

Request for Proposals:

The Sisseton Wahpeton Oyate is seeking to solicit competitive proposals from qualified attorneys or law firms to serve as a special prosecutor for white collar criminal matters within the Sisseton Wahpeton Oyate.

The selected attorney or firm will be responsible for prosecuting alleged financial, fraud-based, public integrity, embezzlement, theft or other white collar criminal offenses referred by.

Scope of Work:

The special prosecutor shall perform prosecutorial services as assigned and authorized including:

1. Reviewing investigative files, financial records, witness statements, procurement files, and other evidence.
2. Advising law enforcement or investigative agencies regarding additional investigation as needed.
3. Making independent charging decisions.
4. Preparing and filing criminal charges, motions, pleadings, and related documents.
5. Handling discovery, plea negotiations, hearings, trial, sentencing, restitution, and related proceedings.
6. Coordinating with law enforcement, victims, witnesses, courts, and government officials as appropriate.
7. Maintaining confidentiality and complying with all applicable ethical and legal obligations.
8. Providing periodic status updates to the Tribal Council.

Minimum Qualifications:

Proposals must demonstrate that the proposed special prosecutor:

1. Is licensed to practice law in Sisseton Wahpeton Oyate Tribal Court, in the state of South Dakota and is in good standing in both jurisdictions.
2. Has substantial criminal prosecution or criminal litigation experience.

3. Has experience with white collar, financial, fraud, public corruption, or complex document-based criminal matters.
4. Has sufficient availability to begin work promptly and devote adequate time to the assigned matters.
5. Has no actual or disqualifying conflict of interest.
6. Maintains professional liability insurance in an amount acceptable to the Sisseton Wahpeton Oyate.

Proposal Requirements:

Proposals must be concise and include the following:

1. Cover Letter. Identify the proposer, the proposed lead attorney, and the proposer's interest in the appointment.
2. Qualifications. Describe the proposed special prosecutor's experience with Indian law, criminal prosecution, white collar crime, financial investigations, trials, plea negotiations, sentencing, and restitution.
3. Relevant Matters. Provide examples of relevant matters handled by the proposed special prosecutor, without disclosing confidential information.
4. Conflicts Disclosure. Disclose any actual, potential, or perceived conflicts of interest involving the proposer, proposed personnel, known parties, witnesses, agencies, officials, or related entities.
5. Availability. State when the proposer can begin work and describe any commitments that may affect performance.
6. Fees and Costs. Provide hourly rates, proposed fee structure, anticipated reimbursable costs, and any requested budget cap or retainer.
7. References. Provide at least 3 professional references familiar with the proposer's criminal litigation or prosecution work.
8. Insurance. Provide evidence of professional liability insurance or state when such evidence will be provided.

Evaluation Process will be conducted using the following criteria:

Proposals will be evaluated based on the following:

1. Relevant prosecution and criminal litigation experience (20 pts)
2. Experience with white collar crime and financial investigations (20 pts)
3. Independence and absence of conflicts (10 pts)
4. Availability and ability to begin promptly (10 pts)
5. Reasonableness of proposed fees and costs (15 pts)

6. Professional reputation and references (5 pts)
7. Work with Tribal Criminal Law/Indian Law/Federal Criminal Law (10 pts)
8. Overall ability to serve the public interest (10 pts)

Total of 100 pts

Sisseton Wahpeton Oyate may request clarification, conduct interviews, check references, negotiate terms, or reject any or all proposals.

Contract Terms:

The selected proposer will be required to enter into a written professional services agreement acceptable to the Sisseton Wahpeton Oyate. The agreement will include, at a minimum:

1. Scope of services
2. Compensation and billing requirements
3. Confidentiality obligations
4. Conflict-of-interest and ethical compliance requirements
5. Insurance requirements
6. Termination rights
7. Compliance with Sisseton Wahpeton Oyate Codes of Law
8. File transfer and cooperation upon completion or termination

Payment shall be subject to approval and appropriation of funds.

Confidentiality and Public Record:

The special prosecutor shall maintain the confidentiality of investigative materials, attorney work product, privileged communications, victim and witness information, and any other information protected by law or court order. A proposer seeking confidential treatment of any portion of a proposal must clearly identify the specific material and the basis for confidentiality.

Reservation of Rights:

The Sisseton Wahpeton Oyate reserves the right to:

1. Reject any or all proposals.
2. Waive minor irregularities.
3. Request additional information.
4. Modify or cancel this RFP.
5. Negotiate with one or more proposers.
6. Award a contract to the proposer determined to be most qualified and in the best interest of Sisseton Wahpeton Oyate, which may not be the lowest-cost proposer.

This RFP does not create a contract or obligation to award. A contract will exist only after a written agreement is fully executed by all required parties.

All acceptable proposals received no later than September 18th, 2026 at 4:30pm CST. Proposal can be submitted by electronic or hard copy. All questions regarding this RFP must be submitted in writing to Vern Vallie no later than September 16th, 2026 at 4:00pm CST.

Submit proposals to: SWO Procurement Office
Attn: Vern Vallie
PO Box 509
Agency Village, SD 57262
vvallie@swo-nsn.gov

***Any bids not turned in to the Procurement Department may be considered nonresponsive. Please submit project name clearly visible – RFP #0812 with Offeror Name.**

All interested parties acknowledge that any Agreement executed and performed within the Tribe's exclusive jurisdiction is subject to the exclusive jurisdiction of the Tribal Court of Sisseton-Wahpeton Oyate of the Lake Traverse Reservation. All interested parties acknowledge that they must comply with the SissetonWahpeton Oyate Ordinances: TERO Chapter 59 Requirements, Wage Rates & Compliance Plan; Business License Ordinance Chapter 53 and Tax Ordinance.