

**Town of Holly Springs**

**REQUEST FOR PROPOSALS**

**FOR STATE LOBBYING SERVICES**

RFP #2024-xxx

**ISSUE DATE: January XX, 2024**

**DUE DATE: January XX, 2024**

**ISSUED BY:**

**Town of Holly Springs
Holly Springs, North Carolina**

# PURPOSE AND GENERAL INFORMATION

## Purpose

## The purpose of this Request for Proposals (RFP) is to solicit responses that will enable the Town to determine which respondent and proposed solution will best meet the town’s needs for State Lobbying Services, as described in the scope in Section 2.

## Accuracy of RFP and Related Documents.

# Each respondent must independently evaluate all information provided by the Town. The Town makes no representations or warranties regarding any information presented in, or otherwise made available during this procurement process, and assumes no responsibility for conclusions or interpretations derived from such information. Additionally, the Town will not be bound by or responsible for any explanations or conclusions regarding this or any related documents other than those provided by an addendum issued by the Town. Respondents may not rely on any oral statement by the Town or its agents, advisors, or consultants.

# If a respondent identifies potential errors or omissions in this or any other related documents, the respondent should immediately notify the contact listed in Section 3.2 of such potential discrepancy in writing. The Town may issue a written addendum if it determines correction is necessary.

# Town’s Rights and Options.

# The Town reserves the right, at the Town’s sole discretion, to take any action affecting this RFP, this RFP process, or the services or facilities subject to this RFP, that would be in the best interests of the Town, including:

# To supplement, amend, substitute, or otherwise modify this RFP, including the schedule, or to cancel this RFP, at any time;

# To require any respondent to supplement or clarify its proposal or provide additional information relating to its response;

# To investigate the qualifications, experience, capabilities, and financial standing of each respondent submitting a proposal;

# To waive any defect or irregularity in any proposal received;

# To reject any or all proposals;

# To share the proposals with Town employees and contractors, in addition to the Evaluation Committee, as deemed necessary by the Town;

# To award all, none, or any part of the services and enter into contracts with one or more of the respondents deemed by the Town to be in the best interest of the Town, which may be done with or without re-solicitation;

# To discuss and negotiate with any respondents their proposal terms and conditions, including but not limited to financial terms; and

# To terminate discussions and negotiations with any respondent at any time and for any reason.

# Expense of Submittal Preparation.

## The Town accepts no liability and respondents will have no actionable claims for reimbursement of any costs or expenses incurred while participating in this solicitation process. This includes expenses and costs related to proposal submission, submission of written questions, attendance at evaluation interviews, contract negotiations, or activities required for contract execution.

# SCOPE FOR STATE LOBBYING SERVICES

* 1. **General Scope**

The Town of Holly Springs requires a Company to lobby the North Carolina General Assembly on its behalf. The Company shall supplement the work of the Town Council’s Legislative Action Committee, Town Manager, and Town Attorney. The initial term of services will be for the 2024 short session. Dependent upon the Company’s performance during this session, the Town may offer an extension to the engagement into the 2025 long session.

Working in conjunction with the Town Manager, the Company will actively and continuously lobby the General Assembly to assist the Town in several key areas including, but not limited to, the following:

* Economic development (primarily infrastructure support on Town/County/State named recruitment projects);
* Environmental quality;
* Highways and Streets;
* Planning and land use;
* Public safety;
* Stormwater;
* Tax policies;
* Water and Sewer; and
* Other Town Council priorities.

The Company shall also:

* Maintain liaison with the leadership of the General Assembly;
* Maintain liaison with the Town’s State delegation;
* Counsel Mayor and Town Council, Town Manager, Town Attorney, and Town Manager’s Executive Team regarding the development and improvement of relationships with the leadership of the General Assembly and State delegation;
* Review state executive proposals, legislation under consideration, proposed and adopted administrative rules and regulations, and other developments for the purpose of advising the Town of issues that may have a bearing on the Town's policies and programs;
* Confer with the Town Manager, Town Attorney, and Town Manager’s Executive Team on preparation and implementation of legislative agendas; and
* Work with the Town through the Town Manager.

## Additional Information/Documentation

## The Town’s 2023 State Legislative Agenda is attached (ADD LOCATION OF ATTACHMENT). The Town Council typically updates their legislative agenda annually, in the January/February timeframe.

## PROCUREMENT PROCESS

## Schedule

## The following table shows the schedule of events for the conduct of this solicitation. Details for some of the events are described in subsequent sections.

|  |  |
| --- | --- |
| DATE / TIME | EVENT |
| January XX, 2024 | Issuance of RFP by the Town. |
| January XX, 2024 by 4:00 p.m. | Deadline for respondents to submit written questions. |
| January XX, 2024 by 4:00 p.m. | Deadline for Town’s answers to question submissions. |
| January XX, 2024 by 4:00 p.m. | Proposals due from respondents. |
| On or after January XX, 2024 | Proposal evaluation begins and award(s) and contract negotiation(s) will follow |

## Questions

# Respondents shall submit all questions, in writing, to the contact’s e-mail address listed below. When submitting questions, please reference the solicitation name and number, as well as the page and section, if applicable. Question submissions are due by the date and time listed in the “Schedule” table located above in Section 3.1. Questions submitted after the deadline do not require a response, though the Town will make reasonable efforts to provide clarification before the proposal deadline, if able.

# Contact Information:

# Brettany DeVolld, Purchasing Manager

# RFP #2024-XXX State Lobbying Services

# brettany.devolld@hollyspringsnc.gov

Apart from question submissions, respondents should refrain from contacting Town staff prior to the Proposal deadline.

## Responses to Questions & Addenda

## Responses to question submissions and addenda (if applicable) will be posted on the Department of Administration’s Electronic Vendor Portal (eVP) under the appropriate solicitation number/project, as well as the Town of Holly Springs website at the following hyperlink: <https://www.hollyspringsnc.gov/2456/Bids-Requests-for-Proposals>. It is suggested that you sign up for email updates at the bottom of this page to ensure you receive all relevant information, as it is posted. It is the respondent’s responsibility to ensure they have received, reviewed, and understand all posted addenda.

## Proposal Submission

## Proposals must be submitted via email to the contact listed in Section 3.2 and by the date and time listed in the “Schedule” table located in Section 3.1. Proposal content and format details are specified in the subsequent section of this solicitation. Upon receipt, all responses and supporting materials become property of the Town and are open to public record.

## Evaluation

## Proposals will be reviewed by an Evaluation Committee designated by the Town and per the proposal evaluation criteria defined in Section 5. The Committee may engage in discussions with respondents to determine in greater detail the respondent’s qualifications, explore the respondent’s scope and nature of the required contractual services, learn the respondent’s proposed method of performance, and to facilitate contract negotiations.

## The Town may, at its discretion, require respondents to furnish presentations to the Evaluation Committee or appear before the Town and/or its representatives for an interview or additional meetings. Respondents will be notified in advance of the time and format of such meetings, if applicable. Since the Town may choose to award a contract without engaging in discussions or negotiations, the proposals submitted shall state the respondent's best offer for performing the services described in this solicitation.

## Contract Award

## Upon completion of proposal reviews and evaluations, if the Town has determined a suitable offer, it will notify all respondents of the contract award decision via email.

## Vendor Inclusion

## The Town’s vendor management philosophy supports a fair, open, and inclusive process that offers the same access and information to all vendors. The Town provides an email alert option to allow vendors optimal notice and access to all solicitations as they are posted. This can be found on the Town of Holly Springs website at the following hyperlink: <https://www.hollyspringsnc.gov/2456/Bids-Requests-for-Proposals>

##

## PROPOSAL CONTENT AND FORMAT

## Content

## To facilitate the evaluation process, the Town requires all responses to be organized per the content and format instructions in this section. The proposal content should be labeled and structured as follows:

## Cover letter

## Proposed Solution

## Required Form 1: “Fee Schedule” – form located in Section 6

## Required Form 2: “Background and Experience” – form located in Section 6

## Required Form 3: “References” – form located in Section 6

## Additional Documentation

## Failure to organize the information requested in accordance with this section may result in the Town, at its sole discretion, deeming the proposal as non-responsive.

## Cover Letter.

## The proposal must include a letter of transmittal attesting to its accuracy and signed by an individual authorized to execute binding legal documents for the business. The cover letter shall provide the legal name, address, and telephone number of the business along with the designated contact’s name, title, email address, and telephone number. Communicate understanding of the scope and a brief description of your approach to perform the requested services.

## Proposed Solution.

## Given the purpose and scope of this solicitation, provide a creative solution to meet the Town’s goals. For each component of the project, as described in Section 2, explain how your proposed solution complies and include any additional information requested. Provide details of key individuals that would comprise the project’s team, including but not limited to qualifications, professional certifications, and experience. Additional information deemed relevant to your proposed solution may be included and labeled as “Supplemental Information” in this response section.

## Required Forms.

## To be deemed responsive to this solicitation, respondents must complete, in detail, all “Required Forms.” Template forms are located in Section 6 of the solicitation. If your response cannot be completed within the framework of the provided form(s), please attach the continuation to the respective form and label as such.

## Additional Documentation

## The Town may request specific documentation as relevant to the project or the contract and will list those requests below. The documents listed will specify whether it is required or optional. Include the additionally requested documentation in this section of your proposal, if applicable.

##

|  |  |  |
| --- | --- | --- |
| 1 | The Town will supply its own contract documentation with language approved by our Town Attorney. If your company has standard contract language or general conditions that it seeks to incorporate into an awarded contract, include this in your proposal.  | Optional |
| 2 | Anything additional you’d like to see? |  |

## Format

## Proposals shall be submitted in a single, digital file and contain the content described above. A Word document or PDF format that is easily searchable and provides clear demarcation between sections and documents per the instructions detailed in said sections, should be emailed to the provided contact by the submission deadline.

## PROPOSAL EVALUATION CRITERIA

## Proposals will be reviewed by an Evaluation Committee to determine the most comprehensive and competitive solution for the Town based on, but not limited to, the criteria categories listed below. The Evaluation Committee will assess the respondent’s ability to meet the performance requirements of this solicitation using the proposal submissions as the primary source of information. To be deemed responsive, it is important to provide appropriate detail to demonstrate satisfaction of each criterion and compliance with the performance provisions outlined in this solicitation. Proposals must contain information relevant to the proposed services and requested herein. Failure to submit the information requested may result in the elimination of the proposal from further evaluation. The Town reserves the right to modify the evaluation criteria or waive portions thereof. Proposals will be evaluated on the following major categories:

## Qualifications and Experience;

## Prior Legislative Impact Examples

## Project Approach and Proposed Solution;Cost Effectiveness and Value; and

## Acceptance of the Terms of the Contract.

## Qualifications and Experience

## Proposals will be evaluated on the qualifications and experience presented in the proposed solutions and required forms.

## Prior Legislative Impact Examples

## Proposals will be evaluated on the level of legislative impact achieved on behalf of other local government clients.

## Project Approach/Proposed Solution

## The proposal’s solution and approach will be critically evaluated to assess amenability with Town goals and respondent’s understanding and performance objectives; as well as a thorough review of approaches and outcomes of like services provided for other governmental agencies.

## Cost Effectiveness and Value

## Under this criterion, proposals will be compared in terms of the most reasonable and effective pricing options, considering both direct and indirect costs associated with the proposed services and administration of the contract.

##

## Acceptance of Contract Terms

## The Town will evaluate the proposals for compliance with the terms, conditions, requirements, and specifications stated in this solicitation, including the sample contract language provided in Exhibit A.

## REQUIRED FORMS

## The subsequent documents require completion and submission with the proposal response to be considered compliant with the terms of this solicitation. Specific instructions for completion and submission are provided at the top of each document.

**REQUIRED FORM 1**

**FEE SCHEDULE**

**RFP # 2024-XXX**

**State Lobbying Services**

Proposals shall include pricing based on the requirements and terms set forth in this solicitation. **Pricing must be all-inclusive and cover every fee/cost of the scope/services that the Town will be financially responsible for.** Cost must be in United States Dollars and rounded to the nearest quarter of a dollar. If there are additional costs associated with the services, please add them to this table in the spaces provided. You may also include a separate page in the pricing response section of your proposal submission if additional space is required.

For the purposes of this response, presume an initial contract term of six (6) months. Additional terms will be considered upon conclusion of the initial term.

Proposed rate(s)/fee(s) for all services as described in Section 2:

|  |  |
| --- | --- |
| Monthly Rate: | $\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ |
|  |  |
|  |  |
|  |  |
|  |  |

**REQUIRED FORM 2**

**BACKGROUND AND EXPERIENCE**

**RFP # 2024-XXX**

**State Lobbying Services**

Proposals shall include responses to the questions listed below as part of the response to this solicitation. Ensure responses reference the question number and answer the questions in full while remaining concise when possible. If additional pages are required, they may be attached and should reference the correlating question number below.

1. Legal business name and DBA (include previous business names, if applicable)
2. Type of business entity
3. Year business was established and number of years it has been providing the services in your proposal.
4. Business location (indicate corporate headquarters and location that will be providing the services, if different).
5. Provide an overview and history of your company. Include an organization chart showing overall organization structure.
6. Indicate whether your business is HUB and/or NCSBE certified.
7. What public sector clients does your business currently serve?
8. Describe your experience lobbying on behalf of local government, with the NC General Assembly, and the House and Senate leadership. Highlight specific experience relevant to the provided scope, if applicable.
9. Describe your working relationships with members of both political parties.
10. Describe any relationships with current State delegation members representing Holly Springs (Sen. Batch, Rep. Pare, Rep. von Haefen, and Rep. Dahle.
11. Describe relationships with N.C. Senate and House leadership.
12. List projects or services that were terminated by a government entity. Disclose the government entity and explain the reason for termination.
13. List any litigation that your company has been involved with over the past two (2) years for lobbying services or services similar to those in this solicitation.
14. Explain how your organization ensures that personnel performing the services are qualified and proficient.
15. Describe any legislation that other clients are seeking that potentially conflicts with Town of Holly Springs interests.

**REQUIRED FORM 3**

**REFERENCES**

**RFP # 2024-XXX**

**State Lobbying Services**

Proposals shall include references as part of the response to this solicitation. The Towns’s preference is for references from organizations of comparable size and function or for whom you provide similar services to those described herein. If such references are not available, individuals or companies that can speak to your performance are adequate.

|  |
| --- |
| **Reference 1** |
| Company Name |  |
| Contact Name |  |
| Phone Number |  |
| Email Address |  |
| **Reference 2** |
| Company Name |  |
| Contact Name |  |
| Phone Number |  |
| Email Address |  |
| **Reference 3** |
| Company Name |  |
| Contact Name |  |
| Phone Number |  |
| Email Address |  |
| **Reference 4** |
| Company Name |  |
| Contact Name |  |
| Phone Number |  |
| Email Address |  |
| **Reference 5** |
| Company Name |  |
| Contact Name |  |
| Phone Number |  |
| Email Address |  |

## DISCLOSURES

Confidentiality

Responses to the RFQ/RFP will become public records and, therefore, will be subject to public disclosure. However, North Carolina General Statutes Section 132-1.2 provides a method for protecting some documents from public disclosure. If the Consulting firm follows the procedures prescribed by those statutes and designates a document confidential or trade secret, the Town will withhold the document from public disclosure to the extent that is entitled or required to do so by applicable law, and will return the document after selection.

Equal Employment Opportunity

The Town of Holly Springs does not discriminate in administering any of its programs and activities. The consultant awarded the contract for work will be required to ensure that no person shall be denied employment, fair treatment or be discriminated against on the basis of race, sex, religion, age, national origin, or handicap.

Minority/Women/Small Business Enterprise

It shall be the practice of the Town of Holly Springs to provide minority-owned, women owned, and small business enterprises (collectively “M/W/SBE”) as well as other responsible vendors with fair and reasonable opportunity to participate in the Town’s business opportunities including but no limited to employment, construction development projects, and material/services consistent with the laws of the State of North Carolina. The policy of the Town prohibits discrimination against any person or business in pursuit of these opportunities on the basis of race, color, national origin, religion, sex, age, disability, or veteran’s status. It is further the policy of the Town to conduct its contracting and procurement programs so as to prevent such discrimination and to resolve all claims of such discrimination.

Contracting

Any contract developed for work shall be construed and enforced in accordance with the laws of the State of North Carolina. Any controversy or claim arising because of contracting shall be settled by an action initiated in the appropriate division of the General Court of Justice in Wake County, North Carolina.

Conditions and Limitations

The Town expects to select a consulting firm from the proposals submitted but reserves the right to reject any or all responses to the RFP, to advertise for new responses, or to accept any response deemed to be in the best interest of the Town. A response to this RFQ/RFP should not be construed as a contract nor an indication of a commitment of any kind on the part of the Town nor does it commit either to pay for costs incurred in the submission of a response to this request or for any cost incurred prior to the execution of a

final contract. The Town will reserve the right to dismiss any part or all of the contracted team when, in the Town’s opinion, the project is not moving as scheduled or is hindered in any way by the actions or personalities of team members.

LEGAL – OPTIONAL INCORPORATIONS?

## Response Conditions.

The following terms are applicable to this RFQ and the Company’s Response.

* + 1. RFQ Not An Offer.

This RFQ does not constitute an offer by the City. No binding contract, obligation to negotiate, or any other obligation shall be created on the part of the City unless the City and the Company execute a Contract. No recommendations or conclusions from this RFQ process concerning the Company shall constitute a right (property or otherwise) under the Constitution of the United States or under the Constitution, case law, or statutory law of North Carolina.

* + 1. Trade Secrets and Personal Identification Information /Confidentiality.

Upon receipt at the Procurement Management Division, all materials submitted by a Company (including the Response) are considered public records except for (1) material that qualifies as “trade secret” information under N.C. Gen. Stat. § 66-152 et seq. (“Trade Secrets”) or (2) “personal identification information” protected by state or federal law, to include, but not be limited to, social security numbers, bank account numbers, and driver’s license numbers (“Personal Identification Information” or “PII”). After the Response due date, the Evaluation Committee, other City staff, and members of the general public who submit public records requests may review the Response.

The public disclosure of the contents of a Response or other materials submitted by a Company is governed by N.C. Gen. Stat. §§ 132 and 66-152 et seq.. If any Response contains Trade Secrets or PII, such Trade Secrets and PII must be specifically and clearly identified in accordance with this Section 1.6.2.

Any Trade Secrets or PII submitted by a Company must be clearly segregated from the rest of the Response. For hard copy Responses, it must be submitted in a separate, sealed envelope, marked either “Personal Identification Information – Confidential” or “Trade Secret—Confidential and Proprietary Information.” For electronic submissions it must also be submitted on a separate CD or flash drive. In both hard copy or electronic format, the confidentiality caption stated above must appear on each page of the Trade Secret or PII materials.

By submitting a Response, each Company agrees that the City may reveal any Trade Secret materials and PII contained therein to all City staff and City officials involved in the selection process, and to any outside consultant or other third parties who serve on the Evaluation Committee or who are hired or appointed by the City to assist in the evaluation process.

Furthermore, each Company agrees to indemnify and hold harmless the City and each of its officers, employees, and agents from all costs, damages, and expenses incurred in connection with refusing to disclose any material that the Company has designated as a trade secret. The City may disqualify and Company that designates its entire Response as a trade secret, or any portion thereof that clearly does not qualify under applicable law as a Trade Secret.

* + 1. Response Terms Firm and Irreversible.

The signed Response shall be considered a firm offer on the part of the Company. The City reserves the right to negotiate price and other terms. All Response elements (including all statements, claims, declarations, prices, and specifications) shall be considered firm and irrevocable for purposes of future Contract negotiations unless specifically waived in writing by the City. The Company chosen for award should be prepared to have its Response and any relevant correspondence incorporated into the Contract, either in part or in its entirety, at the City's election.

* + 1. Response Binding for 180 Days.

Section 6, Form 1 contains a statement to the effect that the Response is a firm offer for one-hundred-eighty (180) calendar day period from the date of the opening. This statement must be signed by an individual authorized to bind the Company. All prices quoted shall be firm and fixed for the full Contract period. The City shall have the option to accept subject to exception by Contract.

* + 1. Subcontracting.

The Company given contract award shall be the prime contractor and shall be solely responsible for contractual performance. In the event of a subcontracting relationship, the Company shall remain the prime contractor and will assume all responsibility for the performance of the Services that are supplied by all subcontractors. The City retains the right to approve all subcontractors.

* + 1. Equal Opportunity.

The City has an equal opportunity purchasing policy. The City seeks to ensure that all segments of the business community have access to supplying the goods and services needed by City programs. The City provides equal opportunity for all businesses and does not discriminate against any Companies regardless of race, color, religion, age, sex, and national origin or disability.

* + 1. Use of City’s Name.

No advertising, sales promotion, or other materials of the Company or its agents or representatives may identify or reference the City in any manner absent the prior written consent of the City.

* + 1. Withdrawal for Modification of Responses.

Companies may change or withdraw a previously-submitted Response at any time prior to the Response due date. Only formal written requests addressed in the same manner as the Response and received by the City prior to the Response due date will be accepted. The request must be in a sealed envelope that is plainly marked “**Modifications to Response**.” No oral modifications will be allowed. If the Company complies with this Section, after the Response due date, the Response, will be withdrawn or corrected in accordance with the written request(s).

* + 1. No Bribery.

In submitting a response to this RFQ, each Company certifies that neither it, any of its affiliates or subcontractor*s*, nor any employees of any of the foregoing has bribed, or attempted to bribe, an officer or employee of the City in connection with the Contract.

* + 1. Exceptions to the RFQ.

Other than exceptions that are stated in compliance with this Section and Section 3.7, each Response shall be deemed to agree to comply with all terms, conditions, specifications, and requirements of this RFQ including the Sample Contract language included in Exhibit A. An “exception” is defined as the Company’s inability or unwillingness to meet a term, condition, specification, or requirement in the manner specified in the RFQ including the Sample Contract language included as in Exhibit A. All exceptions taken must be identified and explained in writing in your Response and must specifically reference the relevant section(s) of this RFQ.

* + 1. Fair Trade Certifications.

By submitting a Response, the Company certifies that:

* The prices in its Response have been arrived at independently, without consultation, communication, or agreement with anyone, as to any matter relating to such prices for the purpose of restricting competition;
* Unless otherwise required by law, the prices quoted in its Response have not been knowingly disclosed by the Company and will not knowingly be so disclosed prior to the Response due date; and
* No attempt has been made or will be made by the Company to induce any other person or firm to submit or not to submit a Response for the purpose of restricting competition.
	+ 1. Companies’ Obligation to Fully Inform Themselves.

Companies or their authorized representatives must fully inform themselves as to all conditions, requirements, and specifications of this RFQ before submitting Responses. Failure to do so will be at the Company’s own risk.

**Exhibit A**

**Standard Town Contract Sample**