

**MUNICIPAL WATER DISTRICT OF ORANGE COUNTY  
(MWDOC)**



**REQUEST FOR PROPOSALS (RFP)  
TO PROVIDE  
LEGAL AND REGULATORY SERVICES**

**RFP No. GA0418-001**

**Proposals Due: May 24, 2018**

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## **SECTION 1 – NOTICE TO PROPOSERS**

1. Sealed proposals for RFP No. GA0418-001 – Legal and Regulatory Services, as described herein, will be received by the receptionist at Municipal Water District of Orange County (MWDOC) Offices until **5:00 p.m. on Thursday, May 24, 2018**.

Proposals shall be enclosed and sealed in an envelope, clearly marked **RFP NO. GA0418-001, on the outside of the envelope**, and addressed to Municipal Water District of Orange County.

2. **Proposals may be delivered in one of the following methods:**

- a. **Hand delivered to:**

- Municipal Water District of Orange County  
Attn: Governmental Affairs Department  
18700 Ward Street  
Fountain Valley, CA 92708

- b. **Delivered via common carrier (e.g., UPS or FedEx) to:**

- Municipal Water District of Orange County  
Attn: Governmental Affairs Department  
18700 Ward Street  
Fountain Valley, CA 92708

- c. **Mailed via U.S. Postal Service to:**

- Municipal Water District of Orange County  
Attn: Governmental Affairs Department  
P.O. Box 20895  
Fountain Valley, CA 92728

It is the Proposer's sole responsibility to ensure that their proposal, inclusive of any or all addenda, is received at the proper place by the deadline. Postmarks will not validate proposals which arrive after the deadline listed above. Faxed or electronic proposals will not be accepted. Any proposal received after the deadline will be returned to the Proposer unopened.

3. To facilitate the evaluation process, **three (3) printed copies of the proposal shall be provided as well as an electronic copy on a flash drive** (using PDF format, with search capability, to ensure readability and compatibility). These materials will be retained by MWDOC.

## **SECTION 2 – INTRODUCTION AND OVERVIEW**

### **I. PURPOSE OF THE REQUEST FOR PROPOSALS**

The Municipal Water District of Orange County (MWDOC) is seeking proposals from qualified firms (Proposers, Contractors) for services to consult, monitor and to engage MWDOC in developing a strong presence in Orange County and assist on legal and regulatory issues and that affect MWDOC and its member agencies.

**The purpose of this Request for Proposals (RFP) is to solicit proposals (from the current contractor as well as other qualified firms) from qualified firms/consultants with a proven track record in advocacy in Orange County to assist MWDOC in monitoring legal and regulatory issues that may have a direct effect on MWDOC and/or its member agencies, and develop and successfully pursue/implement its priorities.**

The successful firm will be awarded a one-year contract with an option to renew four additional years.

This RFP describes the district, the required scope of services, the contractor selection process, and the minimum information that must be included in the proposal. Failure to submit information in accordance with the RFP requirements and procedures may be cause for disqualification.

### **II. DISTRICT OVERVIEW**

MWDOC is a wholesale water supplier and resource planning agency. Our efforts focus on sound planning and appropriate investments in water supply development, water use efficiency, public information, legislative advocacy, water education, and emergency preparedness. MWDOC's service area covers all of Orange County, with the exception of the cities of Anaheim, Fullerton, and Santa Ana.

Local water supplies meet nearly half of Orange County's total water demand. To meet the remaining demand, MWDOC purchases imported water – from Northern California and the Colorado River – through the Metropolitan Water District of Southern California. MWDOC delivers this water to its 28 member agencies (local water agencies and city water departments), which provide retail water services to the public. MWDOC is governed by an elected, seven-member Board of Directors. Additional information about MWDOC is available at [www.mwdoc.com](http://www.mwdoc.com).

III. **PROJECT TIMELINE**

The following table identifies and estimates the dates/timeframe for receipt, evaluation, award, and implementation of this work. Please note these key dates when preparing your response to this RFP.

<b><u>Description</u></b>	<b><u>Date</u></b>
Release of RFP to Vendors	April 24, 2018
Deadline for Written Questions Regarding RFP	May 17, 2018
Proposal Due Date	May 24, 2018
Proposal Review	May 25, 2018
<i>Vendor Interviews (Tentative, if needed)</i>	<i>May 30, 2018</i>
Vendor Selection (Board approval)	June 20, 2018
Contract Execution	June 20, 2018
Contract Duration	July 1, 2018 – June 30, 2019

**SECTION 3 – SCOPE OF WORK**

I. **LEGAL AND REGULATORY MATTERS PROFESSIONAL SERVICES**

MWDOC seeks an advocate to work with the district and provide counsel on legal and regulatory issues that relate to the district’s mission. The scope of work for such support services includes the following:

1. Advise MWDOC on current legal, regulatory, or other events bearing on water issues.
2. Monitor and keep MWDOC informed on opportunities to participate in regulatory working/advisory groups related to water, strategic CEQA Reform and public works initiatives.
3. Monitor and advise MWDOC on issues of concern to its member agencies. Work with MWDOC Board, staff and member agencies in JPA/regional ventures in Orange County.
4. Prepare monthly written local legislative report and additional items (as requested) for MWDOC’s monthly Public Affairs and Legislation (PAL) Committee, and assist staff in providing content for a member agency legislative and regulatory newsletter.
5. Attend and actively participate in MWDOC’s monthly PAL Committee meetings and other meetings as requested.

6. Assist in developing strategies and policy principles to raise awareness and support of issues relating to MWDOC and its member agencies that is both proactive and strategic; as well as reactive when dealing with local issues that may arise.
7. Monitor, track and analyze local issues that relate to MWDOC and/or its member agencies as requested.
8. Comply with all applicable legal registering and reporting requirements.

## **SECTION 4 – PROPOSAL REQUIREMENTS**

### **I. PROPOSAL ELEMENTS**

The emphasis of the proposal should be on responding to the requirements set forth herein. Proposers must demonstrate their capabilities, background, expertise, and experience in order for the District to effectively evaluate the proposals. The proposal should be concise, well organized, and demonstrate the Consultant's understanding of the project.

The Proposal should be organized as follows. Please use the section headings and sub-headings listed in bold, below.

1. **Proposal Contents** – Proposals shall contain the following specific information and be no longer than five pages (excluding resumes):
  - a. **Cover Letter** - The cover letter shall provide a summary of the services to be provided. The cover letter must be signed by an authorized officer or employee of the firm who has authority to negotiate and contractually bind the organization. The title of the authorized officer or employee, their name, address, e-mail, and phone and fax number must be included. The District intends to correspond only with respondent's authorized officer or employee for all correspondence regarding this RFP. Submitting accurate and updated contact information is the responsibility of the respondent. Obligations committed by such signatures shall be binding.
  - b. **Background Information**
    - i. Legal name, address, and telephone and fax numbers of the principal office and local office. If services will be provided from additional locations, provide this information for these sites also.
    - ii. Year established.
    - iii. Type of organization (partnership, corporation, etc.).
    - iv. Name, title, address, e-mail and telephone and fax number of the person to whom correspondence shall be directed.
    - v. Description of the scope of services usually provided.
    - vi. Description of any relevant pending litigation or litigation against the firm, or any of its proposed sub-consultants that was settled in the past three years.
  - c. **Organization**
    - i. Provide an organizational chart indicating names, job titles, functional roles and responsibilities of proposed staff.

- ii. Describe how the responding firm is organized to provide the required services.
  - d. **Work Plan/Technical Approach/Project Management** – Submit a work plan for each task for carrying out the scope of services described in this RFP, including strategy, tools, techniques, critical path items, and decision points which reflects an understanding of the District’s requirements. Assumptions, desired outcomes and deliverables must be included as part of your firm’s approach to each major task area.
  - e. **Project Team and Resumes** - Indicate the Project Team by name and title, i.e., the individual(s) who would be assigned overall responsibility for performing the services and identify the project manager. The project manager will serve as the main lobbyist/point of contact and should guarantee his/her availability. Provide a project team organizational chart indicating the primary role and responsibility of each team member. The proposal should clearly associate specific staff to work tasks, estimate the percentage time they will be available to the project and their qualifications. Submit resumes for each identified individual, including prime personnel, and their key qualification and experience which makes them suited for their proposed assignment on the project. Every effort should be made to ensure that staff resources identified in the proposal will be available for the project in the event an agreement is awarded to your firm.
  - f. **Qualifications and Experience** – Describe the firm’s qualifications for performing similar, relevant, or related services. Identify the team’s experience in working with elected officials, committees, and various regulatory agencies with an emphasis on (but not limited to) those in Orange County. In addition, describe your specific experience with state water issues including CEQA, and legal background, along with your access to a team member who is an active member of the California Bar.
  - g. **Client References** - A list of three former clients and representative services undertaken in the last two years, demonstrating experience relevant to this RFP. Provide each reference’s contact person’s name, title, address, phone number and email address. In addition, provide information on cost of services, dates of engagement, description of services, and member(s) of the proposed team for this RFP, including any sub-consultants that performed the services. Also please provide a list of all services your firm has performed for the District in the past three (3) years, if applicable.
  - h. **Cost/Pricing Information - Cost/Pricing Information** - One of the areas on which you will be evaluated is your cost for performing the scope of services, including without limitation, cost for consulting services plus an estimated lump sum for travel and other direct expenses. The proposed price and cost basis for the price shall be stated as an hourly fee with a yearly cap for services.
2. **Acceptance of District Standard Consultant Agreement and Insurance Requirements** - Please note that the successful firm will be expected to execute the District’s Standard Consultant Agreement and to provide evidence of the required insurance, as well as demonstrate that it has no Conflicts of Interest. A completed W9



form may also be required. These do not need to be attached to your firm's proposal at this time. However, the proposal shall include a statement that you have reviewed the District's Standard Consultant Agreement and the General Insurance Requirements; and, if selected, your firm will execute said agreement; your firm and any sub-consultants will fulfill the insurance requirements; and, your firm will provide the required insurance documents as well as the additional insured endorsements as specified.

**Any questions as to the meaning of the scope of work, proposal requirements or selection process must be submitted in writing and shall be directed to Heather Baez, Governmental Affairs Manager at [hbaez@mwdoc.com](mailto:hbaez@mwdoc.com). To be given consideration, questions must be received by 5:00 p.m. on May 17, 2018.** All questions asked by Proposers and answers provided in response will be immediately posted to MWDOC's website at <http://www.mwdoc.com/business/rfp>.

Under no circumstances may the Proposer contact any other staff member or Board Member of MWDOC or its member agencies (or the cities of Santa Ana, Fullerton, or Anaheim) to discuss this RFP or clarify any requirements herein. Failure to comply with this requirement may be grounds for immediate disqualification.

## II. **SUBMITTAL REQUIREMENTS**

1. To facilitate the evaluation process, **three (3) printed copies of the proposal shall be provided as well as an electronic copy** (using PDF format, with search capability) **on a flash drive**.
2. The proposal shall be signed by an individual authorized to execute legal documents on behalf of the contractor.
3. Any changes or addenda to a submitted proposal must be received by the submittal deadline.

## III. **TERMS AND CONDITIONS**

1. MWDOC and local water agencies may make such investigations as it deems necessary to determine the ability of the Proposer to provide the goods and/or service as specified, and the Proposer shall furnish to MWDOC, upon request, all such information and data for this purpose. MWDOC may discuss or negotiate with one or more firms prior to award.
2. MWDOC reserves the right to reject any or all proposals, either separately or as a whole, and accept any proposal presented which it deems best suited to the interest of MWDOC and its member agencies, and is not bound to accept the lowest price.
3. The cost for developing the proposal is the sole responsibility of the Proposer. All proposals submitted become the property of MWDOC.
4. Be advised that all information contained in proposals submitted in response to this solicitation may be subject to the California Public Records Act (Government Code Section 6250 et seq.).

## **SECTION 5 – SELECTION PROCESS**

### **I. PROPOSAL REVIEW PROCESS**

1. An evaluation committee will review and score the proposals received in response to this RFP.
2. If deemed necessary by the evaluation committee, interviews with short-listed Consultants will be conducted on May 30, 2018. (It is recommended that all applicants reserve this date in advance.)
3. The evaluation committee will recommend one or more firms to fulfill the requirements of this RFP. The recommendation will be made to the General Manager and Board of Directors.
4. Upon approval by the Board of Directors, MWDOC will enter into negotiations with the selected Consultant(s) and execute an agreement.

### **II. SELECTION CRITERIA**

The criteria for vendor selection shall be based on, but not limited to, the following:

1. Qualifications and experience of firm and project manager
2. Understanding of the District, functions and mission
3. Management Plan and approach to Scope of Work
4. Compliance with standard district terms and conditions and insurance requirements
5. Cost of services

# EXHIBIT A – MWDOC SERVICE AREA MAP



**MWDOC Service Area  
and Member Agencies**

**Figure  
1-1**

Drawn for Design/Build Review, CSJF 2011  
Portions of this map are copyrighted, and reproduced with permission granted by THE ORANGE COUNTY WATER DISTRICTS  
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