nation.
8. Material Ownership: All materials submitted, included but not limited to proposals in response to this RFP and any and all information, documentation, and presentations provided by the Applicant to the Nation on an ongoing basis, shall become the sole property of the Nation.
9. TERO: TERO compliance and fees will apply to any anticipated project.

J. Acceptance of Proposal

The Nation anticipates that it will enter into a fully executed agreement with the selected firm in January 2021.