

Mercedes Toural, Chief Education Officer
and Deputy Superintendent of Schools

**SUBJECT: REQUEST AUTHORIZATION TO ISSUE A REQUEST FOR
PROPOSALS (RFP) FOR THE SELECTION OF A FEDERAL
LEGISLATIVE CONSULTANT**

**COMMITTEE: LEGISLATIVE RELATIONS, PUBLIC RELATIONS AND
PERSONNEL SERVICES**

The Miami-Dade County School Board has a tradition of developing and forwarding its own legislative program in the legislative process, which has resulted in tremendous successes at both state and federal levels. Over the years, the Board has helped to initiate and pass major legislative reforms with positive impact on all aspects of the educational programs as well as on the business and legal operations of the school system. For the federal legislative process to be effective, a participatory process should incorporate broad-based input at the local level and a lobbying team based in Washington D.C. that works closely with district staff to monitor and to advocate for the Board's program.

The current contract for federal legislative consultant services will expire on December 31, 2004. Accordingly, authorization is requested to issue a Request for Proposals (RFP) to procure such services on a competitive basis.

The selection committee will consist of the following:

- two administrators from the Office of Intergovernmental Affairs and Grants Administration;
- a representative from Management Operations;
- a representative from Title I Administration;
- a representative from the Office of Adult/Vocational, Alternative and Community Education;
- a representative from the Division of Business Development and Assistance;
- a representative from Financial Affairs;

B-15

- a representative from the Department of Food and Nutrition;
- a representative from the Community appointed by the School Board Chair; and
- a representative from the Division of Procurement and Management Services (a non-voting member).

The estimated timeline for implementation is as follows:

Procurement Contract Review Committee	May 13, 2004
Request for Board Approval to issue RFP	May 19, 2004
Mailing of RFP	May 24, 2004
Opening of Proposals	June 24, 2004
Evaluation completed by Selection Committee	July 22, 2004
Oral Presentation (if needed)	August 2, 2004
Contract Award	September 8, 2004

Copies of the RFP will be transmitted to School Board Members under separate cover and are available for inspection by the public in the Office of Board Recording Secretary, Room 924, and the Citizen Information Center, Room 158, 1450 NE Second Avenue, Miami, Florida 33132.

RECOMMENDED: That The School Board of Miami-Dade County, Florida, authorize the Superintendent to:

1. issue a Request for Proposals (RFP) for the selection of a federal legislative consultant; and
2. approve the selection committee that will review the proposals for subsequent submission to the School Board for approval.

AMC:cm

REQUEST FOR PROPOSALS NO. 097-DD10

FEDERAL LEGISLATIVE CONSULTANT

I. NAME AND ADDRESS OF REQUESTER

Miami-Dade County Public Schools
Office of Intergovernmental Affairs and Grants Administration
1450 NE Second Avenue, Room 562
Miami, Florida 33132

II. PURPOSE OF REQUEST FOR PROPOSALS

The School Board of Miami-Dade County, Florida (the "School Board") is soliciting proposals from qualified individuals and/or firms for federal legislative consulting services.

The successful proposer is expected to assist in advocating the School Board's interest before the South Florida Congressional Delegation, federal legislative committees, and the Executive Branch, including the Secretaries of Education, Commerce, Health and Human Services, and Justice, as well as pertinent regulatory agencies.

III. INSTRUCTIONS FOR SUBMISSION OF PROPOSAL

Eleven copies of the proposal, one of which shall be an original, must be received by 2:00 p.m. (Eastern Standard Time) June 24, 2004, at:

The School Board of Miami Dade County, Florida
Bid Clerk, Division of Procurement Management Services
1450 NE Second Avenue, Room 352
Miami, Florida 33132

The responsibility for submitting this proposal to the district on or before the stated time and date will be solely and strictly the responsibility of the proposer. The district will in no way be responsible for delays caused by the United States mail or any other delivery service or caused by any other occurrence. The proposal must be submitted in a sealed envelope or box marked "FEDERAL LEGISLATIVE CONSULTANT".

It is anticipated that a proposal may be presented to The School Board of Miami-Dade County, Florida, (School Board) for acceptance on or about September 8, 2004. If accepted, notification to the successful proposer will be on or about September 8, 2004. The Board reserves the right to accept or reject any and all proposals.

IV. SCOPE OF WORK

- Consultant will meet with the Board and Superintendent, or designee(s) and confer with respect to federal legislative issues regarding the Board's fiscal and programmatic interests.
- Consultant shall assist in the development and forwarding of the Board's federal legislative program.
- Consultant will establish and maintain positive working relationships with the executive and legislative branches of federal government to enhance necessary intergovernmental relations beneficial to the Board.
- Consultant will represent the Board and Superintendent in conferences and meetings related to federal legislative and governmental issues.
- Consultant will provide quarterly reports and routine correspondence as required by the Board in connection with foregoing services.
- Consultant will be responsible for providing materials, equipment, office space, and any other such requirements to fulfill responsibilities under this contract.

V. REQUIRED INFORMATION TO BE SUBMITTED BY PROPOSER

- A. Provide firm's background, organizational structure;
- B. A listing of strengths and accomplishments of individuals and/or firm;
- C. Strategies which will be employed to successfully advocate legislation contained in the School Board legislative agenda;
- D. Details of procedures and protocols systematically employed to communicate with Congress, the Executive Branch, and the School Board;
- E. Listing of all clients served within the last two years, up to and including the present date, to which you have provided or provide lobbying services, especially with other governmental units including school districts;
- F. Provide a statement clearly identifying any real or potential conflicts of interests to include the following:
 - a. Have you or do you plan to lobby the School Board on behalf of any of the clients listed in E above?
 - b. Have you lobbied the School Board on behalf of any entity, firm, or organization over the last five years? If so, please state what clients you have represented in lobbying the School Board, and when those lobbying activities took place.

- G. Description with supporting documentation where appropriate, of lobbying experiences representing private and/or public sector clients before Congress. Please include any examples of legislation prepared, written, and submitted for legislative approval, particularly any legislation related to K-12 and Adult and Vocational Education.
- H. Description of any other activities representing clients, which are pertinent or which might parallel lobbying or advocacy representation.
- I. Address of office location responsible for this project. It is preferable that the candidate individual/firm maintain an office in Washington, D.C. area.
- J. Designation of personnel who will be available for this engagement. Resumes containing professional experience, preparation, and background are to be presented for each of these individuals. This section must indicate the individual specifically assigned as lead person.
- K. Proposed fee structure, including payment schedule and breakdown of proposed costs. It is the School Board's desire that the fee schedule be inclusive of any out-of-pocket and travel expenses.
- L. Litigation

Identify any litigation or claims against you and/or your firm which could have a material effect on the firm's delivery or performance of the scope of work contemplated in the Request for Proposal.

Indicate if you or your firm or any members of your firm, have been or currently are the subject of an investigation by any other regulatory organization or the subject of any other type of investigation.
- M. The signature of the person empowered to submit this proposal.

VI. TERMS OF CONTRACT

The term of the contract shall be for a two-year period (Session of Congress). The contract may, by mutual agreement between the School Board and the awardee, be extended for two additional two-year periods (Sessions of Congress), and if needed, 90 days beyond the expiration date of the current contract period to ensure proper transition of School Board legislative matters between Sessions of Congress. The School Board, through the Division of Procurement Management Services, shall if considering to extend, request a letter of intent to extend from the awardee, prior to the end of the current contract period. The School Board may at its sole discretion renegotiate the contract at the end of any two-year term, with any such increase of compensation not to exceed 8%, based upon economic indicators. The awardee will be notified when the recommendations have been acted upon.

The School Board reserves the right to cancel the contract at the end of the contract term, as well as in the event the services rendered do not comply with the provisions of the proposal and/or the quality of services is found to be undesirable.

The proposer shall comply with all municipal, state, and federal statutes prohibiting discrimination.

VII. EVALUATION OF PROPOSALS

Proposals will be evaluated by representatives of the school district in order to ascertain which proposal best meets the needs of the School Board. The evaluation of proposals will be made on or about July 22, 2004, by a committee consisting of the following members or their designees:

- ▶ two administrators from the Office of Intergovernmental Affairs and Grants Administration;
- ▶ a representative from Management Operations;
- ▶ a representative from Title I Administration;
- ▶ a representative from the Office of Adult/Vocational, Alternative and Community Education;
- ▶ a representative from the Division of Business Development and Assistance;
- ▶ a representative from Financial Affairs;
- ▶ a representative from the Department of Food and Nutrition;
- ▶ a representative from the community appointed by the School Board Chair; and
- ▶ a representative from the Division of Procurement Management Services (a non-voting member).

Evaluation consideration will include, but not be limited to, the following:

1. The responsiveness of the proposal in clearly stating an understanding of the work to be performed.
2. The background, qualifications, experience, skills, and/or expertise in the area of federal legislative consultation.
3. Cost of the proposal.

A selection committee will review all proposals received and will interview a short list of proposers for oral presentation, where proposers shall have an opportunity to explain their written proposal. No telephone interviews will be conducted with the Committee. The selection committee shall, by a majority vote, recommend the highest rated

proposer to the School Board for approval, based on the written proposal and oral presentation. Oral presentations are scheduled for August 2, 2004

Any additional materials the proposer may wish to include must be presented in appendix form.

VIII. AFFIRMATIVE ACTION REQUIREMENTS AND M/WBE PARTICIPATION

1. Equal Employment Opportunity

It is the policy of the School Board that no person will be denied access, employment, training, or promotion on the basis of gender, race, color, religion, ethnic or national origin, political beliefs, marital status, age, sexual orientation, social and family background, linguistic preference or disability, and that merit principles will be followed.

Each firm shall be required to indicate its equal employment policy and provide a detailed breakdown by ethnicity, gender, and occupational categories of its work force.

2. Minority/Women Business Enterprise (M/WBE) Participation

The School Board has an active Minority/Women Business Enterprise (M/WBE) Program to increase contracting opportunities for M/WBEs. In keeping with this policy, if a minority firm, which is Woman or African American-owned and operated, is to perform a scope of work, provide documentation to substantiate the experience of the M/WBE and its staff in providing this type of service. All M/WBEs must be certified by the Division of Business Development and Assistance, prior to contract award.

IX. GENERAL INSURANCE REQUIREMENTS

- A. The individual/firm shall not provide any services under this Agreement until the individual/firm has meet all requirements for insurance(s) required hereunder and such insurance(s) have been approved by M-DCPS.
- B. The individual/firm shall furnish certificates of insurance to M-DCPS for review within fifteen (30) days after award and shall maintain same at all times during the term of this Agreement.
- C. All insurance policies shall be issued by companies authorized to do business under the laws of the State of Florida. All insurance companies providing policies required under this Agreement shall have at least an "A" rating and a financial rating not less than "VI" in the current A.M. Best Manual or hold a Moody's Investors Service Financial Strength of "Aa3" or better.
- D. Insurance policies required under this Agreement shall be endorsed to be primary of all other valid and collectable coverages maintained by the School Board of Miami-Dade County, Florida. The School Board of Miami-Dade County, Florida, and the Board's officers, officials and employees shall be named as an additional insured under the General Liability Policy.

E. The Certificates shall clearly indicate that the individual/firm has obtained insurance of the type, amount, and classification required by these provisions, in excess of any pending claims. No material change or cancellation of the insurance shall be effective without a thirty (30) day prior written notice to and approval by M-DCPS.

F. Insurances Required

1. Professional Liability

The Professional Liability Insurance provided by the individual/firm shall conform to the following requirements:

- a. The individual firm's Professional Liability insurance shall be on a form acceptable to the Board and shall cover those sources for liability typically insured by Professional Liability Insurance, arising out of or the rendering or failure to render professional services in the performance of this agreement, including all provisions of indemnification which is part of this agreement.
- b. The insurance shall be subject to a maximum deductible not to exceed \$25,000.
- c. If on a claims-made basis, the individual/firm shall maintain without interruption, the Professional Liability Insurance until (3) years after this agreement.
- d. The minimum limits to be maintained by the individual/firm (inclusive of any amounts provided by an umbrella or excess policy) shall be \$1 million per claim/annual aggregate.

Each insurance policy evidencing the insurance required hereunder shall bear the appropriate endorsements whereby the insurance carrier waives any rights of subrogation acquired against the Board and the students by reason of any payment under such policy and shall provide that such insurance carriers shall notify the Board in writing at least (30) days prior to any cancellation, termination, non-renewal or modification to the individual/firm's policy(ies) required under this agreement.

Upon the execution of this agreement, the individual/firm shall furnish to the Board's Office of Risk and Benefits Management with Certificates of Insurance evidencing the individual/firm's insurance coverage is consistent with the terms of the agreement. The individual/firm shall also provide copies of the policies to the Board. The individual/firm shall also provide the Board with renewal or replacement Certificates of Insurance no less than (30) days prior to cancellation, termination or modification. The individual/firm shall be in material breach of this agreement if the individual/firm fails to obtain replacement insurance coverage prior to the date in which coverage is terminated or expires.

In this event the Board may terminate this agreement without further liability to the individual/firm. Additionally the individual/firm shall be liable to the Board for any and all damages incurred due to the individual/firm's failure to perform the agreement terms.

X. INDEMNIFICATION

The individual/firm(s) must enter into the following indemnification and hold harmless agreement:

Indemnification

The individual/firm(s) hereby agrees to indemnify, hold harmless and defend the Board, its officers, agents and employees individually and collectively from and against all liabilities, obligations, losses, damages, penalties, interest, claims, actions, assessments, fines, suits, demands, investigations, proceedings, judgements, orders or injuries, including death to any, or damage, of whatever nature, to any property and all costs including court costs and attorneys' fees, and disbursements, whether suit is instituted or not, and if instituted, at all tribunal levels (wherever raised by the parties hereto or a third party) imposed on, or incurred by or asserted against the Board or any of them arising out of or in connection with or based directly or indirectly upon (a) the individual/firm's directors, officers, employees, agents, subcontractors or representatives, their duties and obligations under or pursuant to this agreement, including without limitations, the failure to maintain insurance or notify the Board; (b) any material breach of this contract by the individual/firm(s); (c) false or inaccurate representation or warranty made by or on behalf of the individual/firm(s); and (d) any act or omission, negligence, or intentional acts of the individual/firm(s); or any of the individual/firm's directors, officers, employees, agents, subcontractors or other representatives.

XI. IMPLEMENTATION SCHEDULE

The planned schedule for implementation of this Request For Proposals, is as follows:

Procurement Contract Review Committee.....	May 13, 2004
Request School Board Authorization to issue RFP..... and approval of selection committee	May 19, 2004
Mailing of Request For Proposals.....	May 24, 2004
Opening of Proposals.....	June 24, 2004
Evaluation of Proposals.....	July 22, 2004
Oral Presentations.....	August 2, 2004
Recommendation for Award.....	September 8, 2004

The School Board reserves the right to reject any or all proposals, to further negotiate any proposals, to waive any irregularities or informality, to accept or reject any items or combination of items, to request clarification of information submitted in any proposal, and to request additional information from any proposer. Joint proposals will not be considered.

XII. ADDITIONAL INFORMATION

Any additional information regarding proposal procedures may be obtained from:

Division of Procurement Management Services
Ms. Barbara Jones, Director
1450 NE Second Avenue, Room 356
Miami, Florida 33132
305 995-2348