

REQUEST FOR QUALIFICATIONS & PROPOSAL

Monroe County Water Authority



Federal and New York State Legislative & Regulatory Advocacy Services

April 1, 2024

Monroe County Water Authority
475 Norris Drive
Rochester, New York 14610

SECTION 1 - INVITATION TO PARTICIPATE

1.1 Purpose

Monroe County Water Authority (“MCWA”) is soliciting Statements of Qualifications and Proposal (“RFQ/P”) from consultants for professional services for an experienced firm or individual(s) to provide consulting and advocacy services to assist MCWA with its legislative and regulatory interests in New York State and Federal level. Prospective Proposers must offer a Statement of Qualifications that will meet the scope of services, qualifications and general description of work activities identified in Section 2 of this RFQ/P.

In responding to this RFQ/P, Proposers must follow the prescribed format as outlined in Section 3. By so doing, each Proposer will be providing MCWA with comparable data submitted by other Proposers and, thus, be assured of fair and objective treatment in the MCWA review and evaluation process. **Note that MCWA is requiring that your Statement of Qualifications and your Fee Proposal be submitted in TWO (2) SEPARATE documents and in separately sealed envelopes.**

1.2 Procurement Officer

The Procurement Officer identified below is the sole point of contact regarding this RFQ/P from the date of issuance until the selection of the successful Proposer.

Larry M. Magguilli
MCWA
475 Norris Drive
Rochester, New York 14610
Email: Larry.Magguilli@mcwa.com

1.3 Presentation and Clarification of MCWA’s Rights and Intentions

MCWA intends to enter into a contract with the selected Proposer to supply the services described in Section 2. However, this intent does not commit MCWA to award a contract to any responding Proposer, or to pay any costs incurred in the preparation of the Statement of Qualifications or a cost proposal in response to this request, or to procure or contract for any services. MCWA reserves the right, in its sole discretion, to (a) accept or reject in part or in its entirety any proposal received as a result of this RFQ/P if it is in the best interest of MCWA to do so; and (b) award one or more contracts to one or more qualified Proposers if necessary to achieve the objectives of this RFQ/P (and if it is in the best interest of MCWA to do so).

1.4 Time Line

The schedule of events for this selection process is anticipated to proceed as follows:

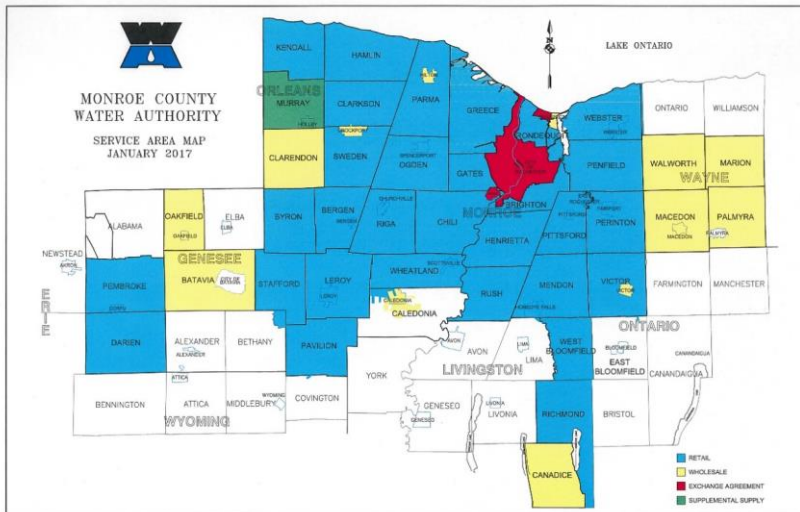
- ◆ All requests for clarification must be submitted in writing to the Procurement Officer at the email address provided in Section 1 and received no later than 3:00 PM EST on April 8, 2024 and responses will be provided by end of day April 11, 2024.
- ◆ Statement of Qualifications & Proposal submissions must be received by Noon (12:00 PM) on April 17, 2024 at the address shown in Section 3.1.

Monday, April 1, 2024	RFPQ distributed; announced on MCWA website.
Monday, April 8 3PM	Pre-proposal questions due, in writing.
Thursday, April 11 EOD	Any addenda with answers supplied to proposers.
Wednesday, April 17 Noon	Proposals due

1.5 Overview of the Organization

The Monroe County Water Authority is a not-for-profit public benefit corporation that reliably provides quality, affordable water that fosters economic vitality and enhanced quality of life for Monroe County and area communities who request service.

MCWA was created by State legislation in 1950 to solve the water supply needs of this community. In 1959 MCWA took over the assets of the private New York Water Service Corporation and had 27,000 retail customers, serving just portions of the County's inner ring towns and portions of the City. As surrounding towns and villages faced new water supply challenges, the MCWA service area has steadily grown. Today, MCWA serves over 186,000 customers in every town and village in Monroe County) plus towns, villages and other water authorities in each of the five adjacent counties.



The MCWA system infrastructure includes its main operations center, meter shop, three water treatment plants, 40 remote pumping station, 53 tanks and 2 storage reservoirs, and over 3,300 miles of transmission and distribution water mains.

For additional information on MCWA, go to www.mcwa.com

SECTION 2 –SCOPE OF WORK

2.1 Scope of Work New York State

Below is a preliminary outline of the required tasks and deliverables to be completed under this contract. Additional tasks may be required. The Proposer is encouraged to expand upon this outline and present additional detail delineating its proposed approach to the project.

Task 2.1.1 Regulatory & Legislative Representation

The Consultant will identify proposed state legislation and regulations that could impact the Water Authority's operations. The Consultant shall work with MCWA to refine the detailed issues and requirements and to identify potential options and alternatives. Consultant will assist with the preparation of communication materials, including testimony, for the education of elected officials and staff which will lead to the accomplishment of MCWA goals and objectives.

Task 2.1.2 Program Funding

The Consultant will develop and present to MCWA, action plans and undertake efforts to identify funding and water infrastructure financing programs for specific capital improvement projects included in MCWA's budget. The Consultant will also work to identify, and assist in the application of any other state grants or funding sources beneficial to MCWA daily ongoing operations.

Task 2.1.3 Outreach

The Consultant will also be required to participate in our ongoing stake-holders outreach efforts to build effective support for MCWA initiatives. Consultant shall arrange meetings with key elected officials or administration staff and accompany, as needed, MCWA officials and staff at such meetings. The Consultant will work closely with the Governor's Office, the Speaker's Office, Senate President's Office, as well as key Committee Chairpersons and other leaders. The Consultant will place special emphasis on establishing and fostering open communications with members of the local delegation in both houses as needed.

Task 2.1.4 Drinking Water Quality Institute

The Consultant will maintain and inform MCWA of actions of the Drinking Water Quality Institute. The Consultant will, with input from MCWA, provide to DWQI information pertaining to any changes, rules or requirements they seek to impose. This will specifically but not exclusively pertain to any requirements regarding levels of unregulated contaminants that exceed current Federal Guidelines.

Task 2.1.5 State Agencies and Departments

The Consultant will monitor any changes in rules and regulations, non-legislative, from the appropriate State Agencies and Departments with any regulatory supervision of MCWA.

Task 2.1.6 Other

The Consultant may be required to assist MCWA with other objectives as identified and as agreed upon.

2.2 Scope of Work Federal Advocacy

The Proposer shall also provide Federal lobbyist services to advocate and assist in the pursuit of funding opportunities for MCWA. Additionally, Proposer shall advocate/oppose Federal policies and decisions that would impact MCWA.

The successful Proposer shall advance MCWA's infrastructure and legislative agenda. Such services shall include, but not be limited to:

Advocacy

- Initiate and sustain communications with congressional delegations and key legislative staff to introduce and advance MCWA's priorities.
- Represent and advocate before U.S. Congress to support MCWA priorities.
- Represent and advocate before U.S. Congress to oppose or support Federal policies and decisions that would impact MCWA.
- Monitor and respond to congressional actions that advance MCWA's priorities.
- Advise and assist in drafting letters of support or non-support, including other Federal policy issues and legislative concerns as appropriate.
- Provide monthly activity reports detailing actions taken on MCWA's behalf.
- Provide routine congressional informational updates.
- Although legal opinions are not required as part of the Proposer's responsibilities, MCWA will expect the Proposer to understand the various laws and proposals and Proposer shall be expected to have the ability to interpret legal implications.

Pursuit of Funding Opportunities

- Proposer shall agree to be available upon reasonable request to meet with MCWA Board, Staff, and others, as directed, to educate and brief them of Federal loan programs, grants, and other funding opportunities.
- Assist MCWA staff on most efficient and effective methodology of completing funding opportunities applications.
- Advise and garner support from New York State Congressional delegation and key Federal Staff on MCWA's funding applications.

Conflict of Interest

In the event Proposer becomes aware of any conflicts or potential conflicts between the interest of the MCWA and the interests of Proposer's clients, Proposer shall immediately notify the MCWA Executive Director or his designee, in writing, of such conflict. Written notice may be in the form of an email notification. In the event MCWA becomes aware of any conflicts or potential conflicts between the interests of MCWA and the interests of Proposer's clients, the MCWA Executive Director, or his designee, shall promptly notify the Proposer of such conflict. MCWA and Proposer shall attempt to resolve any such conflict in a manner mutually acceptable to MCWA and Proposer. If the conflict cannot be resolved to the satisfaction of MCWA, the MCWA reserves the right to procure these services from other firms with an appropriate reduction to the Proposer's fee(s).

2.3 Progress Reporting

During the term of this agreement the Consultant shall provide MCWA with written monthly progress reporting, detailing efforts and outcomes. This report shall also provide a one-month "look ahead", listing anticipated tasks to be undertaken in the upcoming month. The report will contain specific details on efforts made to complete the tasks in this RFQ. Details to include research and findings; contacts attempted and made with elected officials and staff. This monthly report will be due regardless of the legislative session on the first Friday of each month.

An Annual Report summarizing the efforts and outcomes is to be presented to MCWA for review in November of each year. The annual report will serve as the basis for review of the results generated by the Consultant on behalf of the MCWA before consideration of a contract extension.

SECTION 3 - SPECIFIC REQUIREMENTS

3.1 Submission of Proposer's Statement of Qualifications & Proposals

- A. Separate Submittals:** There are to be two separate and distinct submittals: a) Statement of Qualifications and b) Price Proposal. They are to be submitted in two separately sealed envelopes.
- B. Acceptance Period and Location:** To be considered, Proposers must submit a complete response to this RFQ/P. Proposers not responding to all information requested in this RFQ or indicating exceptions to those items not responded to may be rejected.

The submittals must be received at the address below before the time listed in Section 1. The proposals must be sent in two separately sealed envelopes but may be included in one package. Package cannot arrive

**Request for Qualifications
Legislative & Regulatory Advocacy Services**

via US Mail, but must come via a third party trackable delivery service. Package must include all request items, completed fully and properly to be considered.

Attn: Larry M. Magguilli
MCWA
475 Norris Drive
Rochester, New York 14610

There will be no public opening of the submittals.

- C. Required Copies:** Proposers must submit one (1) signed original Qualifications Statement and three (3) copies of both requested documents. The Proposer will make no other distribution of these submittals.

3.2 Clarification of RFQ/P and Questions

Questions that arise prior to or during preparation of the Statements of Qualification must be submitted **in writing or via email** pursuant to instructions in Section 1 of this RFQ/P. As per NYS Finance Law, no contact will be allowed between the Proposer and any other member of MCWA with regard to this RFQ/P during the procurement process unless specifically authorized in writing by the Procurement Officer. Prohibited contact may be grounds for Proposer disqualification.

3.3 Addenda to the RFQ/P

In the event it becomes necessary to revise any part of this RFQ, addenda will be issued by MCWA. An acknowledgment of such addenda, if any, must be submitted with the RFQ response.

3.4 Organization of Statement of Qualifications

This section outlines the information that must be included in your Qualifications Statement. Please respond with your information in the same order as the items in the section.

- A. Company Information:** Provide a brief history of your company including the number of years in business, identification of company ownership, and the number of employees. Describe a minimum of three engagements of similar scope that best demonstrate the company's (and sub-consultants as appropriate) qualifications to undertake all aspects of the work.
- B. Project Team:** Provide a description of the project team's organization and roles. List the specific project team members, including resumes. Please note MCWA places great importance on the individual team members. Those proposed should be available if selected. If in doubt, listing "alternatives" is acceptable.

- C. Management Approach to the Project.** Describe in detail your approach to management of the project, including how your corporate philosophy is translated into planning, implementation, coordination and control mechanisms.
- D. Value Added Services/Benefits:** Describe any value added services your company will provide as part of this contract and any specific benefits to MCWA as a result of this partnership.
- E. References:** Provide a minimum of three clients for whom your company has provided similar services. Include the following information for each client:
- a. Name and address of the client;
 - b. Name and telephone number of contact person;
 - c. Summary of the services provided.
- F. Procurement Form:** Include the procurement disclosure form contained in Section 4. This must be complete and signed to be considered.
- G. Term of Agreement:** This agreement will be for 1 year beginning after MCWA Board Approval with the opportunity for a mutually agreed upon second year.

3.5 Fee Proposal

Your Fee Proposal is to include a full description of your proposed method of compensation and the proposed charges. This should provide a clear delineation of what is included in each billable component of the proposal in a separate envelope.

3.6 Method of Evaluation and Selection

- A. Evaluation Committee:** Selected personnel from MCWA will form the evaluation committee for this RFQ/P. It will be the responsibility of this committee to evaluate all properly prepared and submitted Statements of Qualifications and make a recommendation for award.
- B. Evaluation and Selection Criteria:** All properly prepared and submitted Statements of Qualifications shall be subject to evaluation deemed appropriate for the purpose of selecting the Proposer with whom a contract may be signed. Evaluation of the Statements of Qualifications will consider several factors, each of which has an impact on the relative success of the Proposer to provide the services as outlined in Section 2. Responses to this RFQ will be evaluated according to the following criteria:
- ◆ Office Team and its experience
 - ◆ Past Documented Success
 - ◆ Approach to managing and executing the Project References
 - ◆ Key Partnerships Including Relationships with New York State and Federal Representatives

C. Oral Presentation: At the evaluation committee’s option, Proposers who submit a Statement of Qualifications may also be required to make an oral presentation and interview with the evaluation committee. These presentations will provide an opportunity for the Proposer to clarify their proposal to ensure a thorough mutual understanding. At the same time, MCWA is under no obligation to offer any Proposer the opportunity to make such a presentation.

EVALUATION CRITERIA AND PROPOSAL SCORING

Each Proposal has a total possible score of 100 points with the points assigned as follows:

CRITERIA	WEIGHT
Demonstrated Competence	20 Pts
Firm's Qualifications and Experience	25 Pts
Experience in performance of comparable clean water engagements	25 Pts
Approach to Managing and Executing the Agreement	10 Pts
Key Partnerships Including Relationships with New York State and Federal Representatives	20 Pts
TOTAL	100 Pts

SECTION 4 - GENERAL INFORMATION FOR THE PROPOSER

4.1 Reservation of Rights

MCWA reserves the right to refuse any and all submittals, in part, or in their entirety, or select certain products from various Proposer proposals, or to waive any informality

**Request for Qualifications
Legislative & Regulatory Advocacy Services**

or defect in any proposal should it be deemed to be in the best interest of MCWA. MCWA is not committed, by virtue of this RFQ/P, to award a contract or to procure or contract for services. The proposals submitted in response to this request become the property of MCWA. If it is in its best interest to do so, MCWA reserves the right to:

- A. Make selections based solely on the proposals or negotiate further with one or more Proposers. The Proposer selected will be chosen on the basis of greatest benefit to MCWA as determined by an evaluation committee.
- B. Negotiate contracts with the selected Proposer.
- C. Award a contract to more than one Proposer.

4.2 Investigations

MCWA reserves the right to conduct any investigations necessary to verify information submitted by the Proposer and/or to determine the Proposer's capability to fulfill the terms and conditions of the bidding documents and the anticipated contract. MCWA will not consider Proposers that are in bankruptcy or in the hands of a receiver at this time of tendering a proposal or at the time of entering into a contract.

4.3 Incurring Costs

MCWA is not liable for any costs incurred by Proposer prior to the effective date of the contract.

4.4 Material Submitted

All right, title and interest in the material submitted by the Proposer shall vest in MCWA upon submission to MCWA without any obligation or liability by MCWA to the Proposer. MCWA has the right to use any or all ideas presented by a Proposer.

MCWA reserves the right to ownership, without limitation, of all materials submitted. However, because MCWA could be required to disclose documents received under the New York Freedom of Information Law, MCWA will, to the extent permitted by law, seek to protect the Proposer's interests with respect to any trade secret information submitted as follows:

Pursuant to Public Officers Law § 87, MCWA will deny public access to Proposer's proposal to the extent the information constitutes a trade secret, which if disclosed would cause substantial harm to the Proposer's competitive position, provided the Proposer identified the information it considers to be a trade secret and explains how disclosure would cause harm to the Proposer's competitive position.

4.5 Procurement Policy

Pursuant to State Finance Law §§ 139-j and 139-k, this Request for Qualifications includes and imposes certain restrictions on communications between a Governmental Entity (including the Authority) and Bidder/Offerer during the

**Request for Qualifications
Legislative & Regulatory Advocacy Services**

procurement process. A Bidder/Offerer is restricted from making contacts from the earliest notice of intent to solicit offers through final award and approval of the Procurement Process by the Authority to other than the Authority's Procurement Officers unless it is a contact that is included among certain statutory exceptions set forth in State Finance Law § 139-j(3)(a). The Authority's Procurement Officers for this Governmental Procurement, as of the date hereof, are identified herein. Authority employees are also required to obtain certain information when contacted during the restricted period and make a determination of the responsibility of the Bidder/Offerer pursuant to these two statutes. Certain findings of non-responsibility can result in rejection for contract award and in the event of two findings within a four (4) year period, the Bidder/Offerer is debarred from obtaining government Procurement Contracts. Further information about these requirements may be obtained from the Procurement Officers.

The Authority reserves the right to terminate this contract in the event it is found that the certification filed by the Bidder/Offerer in accordance with State Finance Law § 139-k(5) was intentionally false or intentionally incomplete. Upon such finding, the Authority may exercise its termination right by providing written notification to the Bidder/Offerer in accordance with the written notice terms of this contract.

**OFFERER/BIDDER DISCLOSURE OF PRIOR NON-RESPONSIBILITY DETERMINATION
AND AFFIRMATION/CERTIFICATION IN ACCORDANCE WITH NYS FINANCE LAW §§ 139-J
AND 139-K**

Name of Individual or Entity Seeking to Enter into the Procurement Contract:

Address: _____

Name and Title of Person Submitting this Form: _____

Date: _____

1. Has any Government Entity made a finding of non-responsibility regarding the individual or entity seeking to enter into the Procurement Contract in the previous four years?

(Circle one):

Yes No

If yes, answer the next questions:

2. Was the basis for the finding of non-responsibility due to a violation of State Finance Law § 139-j?

(Circle one):

Yes No

3. Was the basis for the finding of non-responsibility due to the intentional provision of false or incomplete information to a Governmental Entity?

(Circle one):

Yes No

4. If you answered yes to any of the above questions, provide details regarding the finding of non-responsibility below.

Governmental Entity: _____

Date of Finding of Non-Responsibility: _____

Basis of Finding of Non-Responsibility: _____

(Add additional pages as necessary.)

5. Has any Governmental Entity or other governmental agency terminated or withheld a Procurement Contract with the above-named individual or entity due to the intentional provision of false or incomplete information?

(Circle one):

Yes No

6. If yes, provide details below:

Governmental Entity: _____

Date of Termination: _____

Basis of Determination or Withholding: _____

(Add additional pages as necessary.)

**Request for Qualifications
Legislative & Regulatory Advocacy Services**

By signing below, Bidder/Offerer affirms that it understands and agrees to comply with the MCWA Water Authority's Procurement Disclosure Policy, Code of Ethics Policy and Conflict of Interest Policy as required by State Finance Law § 139-j(3) and § 139-j(6)(b) and certifies that all information provided to the Monroe County Water Authority with respect to State Finance Law § 139-k and § 139-j is complete, true and accurate.

By: _____

Date: _____
(Signature of Person Certifying)

Print Name: _____

Print Title: _____

Bidder/Offerer Name: _____
(Company Name)

Bidder/Offerer Address: _____

Bidder/Offerer Phone Number: _____