

City of Portsmouth
1 Junkins Avenue
Portsmouth, New Hampshire 03801

REQUEST FOR PROPOSALS

PROFESSIONAL LOBBYING SERVICES

Sealed proposals, **plainly marked RFP # 25-21 “Professional Lobbying Services”** on the **outside of the mailing envelope as well as the sealed envelope**, addressed to the Finance/Purchasing Department, City Hall, 1 Junkins Avenue, Portsmouth, New Hampshire, 03801, will be accepted until **February 8, 2021 @ 10:00 am.**

The City of Portsmouth on behalf of similarly situated municipalities is coordinating with other New Hampshire towns to create an association of communities called the “Coalition Communities 2.0” to engage an individual or organization to provide lobbying, legal, and/or communication services tracks and respond to legislative initiatives during the 2021-2022 Legislative session relative to public school funding as more fully described in SCOPE OF WORK.

The Coalition Communities 2.0 is in the process of being formed so proposal packages may be obtained from the City’s web site: <http://www.cityofportsmouth.com/finance/purchasing.htm>. Addenda to this proposal document, if any, including written answers to questions, will be posted to the website under the project heading. Addenda and updates will NOT be sent directly to firms. Questions may be addressed to Jane Ferrini at (603) 610-7256.

The City of Portsmouth and the Coalition Communities 2.0 reserves the right to reject any or all proposals, to waive technical or legal deficiencies, and to accept and negotiate any terms of a proposal that may be in the best interest of the City and the Coalition Communities 2.0 with which it will be working.

SCOPE OF WORK

OBJECTIVE: The Coalition Communities 2.0 seek to enter into an independent contractor relationship with an individual or organization to provide three (3) tiers of services to include lobbying, legal, and/or communication services for the legislative years 2021-2022.

BACKGROUND: For approximately ten years prior to 2006, the state funded education through a formula that created what was commonly known of as “donor” and “receiver” towns. Under this formula, a community was characterized as a donor community if it raised more in Statewide Education Property Tax (“SWEPT”) than the state’s calculation of that community’s total cost of an adequate education for its students. This “excess” SWEPT was then distributed by the state to communities whose cost of an adequate education exceeded the amount raised in SWEPT (known as “receiver” communities). Portsmouth, along with other donor towns, worked together to challenge the donor/receiver education funding formula through the formation of a group known as the “Coalition Communities”

A Commission to Study School Funding (“Commission”) was created by the Legislature in 2019. On December 1, 2020, the Commission issued its final report which recommends, in part, the return of a donor/receiver education funding model by recommending that communities that generate excess state education property tax to remit the “excess” to the state for redistribution to towns whose cost of an adequate education is more than the state education property tax the town generates. While the Commission did a thorough job in assessing students’ educational needs throughout the state, it failed to adequately address how those needs should be funded by improperly relying on the historically overburdened property tax to fund education. (see https://carsey.unh.edu/school-funding?utm_source=email&utm_medium=lmnm&utm_campaign=carsey-research for further details)

Education funding is a complex issue and it would be unduly burdensome and costly for each potential donor town to separately track, advocate, and lobby in opposition to education funding legislation that supports a donor/receiver model, particularly during COVID-19. A new group of donor towns, called the Coalition Communities 2.0 is in the process of forming to pool resources for professional services as more fully set forth below. (See Exhibit I—a draft of the organizing Memorandum of Understanding)

BASIC SERVICES: Responsibilities of the Lobbyist/Advocate: To represent the interests of the Coalition Communities 2.0 before the New Hampshire General Court during the 2021-2022 biennium. Specifically, the Lobbyist/Advocate shall advocate for, provide information about and oppose selected bills, which are introduced during the session that address education funding primarily through an increase in the state education property tax and/or local property tax which would create an education funding formula that returns to a donor and receiver town education funding concept. The Lobbyist/Advocate will exercise their responsibilities consistent with the

legislative rules governing the conduct of lobbyists in New Hampshire. It is further expected that, when necessary, the Lobbyist/Advocate will participate remotely or be physically present at the legislature to attend hearings, discuss bills with legislative members, and testify on pending matters. The Lobbyist/Advocate will regularly communicate on activities to the Joint Board of the Coalition Communities 2.0 and work with its members to create communication plans and strategies for messaging and outreach to oppose donor/receiver education funding legislation.

SERVICE TIERS TO BE PROVIDED

1. Lobbying and Legislative Advocacy (Basic and Required)
2. Communications Planning (Possible Additional Services)
3. Legal Services (Optional Future Services Not Presently Required)

Nothing in this RFQ/P prohibits multiple firms from collaborating in making a unified proposal that addresses all three Service Tiers.

SUBMITTAL REQUIREMENTS

Submissions shall include the following:

1. A cover letter briefly summarizing the Applicant, its services as it relates to the Service Tiers, resources and qualifications as well as providing contact information;
2. Names and qualifications of specific persons who are likely to be most involved in providing service;
3. Completed Statement of Qualifications included in this document, including detail of your experience with legislative matters and advocating before the NH House and /or Senate generally, and specifically detail your experience regarding education funding issues and providing the other Service Tiers;
4. At least three (3) references, including current contact name and phone number for similar services;
5. Detailed Price Proposal, including a separate fee proposal for 2021 and 2022 for each Service Tier, including any caps; **provided in a separately sealed envelope labeled “Detailed Price Proposal”.**
6. Provide the name and addresses of all other entities or individuals who have engaged you to lobby for them at present or at any time for the past three (3) years.
7. Applicant may submit such additional information as it deems necessary or helpful to the City's evaluation process.

With regard to the Detailed Price Proposal, the City, on behalf of the Coalition Communities 2.0 if the association is not yet formed, or the Coalition Communities 2.0 if formed, prefers a fixed base fee for the minimum scope of services (Lobbying and Legislative Advocacy Basic and Required Tier #1) to be provided with a price breakdown for such additional services (Communication and Planning Tier #2 & Optional Future Legal Services Not Presently Required Tier #3) as the firm may wish to suggest or recommend. Any assumptions and/or limitations in the price proposal (for example the number of public hearings to be covered for a set fee) should be clearly identified. Hourly or other fees not included in a base price should be clearly noted. **This Price Proposal shall be provided in a separate sealed envelope labeled “Detailed Price Proposal”.**

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EVALUATION CRITERIA

Proposals will be evaluated using the following criteria:

1. Responsiveness to the RFP;
2. Applicant’s general qualifications including background, references, experience, its reputation for performance, schedule availability, and the depth of available resources;
3. Ability, qualifications and reputation of professional staff most likely to be assigned; and
4. Price and rates evaluated separately once a most desired applicant is determined using the first three criteria.

The City, on behalf of the Coalition Communities 2.0 if the association is not yet formed, or the Coalition Communities 2.0 if formed, at its discretion, may select a provider outright or select a finalist(s) for in person and/or telephone interviews.

Questions may be directed to Jane Ferrini at 603-610-7256.

SELECTION

The highest ranking firm will be offered the opportunity to enter into contract negotiations with the City of Portsmouth or the Coalition Communities 2.0 if formed. If the parties cannot agree

on the final contract terms and scope, the City or the Coalition Communities 2.0 may proceed to the next highest ranked firm.

RESERVATION OF RIGHTS

The City of Portsmouth reserves the right to reject any or all proposals, to waive technical or legal deficiencies, and to accept or negotiate any terms of a proposal that may be in the best interest of the City or the Coalition Communities 2.0.

By submitting a proposal, the applicant authorizes the City or the Coalition Communities 2.0 to undertake such investigation as may be necessary to verify the applicant's qualifications and reputation. The applicant may be requested to execute a release(s) in favor of third parties who have information relative to the Contractor's qualifications and reputation. Refusal to execute a release may result in disqualification. Any and all expenses in preparing and responding to this RFP are to be borne by the applicant.

STATEMENT OF QUALIFICATIONS

All questions must be answered and the data given must be clear and comprehensive. This statement must be notarized. Complete on or add separate sheets if necessary. **This statement shall be submitted with Proposal.**

1. Name of Applicant

2. Permanent Main Office Address

3. Form of Entity

4. When and Where Organized

5. How many years has Applicant been engaged in that business under its present name; also state names and dates of previous firm names, if any.

6. In the last five years, has Applicant ever been terminated from a contract?

_____ (no) _____ (yes) If so, where, when, and why?

7. In the last five years, has Applicant ever been a party to any litigation, arbitration, mediation or other dispute resolution process?

_____ (no) _____ (yes) If so, please provide a brief summary of the claim and resolution.

8. In the last three years, has the Applicant been the subject of any federal or state investigation or regulatory action relative to the provision of services?

_____ (no) _____ (yes) If so, please provide a brief summary of the investigation or regulatory action.

9. For the past three years, provide a list of NH municipal or municipally related clients with relevant contact information for each.

Dated this _____ day of _____, 2021.

NAME: _____

BY: _____

TITLE: _____

State of _____

County of _____

_____ being duly sworn, deposes and says that the Contractor is

_____ of _____ (Name of Organization) and answers

to the foregoing questions and all statements contained therein are true and correct.

Sworn to before me this ____ day of _____, 20__.

Notary of Public

My Commission Expires: _____

STATEMENT OF PRICE PROPOSAL

This must be provided in a separate, sealed envelope within the Statement of Qualifications

All questions must be answered and the data given must be clear and comprehensive. This statement must be notarized. Complete on or add separate sheets if necessary. **This statement shall be submitted with Proposal.**

Price Proposals:

1. Lobbying and Legislative Advocacy (Basic and Required):

2. Communications Planning (Possible Additional Services):

3. Legal Services (Optional Future Services Not Presently Required)

Dated this _____ day of _____, 2021.

NAME: _____

BY: _____

TITLE: _____

State of _____

County of _____

_____ being duly sworn, deposes and says that the Contractor is

_____ of _____ (Name of Organization) and answers to the foregoing questions and all statements contained therein are true and correct.

Sworn to before me this ____ day of _____, 20__.

Notary of Public

My Commission Expires: _____