

**SOUTHERN CALIFORNIA
PUBLIC POWER AUTHORITY**



**Request for Proposals
for
State of California
Legislative & Regulatory Consulting Services**

RFP Date: February 24, 2010

Response Deadline: March 8, 2010 by 5:00 p.m. PST

SOUTHERN CALIFORNIA PUBLIC POWER AUTHORITY
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The Southern California Public Power Authority (SCPPA) is hereby soliciting competitive proposals to advise and assist the SCPPA and its member electric utilities in developing and executing effective legislative and administrative/regulatory strategies to protect and advance the interests of SCPPA and its members relative to certain legislative matters, including proposed state legislation and administrative and regulatory issues which affect SCPPA and its member utilities.

Introduction

SCPPA, a joint powers authority and a public entity organized under the laws of the State of California, was created pursuant to the Government Code of California and a Joint Powers Agreement for the purpose of planning, financing, developing, acquiring, constructing, operating and maintaining projects for the generation or transmission of electric energy.

Membership consists of eleven cities and one irrigation district which supply electric energy within Southern California, including the municipal utilities of the cities of Anaheim, Azusa, Banning, Burbank, Cerritos, Colton, Glendale, Los Angeles, Pasadena, Riverside, and Vernon, and the Imperial Irrigation District (Member Agencies).

SCPPA is governed by its Board of Directors, which consists of representatives from each of its members. The management of SCPPA is under the direction of an Executive Director who is appointed by the Board.

Scope of Services and Potential Work to be Addressed in the Consultant's Proposal

SCPPA desires to engage the services of a Consultant which will participate in the development of a strategic approach to various greenhouse gas and carbon tax related legislation, including the legislation enacted through AB 32, to develop a specific action plan for representing SCPPA's interests before California State decision makers, including the California Governor's Office, legislative staff and representatives, the California Environmental Protection Agency (CEPA), the California Air Resources Board (CARB) and the California Energy Commission (CEC), and to interface with the staff of these agencies, among other things. on issues relating to implementation of AB 32 policies and programs.

The Southern California Public Power Authority's member agencies have been among the most aggressive in pursuing renewable supplies, implementing various renewable projects, including hydroelectric, geothermal, wind and solar projects. The Authority, which oversees the acquisition of generation and transmission resources for its members, is faced with the task of reducing member costs and improving efficiency while meeting the requirements of AB32. Based on an overall strategic approach to be developed with SCPPA member officials, the Consultant will take specific actions to schedule substantive meetings with the board members of CARB, the staff of CARB, and key administrative and legislative officials as appropriate.

Consultant will determine the current viewpoints of California State decision makers, including the California Governor's Office, legislative staff and representatives, the California Environmental Protection Agency, the California Air Resources Board and the California Energy Commission and their staff, and other key administrative and legislative officials as they relate to the implementation of AB 32 policies and programs and other policies and programs relating to carbon emissions affecting SCPPA member utilities.

Consultant will assist SCPPA and its members in a coordinated program to address Greenhouse Gas legislation and regulatory issues, present and proposed laws, and regulatory enactments which may affect SCPPA member generation facilities and utility operations. Consultant shall take those actions as directed by SCPPA as may be necessary to analyze, address and act upon the legal and regulatory requirements being framed by the laws, rules and regulations which affect SCPPA's members, and provide the opportunity to all SCPPA members, on an as needed basis, to take advantage of any resources necessary to address these matters.

Consultant shall carry forth such actions as may be necessary to deal with the issues affecting SCPPA members emanating from both potential and existing laws, rules and regulations referenced herein, as well those actions appropriate to address the formulation, interpretation, adoption and implementation of these matters. Consultant shall provide such further legislative, technical and regulatory assistance with respect to these matters as the need may arise.

The duties of the Consultant with respect to greenhouse gas related legislative and regulatory developments are anticipated to include legislative, administrative agency, governmental relations and strategic advisory services relative to the above referenced areas, including the following:

Obtaining knowledge and information concerning elected or appointed officials and individuals or groups having influence with respect to specific legislative, regulatory and other governmental or political processes, and providing recommendations and strategic advisory services to assist the SCPPA members to influence and earn the support of such officials, individuals and groups as may assist in advancing SCPPA's and its members objectives.

Identifying key stakeholder issues and positions while developing plans for SCPPA and its members to proactively address these issues, based on knowledge of key leadership, influential officials and groups, and other individuals and organizations which may affect the changes sought by SCPPA and its members.

This work contemplates that Consultant will communicate with SCPPA on a regular basis to provide updates on legislation, administrative pronouncements, CARB and other regulatory agency proceedings, and the status of major policy discussions with CARB board members and staff regarding AB 32 policies and programs. Consultant will also prepare regular reports on the Greenhouse Gas related issues and on those related regulatory and legislative activities affecting SCPPA members.

Consultant will advise SCPPA on SCPPA's communications with state decision makers legislative and regulatory agency staff and CARB board members and staff.

Consultant will assist SCPPA in developing advocates who might be of assistance in achieving SCPPA's goals with respect to the implementation of AB 32..

If necessary, Consultant will assist in the development and introduction of legislation relating to the CARB's implementation of AB 32 policies and programs to carry forth SCPPA's goals, policies and objectives with respect to this legislation..

Consultant will monitor legislation introduced by other parties which might affect or be affected by CARB's implementation of AB 32 policies and programs in order to assess consistency of such legislation with SCPPA's interests.

Consultant will provide SCPPA with monthly reports of its activities.

SCPPA believes that certain members of Consultant's staff assigned to this activity will need to be registered lobbyists in the State of California and should be identified as such in the response to the RFP. (If Consultant disagrees with the need for registration to conduct these activities, in its proposal it should provide a specific explanation of why this is not necessary or why it should not be required.)

Proposal Submission Required Elements

1. **Applicant Information:** Provide legal name of company, address, e-mail address, telephone, name and title of contact person.
2. **Proposal:** Provide a detailed description of addressing all of the Areas of Interest.
3. **Fees:** Detail specific examples of the fees. Describe how the fees will be determined. SCPPA is interested in discovering the Consultant's capabilities and pricing to make an informed decision and proceed to more specific negotiations.

Pricing should be made based on good faith estimates of the requirements defined in this RFP.

4. **Timeline:** Provide a timeline for transaction development and implementation for the proposed work, SCPPA Member participation, and any other natural sub-divisions of work. While it is expected that this will be a twelve-month contract with provisions to renew for an additional twelve months, certain elements of the work with respect to the developments in AB 32 may need to be undertaken quickly..

5. **Experience:** Respondent will clearly identify who will be participating in this work and the management team.
- a. Specify key employees and describe their experience and duties related to this RFP.
 - b. Provide a commitment statement for the retention and use of key employees as proposed, their availability to initiate and sustain the proposal, as well as planned supplement if not available to assure project delivery.
 - c. Respondent shall indicate any and all pending litigation that could affect the viability of respondent's proposal or respondent's financial stability.
 - d. Identify existing projects or programs which respondent developed and/or operates.
 - e. Describe relevant program development and implementation experience, approach, and provide a list of references for similar projects completed.
 - f. Identified expectations from customer including requirements definition, strategy refinement, and staffing requirements to support implementation methodology.
 - g. It is required to maintain sufficient insurance for the type of work being performed. Please include a summary of existing insurance coverage. SCPPA or its Members may require specific insurance coverage to be established and maintained during the course of work and as a condition of award or continuation of contract.

Proposal Submission Delivery Requirements

There will be no initial proposer's conference associated with this Request for Proposals. Clarification questions may be addressed to Bill Carnahan at bcarnahan@scppa.org.

One (1) hard copy of your response, including a Letter of Transmittal with wet-ink authority signature, and any supporting documentation should be delivered prior to the end of business day on March 8, 2010 to:

Southern California Public Power Authority
225 S. Lake Ave., Suite 1250
Pasadena, CA 91101

One electronic copy of your proposal should also be delivered to the address above by CD or USB flash drive, or alternately e-mailed to bcarnahan@scppa.org.

No contact should be made with the Board of Directors, Committee Members, or SCPPA Participating Members concerning this request for proposals.

All information received by SCPPA in response to this Request for Proposals is subject to the California Public Records Act, and all submissions may be subject to review in the event of an Audit.

Proposal Terms and Conditions

1. SCPPA desires to enter exclusive negotiations with the proposer once selected as may be defined through a signed letter of intent and defined term.
2. SCPPA shall determine at its sole discretion the value of any and/or all proposals including price and non-price attributes.
3. Proposals may be sub-divided or combined with other proposals, at SCPPA's sole discretion.
4. SCPPA shall perform an initial screening evaluation to identify and eliminate any proposals that are not responsive to the RFP, do not meet the minimum requirements set forth in the RFP, are clearly not economically competitive with other proposals, or are submitted by respondents that lack appropriate creditworthiness, sufficient financial resources, or qualifications to provide dependable and reliable services.
5. SCPPA may entertain or eliminate proposals immediately upon receipt or at any future time if not clearly defined in the proposal as the end of the period of offer.
6. SCPPA reserves the right, without qualification and in its sole discretion, to accept or reject any or all proposals for any reason without explanation to the respondent, or to make the award to that respondent, who, in the opinion of SCPPA, will provide the most value to SCPPA and its customers.
7. SCPPA may decline to enter into any potential engagement agreement or contract with any respondent, terminate negotiations with any respondent, or to abandon the RFP process in its entirety.
8. SCPPA reserves the right to make an award to the other than the lowest price offer or the proposal evidencing the greatest technical ability or other measure if SCPPA determines that to do so would result in the greatest value to SCPPA and its members.
9. Those respondents who submit proposals agree to do so without legal recourse against SCPPA, its members, and their directors, officers, employees and agents for rejection of their proposal(s) or for failure to execute or act on their proposal for any reason.
10. SCPPA shall not be liable to any respondent or party in law or equity for any reason whatsoever for any acts or omissions arising out of or in connection with this RFP.
11. Respondent shall be liable for all its costs and SCPPA shall not be responsible for any respondent's costs incurred to prepare, submit, or negotiate its proposal, a contract or for any other activity related thereto.
12. SCPPA may require certain performance assurances from proposers prior to entering into detailed negotiations for a proposed project. Such assurances may potentially include a requirement that proposers provide some form of performance security.
13. Either SCPPA collectively or Member Agencies individually may respond to, or enter into negotiations for a proposal. SCPPA is not responsible or liable for individual Member Agency interactions with the respondent which are not entirely contained within SCPPA's option or election to engage the respondent as defined within the Terms and Conditions herein.

Additional Requirements for Proposal

Submitted proposals shall conform to the following requirements:

- Proposals shall be prepared simply and economically, without the inclusion of unnecessary promotional materials.
- Proposals shall be submitted on recycled paper that has a minimum of 30 percent post-consumer recycled content.
- Proposals submitted shall be written in the English language.
- The proposals shall be duplex copied (double-sided pages).
- Neon or fluorescent paper shall not be used.

Company/Corporate letterhead or stationery that accompanies the proposal is exempt from these requirements.

Submittal of a proposal pursuant to this RFP shall constitute acknowledgement and acceptance of all terms and conditions set forth herein unless otherwise expressly stated in the proposal.

Coverage of RFP Items: The proposal must cover the statement of work and all the RFP requirements. Any limitation in the proposer's ability to supply information requested in the RFP or to support or perform a particular function should be stated in detail in the appropriate section of your response. Any omissions or deviations from the requirements set forth in this RFP shall be fully described. Failure to adhere to the following format may be a cause for the rejection of the proposal as nonresponsive.

Any additional documents that the proposer's organization requires to be signed, or agreed to, by SCPPA shall be referenced in the letter of transmittal and attached as appendices to the proposal.

Letter of Transmittal: Every proposal that is submitted in response to this RFP must contain a letter of transmittal including the following information:

- A brief statement of the Consultant's understanding of the work to be done and commitment to perform the work as scheduled.
- A statement confirming that all sections/parts of the RFP are being bid.
- A summary of exceptions taken to the RFP requirements, statement of work, specifications, and/or proposed contractual terms and conditions.
- A reference to any contractual terms and conditions required by the Consultant.
- The names of individuals authorized to represent the Consultant, the titles, addresses, telephone numbers, and e-mail addresses.
- An officer authorized to bind must sign the proposal on behalf of the Proposer and must include the following declarations on the transmittal letter:

"This proposal is genuine, and not sham or collusive, nor made in the interest or in behalf of any person not herein named; the proposer has not directly or indirectly induced or solicited any other proposer to put in a sham bid, or any other person, firm or corporation to refrain from submitting a proposal; and the proposer has not in any manner sought by collusion to secure for themselves an advantage over any other proposer."

Table of Contents: Include a clear identification of the proposal by section and by page number.

Background of the Firm: Describe your firm's organizational structure, management qualifications, and other contract related qualifications. Include:

- Firm name
- Office location(s) where work will be performed
- Number of years firm has been in business
- Average number of employees during the past five years
- Qualifications of the firm to perform the work, including experience

Assigned Personnel Qualifications: Provide an organization chart indicating the position, the level of responsibility, and the respective place within the organization of the individual that will be SCPPA's point of contact. Provide the qualifications of the assigned personnel. Include educational background, references and summaries of relevant work experience performed.

Company Experience: To assess actual performance, previous project work will be evaluated. List and describe projects that involve related skills to those required in the type of work described in this RFP which have been or are presently performed by your company. Include client reference, contact person, phone number and address.

Describe the experience and effectiveness of your company and your professional and technical staff for the above projects. Demonstrate experience/effectiveness in advancing issues with the Governor's Office and with relationships/experience in or working with: 1) Assembly and Senate leadership, 2) members of the Los Angeles Delegation, 3) various caucuses, and 4) State agency officials.

Knowledge of Utility Issues: Identify previously enacted legislation, or legislation introduced in previous legislative sessions within the last two years, that have impacted or could have impacted SCPPA or its members, with respect to the electric power industries. Describe briefly the impacts or potential impacts on SCPPA and its members.

Contract Fee Schedules: Provide the cost for a monthly retainer fee. The retainer fee shall include any and all costs, including, but not limited to, all incidental expenses, with the exception of SCPPA pre-approved travel costs. Prior to contract award, the successful bidder shall supply a detailed breakdown of the applicable overheads and fringe benefit costs that are part of the labor rates and other direct costs associated with the services to be performed.

Subcontracting: State whether Consultant will use subconsultants to perform services pursuant to the contract. Should the use of subconsultants be offered, the Consultant shall provide the same assurances of competence for the subconsultant, plus the demonstrated ability to manage and supervise the subcontracted work. Subconsultants shall not be allowed to further subcontract with others for work on this program. The provisions of this contract shall apply to all subconsultants in the same manner as to the Consultant. Upon the Contract Administrator's written request, the Consultant shall supply SCPPA with all subconsultant contracts.

Previous Services Provided: Describe whether the Consultant has, within the last three years, rendered any service to the SCPPA or to any of SCPPA's members, either as a consultant or subconsultant, either under the current proposer's name or any other name or organization, If so, please provide details (status as prime or subconsultant, contract number, brief description of the contract, contract start and end dates,

the SCPPA or SCPPA member contract administrator name, contract dollar maximum, and total actual contract expenditures).

Conflict of Interest Determination: Provide information that may be used to evaluate potential conflicts of interest. Include subconsultants, if any listed in the proposal. Specifically, provide a listing of completed and ongoing engagements or work with other entities to assist SCPPA in identifying any potential interests that may conflict with SCPPA's goals under the potential engagement agreement. Giving consideration to the range of work contemplated under the potential engagement described in this RFP provide a listing of completed and ongoing engagements or work to advise other utilities.

RFP Items Not Covered: Present any qualifications or information in addition to the required items under a separate heading of "Additional Qualifications."

Insurance: If selected, the proposer will be required to maintain sufficient insurance for the type of work being performed. SCPPA or its members may require specific insurance coverage to be established and maintained during the course of work and as a condition of award or continuation of contract.

Non-Discrimination/Equal Employment Practices/Affirmative Action Plan (AAP): If selected, the proposer and each of its known subcontractors may be required to complete and file an acceptable Affirmative Action Plan. The Affirmative Action Plan may be set forth in the form required as a business practice by the Department of Water and Power of the City of Los Angeles which is SCPPA's largest member.

Living Wage Ordinance: If selected, the proposer may be required to comply with the applicable provisions of the City of Los Angeles Living Wage Ordinance and the City of Los Angeles Service Contract Workers Retention Ordinance. The Living Wage Ordinance provisions are found in Section 10.36 of the Los Angeles City Administrative Code, and the Service Contract Workers Retention Ordinance are found in Section 10.37 of the Los Angeles Administrative Code (SCWRO/LW0).

Child Support Policy: If selected, proposer may be required to comply with City of Los Angeles Ordinance No. 172401, which requires all contractors and subcontractors performing work to comply with all reporting requirements and wage earning assignments and wage earning assignments relative to court ordered child support.

Supplier Diversity: Proposers shall take reasonable steps to ensure that all available business enterprises, including Women Business Enterprises (WBEs) and Minority Business Enterprises (MBEs) have an equal opportunity to compete for and participate in the work being requested by this RFP. Efforts to obtain participation of MBEs, WBEs, and other business enterprises could reasonably be expected to produce a level of participation by interested subcontractors including 15 percent MBE and 7 percent WBE. SCPPA's Supplier Diversity program is modeled after that of the Los Angeles Department of Water and Power. Further information concerning the Supplier Diversity program may be obtained from the Purchasing Division of the Los Angeles Department of Water and Power.