July 11, 2016

To: Potential Proposers

REQUEST FOR PROPOSALS

Federal Legislative Advocate(s)/Lobbyist(s)

The Orange County Water District (OCWD; the District) is soliciting proposals from qualified federal lobbying firms/advocates to develop and implement a federal advocacy program. The work is expected to commence December 1, 2016 following award of the contract and upon execution of the agreement.

BACKGROUND

OCWD is a leader in the water industry. With 83 years of experience managing the vast groundwater basin in north and central Orange County, California, the District has invested its resources wisely to keep the region less dependent on imported water supplies and provide water to over 2.4 million residents.

In January 2008, OCWD made history with the opening of the Groundwater Replenishment System (GWRS), the world’s largest water reuse project of its kind. The project takes treated waste water from the Orange County Sanitation District and purifies it through a three-step process with an initial expansion completed in 2015, the GWRS produces 100 million gallons per day (MGD) of pure water, enough to sustain over 850,000 people annually. The District has garnered more than 40 awards, including the prestigious Stockholm Water Industry Award, and has been featured positively in numerous media outlets, including 60-Minutes and National Geographic Magazine. Plans are underway to expand the GWRS production to 130 MGD.

The District has actively engaged with elected officials to secure state dollars for its water reliability projects, including grants and low-interest loans for the GWRS. For the final expansion of the GWRS, the District is actively exploring its options and strategy as to how it can secure the maximum amount of dollars possible for the expansion, as well as other District projects, including cleaning-up the groundwater basin, distribution of ocean desalinated water, and increasing water conservation levels behind Prado Dam.

Each year, OCWD develops a legislative platform with specific policy positions on various topics that guide the review of new legislation, grant and other funding priorities, and policy positions that are specifically beneficial to the District. Please see the full 2016 legislative platform at: http://www.ocwd.com/media/3851/2016-legislative-platform-1-13-16-draft.pdf
Per OCWD’s 2016 Legislative Platform, federal priorities are the following:

- Support the Prado Dam Ecosystem Project Feasibility Study.
- Support the development of emergency and long-term drought legislation and provisions to extend assistance to water infrastructure needs, including desalination and water reuse.
- Support at least $1.0 billion in annual federal appropriations to drinking water Federal Revolving Fund (SRF).
- Support legislation to revise the SRF allocation formula to reflect appropriate and fair share of funding to California.
- Oppose restrictions on tax-exempt financing for public infrastructure.
- Seek Federal funding for projects, including infrastructure funding, water recycling, ecosystem restoration, OCWD’s Water Education Festival, and water-energy efficiency projects.
- Support development of ACWA’s legislative priorities.
- Work with Congress to develop cost effective mandates to reduce compliance costs.
- Collaborate and meet with federal legislative work groups and committees.

**SCOPE OF WORK**

**Federal Advocate(s)/Lobbyist(s)**

Proposers are strongly encouraged to demonstrate their relationship to members of Congress and their staff, and federal agency executives/appointees. Please give examples and references that speak to proven successful federal advocacy.

OCWD needs federal lobbyist(s)/advocate(s) that can develop and execute an effective federal advocacy plan which will help OCWD achieve these objectives:

- Identify key Capital Improvement Project (CIP) priorities and develop an approved strategy to secure either federal authorizations or appropriations to implement the identified top tier priorities. This focus may include, for example, working collaboratively with United States Army Corps of Engineers (USACE) to address Prado Dam Safety Act (DSAC) rating status to allow for expeditious and safe implementation of enhanced water conservation or facilitating federal funding of a sediment removal project.
- Advocate on behalf of OCWD infrastructure needs as part of any drought resiliency legislative initiatives.
• Research and identify competitive federal program assistance related to OCWD’s mission, including alternative energy, desalination, water research and technology development and providing support in pursuing such opportunities.

• Work with OCWD staff (in close coordination with OCWD legal counsel) to preserve existing federal defective product law and policy to ensure that legislative proposals do not impose barriers to secure remedies to address water basin contamination.

• Identify "energy-water nexus" opportunities to secure energy efficiency assistance to support OCWD’s reduction of energy consumption in the treatment and conveyance of water supply.

• Utilize strong and respected relationships with the President’s office and both caucuses of the Senate and House to garner bi-partisan support of OCWD priorities.

• Secure meetings with prominent federal legislators, the President’s Office, and agency executives/appointees and secure them to speak at the Final GWRS Expansion Dedication, the annual OC Water Summit and/or other District sponsored events.

• At a minimum of two days prior to each Association of California Water Agencies (ACWA), Water Resources Association (WRA), and Groundwater Resource Association (GRA) legislative meeting or phone calls, have the bills to be discussed reviewed and analyzed for impacts to OCWD. Ensure that amendments to legislation of interest are analyzed before each ACWA and GRA meeting or phone call, and notify OCWD staff of any beneficial legislation/amendments and/or legislation/amendments of concern.

• Actively identify and monitor important legislation and funding opportunities, in addition to bills listed by ACWA, WRA and GRA legislative committees.

• Host an event/tour of the GWRS for federal legislative delegation, Senate and House leadership, and members of Natural Resource, Budget and Water committees.

• Take initiative to schedule meetings for GWRS tours with elected officials and their staff, and schedule meetings as needed to address certain issues by request of OCWD’s Board and staff, and/or to expand relationships with elected officials and their understanding of OCWD.
• Place District staff and/or directors on expert panels or before relevant House and/or Senate Committees.

• Identify grant funding opportunities and secure letters of support from relevant federal elected officials and agencies.

• Based on OCWD Board’s position on legislation, write letters of support, support with amendments, with concerns, etc. as needed.

The Project includes formulating a detailed plan that will help the District achieve the goals listed above. A detailed plan should include the following services:

1) Legislative Liaison and Representation

   a) Work with OCWD senior officials to review the CIP and identify goals, objectives and priorities that can serve as the platform for the legislative agenda in addition to the identified and ongoing priorities;

   b) Develop with OCWD the legislative strategy to implement and achieve identified goals and objectives;

   c) Maintain and expand congressional liaison on behalf of OCWD;

   d) Monitor status of legislative proposals (authorizations and appropriations) as they relate to OCWD mission and alert with an emphasis on innovative infrastructure and ecosystem needs related to water supply reliability;

   e) Work to provide OCWD officials opportunities to participate in formal federal policymaking activities, including testimony, to advance OCWD identified interests;

   f) Draft congressional communications, report language, testimony, and other appropriate material for OCWD's review and approval;

   g) Assist OCWD to develop issue papers, briefing materials, and talking points for use in congressional meetings;

   h) Arrange and coordinate legislative meetings in Washington D.C. or in California, as directed by OCWD, for OCWD senior officials and Board of Directors;

   i) Provide periodic written and oral reports detailing matters affecting goals and objectives of OCWD; and

   j) Maintain a database of congressional issues of interest to OCWD to allow for informed decision-making.
2) Executive Branch Liaison and Representation
   a) Identify, in coordination with OCWD, regulatory issues pending before federal agencies including the Office of Management and Budget, U.S. Army Corps of Engineers, Department of the Interior, Department of Energy and the U.S. Environmental Protection Agency;
   b) Participate in federal agency meetings on issues of interest to OCWD to provide for timely updates on proposed agency actions;
   c) Analyze and prepare reports on agency program initiatives, proposed and final rulemakings and guidance, and budgets that may impact OCWD operations (including such matters as regulation of waters of the U.S., environmental streamlining, energy efficiency mandates, program implementation of infrastructure assistance, and climate resiliency program assistance); and
   d) Arrange and coordinate meetings between OCWD officials and senior agency officials to address policy affecting the operations of OCWD facilities.

3) Washington-based Association Liaison
   a) Provide contact with key trade associations based in Washington involved in water resources policy.

The approved plan will be executed shortly after signing a contract. The contract commencement goal is December 2016.

The selected advocate will be required to submit monthly reports and participate in regular conference calls with OCWD staff, board members and the Communications and Legislative Committee, demonstrating monthly progress of executing the federal strategy plan.

The Project includes formulating a detailed plan that will help the District achieve the goals listed above.

Weekly Activities:
1. Monitor and report of legislative initiatives of interest that may promote or hinder OCWD’s goals or interests.
2. Advise and make OCWD aware of impacts of new and amended federal bills to OCWD and our water producers. Advise and make OCWD aware of congressional hearings of interest to OCWD.
3. Provide strategic guidance and recommendations during weekly legislative calls with District staff to assist OCWD maximize its policy influence and achieve its congressional goals/objectives.

Monthly Activities:
1. Advocate on bills and issues in response to formal positions taken on federal bills and/or informal requests for amendments by OCWD.
2. The selected advocate will be required to submit monthly reports and participate in regular conference calls with OCWD staff, board members and the Communications and Legislative Committee, demonstrating monthly progress of executing the federal strategy plan.
3. Testify as requested at congressional hearings, attend hearings of interest and provide information regarding those hearings as they may affect OCWD.
4. Interact with and represent OCWD in front of regulatory agencies, monitor important regulatory issues, and help identify and secure federal grant funds for OCWD and our producers.
5. Write letters to Congress regarding OCWD positions on federal bills, amendments, etc.,
6. Write testimony and/or talking points for hearings and other congressional activities.

Quarterly:

1. Update federal strategic plan matrix, noting what assignments/tactics have been completed and are still pending.
2. Maintain and update database of federal elected officials and staff contracts.

Annual Activities:

1. Develop a 2-year congressional and federal agency strategy with clear tactics, timelines, and policy principles for each annual Legislative Platform to aid OCWD in leading federal water policy. In matrix form, clearly define monthly and quarterly goals.
2. Lead strategic planning for raising consciousness and awareness of issues related to OCWD that are both proactive and strategic.

PROPOSAL REQUIREMENTS

Any lobbying firm(s)/advocate(s) interested in providing federal; advocacy services must submit a written proposal no later than 4:00 pm PST on August 26, 2016. Each proposal must meet all criteria set forth in this RFP. Submittal of the proposal is solely at the cost of the proposing proposer and the District is in no way liable or obligates itself for any cost incurred to the proposing proposer in preparing the proposal. Proposing proposers must:

A. Have significant experience in federal advocacy. Previous and/or current clientele do not have to include water or wastewater agencies. Experience with energy, natural resources, utilities or similar agencies/industries and/or other timely issues that put the firm/advocate in the forefront of prominent federal policy makers are strongly encouraged to apply.
B. Demonstrate the firm’s qualifications and experience, including:
   - Length of time in existence
   - Length of time advocating/lobbying public sector issues
   - Number of advocates/registered lobbyists representing government issues
   - List of firm’s key staff and brief bio and/or resumes speaking to their experience; who will be assigned to OCWD and how much time each person will be working on the account.
   - List of current clientele and areas of expertise
   - List of key federal policymakers, federal agencies, and high level staff the firm/advocate has strong and positive working relationships with and examples of the work accomplished with these contacts, such as the U.S. Army Corps of Engineers, the Bureau of Reclamation, and any other federal agencies that may impact OCWD.

C. Demonstrate success in moving client sponsored legislation through the process and securing federal funds for clients (Brief case studies/summaries are encouraged)

D. Provide at least three references and contact information

E. Provide a detailed proposed fee structure. The fee proposal shall be based on services provided on an hourly-rate basis, with a total not-to-exceed fee. Provide a rate schedule for proposed services. MUST BE SUBMITTED SEPARATELY FROM YOUR PROPOSAL.

Submittal Information/Instructions

Each applicant is asked to submit one (1) electronic copy on a USB drive and 13 identical sets of their proposal - One (1) unbound original identified as “Master” and twelve (12) copies marked “Copy”. The original and all twelve copies of the entire proposal must be submitted together in accordance with the submission requirements.

If you would like to be considered as a candidate to provide federal advocacy services for the District, please have your original proposal and 12 copies sent to Alicia Dunkin, Legislative Affairs Liaison at the Orange County Water District, 18700 Ward Street, Fountain Valley, CA 92708, clearly marked “RFP / Federal Lobbyist”. The proposal must be received no later than 4:00 p.m. PST on Friday, August 26, 2016.

Late responses will be rejected at the sole discretion of the District.

Faxed or electronic proposals shall not be accepted in response to this RFP.
The federal advocacy firm selected will enter into an agreement to provide services for a period of two years, with an option to renew at the discretion of the District.

The Proposal will include information as described in the following items. Proposals shall conform to the following format and order. Ensure that all pages do not exceed 8-1/2 x 11”, are numbered and identified with your firm’s name.

The Proposal should concisely describe why the proposer is eligible to help the District formulate and execute the aforementioned federal advocacy plan. The Proposal must contain the following:

1. Brief description of proposing firm/advocate

2. The firm’s/advocate’s qualifications and experience, including:
   a. Length of time in existence
   b. Length of time advocating/lobbying
   c. List of firm’s key staff and brief bio and/or resumes speaking to their experience; A list of key staff proposed to be utilized for this work together with their professional qualifications, related project experience and an indication of their duties and responsibilities on this particular project; proposer shall disclose the use of sub-contract staff.
   d. A description of the types of services the applicant would provide to help the District achieve its federal goals and an applicable timeline to provide such services (including strategy phases, meetings with staff, development, presentation and implementation).

Proposers hereby acknowledge that this project must be awarded by the OCWD Communications and Legislative Affairs Liaison Committee and the OCWD Board of Directors. The expected date for submission to the Communications and Legislative Affairs Liaison Committee for selection approval is October to November 2016 and to the OCWD Board of Directors in October to November 2016.

The Proposer further acknowledges that offers contained within their proposals shall be irrevocable for a period of ninety (90) calendar days from the date of Board approval or until the notice of award to the successful proposer is issued, whichever comes first.

**Approximate Project Schedule**

An approximate schedule for selection is as follows. The schedule may change at any time given the District’s discretion and changes:

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<th>Activity</th>
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<td>Issue RFP:</td>
<td>July 11, 2016</td>
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OCWD
Request for Proposals:
Federal L

RFP Responses Due: Aug 26, 2016
Implementation Commences: Dec. 1, 2016

Selection Process

The District reserves the right to award the contract to the applicant who presents the proposal(s), which in the judgment of the District, best accomplishes the desired results. By submitting a Proposal, each Proposer agrees that the District, in determining the successful Proposer and its eligibility for the award, may consider the Proposer's experience, facilities, delivery abilities, conduct and performance under other contracts, financial condition, reputation in the industry and other factors which could affect the Proposer's performance under this Agreement. The District reserves the right to reject any or all proposals, to waive any informality in any proposal, and to make awards in the interest of the District.

An evaluation team or committee made up of District staff and Board of Directors, and such other persons as may be selected by the District, will conduct the evaluation of Proposal.

Proposal evaluation results are the property of OCWD. The District intends not to disclose evaluation results, under any circumstances, either before, during, or after the RFP process. An award of an Agreement, if any, shall be based on the evaluation results. By responding to this RFP, Proposers agree to accept the recommendations of the evaluation committee as final and binding.

The applicant whose Proposal, in the absolute discretion of the District, best meets the requirements of the District will be designated as the preferred firm/advocate. No obligation arises, however, until an Agreement, based on the accepted Proposal, is negotiated and executed. The District or its designate will incorporate the relevant terms/text/content of this RFP, RFP addenda and preferred proposer’s proposal, into a written agreement subject to negotiation and award of this agreement. The preferred firm/advocate will be expected to enter into a contract with the District with general terms similar to those presented in the copy of the District’s Professional Services posted on the District’s website. (www.ocwd.com)

Confidential Discussions/ Interviews/ Presentations

The District reserves the right to incorporate confidential discussions/interviews/presentations (the “Interview”) into the Proposal evaluation process. The District, at its sole discretion, may interview applicants and may ask them to make a short formal presentation to the District. (Presenters will be required to supply their own demonstration equipment and materials.)
At no time during the selection process and, three months before the proposer selection process may an applicant lobby the OCWD Board and OCWD staff to gain support of his/her/their application. Failure to comply with District conduct may result in disqualification of the applicant.

The Interview will serve as the mechanism for further evaluation of Proposals at an in-depth and more detailed level in order to establish the finalist for preferred firm/advocate status. The further detailed evaluation will take into account, discussions, presentations and clarifications with/by the applicant and analyses by the District, together with such other considerations as the District, in its sole discretion, deems necessary to complete its assessment of the proposed solutions.

**Evaluation Criteria**

Proposals will be assessed on the basis of information provided by the applicant at the time of submission and shall take into account subsequent interviews with the applicant as may be required by the District at its sole discretion.

**Selection Criteria**

The Criteria for proposer selection shall be based on, but not limited to, the following:

1. Qualifications and experience of firm and project manager (specific lobbyist(s) that will work on the OCWD contract)
2. Demonstrated relationships and ability to gain meetings with influential members of congress, presidential and legislative staff, and leaders of federal agencies.
3. Demonstration of bi-partisan relationships with members of congress, staff, committee staff and federal agencies.
4. Understanding of the District, functions and mission
5. Management Plan and approach to Scope of Work
6. Compliance with standard district terms and conditions of insurance requirements
7. Cost of services

**District Contact Person**

Upon release of this RFP, all applicant communication concerning the overall RFP should be directed to the District’s representative listed below. Any oral communication with a District representative will be considered unofficial and non-binding on the District.

All requests for additional information should be made to the undersigned, in writing (fax and e-mail are acceptable). No oral modifications of this RFP shall be valid. Any modifications shall be written by RFP addendum, and signed by the District’s Project Coordinator.
Name: Alicia Dunkin  
Legislative Affairs Liaison  
Address: Orange County Water District  
18700 Ward Street  
Fountain Valley, CA 92708  
Telephone: (714) 378-8232  
Fax: (714) 963-0291  
Email: adunkin@ocwd.com

**Agreement Requirements:**

The selected firm/advocate will be required to do the following before executing an agreement:

1) Have a business license  
2) Disclosure of current or past FPPC violations.  
3) Meet insurance requirements:

   a. **Commercial General Liability Insurance** - The CONSULTANT shall provide and maintain commercial general liability insurance. The coverage for commercial general liability insurance shall be at least as broad as the following: Insurance Services Office (ISO) Commercial General Liability Coverage (Occurrence Form CG 0001). CONSULTANT shall maintain limits no less than the following: Two million dollars ($2,000,000) per occurrence for bodily injury, personal injury and property damage. If Commercial General Liability Insurance or other form with a general aggregate limit or products-completed operations aggregate limit is used, either the general aggregate limit shall apply separately to the project/location (with the ISO CG 2503, or ISO CG 2504, or insurer’s equivalent endorsement provided to OCWD) or the general aggregate limit and products-completed operations aggregate limit shall be twice the required occurrence limit.

   b. **Automobile Liability Insurance** - The CONSULTANT shall provide and maintain automobile liability insurance. The coverage for automobile liability insurance shall be at least as broad as the following: Insurance Services Office (ISO) Business Auto Coverage (Form CA 0001) covering Symbol 1 (any auto). CONSULTANT shall maintain limits no less than the following: One Million Dollars ($1,000,000.00) for bodily injury and property damage each accident limit.

   c. **Workers Compensation and Employer's Liability** - The CONSULTANT and all sub consultants shall insure (or be a qualified self-insured) under the applicable laws relating to workers' compensation insurance, all of their employees working on or about the construction site, in accordance with the “Workers’ Compensation and Insurance Act”, Division IV of the Labor Code of the Federal of California and any Acts amendatory thereof. The
CONSULTANT shall provide employer’s liability insurance with limits of no less than $1,000,000 each accident, $1,000,000 disease policy limit and $1,000,000 disease each employee.

d. Professional Liability - The CONSULTANT shall provide coverage appropriate to the CONSULTANT’S profession covering CONSULTANT’S wrongful acts, negligent actions, errors or omissions. The retroactive date (if any) is to be no later than the effective date of this Agreement. The limits shall be no less than $1,000,000 per claim and annual aggregate.

Additional Information and Changes

All requests for additional information should be made to the undersigned, in writing (fax and e-mail are acceptable). No oral modifications of this RFP shall be valid. Any modifications shall be written by RFP addendum, and signed by the District’s Project Coordinator.

ORANGE COUNTY WATER DISTRICT

Alicia Dunkin
Legislative Affairs Liaison