



SOUTHERN CALIFORNIA PUBLIC POWER AUTHORITY

Request for Proposals for State Legislative Consultant

Issuance Date: ~~October 4, 2021~~ October 29, 2021

Response Deadline: ~~4:00 PM PDT — November 1, 2021~~ Extended to
November 15, 2021

I. INTRODUCTION

The Southern California Public Power Authority (SCPPA) is hereby soliciting competitive proposals for qualified and experienced firms or individuals interested in being retained to serve as SCPPA's state legislative consultant. Responding firms or individuals would serve as an expert state legislative affairs consultant and may represent SCPPA before the California State Legislature and Governor's Office to proactively promote energy, environmental, and other policy interests important to SCPPA and its Members.

Responses to this RFP are due on or before ~~4:00 PM PDT — November 1, 2021~~ Extended to November 15, 2021, as described below in Sections IV and VI.

II. BACKGROUND

SCPPA is a joint powers authority and a public entity organized under the California Joint Exercise of Power Act found in Chapter 5 of Division 7 of Title 1 of the Government Code of the State of California, and through the SCPPA Joint Powers Agreement, for the purposes of planning, financing, developing, acquiring, constructing, operating, and maintaining projects for the generation or transmission of electric energy. SCPPA also facilitates joint service contracts, at the request of its members, to aggregate like project efforts among its Members for the purposes of developing energy efficiency, demand response and resource procurement Programs or Projects to improve operating efficiencies and reduce costs.

Membership of SCPPA 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. 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.

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SCPPA engages in state legislative affairs issues in the California State Legislature and Governor's Office to proactively promote energy, environmental, and other policy interests important to SCPPA and its Members.

III. AREAS OF INTEREST

- A. Respondent must have demonstrable expertise and experience lobbying before the California State Legislature and Governor's Office.
- B. Respondent must have a deep understanding of current energy and environmental trends and policies—preferably affecting public power utilities (POUs)—before the California State Legislature and Governor's Office.
- C. Respondent must have demonstrable expertise in providing timely analysis of relevant state legislation and Governor's Office actions, including executive orders.
- D. Respondent must have demonstrable ability to prepare advocacy papers and legislative text and/or revisions for state legislative offices and the Governor's Office in a timely manner.
- E. Respondent must have prompt availability to provide services on a continuing and uninterrupted basis.
- F. Respondent must have ability to adhere to work plans and a budget for services rendered to public agencies.
- G. Respondent must have a proactive approach to advocacy in the California Statute Legislature and Governor's Office.
- H. Respondent must provide content on state legislative and Governor's Office news for the SCPPA weekly newsletter to SCPPA Members.
- I. Under SCPPA's direction, specific assignments may include investigating, advising, reviewing and/or drafting legislative on issues in any one or more of the following policy areas:
 - 1. Climate change policies, including policies that affect the role of POUs in reducing greenhouse gas emissions;
 - 2. Clean energy policies, including policies that affect clean electricity procurement;
 - 3. Funding incentives and permitting efficiencies that support POU planning and operations;
 - 4. Transportation and building electrification policies;
 - 5. Electricity ratepayer protection and assistance policies;
 - 6. Data collection policies that affect POUs;

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7. Wildfire and vegetation management policies;
8. Energy policies that affect generation, transmission, and distribution of electricity and fuels; and
9. Other matters at the discretion of SCPPA, including coordinating meetings for Members during state public power advocacy days, and ad-hoc meeting with legislative offices and the Governor's Office as needed.

IV. TIMELINE/SCHEDULE*

SCPPA RFP FOR STATE LEGISLATIVE CONSULTANT SELECTION PROCESS	
SCHEDULE OF REQUIREMENTS	TARGET DATE(S)
Issue RFP	October 4, 2021 <u>October 29, 2021</u>
Clarification Questions Deadline	October 11, 2021 <u>Extended to November 4, 2021</u>
Responses Due	November 1, 2021 <u>Extended to November 15, 2021</u>
Review of Responses	November 2021 <u>November - December 2021</u>
Selection of Respondent(s)	December 2021 - January 2022

*Timeline/Schedule is subject to change.

V. PROPOSAL SUBMISSION REQUIRED ELEMENTS

Proposals will be evaluated based upon responses to the following requirements:

A. TRANSMITTAL LETTER CONTENT:

1. A brief statement of the Respondent's understanding of the work to be done and commitment to perform the work as requested, including:
 1. statement of work specifications; and
 2. reference to any proposed contractual terms and conditions required by the Respondent; and
 3. a summary of exceptions taken to the RFP requirements; and
 4. any and all expectations from SCPPA including, but not limited to: requirements definitions, strategy refinement, and staffing requirements to support the requested work.

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2. An officer authorized to bind must sign the proposal on behalf of the Respondent 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 Respondent has not directly or indirectly induced or solicited any other Respondent to put in a sham bid, or any other person, firm or corporation to refrain from submitting a proposal; and the Respondent has not in any manner sought by collusion to secure for themselves an advantage over any other Respondent.”

B. RESPONDENT INFORMATION:

Provide legal name of Company or Individual, physical street address, the name(s) and title(s) of the individual(s) authorized to represent the Respondent, including telephone number(s) and email address(es).

C. PROPOSAL:

Proposals must include a description of how Respondent meets (or does not meet) each of the objectives of this RFP, and a detailed description addressing all of the Areas of Interest.

D. FEES:

Pricing in all proposals must be made based on good faith estimates of the requirements defined in this RFP. Proposal must provide Respondent's flat monthly billing rate, fee structure, fee schedule, and/or other anticipated charges that Respondent proposes for this engagement. Please identify those charges or costs for which your firm expects reimbursement. If the reimbursement basis is other than cost-based, please indicate the amounts or the formula for calculating such charges or costs.

E. EXPERIENCE AND QUALIFICATIONS:

1. Describe your firm's experience as may be applicable to this RFP, your organizational structure, management qualifications, and other related qualifications, including number of years firm has been in business.
2. If Respondent is a firm, describe who in your firm would be assigned the primary responsibility for administering and carrying out services under an agreement with SCPPA.
3. Respondent must indicate any and all pending litigation that could affect the viability of Respondent's proposal, continuance of existing contracts, operation or financial stability.

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4. To assist SCPPA in determining whether or not a Respondent has potential conflicts of interest, Respondent must provide a list of current clients and a brief overview of scope of representation.

F. REFERENCES:

1. Describe whether the Respondent has, within the last five (5) years, rendered any service to SCPPA or to any of SCPPA's Members either under the current Respondent's name or any other name or organization. If so, please provide details.
2. Please provide a minimum of three (3) references for state legislative consulting work performed by your firm. Reference information shall include client name, reference contract number, brief description of scope of services provided and contract start/end date, key contact name, address, email address, and telephone number.
3. If the Respondent has not rendered any service within the last five (5) years to SCPPA or to any of SCPPA's Members, then please provide references over that period with the details described above including the counterparty for which services were provided.

VI. PROPOSAL SUBMISSION DELIVERY REQUIREMENTS

There will not be an initial Respondent's conference associated with this RFP. The deadline to submit clarification questions on this RFP will be **4:00 pm (PST) on ~~October 11, 2021~~ Extended to November 4, 2021**. All questions must be submitted electronically via email to StateConsultantRFP@scppa.org referencing "*State Legislative Consultant*" in the subject line. Answers to questions that SCPPA, at its sole determination and discretion, deems to be substantive or that would place the inquirer at a distinct and unfair advantage to other potential Respondents will be posted on SCPPA's website alongside the solicitation at <http://scppa.org/page/RFPs-Other> as soon as practicable after the date received, but no later than ~~October 18, 2021~~ **November 8, 2021**. It is the responsibility of potential Respondents to review this website for any and all postings.

One (1) electronic copy of your proposal and any supporting documentation must be delivered to StateConsultantRFP@scppa.org by no later than **4:00 pm PST on ~~November 1, 2021~~ Extended to November 15, 2021**.

No contact should be made with the SCPPA Board of Directors, committees or working group representatives, or SCPPA Members concerning this RFP.

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All information received by SCPPA in response to this RFP is subject to the California Public Records Act and may be subject to the California Brown Act and all submissions may be subject to review in the event of an audit.

VII. TERMS AND CONDITIONS

- A. SCPPA reserves the right to cancel this RFP at any time, reject any and all proposals and to waive irregularities.
- B. SCPPA shall perform an initial screening evaluation to identify and eliminate any proposals that are, for example, not responsive to the RFP, do not meet the minimum requirements set forth in the RFP, are 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 for this RFP.
- C. SCPPA reserves the right to submit follow up questions or inquiries to request clarification of information submitted and to request additional information from any one or more of the Respondents.
- D. 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 any award to that Respondent, who, in the opinion of SCPPA, will provide the most value to SCPPA and its Members.
- E. SCPPA may decline to enter into any potential engagement agreement or contract with any Respondent, terminate negotiations with any Respondent, or to abandon the request for proposal process in its entirety.
- F. SCPPA reserves the right to make an award, at its sole discretion, irrespective of price or technical ability, if SCPPA determines that to do so would result in the greatest value to SCPPA and its Members.
- G. Those Respondents who submit proposals agree to do so without legal recourse against SCPPA, its Members, 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.
- H. 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.

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- I. SCPPA shall not be liable for any costs incurred by any Respondents in preparing any information for submission in connection with this RFP process or any and all costs resulting from responding to this RFP. Any and all such costs whatsoever shall remain the sole responsibility of the Respondent.
- J. SCPPA may require certain performance assurances from Respondents prior to entering into negotiations for work that may result from this RFP. Such assurances may potentially include a requirement that Respondents provide some form of performance security.
- K. Prior to contract award, the successful Respondent 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.
- L. SCPPA Members, either collectively or individually may contact Respondents to discuss or enter into negotiations regarding a proposal. SCPPA is not responsible or liable for individual Members interactions with the Respondent which are not entirely conducted through SCPPA or at SCPPA's option or election to engage the Respondent as defined within the RFP.
- M. Submission of a proposal constitutes acknowledgement that the Respondent has read and agrees to be bound by the terms and specifications of this RFP and any addenda subsequently issued by SCPPA.
- N. Information in this RFP is accurate to the best of SCPPA's and its Members' knowledge but is not guaranteed to be correct. Respondents are expected to complete all of their due diligence activities prior to entering into any final contract negotiations with SCPPA.
- O. SCPPA reserves the right to reject any proposal for any reason without cause. SCPPA reserves the right to enter into relationships with more than one Respondent, can choose not to proceed with any Respondent with respect to one or more categories of services, and can choose to suspend this RFP or to issue a new RFP that would supersede and replace this RFP.
- P. Respondents understand and acknowledge that proposals will be valid for a period of twelve (12) months from the "Responses Due" date indicated in the Timeline/Schedule. Respondents must clearly identify in their proposals if the proposal is valid for a term lesser than the twelve (12) month term.

VIII. ADDITIONAL REQUIREMENTS FOR PROPOSAL

A. CONSIDERATION OF RESPONSES:

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Submitted proposals should be prepared simply and economically, without the inclusion of unnecessary promotional materials.

B. INSURANCE, LICENSING, OR OTHER CERTIFICATION:

If selected, the Respondent will be required to maintain sufficient insurance, licenses, or other required certifications 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.

C. NON-DISCRIMINATION/EQUAL EMPLOYMENT PRACTICES/AFFIRMATIVE ACTION PLAN:

If selected, the Respondent 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 any of SCPPA's Members, including the Department of Water and Power of the City of Los Angeles which is SCPPA's largest Member.

D. LIVING WAGE ORDINANCE:

If selected, the Respondent 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). Respondents may also be required to comply with other Members Living Wage Ordinance.

E. PREVAILING WAGE RATES:

If selected, the Respondent will be required to conform to prevailing wage rates applicable to the location(s) where any work is being performed. Workers shall be paid not less than prevailing wages pursuant to determinations of the Director of Industrial Relations as applicable in accordance with the California Labor Code. To access the most current information on effective determination rates, Respondent shall contact:

Department of Industrial Relations
Division of Labor Statistics and Research
PO Box 420603, San Francisco, CA 94142-0603
Division Office Telephone: (415) 703-4780
Prevailing Wage Unit Telephone: (415) 703-4774
Web: [HTTP://WWW.DIR.CA.GOV/DLSR/DPREWAGEDETERMINATION.HTM](http://www.dir.ca.gov/DLSR/DPREWAGEDETERMINATION.HTM)

F. CHILD SUPPORT POLICY:

If selected, Respondent may be required to comply with the City of Los Angeles Ordinance No. 172401, or any of its Members Ordinance, which requires all contractors and subcontractors

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performing work to comply with all reporting requirements and wage-earning assignments and wage-earning assignments relative to court ordered child support.

G. SCPPA-FURNISHED PROPERTY:

SCPPA or a Member's utility drawings, specifications, and other media furnished for the Respondent's use shall not be furnished to others without written authorization from SCPPA or the applicable Member(s).

H. NON-DISCLOSURE AGREEMENT

SCPPA or a Member's utility may require Respondent and its employees and subcontractors to sign a non-disclosure agreement.

I. CONTRACTOR-FURNISHED PROPERTY:

Upon completion of all work under any agreement developed as a result of this RFP, ownership and title to reports, documents, drawings, specifications, estimates, and any other document produced as a result of the agreement shall automatically be vested to SCPPA and no further agreement will be necessary for the transfer of ownership to SCPPA. SCPPA has the sole right to distribute, reproduce, publish, license, or grant permission to use all or a portion of the deliverable documentation, work product or presentations as it determines in its sole discretion.