

## DEPARTMENTAL INPUT

### CONTRACT/PROJECT MEASURE ANALYSIS AND RECOMMENDATION

New   
  OTR   
  Sole Source   
  Bid Waiver   
  Emergency   
 Previous Contract/Project No. RFQ-01019 canceled

Re-Bid   
  Other – Access of Other Entity Contract   
 LIVING WAGE APPLIES:  YES  NO

Requisition No./Project No.: RFQ-01387   
 TERM OF CONTRACT 1 YEAR(S) WITH 2 YEAR(S) OTR

Requisition /Project Title: TPO State Legislative Advocacy Services

Description: Soliciting proposals for the professional services of a qualified consultant firm to provide State Legislative Advocacy Services on behalf of the Miami-Dade Transportation Planning Organization (TPO).

Issuing Department: Internal Services/PM   
 Contact Person: Marie Williams   
 Phone: 305-375-3248

Estimate Cost: 225,000   
 Funding Source: GENERAL FEDERAL OTHER  
Local

### ANALYSIS

<b>Commodity Codes:</b>	<span style="border: 1px solid black; padding: 2px;">96258</span>	<span style="border: 1px solid black; padding: 2px;">91858</span>	<span style="border: 1px solid black; padding: 2px;">96151</span>	<span style="border: 1px solid black; padding: 2px;"></span>
Contract/Project History of previous purchases three (3) years Check here <input type="checkbox"/> if this is a new contract/purchase with no previous history.				
	<b><u>EXISTING</u></b>	<b><u>2<sup>ND</sup> YEAR</u></b>	<b><u>3<sup>RD</sup> YEAR</u></b>	
<b>Contractor:</b>	<span style="border: 1px solid black; padding: 2px;"></span>	<span style="border: 1px solid black; padding: 2px;"></span>	<span style="border: 1px solid black; padding: 2px;"></span>	
<b>Small Business Enterprise:</b>	<span style="border: 1px solid black; padding: 2px;"></span>	<span style="border: 1px solid black; padding: 2px;"></span>	<span style="border: 1px solid black; padding: 2px;"></span>	
<b>Contract Value:</b>	<span style="border: 1px solid black; padding: 2px;"></span>	<span style="border: 1px solid black; padding: 2px;"></span>	<span style="border: 1px solid black; padding: 2px;"></span>	
<b>Comments:</b>	<span style="border: 1px solid black; padding: 2px;"></span>			

Continued on another page (s):  YES  NO

### RECOMMENDATIONS

	Set-Aside	Subcontractor Goal	Bid Preference	Selection Factor
<b>SBE</b>	<span style="border: 1px solid black; padding: 2px;"></span>	<span style="border: 1px solid black; padding: 2px;"></span>	<span style="border: 1px solid black; padding: 2px;"></span>	<span style="border: 1px solid black; padding: 2px;"></span>

Basis of Recommendation:

Signed: <span style="border: 1px solid black; padding: 2px;">Marie Williams</span>	Date sent to SBD: <span style="border: 1px solid black; padding: 2px;">September 12, 2019</span>
	Date returned to PM: <span style="border: 1px solid black; padding: 2px;"></span>



**REQUEST FOR QUALIFICATIONS (RFQ) No. 01019  
FOR  
TPO STATE LEGISLATIVE ADVOCACY SERVICES**

**PRE-PROPOSAL CONFERENCE TO BE HELD:**

**TBD** (local time)

111 NW 1<sup>st</sup> Street, 9th Floor, Rear Conference Room, Miami, Florida

**ISSUED BY MIAMI-DADE COUNTY:**

Internal Services Department, Strategic Procurement Division  
for  
Miami-Dade Transportation Planning Organization (TPO)

**MIAMI-DADE COUNTY CONTACT FOR THIS SOLICITATION:**

Marie Williams, Procurement Contracting Officer  
111 NW 1<sup>st</sup> Street, Suite 1300, Miami, Florida 33128  
Telephone: (305) 375-3248  
E-mail: [marie.williams@miamidade.gov](mailto:marie.williams@miamidade.gov)

**PROPOSALS DUE:**

**TBD**, at 6:00 PM (local time)

**IT IS THE POLICY OF MIAMI-DADE COUNTY (COUNTY) THAT ALL ELECTED AND APPOINTED COUNTY AND TPO OFFICIALS AND COUNTY AND TPO EMPLOYEES SHALL ADHERE TO THE PUBLIC SERVICE HONOR CODE (HONOR CODE). THE HONOR CODE CONSISTS OF MINIMUM STANDARDS REGARDING THE RESPONSIBILITIES OF ALL PUBLIC SERVANTS IN MIAMI-DADE COUNTY. VIOLATION OF ANY OF THE MANDATORY STANDARDS MAY RESULT IN ENFORCEMENT ACTION.  
(SEE IMPLEMENTING ORDER 7-7)**

**Electronic proposal responses to this RFQ are to be submitted through a secure mailbox at BidSync until the date and time as indicated in this document.** It is the sole responsibility of the Proposer to ensure its proposal reaches BidSync before the Solicitation closing date and time. There is no cost to the Proposer to submit a proposal in response to a Miami-Dade County solicitation via BidSync. Electronic proposal submissions may require the uploading of electronic attachments. The submission of attachments containing embedded documents or proprietary file extensions is prohibited. All documents should be attached as separate files. All proposals received and time stamped through the County's third party partner, BidSync, prior to the proposal submittal deadline shall be accepted as timely submitted. The circumstances surrounding all proposals received and time stamped after the proposal submittal deadline will be evaluated by the procuring department in consultation with the County Attorney's Office to determine whether the proposal will be accepted as timely. Proposals will be opened promptly at the time and date specified. The responsibility for submitting a proposal on or before the stated time and date is solely and strictly the responsibility of the Proposer. The County and the TPO will in no way be responsible for delays caused by technical difficulty or caused by any other occurrence. All expenses involved with the preparation and submission of proposals to the County, or any work performed in connection therewith, shall be borne by the Proposer(s).

A Proposer may submit a modified proposal to replace all or any portion of a previously submitted proposal up until the proposal due date. The County will only consider the latest version of the proposal. For competitive bidding opportunities available, please visit the County's Internal Services Department website at: <http://www.miamidade.gov/procurement/>.

Requests for additional information or inquiries must be made in writing and submitted using the question/answer feature provided by BidSync at [www.bidsync.com](http://www.bidsync.com). The County will issue responses to inquiries and any changes to this Solicitation it deems necessary in written addenda issued prior to the proposal due date (see addendum section of BidSync Site). Proposers who obtain copies of this Solicitation from sources other than through BidSync risk the possibility of not receiving addenda and are solely responsible for those risks.

## 1.0 PROJECT OVERVIEW AND GENERAL TERMS AND CONDITIONS

### 1.1 Introduction

Miami-Dade County, hereinafter referred to as the County, is soliciting proposals for the professional services of one (1) qualified consultant firm to provide State Legislative Advocacy Services on behalf of the Miami-Dade Transportation Planning Organization (TPO) which approves federally required plans and transportation policies (refer to Florida Statute 339.175). The TPO Governing Board is vested with the responsibility for exercising the powers of the TPO including the final decision on all policy matters, adoption or endorsement of transportation plans and programs, adoption of budgets, approval of agreements or contracts, adoption of rules, and establishing or changing its internal operating structure.

The TPO anticipates awarding one contract for a one-year period, with two, one-year options to renew, at the TPO's sole discretion.

#### **The anticipated schedule for this Solicitation is as follows:**

Solicitation Issued:	See front cover for date and time.
Pre-Proposal Conference:	See front cover for date, time, and place. Attendance is recommended but not mandatory. If you need a sign language interpreter or materials in accessible format for this event, please call the ADA Coordinator at (305) 375-2013 or email <a href="mailto:hjwrig@miamidade.gov">hjwrig@miamidade.gov</a> at least five days in advance.
Deadline for Receipt of Questions:	TBD
Proposal Due Date:	See front cover for date and time.
Evaluation Process:	TBD
Projected Award Date:	TBD

### 1.2 Definitions

The following words and expressions used in this Solicitation shall be construed as follows, except when it is clear from the context that another meaning is intended:

1. The word "Contractor" to mean the Proposer that receives any award of a contract from the **County** as a result of this Solicitation, also to be known as "the prime Contractor".
2. The word "County" to mean Miami-Dade County, a political subdivision of the State of Florida.
3. The word "TPO" to mean the Transportation Planning Organization for the Miami Urbanized Area, created pursuant to Section 339.175 Florida Statutes.
4. The word "Proposal" to mean the properly signed and completed written good faith commitment by the Proposer submission in response to this Solicitation by a Proposer for the Services, and as amended or modified through negotiations.
5. The word "Proposer" to mean the person, firm, entity or organization, as stated on the Proposal Submittal Form, submitting a proposal to this Solicitation.
6. The words "Scope of Services" to mean Section 2.0 of this Solicitation, which details the work to be performed by the Contractor.
7. The word "Solicitation" to mean this Request for Qualifications (RFQ) document and all associated addenda and attachments.
8. The word "Subcontractor" to mean any person, firm, entity or organization, other than the employees of the Contractor, who contracts with the Contractor to furnish labor, or labor and materials, in connection with the Services to the County, whether directly or indirectly, on behalf of the Contractor.
9. The words "Work", "Services", "Program", or "Project" to mean all matters and things that will be required to be done by the Contractor in accordance with the Scope of Services, and the terms and conditions of this Solicitation.
10. The word "Mayor" to mean the Executive Director of the Transportation Planning Organization or designee.
11. The words "Board of County Commissioners" to mean the Transportation Planning Organization's Governing Board.

### 1.3 General Proposal Information

The County/TPO may, at its sole and absolute discretion, reject any and all or parts of any or all proposals; accept parts of any and all proposals; further negotiate project scope and fees; postpone or cancel at any time this Solicitation process; or waive any irregularities in this Solicitation or in the proposals received as a result of this process. In the event that a Proposer wishes to take an exception to any of the terms of this Solicitation, the Proposer shall clearly indicate the exception in its proposal. No exception shall be taken where the Solicitation specifically states that exceptions may not be taken. Further, no exception shall be allowed that, in the County's/TPO's sole discretion, constitutes a material deviation from the requirements of the Solicitation. Proposals taking such exceptions may, in the County's/TPO's sole discretion, be deemed nonresponsive. The County/TPO reserves the right to request and evaluate additional information from any Proposer regarding Proposer's responsibility after the submission deadline as the County/TPO deems necessary.

The Proposer's proposal will be considered a good faith commitment by the Proposer to negotiate a contract with the TPO, in substantially similar terms to the proposal offered and, if successful in the process set forth in this Solicitation and subject to its conditions, to enter into a contract substantially in the terms herein. The Proposer's proposal shall be irrevocable until contract award unless the proposal is withdrawn. A proposal may be withdrawn in writing only, addressed to the County contact person for this Solicitation, prior to the proposal due date and time, or upon the expiration of 180 calendar days after the opening of proposals.

As further detailed in the Proposal Submittal Form, Proposers are hereby notified that all information submitted as part of, or in support of proposals will be available for public inspection after opening of proposals, in compliance with Chapter 119, Florida Statutes, popularly known as the "Public Record Law."

Any Proposer who, at the time of proposal submission, is involved in an ongoing bankruptcy as a debtor, or in a reorganization, liquidation, or dissolution proceeding, or if a trustee or receiver has been appointed over all or a substantial portion of the property of the Proposer under federal bankruptcy law or any state insolvency law, may be found non-responsible.

To request a copy of any code section, resolution and/or administrative/implementing order cited in this Solicitation, contact the Clerk of the Board at (305) 375-5126, Monday- Friday, 8:00 a.m. – 4:30 p.m.

#### **1.4 Aspirational Policy Regarding Diversity**

Pursuant to Resolution No. R-1106-15, Miami-Dade County vendors are encouraged to utilize a diverse workforce that is reflective of the racial, gender and ethnic diversity of Miami-Dade County and employ locally-based small firms and employees from the communities where work is being performed in their performance of work for the County. This policy shall not be a condition of contracting with the TPO, nor will it be a factor in the evaluation of solicitations unless permitted by law.

#### **1.5 Cone of Silence**

Pursuant to Section 2-11.1(t) of the Code of Miami-Dade County, as amended, a "Cone of Silence" is imposed upon each Request for Proposals (RFP) or Request for Qualifications (RFQ) after advertisement and terminates at the time a written recommendation is issued. The Cone of Silence prohibits any communication regarding RFPs or RFQs between, among others:

- potential Proposers, service providers, lobbyists or consultants **and** the TPO and County's professional staff including, but not limited to, the TPO Executive Director, the County Mayor and the TPO and County Mayor's staff, TPO Governing Board Members and County Commissioners or their respective staffs;
- the TPO Governing Board Members, the County Commissioners and their respective staffs **and** the TPO and County's professional staff including, but not limited to, the TPO Executive Director and County Mayor and the County Mayor's staff; or
- potential Proposers, service providers, lobbyists or consultants, any member of the TPO and County's professional staff, the TPO Executive Director and the Mayor, TPO Governing Board Members and County Commissioners or their respective staffs **and** any member of the respective Competitive Selection Committee.

The provisions do not apply to, among other communications:

- oral communications with the staff of the Vendor Services Section, the responsible Procurement Contracting Officer, provided the communication is limited strictly to matters of process or procedure already contained in the Solicitation document;
- oral communications at pre-proposal conferences and oral presentations before Competitive Selection Committees during any duly noticed public meeting, public presentations made to the TPO Governing Board and/or Board of County Commissioners during any duly noticed public meeting;
- recorded contract negotiations and contract negotiation strategy sessions; or
- communications in writing at any time with any TPO and County employee, official or member of the TPO Governing Board and/or Board of County Commissioners unless specifically prohibited by the applicable RFP or RFQ documents.

When the Cone of Silence is in effect, all potential vendors, service providers, bidders, lobbyists and consultants shall file a copy of any written correspondence concerning the particular RFP or RFQ with the Clerk of the Board, which shall be made available to any person upon request. The County shall respond in writing (if County deems a response is necessary) and file a copy with the Clerk of the Board, which shall be made available to any person upon request. Written communications may be in the form of e-mail, with a copy to the Clerk of the Board at [clerkbcc@miamidade.gov](mailto:clerkbcc@miamidade.gov).

All requirements of the Cone of Silence policies are applicable to this Solicitation and must be adhered to. Any and all written communications regarding the Solicitation are to be submitted only to the Procurement Contracting Officer with a copy to the Clerk of the

Board. The Proposer shall file a copy of any written communication with the Clerk of the Board. The Clerk of the Board shall make copies available to any person upon request.

### **1.6 Communication with Competitive Selection Committee Members**

Proposers are hereby notified that direct communication, written or otherwise, to Competitive Selection Committee members or the Competitive Selection Committee as a whole is expressly prohibited. Any oral communications with Competitive Selection Committee members other than as provided in Section 2-11.1 of the Code of Miami-Dade County are prohibited.

### **1.7 Public Entity Crimes**

Pursuant to Paragraph 2(a) of Section 287.133 of the Florida Statutes, a person or affiliate who has been placed on the convicted vendor list following a conviction for a public entity crime may not submit a proposal for a contract to provide any goods or services to a public entity; may not submit a proposal on a contract with a public entity for the construction or repair of a public building or public work; may not submit proposals on leases of real property to a public entity; may not be awarded or perform work as a contractor, supplier, subcontractor, or consultant under a contract with any public entity; and, may not transact business with any public entity in excess of the threshold amount provided in Section 287.017 of the Florida Statutes for Category Two for a period of thirty-six (36) months from the date of being placed on the convicted vendor list.

### **1.8 Lobbyist Contingency Fees**

- a) In accordance with Section 2-11.1(s) of the Code of Miami-Dade County, after May, 16, 2003, no person may, in whole or in part, pay, give or agree to pay or give a contingency fee to another person. No person may, in whole or in part, receive or agree to receive a contingency fee.
- b) A contingency fee is a fee, bonus, commission or non-monetary benefit as compensation which is dependent on or in any way contingent upon the passage, defeat, or modification of: 1) any ordinance, resolution, action or decision of the TPO Governing Board; 2) any action, decision or recommendation of the TPO Executive Director or any County board or committee; or 3) any action, decision or recommendation of any TPO and County personnel during the time period of the entire decision-making process regarding such action, decision or recommendation which foreseeably will be heard or reviewed by the TPO Governing Board or a County board or committee.

### **1.9 Collusion**

In accordance with Section 2-8.1.1 of the Code of Miami-Dade County, where two (2) or more related parties, as defined herein, each submit a proposal for any contract, such proposals shall be presumed to be collusive. The foregoing presumption may be rebutted by the presentation of evidence as to the extent of ownership, control and management of such related parties in preparation and submittal of such proposals. Related parties shall mean Proposer, the principals, corporate officers, and managers of the Proposer; or the spouse, domestic partner, parents, stepparents, siblings, children or stepchildren of a Proposer or the principals, corporate officers and managers thereof which have a direct or indirect ownership interest in another Proposer for the same contract or in which a parent company or the principals thereof of one Proposer have a direct or indirect ownership in another Proposer for the same contract. Proposals found to be collusive shall be rejected. Proposers who have been found to have engaged in collusion may be considered non-responsible, and may be suspended or debarred, and any contract resulting from collusive bidding may be terminated for default.

## **2.0 SCOPE OF SERVICES**

### **2.1 Background/General**

Miami-Dade County, on behalf of the Miami-Dade Transportation Planning Organization (TPO), is soliciting proposals for the professional services of one (1) qualified consultant firm to provide State Legislative Advocacy Services to represent the TPO's legislative policy interests and assist in the development of strategies for advancing actions at the state and local levels that are beneficial to the TPO and its programs, including carrying out the vision in the Strategic Miami Area Rapid Transit (SMART) Plan. The SMART Plan includes six (6) rapid transit corridors and a network of bus express rapid transit (BERT) corridors throughout Miami-Dade County, please visit [www.miamidadetpo.org](http://www.miamidadetpo.org) for more information.

The selected Proposer to enter into an agreement, attached herein as **Attachment A - Draft Form of Agreement**, with the TPO as a result of this procurement, will provide the TPO with the required staff, resources, and expertise to effectively perform and complete the Scope of Services in this Solicitation. The selected Proposer shall provide a written monthly status report on pending legislation, budgetary issues, administrative policies, and other developments at the state and local levels that are of interest to the TPO, as well as provide legislative updates and presentations to the TPO Governing Board and/or staff as needed. In addition, the selected Proposer

shall provide an annual summary to be completed by June 1 of each year detailing developments on significant issues and actions taken to address TPO priorities and the issues that are likely to emerge in the coming year.

## **2.2 Minimum Qualification Requirement**

The selected Proposer should, at a minimum, possess: (i) a strong working knowledge of legislative, administrative, and regulatory processes at the state and local levels; (ii) a clear understanding of large urban areas, including specific knowledge of Miami-Dade County; (iii) a history of successful lobbying experience at the state and local levels; and (iv) a clear strategy for representing the TPO at meetings with key legislators and members of the Executive Branch.

## **2.3 Assignment of Work/Term**

It is the TPO's intention to solicit responses from interested parties, to evaluate the responses, and to award a contract to one (1) Proposer. The TPO reserves the right to request that the selected Proposer obtain services through subcontractors to supplement the expertise and resources which may be required at any given time and for the purposes of carrying out the intent of the requirements herein.

The TPO may choose to issue Work Orders on specific issues, for the purposes of carrying out the intent of the requirements herein. Recommendations for Work Orders will be made by the TPO Contract Manager. All Work Orders must be issue specific and performance driven, and approved by the TPO Executive Director or designee.

## **2.4 Requirements and Services to be Provided**

### **A. Lobbying Ordinances and Resolution Requirements**

The selected Proposer shall abide by and be governed by Miami-Dade County Ordinances and Resolutions, which may have a bearing on the services involved in any agreement(s) issued as a result of this Solicitation, including but not limited to, Section 2-11.1 of the Code of Miami-Dade County (Ordinance 72-82, Conflict of Interest Ordinance); Resolution No. R-1236-99 (Resolution Directing the County Mayor to Report Intergovernmental Activity by County Staff, Lobbyists, and Entities that Represent Miami-Dade County at the State and Federal Levels); Resolution No. R-232-01 (Resolution Instructing County Staff and Lobbyists to Limit Legislative Initiatives and Funding Requests to Those Approved by the County Commission); Section 2-11.1.2 of the Code of Miami-Dade County (Ordinance No. 00-64, Ordinance Relating to County's Lobbyists); and Resolution No. R-56-10 (Resolution Setting Policy for Miami-Dade County that all Contract Lobbyists shall Obtain a Waiver from the Board of County Commissioners Prior to Representing any Client in any Forum that is Adverse to the County), all as such may be amended from time to time.

Pursuant to Ordinance Nos. 72-82 and 00-64 and Resolution No. R-1236-99, no person or entity, whether an individual, firm, partnership or corporation, which receives compensation either directly or indirectly from the County for lobbying on behalf of the County or any of its agencies or instrumentalities at either the municipal, state, or national level shall represent any entity in any forum to support a position in opposition to a position of the County unless the Board of County Commissioners grants a specific waiver for a specific lobbying activity. The failure to comply with this provision shall result in either or both of the following: (i) the selected Proposer's contract being voidable by the County or (ii) a prohibition, for a period of up to three years, as determined by the Board of County Commissioners in its sole discretion, on the selected Proposer entering into a lobbying contract with the County.

The selected Proposer, on behalf of itself and any and all employees, partners, and subcontractors, shall have an affirmative obligation to notify the TPO Executive Director in writing of each and every party the selected Proposer and/or its employees, partners, or subcontractors wishes to represent before the Florida Legislature, the Governor's Office, or any state agency, as well as the nature of the proposed representation. This obligation shall apply whether such party or interest is adverse to the TPO or not. Such notification must include all parties the selected Proposer, its employees, partners, or subcontractors wishes to represent.

Separate and independent from the above-referenced obligation, the selected Proposer, on behalf of itself and any and all employees, partners, and subcontractors, must advise the TPO Executive Director in writing of any position in opposition to a position of the TPO taken by the selected Proposer, any employee, partner, or subcontractor and request a waiver of such conflict by the TPO Governing Board or designee. A position in opposition to a position of the TPO may take the form of an adverse policy position or fiscal impact on the TPO, either direct or indirect. A position in opposition to a position of the TPO is not limited to a position that conflicts with an express provision of the legislative package adopted by the TPO Governing Board. It may also arise in other areas. Not every TPO interest can be anticipated or enumerated in the TPO legislative package, and issues arise and change over the course of the legislative process. It is incumbent on the selected Proposer, employees, partners, and subcontractors to remain mindful of the TPO's policy and fiscal interests and positions vis-à-vis other clients. If an actual or perceived conflict arises, the selected Proposer and/or subcontractor must advise the TPO Executive Director immediately in writing and seek a waiver of the conflict by the TPO Governing Board, as appropriate.



Once a conflict waiver request has been received by the TPO, the TPO Executive Director reserves the right to determine whether the selected Proposer and/or employee, partner, or subcontractor may continue representing the TPO and the other interest until the TPO Governing Board can consider the conflict issue. The TPO Governing Board may take, in its sole discretion, any action regarding a waiver request, including but not limited to the following: (i) grant a waiver and allow the selected Proposer, and/or employee, partner, or subcontractor to continue to represent both the TPO and the other party; (ii) refuse to grant a waiver and require the selected Proposer, and/or employee, partner, or subcontractor to choose between representing the TPO or the other party, or to discontinue representing the other party; (iii) refuse to grant a waiver and void its contract with the selected Proposer and/or employee, partner, or subcontractor; or (iv) grant a limited waiver and allow the selected Proposer and/or employee, partner, or subcontractor to continue to represent both the TPO and the other party under whatever limitations or restrictions the TPO, in its sole discretion, determines to be appropriate.

Pursuant to Resolution No. R-1236-99, the selected Proposer and each subcontractor shall prepare regular monthly reports advising the TPO Executive Director of the current status of all issues that the lobbyist is monitoring or tracking that may affect the TPO, the actions taken on such issues, and the recommendations for future actions on such issues. The selected Proposer and each subcontractor shall also raise, discuss and recommend any affirmative legislative action that may benefit the TPO. Also, pursuant to Resolution No. R-1236-99, all County contracts and subcontracts for lobbying or representation at the state or federal level and/or individuals and firms hired to represent the TPO issues must be approved by the TPO Governing Board. As such, any subcontractors that the selected Proposer seeks to hire to fulfill the requirements of any contract issued as a result of this Solicitation must receive prior approval by the TPO Governing Board.

Pursuant to Resolution No. R-885-06, the selected Proposer's and each subcontractor's individuals registered as a contract lobbyist to lobby the State Legislature on behalf of the County shall be prohibited from lobbying the Board of County Commissioners during the regular state legislative session. This does not prohibit individuals who are not registered as state legislative contract lobbyists for the County from lobbying the Board of County Commissioners and does not apply to individuals lobbying the Board of County Commissioners on behalf of a section 501(c)(3) not-for-profit organization. The County staff shall provide each commissioner with a list at the beginning of each session of all County contract lobbyists registered to lobby the legislative branch at the state level on behalf of the County, and any subsequent changes or updates to such a list.

## **B. Representation and Consulting Services**

The selected Proposer shall provide a full range of State legislative advocacy services requested by the TPO that will yield effective representation regarding transportation initiatives before the State's executive branch, legislative branch, the Florida Department of Transportation (FDOT) and related transportation agencies.

1. The PRIORITIES of the selected Proposer(s) shall be as follows:
  - a. Advocate on behalf of the Miami-Dade TPO.
  - b. Assign an individual which shall be approved by TPO Executive Director, to provide direct contact/communication with State Legislators, Governor and executive staff when advocating on behalf of the Miami-Dade TPO.
  - c. Advocate to secure support and funding of the SMART Plan and other TPO Program priorities.
  - d. Advocate on behalf of TPO interest related to specific state transportation policy issues as directed by the Miami-Dade TPO.
  - e. Maintain a significant presence in Tallahassee, Florida so that the TPO's interests can be represented before Tallahassee based state officials on an immediate basis.
  - f. Provide timely information to the TPO's Executive Director on major state actions and events impacting the Miami-Dade TPO.
2. The selected Proposer shall provide GENERAL SERVICES as follows:
  - a. Maintain knowledge of issues concerning the Miami-Dade TPO and be prepared to offer advice and advocacy support.
  - b. Assign a designated staff person to closely monitor and review all substantive floor amendments and bills, and preparing reports advising the TPO of the current status of legislation during and after the legislative session.
  - c. Be available, as needed, on a twenty-four hour basis during the legislative session: assisting in writing, interpreting, and monitoring legislation and regulations; drafting legislation, amendments, proviso language, position papers, and testimony.
  - d. Obtain documentation and research materials upon request.
  - e. Forward all required reports to the TPO Contract Manager in the number of copies requested by the TPO for that particular instance.
  - f. Arrange for meetings with members of the state legislature including members of the Miami-Dade County Legislative Delegation and those in leadership positions and in key committees as well as with senior staff of the state legislature and key officials in the Governor's Office and critical state agencies.
  - g. Coordinate with other MPOs' lobbying efforts across the state on issues of collective interests.

3. The selected Proposer shall provide STATE LEGISLATIVE ADVOCACY SERVICES as follows:
  - a. Coordinate and pursue efforts to establish and maintain relationships with state agencies to secure support and funding of the Miami-Dade TPO program priorities, particularly the SMART Plan.
  - b. Provide advice and assist in developing the Miami-Dade TPO State Legislative Platform and making recommendations for an annual legislative strategy, identifying key priorities.
  - c. Keep the Miami-Dade TPO abreast of state legislation through analysis and recommendations for advocacy; assisting in the development, proposal and sponsorship of State bills/amendments needed to further the Miami-Dade TPO's goals and priorities; work with state legislative staff and members to advocate passage of said bills and or amendments to bills; coordinating and facilitating meetings with the appropriate state agencies, legislative staff and elected officials to communicate the TPO's interests, concerns, needs, etc.
  - d. Identify and evaluate the potential impact(s) of proposed legislation, policies, budgetary changes, and regulations to the TPO's program priorities and provide more detailed advice, analysis, and research related to such issues along with suggesting strategies for responding or reacting to threats, challenges, or opportunities in the legislative or regulatory realm.
  - e. Provide assistance in preparing briefing information, notes, testimony, letters, or legislation, as needed, in addition to analyzing relevant State proposals, writing articles for publication, and updates for dissemination to the Miami-Dade TPO. Assist in the development for advancing actions at the State level that are beneficial to the Miami-Dade TPO such as developing and managing strategies to achieve passage of legislation, and sponsorship of State bills/amendments needed to further the Miami-Dade TPO's program priorities, particularly the SMART Plan.
  - f. Communicate regularly and directly with elected representatives of the House of Representatives, the Senate, various state committees and their respective staff members, as well as with staff members of the various agencies within the Florida Department of Transportation (FDOT) and other state agencies with transportation related programs regarding issues pertinent to the Miami-Dade TPO.
  - g. Testify before legislative committees and/or regulatory bodies on behalf of the Miami-Dade TPO. Provide periodic timely written updates, during the State legislative session on current trends and issues. Provide other written status reports to the TPO Executive Director on key state transportation issues and legislation, as appropriate.
  - h. Analyze the Governor's proposed transportation budget for the fiscal year and provide the Miami-Dade TPO with a summary of impacts. This should be done before the legislature passes the final budget, in order for the TPO to have time to provide comments to members of the Miami-Dade Legislative Delegation and other partners.
  - i. Assist the Miami-Dade TPO Executive Director in arranging at least one meeting per year between the TPO Governing Board members and members of the Miami-Dade Legislative delegation.
  - j. Maintain a level of awareness and knowledge of the Miami-Dade TPO's program priorities and activities to conduct all of the above.
4. The selected Proposer shall perform the following communication efforts:
  - a. On a weekly and real-time basis throughout the year, provide written updates that inform the Miami-Dade TPO of developments coming from the State Legislature that impact the TPO.
  - b. Act quickly on Miami-Dade TPO's behalf regarding developments in Tallahassee, Florida, with impact on funding and policy matters.
  - c. Provide monthly reports (weekly during the Legislative session) in a timely manner, advising the TPO on the current status of all issues that they are being monitored or tracked that may affect Miami-Dade TPO, the actions taken, recommendations for future actions and possible resolution on such issues.
  - d. Provide legislative and policy research on legislative proposals and Executive agency regulations/issues.
  - e. Work with the TPO Executive Director to prepare written communications that advance the Miami-Dade TPO's position on State legislative, policy, and intergovernmental issues.
  - f. File memoranda in support of or in opposition to state government actions; and attend and report on relevant committee hearings.
  - g. Monitor and advise the TPO Executive Director of any State ballot measures or referenda that would affect the Miami-Dade TPO and provide recommendations.
5. Deliverables
  - a. **Annual Submission of Suggested Legislative Strategy** – The selected Proposer will provide a proposed written legislative strategy for the Miami-Dade TPO to consider, based on the approved Miami-Dade TPO Legislative Platform, which includes the advancement of the SMART Plan. The strategy should be based on pending legislative actions, trends, and political activities, etc. The strategy will incorporate the Miami-Dade TPO's Legislative Platform which the Consultant will assist in developing. The strategy shall have specific objectives for key meetings to arrange, activities to monitor, and



other actions that will occur over the coming year. The strategy will also include talking points to be used by the TPO's Executive Director.

- b. **Monthly Written Reports** – The selected Proposer must provide monthly written summaries of all activities performed and the status of ongoing talks, in support of the Miami-Dade TPO representation.
- c. **Weekly Reports During Session** – The selected Proposer shall prepare and submit weekly activity reports throughout the regular State legislative session, as well as any extended or special sessions, to the TPO Executive Director.
- d. **Weekly Meetings During Session** – The selected Proposer shall organize and facilitate weekly legislative Consultant team meetings with the TPO Executive Director throughout regular and extended or special sessions.
- e. **Attendance at Miami-Dade TPO Governing Board Meetings** – The selected Proposer shall personally appear and provide a formal presentation to the Miami-Dade TPO Governing Board and TPO Governing Board standing committees at least annually, and attend via conference call for other meetings, as needed.
- f. **Represent the Miami-Dade TPO with Florida Legislature and Others** – The selected Proposer must document at least three (3) meetings each month during the time the Florida Legislature is in session, related to its representation of the Miami-Dade TPO with elected officials, their staff, executive branch staff, or other related officials.
- g. **Other Services and Participation** – The selected Proposer shall conduct other services and participation in meetings, as may be deemed necessary, to implement the Miami-Dade TPO's Legislative Program.

**General requirements under this section:**

- An invoice will not be accepted by the TPO as proper, and ready for payment, if there are any outstanding items/reports due from that invoice period or earlier.
- The TPO Executive Director shall have the option to request formal hard copies of reports for dissemination to the TPO Governing Board or informal electronic submittals.

6. **Optional Services**

The Miami-Dade TPO reserves the right to request office space in the vicinity of the Capitol, with ancillary services including, but not limited to, parking, phones, computer equipment, supplies, clerical support to TPO staff, facsimile, copy machine, filing space, and an intern/runner, for use by TPO staff for the duration of their time in Tallahassee. The TPO has the option of requiring any selected Proposer to provide the referenced office space and ancillary services at an agreed upon cost. All optional services and related expenses require prior written TPO approval.

**2.5 Budget/Cost**

The TPO will have an aggregate amount available for these services of up to \$75,000 per year (to be allocated based upon services requested). Additionally, the TPO may provide for an additional aggregate amount per year to issue Work Orders.

**3.0 RESPONSE REQUIREMENTS**

**3.1 Submittal Requirements**

In response to this Solicitation, Proposer should **complete and return the entire Proposal Submission Package**. Proposers should carefully follow the format and instructions outlined therein. All documents and information must be fully completed, signed as required, and submitted in the manner described.

The proposal shall be written in sufficient detail to permit the County and the TPO to conduct a meaningful evaluation of the proposed services. However, overly elaborate proposals are not requested or desired.

**4.0 EVALUATION PROCESS**

**4.1 Review of Proposals for Responsiveness**

Each proposal will be reviewed to determine if the proposal is responsive to the submission requirements outlined in this Solicitation. A responsive proposal is one which follows the requirements of this Solicitation, includes all documentation, is submitted in the format outlined in this Solicitation, is timely submitted, and has the appropriate signatures as required on each document. Failure to comply with these requirements may result in the proposal being deemed non-responsive.

#### **4.2 Evaluation Criteria**

Proposals will be evaluated by a Competitive Selection Committee on criteria listed below, as detailed in **Attachment B – Proposer Information**. Each have equal importance to the TPO.

1. Proposer’s relevant experience, qualifications, past performance, and capabilities.
2. Relevant experience and qualifications of key personnel, including key personnel of subcontractors, that will be assigned to this project, and experience and qualifications of subcontractors.
3. Proposer’s approach to providing the requested services and ability to establish, maintain and enhance working relationships between TPO elected officials and staff, and the executive and legislative branches of the state government and relevant state agencies.

The Competitive Selection Committee will be comprised of appropriate TPO personnel and members of the community, as deemed necessary, with the appropriate experience and/or knowledge, striving to ensure that the Competitive Selection Committee is balanced with regard to both ethnicity and gender.

#### **4.3 Oral Presentations**

Upon evaluation of, or as part of, the criteria indicated above, the Competitive Selection Committee may choose to conduct an oral presentation with the Proposer(s) which the Competitive Selection Committee deems to warrant further consideration. See Affidavit – “Lobbyist Registration for Oral Presentation” regarding registering speakers in the proposal for oral presentations. Upon completion of the oral presentation(s), the Competitive Selection Committee will re-evaluate the proposals remaining in consideration based upon the written documents combined with the oral presentation.

#### **4.4 Selection Factor**

This Solicitation includes a selection factor for Miami-Dade County Certified Small Business Enterprises (SBE’s) as follows. An SBE/Micro Business Enterprise must be certified by the Small Business Development Division for the type of goods and/or services the Proposer provides in accordance with the applicable Commodity Code(s) for this Solicitation. For certification information contact the Small Business Development Division at (305) 375-2378 or <http://www.miamidade.gov/smallbusiness/>

The SBE/Micro Business Enterprise must be certified by the proposal submission deadline, at contract award, and for the duration of the contract to remain eligible for the preference. Firms that graduate from the SBE Program during the contract term may remain on the contract.

#### **4.5 Local Certified Veteran Business Enterprise Preference**

A Miami-Dade County Local Certified Service-Disabled Veteran’s Business Enterprise preference is not applicable to this Solicitation.

#### **4.6 Local Preference**

Section 2-8.5 of the Miami-Dade County Code, which provides that preference be given to local businesses has been waived for this Solicitation and, therefore, is not applicable.

#### **4.7 Competitive Selection Committee Recommendation**

The TPO may award a contract based initial offers received, without discussions. Therefore, each initial offer should contain the Proposer’s best terms.

The Competitive Selection Committee will evaluate the proposals in its discretion and report to the TPO Governing Board the proposers which are qualified to perform the required services and those proposers not qualified. In addition, the Competitive Selection Committee will make a recommendation to the TPO Governing Board of which qualified proposer should be awarded a contract in the best interest of the TPO, along with a report supporting its recommendation. While the recommendation of the Competitive Selection Committee shall serve as guidance to the Board in the award, the Board shall be entitled to award the proposed contract in its sole discretion upon application of the selection criteria, and shall not be bound by any recommendation or finding of the Competitive Selection Committee.

Any Proposer recommended for consideration by the Board shall complete a Collusion Affidavit, in accordance with Sections 2-8.1.1 of the Miami-Dade County Code. (If a Proposer fails to submit the required Collusion Affidavit, said Proposer shall be ineligible for award.)

#### **4.8 Contract Award**

Any proposed contract, resulting from this Solicitation, will be submitted to the TPO Executive Director or designee. All Proposers will be notified in writing of the decision of the TPO Executive Director or designee with respect to contract award. The Contract award, if any, shall be made to the Proposer whose proposal shall be deemed by the TPO to be in the best interest of the TPO. Notwithstanding the rights of protest listed below, the TPO's decision of whether to make the award and to which Proposer shall be final.

#### **4.10 Rights of Protest**

A recommendation for contract award or rejection of all proposals may be protested by a Proposer in accordance with the procedures contained in Sections 2-8.3 and 2-8.4 of the Code of Miami-Dade County, as amended, and as established in Implementing Order No. 3-21.

### **5.0 TERMS AND CONDITIONS**

The TPO's anticipated form of agreement is attached herein as **Attachment A - Draft Form of Agreement**. The terms and conditions summarized below are of special note and can be found in their entirety in the agreement:

#### **a) Vendor Registration**

Prior to being recommended for award, the Proposer shall complete a Miami-Dade County Vendor Registration Package. For online vendor registration, visit the Vendor Portal: <http://www.miamidade.gov/procurement/vendor-registration.asp>.

#### **b) Insurance Requirements**

The Contractor shall furnish to the Internal Services Department, Strategic Procurement Division, prior to the commencement of any work under any agreement, Certificates of Insurance which indicate insurance coverage has been obtained that meets the stated requirements.

#### **c) Inspector General Reviews**

In accordance with Section 2-1076 of the Code of Miami-Dade County, the Office of the Inspector General may, on a random basis, perform audits on all County contracts, throughout the duration of said contracts, except as otherwise indicated. The cost of the audit, if applicable, shall be one quarter (1/4) of one (1) percent of the total contract amount and the cost shall be included in any proposed price. The audit cost will be deducted by the County from progress payments to the Contractor, if applicable.

#### **d) User Access Program**

Pursuant to Section 2-8.10 of the Code of Miami-Dade County, any agreement issued as a result of this Solicitation is subject to a user access fee under the County User Access Program (UAP) in the amount of two percent (2%). All sales resulting from this Solicitation and the utilization of the County contract price and the terms and conditions identified therein, are subject to the two percent (2%) UAP.

### **6.0 ATTACHMENTS**

Attachment A - Draft Form of Agreement

Proposal Submission Package:

Proposer Information Section

Web Forms – Proposal Submittal Form, Fair Subcontract Practices Affidavit, Subcontractor Listing, Lobbyist Registration Form, and Contractor Due Diligence Affidavit

Attachment B - Proposer Information Sheet

Attachment C – Subject Areas/Issues