

Date: September 15, 2015
To: Board of Commissioners
From: Judith Ure, Management Analyst
Subject: State Legislative Representation and Lobbyist Services

At the conclusion of the 2015 legislative session, the Board of Commissioners expressed an interest in assessing the County's current needs for state lobbying and legislative services and to potentially update the existing arrangement accordingly.

Since 2003, the County has engaged Public Affairs Counsel (PAC) for lobbying and legislative services. While there is no legal or policy mandate to solicit new proposals for services periodically, the current contract with PAC has expired and should be either renewed or replaced. In making such a decision, the Board may wish to consider the following information.

Options

The County's legislative program can be managed in a variety of ways, including:

1. Renewing the current contract with PAC. As the terms of the existing contract were established in 2003, issues such as scope of work and compensation may need to be revisited.
2. Issuing a request for proposals soliciting interest from qualified firms to provide lobbyist and legislative services and enter into a new contract with the successful proposer.
3. Assigning or hiring a County staff person to coordinate legislative activities and lobby on the County's behalf.
4. Relying on the Association of Counties, professional associations, County Commissioners, Department Directors, and other staff to meet the County's legislative needs.
5. Any combination of the above.

A draft Request for Proposals (RFP) for state legislative representation and lobbying services has been prepared for the Board's review in the event that members give direction to proceed with option 2 above.

Considerations

Although many issues may be considered by the Board in determining the best approach for the County's legislative program, a few that have received mention to date include:

- How ready and continued access to the County's legislative delegation will be facilitated.
- How a firm's various clients who hold opposing positions are managed and how conflicts of interest are mitigated.
- How the County's positions on proposed legislation will be coordinated with the Association of Counties (AOC).
- How the County's legislative activities will be coordinated with other local public agencies, business organizations, and community groups.

Comparison of Legislative Programs

| Organization | Legislative Staff* | AOC/LOC | State Lobbyist | Federal Lobbyist | Notes |
|-------------------|--|---|---|--|---|
| Benton County | No | Yes: Primary state legislative support. | No | No | Chief Operating Officer and Board members registered as lobbyists with state. |
| Clackamas County | Yes: 3 government relations and public affairs staff year round. | Yes: Statewide issues only. | No | Yes: Ball Janik on-call primarily for forest management and transportation issues. | |
| Douglas County | --- | --- | --- | --- | No response. |
| Jackson County | --- | --- | --- | --- | No response. |
| Lane County | Yes: 1 staff lobbyist year round.. | Yes: Statewide issues only. | No | Yes | Coordinates closely with Eugene, Springfield, Parks & Rec, School and Transit Districts, and COG. |
| Linn County | No | Yes: Statewide issues only. | Yes: Public Affairs Counsel year round. | No | |
| Polk County | No | Yes: Primary state legislative support. | No. | Yes: Project specific. | |
| Washington County | Yes: 2 staff, 1 dedicated to state issues, year round. | Yes: Statewide issues only. | Yes: PacWest for select issues only. | Yes: Von Scoyuk year round. | Also contracts with Western Advocates for regional issues. |
| City of Bend | --- | --- | Yes: Eric Kancler year round. | --- | |

*Multnomah, Washington, Clackamas, Marion, and Lane are the only counties in state with dedicated legislative and/or lobbyist staff.

Other organizations with contract lobbyists (as listed on state registration list):

City of Beaverton: Baldwin Consulting
City of Eugene: Elizabeth Howe Public Affairs
City of Gresham: Ronald Papsdorf (City of Gresham staff)
City of Klamath Falls: Public Affairs Counsel
City of Medford: ZRGroup
City of Salem: CFM Strategic Communications

**DESCHUTES COUNTY DEPARTMENT OF ADMINISTRATIVE
SERVICES**

**REQUEST FOR PROPOSALS
FOR
STATE LEGISLATIVE REPRESENTATIVE AND LOBBYING SERVICES**

October 1, 2015

The Deschutes County Department of Administrative Services is seeking proposals from qualified individuals or firms (hereinafter referred to solely as “firm”) to provide state legislative representation and lobbying services as described herein.

One proposal with original signatures and six (6) copies must be submitted in a sealed envelope that is clearly marked with the name and address of the responding firm, titled “State Legislative Representation and Lobbying Services”, and addressed to:

Judith Ure
Department of Administrative Services
Deschutes County
PO Box 6005
Bend, OR 97708-6005

Proposals may also be addressed as above and delivered in person to the following physical location:

1300 NW Wall Street, Suite 200
Bend, OR 97701

Proposals must be received no later than 5:00 p.m. on October 30, 2015 to be eligible for consideration. Late proposals will not be considered. Submission and receipt of proposals by electronic means is not permitted. Members of the proposal review committee members and Deschutes County Board of Commissioners may not be contacted or solicited by any firm intending to submit a proposal.

All costs associated with preparing and submitting a proposal are solely the responsibility of the respondent. Deschutes County may reject any proposal not in compliance with prescribed procedures and requirements, may reject for good cause any and all proposals, and reserves the right to waive any informalities or irregularities in the proposals upon a finding of Deschutes County that it is in the public interest to do so. This solicitation does not obligate Deschutes County to select any single respondent and the County reserves the right to cancel the procurement, to retain all proposal materials in accordance with ORS 279B.100, and to use any material included in the proposal regardless of whether it is selected.

Questions concerning this request for proposal (RFP) process may be directed to Judith Ure at 541-330-4627 or via email to Judith.Ure@deschutes.org.

Overview

Deschutes County

Deschutes County is a political subdivision of the State of Oregon, governed by a three-member Board of Commissioners, and managed by a County Administrator who is assisted by Department Directors, including an elected County Clerk, Assessor, Sheriff, Treasurer, and District Attorney. The County provides a wide range of services through the following departments and organizational units: Administrative Services, Assessor's Office, Clerk's Office, Community Development, Community Justice, District Attorney's Office, Fair and Expo Center, Finance, Health Services, Legal Counsel, Road, and Sheriff's Office.

Located in the center of the state, Deschutes County is currently home to an estimated 166,400 people who live on 3,055 square miles of land. The region is isolated, both by distance and geography, from the more urban counties located in western Oregon. The County is largely rural in nature, but it has the sixth highest number of residents in the state, significantly more than any other county east of the Cascades. During 2014, the population grew at a rate of 2.4%, over twice that of the state average and .7% more than the second fastest-growing county. A favorable climate and easy access to outdoor recreation such as skiing, snowshoeing, and snowmobiling during the winter months and bicycling, golf, hiking, and water sports in the summer bring an estimated 2 million tourists into the area each year as well. The economy is both diverse and expanding, with tourism, technology, health care, and manufacturing forming a strong foundation.

As a result, Deschutes County faces unique challenges related to natural resources, health and safety, economic development, and infrastructure that are not experienced in other parts of Oregon. The County takes a proactive approach to addressing such issues and frequently leads the state in developing solutions, particularly in matters of land use and health reform. A strong presence during each legislative session and healthy relationships with state legislators, public officials, industry organizations, and other local government agencies are necessary both to maintain this position and to further the County's goals for safe communities, healthy people, a resilient economy, natural resource protection, effective asset management, and quality service delivery.

Deschutes County has engaged a contract lobbyist firm to represent its interests since 2003. Through this RFP, the County is seeking competitive proposals to continue and potentially expand that service as described in the Scope of Work section of this document.

Request for Proposals Process

This RFP is intended to solicit proposals for the purpose of selecting a firm to provide state legislative representation and lobbying services at the direction of the Deschutes County Board

of County Commissioners and under the management of the Department of Administrative Services.

The Department of Administrative Services will designate a contract administrator for the portion of the contract involving services provided. Payment for all contract services will be administered by the Department of Administrative Services.

Deschutes County will open proposals on November 2, 2015 at 10:00 a.m. in the Department of Administrative Services office located at 1300 NW Wall Street, Suite 200, Bend, Oregon and anticipates that it will announce the results of this RFP process on or before November 30, 2015. The County and the selected firm will then negotiate the terms of a contract and sign a legally-binding agreement by December 31, 2015. A sample copy of Deschutes County's standard personal services contract is included in the appendix of this document for reference. The selected firm must be able to begin providing services pursuant to the contract no later than January 1, 2016.

Instructions and Conditions

Respondents must follow the instructions and conditions detailed in this section. Proposals that do not conform may be excluded from further review.

Minimum Qualifications

Respondents must:

1. Be registered with the Oregon Government Ethics Commission to conduct lobbying with State legislators and public officials and be in good standing concerning standards of conduct and the filing of periodic expenditure and other required reports.
2. Be able to certify that, in performing the specified work, that they will not discriminate against any person on the basis of race, color, religion, political affiliation, gender, sexual orientation, age, marital status, physical or mental disability, national origin, or ancestry unless the reasonable demands of employment are such that they cannot be met by such a person.
3. Maintain an accounting and financial management system which complies with generally accepted accounting principles and which is adequate to meet federal and state government requirements. The system must provide adequate documentation, monitoring, access and reporting concerning the organization's financial position.

Receipt and Opening of Proposals

Proposals must be submitted as described above no later than 5:00 p.m. on October 30, 2015. Proposals received after that time will be considered late and will be returned unopened.

Proposals will be opened on November 2, 2015 at 10:00 a.m. in the Deschutes County Board of Commissioners Office located at 1300 NW Wall Street, Suite 200, Bend, Oregon in a manner that avoids disclosure of contents to competing respondents. Immediately following the opening

date, a list of the respondents who submitted proposals will be available by request. A register of all proposals received will be prepared and available for public inspection at the time the contract is awarded.

Withdrawal of Proposals

Proposals may be withdrawn via written request submitted by the respondent prior to the due date. Negligence on the part of the respondent in preparing the proposal confers no right for the withdrawal of the proposal after it has been opened. The proposal will be irrevocable until such time as the Deschutes County Board of Commissioners specifically cancels the procurement, rejects the proposal, or awards a contract.

Acceptance or Rejection of Proposals

In awarding a contract, the Board of County Commissioners will accept and consider the proposal or proposals which, in their estimation, will best serve the interests of Deschutes County, and reserves the right to award a contract to the respondent whose proposal is most advantageous to the County based upon the evaluation process and evaluation factors contained within this RFP. The Board of County Commissioners reserves the right to accept or reject any or all proposals. Any proposal which is judged to be incomplete or nonconforming may be rejected. Only one proposal will be accepted from any one agency. Any evidence of collusion between respondents may constitute a cause for rejection of any proposals so affected. However, individual respondents may form alliances to submit a single proposal. For example, one firm may collaborate with another to provide services under the contract, but only one proposal clearly listing the firms forming the alliance may be submitted and all must demonstrate that they meet the minimum qualifications of this RFP.

Selection Process

All proposals will initially be screened by Deschutes County staff. Those proposals determined to be late, incomplete, or noncompliant, and those respondents that do not meet the minimum qualifications listed above may be eliminated from further evaluation at this time.

A review committee established by the Deschutes County Board of Commissioners will assess the written proposals based on the evaluation criteria provided with this RFP. Following the initial evaluation, the highest ranking respondents may be invited to attend an interview with the review committee to answer additional questions.

Based on the proposal evaluation and interviews, if any, the review committee will evaluate and rank the proposals, then forward a recommendation to the Deschutes County Board of Commissioners. The Board of Commissioners will vote on the recommendation in a public meeting, officially selecting a firm to provide state legislative and lobbying services. The successful firm will then enter into negotiations with the County to develop a mutually acceptable contract for services which will be based upon the personal services contract attached to this RFP and the proposal submitted by the successful respondent.

Protest of Award

After the Deschutes County Board of Commissioners selects the firm to provide state legislative and lobbying services, the County will provide notice of its intent to award a contract. If no written protest is filed by 5:00 p.m. on the seventh day following announcement of the decision, the award will be deemed final. The County will not entertain protests submitted after this time period. The written protest must specify the grounds upon which the protest is based. If a protest is filed, the decision of the County will be considered final only upon issuance of a written notice denying the protest and affirming the award. The award and any written decision denying protest will be sent to each respondent.

Written protests must be delivered to:

Judith Ure
Department of Administrative Services
Deschutes County
PO Box 6005
Bend, OR 97708-6005

Protests may also be addressed as above and delivered in person to the following address:

1300 NW Wall Street, Suite 200
Bend, OR 97701

Tentative Schedule of Events

- | | |
|--|--------------------------------|
| 1. Request for Proposals is released. | October 1, 2015 |
| 2. Proposals are due. | October 30, 2015 by 5:00 p.m. |
| 3. Proposals are opened. | November 2, 2015 at 10:00 a.m. |
| 4. Proposals are evaluated by selection committee. | November 16, 2015 |
| 5. Interviews are conducted with top ranking agencies, if needed. | November 16-20, 2015 |
| 6. Recommendation of selected agency is forwarded to the Board of Commissioners. | November 23, 2015 |
| 7. Board of County Commissioners considers selection and award. | November 30, 2015 |
| 8. Protest period. | December 1-7, 2015 |
| 9. Contract for services is developed and signed. | December 7-31, 2015 |
| 10. Contracted services commence. | January 1, 2016 |

Scope of Work

Services Requested

The selected firm will be responsible for providing state legislative and lobbying services on behalf of the Deschutes County Board of Commissioners. Services to be provided may include,

but are not limited to, the responsibilities, tasks, and activities listed below. Respondents may include additional services with the knowledge that Deschutes County may select all or a portion of those proposed and will negotiate a final contract price based on the range chosen.

1. Act as Deschutes County's representative to the Oregon State Legislature and lobby on behalf of the County on topics including, but not limited to: Land use laws and regulations, health and behavioral health programs, natural resource management, community and economic development, roads and transportation, law enforcement, adult and juvenile justice, community corrections, and employee and workplace management.
2. Facilitate a process to identify and prioritize bills introduced during the annual legislative session which may be of interest to the County and which may require active lobbying on the County's behalf.
3. Monitor and track proposed legislation, programs, and proposals of interest to the County. Furnish written reports regarding the status of such on a weekly basis.
4. Work directly with state legislators and staff, the governor's office, public officials and state agencies, special interest and industry groups, local governments, the Association of Counties, and other professional organizations to develop support for or opposition to proposed legislation, funding, policy, and regulatory decisions that may affect the County.
5. Coordinate and facilitate weekly or bi-weekly meetings between the Board of Commissioners and Deschutes County's local legislative delegation throughout each annual legislative session.
6. Analyze periodic revenue forecasts and the proposed biennial state budget and alert the County to opportunities and obstacles. Identify funding opportunities and assess program requirements and guidelines.
7. Assist in preparing position papers, exhibits, testimony, correspondence, proposed bill text and amendments as necessary. Arrange meetings, manage logistics, and prepare County officials for interaction with public officials, legislators, legislative committees, and interim work groups.
8. Advise and assist County officials with planning, preparing, and implementing legislative strategies to accomplish the County's goals and objectives and with preparing proposed legislation to be introduced during the session.
9. Help develop partnerships between Deschutes County and other Central Oregon agencies and groups, including the Central Oregon Cities Organization, Cities of Bend, La Pine, Redmond, and Sisters, local Chambers of Commerce, special districts, and other entities actively pursuing a legislative agenda which may have elements in common with the County.
10. Prepare and submit quarterly lobbying expenditure reports on behalf of Deschutes County Commissioners, the County Administrator, and other staff as required.

These services will be performed under the authority of the Deschutes County Board of Commissioners and under the direction of the Department of Administrative Services.

Compensation

Respondents are expected to provide a detailed budget that corresponds with each of the responsibilities, tasks, and activities addressed in the scope of work. Based on the information

provided, Deschutes County may select all or a portion of the services itemized and will negotiate a total contract price with the successful firm accordingly.

The services will be evaluated annually during the term of the contract to assess effectiveness. Continuation of the contract will be dependent on evaluation results.

The amount indicated above should be considered an estimate only, and, in the absence of a contract award, as non-binding on Deschutes County in any way. Respondents should prepare and adequately detail a budget based on the projected compensation which must be disclosed in the proposal.

Duration

The contract term for legislative and lobbying services resulting from this RFP will extend from January 1, 2016 through December 31, 2019. At the conclusion of this period, Deschutes County may opt to extend the contract under the same or new terms. The County may also decide to initiate a new RFP process at the close of any contract period or upon termination.

Proposal Format and Contents

Format

All proposals must be submitted on single-sided, 8 ½ x 11-inch paper, with one-inch margins, and typed single-spaced with a standard 12-point font. Content of the written response is limited to no more than 15 pages, exclusive of items included in the appendix.

One proposal with original signatures and six (6) copies must be submitted in a sealed envelope that is clearly marked with the name and address of the proposing agency, titled “State Legislative Representation and Lobbying Services”, and addressed to:

Judith Ure
Department of Administrative Services
Deschutes County
PO Box 6005
Bend, OR 97708-6005

Proposals may also be addressed as above and delivered in person to the following address:

1300 NW Wall Street, Suite 200
Bend, OR 97701

Contents

Respondents must address each of the following questions in narrative form. Proposals may not exceed 20 pages of single-spaced text (excluding supporting documentation and attachments).

Qualifications and Experience

1. Provide addresses for office facilities located in Salem, Deschutes County, and other locations within Oregon.
2. Describe the nature and scope of the firm's experience in providing state legislative and lobbying services for local government agencies.
3. Describe the firm's knowledge and experience in analyzing and reviewing proposed legislation; participating in administrative rule development and interim work groups; analyzing the proposed state budget; educating clients about the impact of legislation; advising clients on potential courses of action; and preparing legislative strategies and plans in advance of the legislative session.
4. Outline a process for establishing and maintaining strong working relationships with state legislators and staff representing all political affiliations, public officials and state agencies, special interest and industry groups, local governments, and other organizations involved in the legislative process.
5. Describe any legislative information and bill-tracking software used by the firm to identify and monitor introduced legislation of interest to the County and to generate weekly status reports.

Project Understanding and Approach

1. Describe from a project management and logistical perspective how the firm would carry out the scope of work specified in this RFP.
2. Explain the firm's philosophy and strategy used to achieve the best possible outcomes for clients as a result of the legislative session.
3. Document examples of success in providing lobbying services to clients in the following areas: a) achieving passage of legislation; b) defeating legislation; c) amending legislation.
4. Provide assurance that the firm is capable of providing the described services to Deschutes County in addition to other responsibilities or commitments of the firm.
5. Describe the firm's overall knowledge and understanding of issues that are likely to be of specific concern to Deschutes County.
6. Describe the firm's process for identifying, avoiding, and resolving and/or managing conflicts or potential conflicts that may arise from representing various clients who hold opposing views on legislative issues.
7. Outline internal procedures and/or policies related to work quality and cost control.

Project Team

1. Describe the firm's management and organizational structure.
2. Explain the extent of involvement with the contracted services by the firm's owner or chief executive officer.
3. Provide names and locations of key staff members and provide brief biographical data describing their background, qualifications, and experience. Identify those who would be assigned to work with Deschutes County.
4. Describe how the assigned staff members will interact with Deschutes County Commissioners and staff.

5. Estimate the number of hours key project staff members will dedicate to the contractual obligations.
6. Describe team experience with similar or related contractual services.

Budget

1. Provide a detailed budget for the full contractual period itemized in accordance with each of the responsibilities, tasks, and activities outlined in the scope of work as well as any additional elements proposed. The budget should be organized in such a way that each item is priced individually, allowing Deschutes County to select all or a portion of the services and negotiate a total contract price accordingly.

Supporting Documentation

1. Please attach the following supporting documents:
 - A signed proposal response form (attached).
 - Proof of registration with the Oregon Government Ethics Commission to conduct lobbying with state legislators and public officials.
 - A list of clients from the 2013, 2014, and 2015 legislative sessions.
 - Expenditure reports submitted to the Oregon Government Ethics Commission between July 1, 2014 and June 30, 2015.
 - A list of current clients.
 - An organization chart.
 - Resumes of key project staff.
 - A sample legislative tracking report.
 - Three references, including a contact name and phone number, of local government or state agencies for which similar services have been performed.

Selection Criteria

Deschutes County will select the firm that is determined to be most qualified to fulfill the terms of the contract. The following criteria will be used to evaluate written proposals on a 100-point scale. If necessary to make a decision, those firms that submit the highest rated written proposals may be invited to participate in a personal interview in which additional points may be awarded.

| <u>Evaluation Factor</u> | <u>Total Points Available</u> |
|------------------------------------|-------------------------------|
| Qualifications and Experience | 25 |
| Project Understanding and Approach | 30 |
| Project Team | 25 |
| Budget | 20 |

Attachments

1. Proposal Response Form.
2. Sample Deschutes County Personal Services Contract.

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