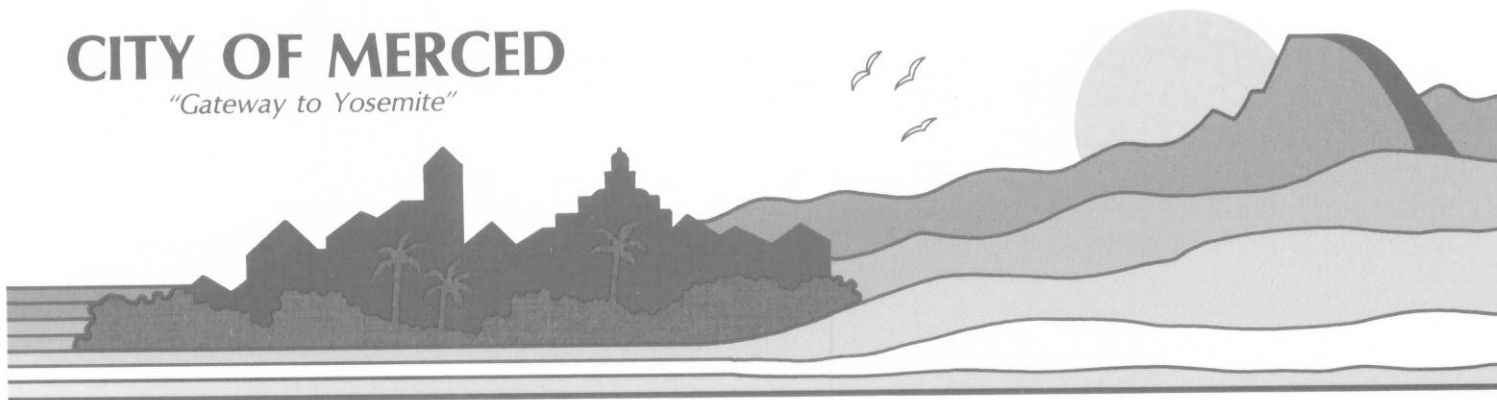


CITY OF MERCED

"Gateway to Yosemite"



Office of the City Manager

Telephone 209/385-6232

DATE: August 8, 2017
TO: Legislative and Advocacy Consultants
FROM: Mike Conway, Assistant to the City Manager *mc*
SUBJECT: **REQUEST FOR PROPOSALS TO PROVIDE REPRESENTATION
SERVICES FOR THE CITY OF MERCED, CALIFORNIA**

The City of Merced invites your interest in proposing advocacy and representation services for the City of Merced.

- Proposals are due no later than **5:00 p.m. on September 8, 2017.**
- Proposers are notified that interviews for finalists will be held in Merced on Thursday, September 21, 2017.

The City may reject any and all proposals; waive irregularities in proposals, and request additional information from proposers. Please submit five copies of your proposal to:

CITY CONTACT: Mike Conway
Assistant to the City Manager
City of Merced
678 W. 18th Street
Merced, CA 95340
(209) 385-6232 phone
conwaym@cityofmerced.org

Thank you for your interest.

ATTACHMENT: City of Merced Legislation Platform 2017-18

City of Merced Request for Proposals

Advocacy and Representation Services

Proposals due September 8, 2017

The City of Merced invites you to propose advocacy and representation services to the City. Proposals will be accepted in the City Clerk's Office Civic Center, 678 West 18th Street, Merced, California until **5:00 p.m. on September 8, 2017**.

BACKGROUND

The Merced City Council has made a decision to intensify the City's role advocating on its behalf, seek additional funding and to oppose legislation that is detrimental to the City, its residents and its operations. The City Council is also seeking to pursue funding opportunities, through grants and legislation, that will benefit the City's residents, programs and services offered to its residents. In its 2017-18 annual budget, the Merced City Council included funding for representation and advocacy services. The Council also included a Legislative Director in the annual budget to further that goal.

The City of Merced has traditionally been active in filing applications for grant programs where possible, and has been successful in doing so. However, the City has not been as active in accessing funding which may be directly decided by legislative committees or processes. The City wants to change that approach in order to secure possible funding that is available to Merced.

For that reason the City is seeking proposals from consultants to represent the City's interests from firms traditionally engaged in lobbying, advocacy and representation.

The City seeks proposals from consultants having particular focus in the area of obtaining funding and legislative advocacy. The areas of funding include, but are not limited to, those in recently-passed State of California bond measures.

SCOPE OF WORK

In general, the required work includes representation of the City's interests in particular projects, programs, and proposals before the California State legislature or legislative committees, administrative agencies, and others. Representation at the federal level is also of interest.

METHOD OF COMPENSATION

The consultant is to identify an hourly rate of compensation and any additional fees and charges. Progress payments, upon invoice, will be made monthly based on actual hours worked or cost by task.

CITY'S RESPONSIBILITIES

1. The City shall provide the consultant with any non-confidential information in the Agency's possession concerning the work.
2. The City shall designate a representative authorized to act in its behalf with respect to the work. The Agency representative shall be responsible for scheduling and coordinating meetings with the consultant as needed.
3. The City shall furnish required information as expeditiously as necessary for the orderly progress of the work.

SPECIAL REQUIREMENTS

Responses to this request for proposals shall be in the form stated in the RFP and must also comply with the following requirements.

Ownership of Work Product: The City shall receive the work, including reports and studies, if any, throughout the course of the work. Consultant shall not have exclusive rights to the work, or charge for dissemination uses of any kind. Consultant may use the work product after completion.

Conflicts of Interest. The Consultant must be aware of and comply with conflict of interest rules included in the California Political Reform Act, and Section 1090 et. seq. of the Government Code. The Political Reform Act requires City officers and committee members to file statements of interest and abide by a Conflict of Interest Code. Section 1090 limits or prohibits a public official from contracting with a body of which an official is a member. Section 1090 applies even where the officer only reviews the contract for the approving body.

If the proposer holds no City committee appointment or other relationship, the proposal should simply state that in response to this item.

All City Employees Ineligible to Bid. Proposers are advised that under Government Code Section 1126 all employees of the City of Merced are not eligible to propose on City contracts, to provide services or supplies to the City, or to enter into a lease or other agreements with the City. Any proposal submitted by any City employee, either individually or through a partnership, corporation, or other form of business entity or association, will be rejected and may subject the employee to discipline under the City's Personnel Rules, Article XIX Section 19.02.

Workers' Compensation. The Consultant shall comply with Sections 3700 et seq. of labor code of the State of California, requiring every employer to be insured against liability for worker's compensations. The Consultant shall also provide liability insurance.

FORM AND CONTENTS OF PROPOSAL

All required contents must be submitted in **paper** form. Electronic submittals of required elements, or references to websites or other publications, are unacceptable and will cause the proposal to be deemed incomplete and rejected in the preliminary screening for completeness. Three copies must be submitted.

Proposals are more likely to be viewed favorably if they are brief, concise, and specific. Overly elaborate proposals will not be looked upon favorably. Each Consultant proposal shall be in the form of a **letter of proposal**, including the following items in the following order:

- A. Cover letter stating interest in the work, and whether the consultant provides services related to State government, federal government, or both.
- B. Statement of previous experience and expertise, including a minimum of three other local governments for which you have provided similar services.
- C. Names and qualifications of key personnel assigned to the project, including resumes.
- D. Names of qualified subcontractors, if any, including resumes of key subcontractor personnel.
- E. Explicit acknowledgements of the following items:
 - 1. That the Proposer is not a City of Merced employee.
 - 2. That the Proposer is in compliance with the conflict of interest provisions in the Special Requirements section of this RFP.
- G. Form of your customary letter of engagement or service agreement.
- H. Fee proposal.

SELECTION PROCEDURE

City representatives will review proposals submitted for completeness and qualifications. The selection process may include an interview before City representatives on Thursday, September 21, 2017. The City representatives will negotiate with the most qualified consultant to determine the final award.

Criteria for selection includes but is not limited to:

- a. Responsiveness;
- b. Previous experience and success;
- c. Understanding of the City and it's issues and challenges;
- d. References.
- e. Fee structure.

The City is not responsible to any proposer for the costs of preparing the response regardless of which proposer is selected.

City of Merced



Regional, State and Federal Legislative Platform 2017-18

Platform Overview

The purpose of the Legislative Platform is to provide a means for summarizing the City of Merced's core legislative principles for the purpose of advocacy efforts at the regional, state and federal level. The Legislative Platform contains broad policy statements pertaining to a variety of issues that impact the City of Merced.

The Legislative Platform sets forth the City of Merced's legislative objectives for the 2017 legislative session forward and provides direction for our legislative advocates as they work to secure clear and strategic initiatives in Sacramento and Washington, D.C. Approval of the Legislative Platform also streamlines the City of Merced's process and allows the Executive team, Mayor and Mayor Pro Tem to effectively respond and take immediate action on pressing legislation under City Council direction.

The City Manager's Office will annually update the Legislative Platform taking into account new issues or priorities as they relate to Merced or other regional partners. Additionally, the policies established within the platform do not preclude City Council consideration of additional legislative matters arising throughout the year that may be brought forward for City Council action.

The City of Merced's primary legislative focus includes protecting local government control, maintaining local government revenue, and obtaining funding for environmental sustainability, public safety, transportation, recreational, technology and infrastructure improvements.

Council will receive copies of correspondence to representatives and regulators regarding pending legislation, policies and rules, along with updates on any substantial meetings that took place.

The Legislative Platform would undergo an annual revision to reflect changes in the City's needs and priorities, along with the regional, state and federal budgets.

These are the guiding principles of the legislative platform:

- The City favors legislation that enhances our ability to provide services to our residents;
- The City favors legislation that relieves the local government from needless rules and regulations;
- The city favors legislation that provides additional revenue or enables us to seek new or innovative revenue streams;
- The City is opposed to legislation that limits our self-rule or inhibits the ability of our residents to participate in local government decisions;
- The City opposes legislation that adds new or unjustified rules and regulations;

- The City is opposed to unfunded mandates or any other legislation that adds more costs to City operations that aren't reimbursed, or takes away City funding or revenue streams without replacing the funds.

General Government

- Support legislation that encourages policies and programing that promote healthy lifestyles; e.g. physical activity, preventative screenings, healthful eating and core wellness for people of all ages and abilities.
- Support efforts to increase state resources for local arts, cultural events, and education and library programs, including performing and visual arts programs.
- Support efforts to increase state or federal funding for necessary infrastructure improvements.
- Oppose additional state and federal unfunded mandates.
- Support legislation that would prohibit the flying of helicopters or other aircraft at low altitudes over residential neighborhoods excluding police, fire or other public safety aircraft.
- Support legislation that would establish statewide regulations prohibiting the use of unmanned aircraft to record or transmit any visual or audio recording of any person or private real property in which the subject person or owner of property has a reasonable expectation of privacy, excluding public safety agencies.
- Oppose legislation that would require public agencies to share information that could be used by malicious intended groups or individuals to compromise the systems, services or private information of public employees or citizens.
- Advocate to maintain peace officer privacy rights in Pitchess motions and Public Record Act requests.
- Advocate against any extension of the statute of limitations in public safety worker's compensation cases.

Local Control

- Support legislation that enhances local control of resources and allows cities to address the needs of local constituents within a framework of regional cooperation.
- Support legislation that encourages the use of federal and state incentives for local government action rather than mandates.

- Oppose any state or federal mandates without the direct or indirect reimbursement for the costs associated with complying with new and/or modified laws, regulations, policies, procedures, permits and/or programs.
- Oppose legislation that would prevent public comment or review where it is currently allowed, prevents public comments from being used for the basis of regulatory decisions and oppose legislation that removes Council oversight of land use and other regulatory processes.
- Oppose pre-emption of local authority whether by state or federal legislation or ballot propositions.
- Support legislation that would preserve local control for regulation of medicinal marijuana and recreational marijuana sales, delivery, distribution, warehousing, growing and testing facilities. Also support preserving the City's right to tax the sales of marijuana products and keep revenues from local taxes, and prevent lowering the consumer protections of Proposition 64 and 215.
- Support measures increasing local autonomy, protecting privacy and maintaining local authority over public records. This includes measures that provide for the recovery of costs with regards to public records requests.
- Support transparent government and the role of the California Public Records Act while simultaneously observing and protecting the current Rule of Law in California including better legislation in regards to protecting the privacy of public records and enhancing laws related to digital records.
- Support fiscal sustainability and "best in class" administrative initiatives to ensure the delivery of superlative city services.
- Monitor initiatives which seek changes in fiscal relationships at the local, state and federal level.
- Support legislation that guarantees on-going revenue sources for local government.
- Pursue funding opportunities for public facilities and services including capital improvement projects, public works projects, homeland security, public safety, technology, and parks and recreation.
- Oppose any legislation that would undermine voter-approved initiatives to guarantee on-going revenue sources for local government.
- Oppose legislation that would pre-empt local authority over local taxes and fees.

- Protect the City's right to levy and collect Transient Occupancy Taxes from hotels, including online hotel intermediaries.
- Oppose any federal or state legislation that would provide immunity to online hotel intermediaries and/or prohibit the City from collecting, retroactively or otherwise, Transient Occupancy Taxes.
- Support continued or expanded funding for the Community Development Block Grant (CDBG) Program.
- Oppose any attempt to eliminate or limit the traditional tax exemption for municipal bonds.
- Engage in and advocate for legislation or ballot measures to prevent the state from borrowing, raiding or otherwise redirecting local government funds (local taxes, property taxes, etc.)
- Continue to promote increased flexibility for the utilization of municipally generated revenues.
- Support legislation that includes operational expenses as an acceptable use of public, educational, government access (PEG) funds, collected from cable franchise fees per the Federal Communications Commission, for government access stations.

Economic Sustainability

- Advocate for measures that support the City's continued efforts to retain and promote the success of local businesses and industries.
- Support tourism and its role in creating jobs and economic benefits to the City.
- Support legislation that would allow local brick-and-mortar retailers to compete more effectively against out-of-state internet sellers.

Pension Reform

- Support California League of Cities and other legislative efforts for pension reform and other post-employment benefits (OPEB).
- Monitor legislative initiatives designed to achieve public employee pension reform.

Public Safety

- Oppose legislation or other administrative actions that seek to limit the police department's ability to collect and utilize asset forfeiture funds for a wide variety of police services.
- Support legislation that provides frontline funding for police services associated with the early release of state prisoners as a result of state-mandated criminal justice realignment
- Support the development and use of new firefighting technology in order to produce higher levels of health and safety.
- Advocate for legislation and funding that would take advantage of current technology to prevent crime (i.e. the ability to use surveillance cameras and automatic license plate recognition technology).
- Support the deployment and research of new emerging technologies that provide law enforcement with tools to provide the highest level of service including:
 - Next Generation 911
 - Mobile & Body Worn Cameras
 - New generation Investigative Technology
 - Collect, store and retain digital evidence
- Support legislation and seek funding that will assist in preventing and reducing crimes, primarily related to drugs, violence, mental illness, and pedestrian safety.
- Oppose legislation to expand "early release" for low-risk serious and violent offenders without an increase in sustained funding to ensure responsible supervision by parole agents and for local agencies that provide post-release supervision.
- Oppose any efforts to further decriminalize existing crimes in California or lessen the sentences of any offenses that would result in the release of serious criminals who would further harm the safety of the public and law enforcement personnel.
- Support interoperable communication solutions that meet radio spectrum needs of first responders and funding to digitize public safety communications.
- Support efforts to eradicate human trafficking.
- Support legislation that aids paramedics and other emergency medical service practitioners in their ability to be responsive to community needs.
- Seek grants and pilot project/demonstration project funding for public safety programs and priorities.

- Support funding initiatives for Peace Officers Standards and Training (POST) and other law enforcement support organizations.
- Support and encourage legislation and budget negotiations that retain funding for state and local law enforcement agencies, including behavior health treatment, drug and trafficking taskforces, crisis intervention teams, and adequate patrol staffing.
- Identify opportunities for reimbursements to supplement increased custodial and supervision costs resulting from prison realignment.
- Oppose legislation with mandates for local agency adherence to operations and programs that may not be reimbursable by state budget funds.
- Support legislation that expands the treatment of, and response to, mentally ill persons and the growing issues associated with the mentally ill.
- Support funding for the increased demand being placed on fire and law enforcement for response to societal issues including homelessness; substance abuse and dependency; and unpredictable and potentially harmful behavior towards the public and public safety officers.
- Support a more effective and relevant reporting of local public safety agency data, and ensure that any disclosed data be fair and equitable.

Emergency Management and Homeland Security

- Support strategies, legislation and funding that promotes emergency management, resilience and recovery efforts.
- Advocate for Interagency Communications Interoperability System (I.C.I. System) participation among jurisdictions and funding for equipment and operations.
- Support funding opportunities for local homeland security, public safety and emergency management programs including, training, and new technology and equipment (e.g. closed circuit television) that does not supplant other City funding, services or operations.
- Seek grants and pilot project/demonstration project funding for City homeland security, public safety and emergency management priorities.

Community Development and Transportation

- Promote revisions to California Environmental Quality Act (CEQA) that seek to modernize, simplify and streamline the Act.

- Monitor land use issues and support legislative and administrative efforts to maintain the integrity of local government's control over land use, planning and zoning matters.
- Oppose legislation that adds more mandatory elements or requirements to City and County General Plans, including the Housing Element, or reduces or eliminates public input into local land use decisions.
- Support measures and discretionary grant opportunities that provide funding for critical transportation infrastructure projects that improve goods movement, safety and mobility for residents and visitors in and around Merced.
- Support legislation that expands transportation, planning, funding, and voluntary incentives to include an increasingly multi-modal perspective focusing on transit, alternative fuel vehicles and fleets, pedestrian walkways, bikeways, multi-use trails and parking.
- Support legislation that furthers the needs of UC Merced and oppose legislation that would impede its mission to educate students and continue its research mission.
- Support legislation that brings the High Speed Rail to Merced and oppose legislation that impedes its progress.
- Support legislation that brings the Altamont Commuter Express (ACE) to Merced and oppose legislation that impedes its progress.
- Oppose legislation that would prevent the City from providing regulatory oversight or requiring licensing to online transportation networks.
- Support state and federal legislation that enhances the safety of City streets for automobile, bicycle and pedestrian traffic, including issues related to photo speed radar enforcement, traffic congestion reduction programs, air quality improvement and regional transportation improvements.
- Support measures which provide the City's fair share of funding from the State's cap and trade funding sources.
- Support legislation that would discourage the misuse of disabled parking placards.
- Work with other agencies in the region to support current state and federal funding levels and encourage increased funding and flexibility in both operating and capital funding for mass transit.

- In conjunction with Merced Association of Governments (MCAG) and other agencies, support legislation that provides incentives for the development of local transportation corridors.
- Support local, regional, state and federal legislative, administrative, and regulatory efforts that will expand and/or supplement funding for maintaining and upgrading major thoroughfares in the City, allowing for better traffic flow, goods movement, improved air quality and pedestrian safety.
- Support increased state and federal resources to mitigate traffic congestion and improve air quality on City streets and rebuild and maintain roads.

Community Services

- Continue to promote legislation that enhances the health of the general population, with an emphasis on programs that focus on youth, adult, aging and at-risk populations.
- Support funding for ADA facility, sidewalk and park upgrades.
- Promote legislation that provides for increased services to or funding for at-risk populations such as adult and aging, homeless, disabled and other challenged populations.
- Support legislation that addresses the need for housing and supportive services, (e.g. health, mental health and social services) for the City's homeless population.
- Support legislative efforts to regulate the smoking of any substance at multi-family complexes.
- Support efforts to provide additional services to veterans, especially homeless veterans, ranging from medical care to counseling to education and employment.

Housing

- Pursue incentive-based housing legislation to encourage expanding the housing supply in the City, including more flexibility for local jurisdictions to work together to provide housing that counts towards Regional Housing Needs Assessment (RHNA) requirements.
- Support federal and state funding for affordable senior and veteran housing opportunities and projects.

Environmental Sustainability

- Advocate for cost-effective, sustainable, and responsible environmental policy and programs in the areas of energy efficiency, greenhouse gases, potable water, clean air, and wastewater, solid waste removal and storm water.
- Support legislation protecting, preserving and restoring the natural environment where it does not conflict with local control and land use designations.
- Support efforts to create partnerships among City government, County government, School Districts, Water Agencies, other entities, businesses, residents and all other community stakeholders as necessary to achieve a sustainable community.
- Support funding to foster an energy-efficient, walk-able community that provides ample goods, services and benefits to all residents while respecting the local environment.

Public Works – Water and Utilities

- Ensure the state continues to fund the California Department of Transportation (Caltrans) capital construction budget for offsetting their requirements to limit their total maximum daily load (TMDL) for pollutant discharge. Encourage Caltrans to continue to enter into Cooperative Implementation Agreements with local jurisdictions to fund storm water capture and retention projects.
- Ensure the State Water Resources Control Board continues to provide Caltrans Storm water a Compliance-Based Credit System that includes compliance based on using funding to support storm water projects that would meet statewide TMDLs.
- Support legislation for funding storm water infrastructure improvements, including building facilities to capture storm water runoff and integrate with local, regional and statewide water resources.
- Support legislation that would provide pragmatic compliance in statewide and regional NPDES (National Pollution Discharge Elimination System) permits.
- Support state and regional efforts to develop avenues for agencies to collect revenue to support storm water retention efforts.
- Support legislation that would classify storm water as a utility similar to water, wastewater and solid waste services.
- Support measures that uphold the ability of locally elected City Councils to regulate and manage their publicly-owned water utility so that local authority is not eroded by state or federal agencies, authorities or other regulatory agencies.

- Oppose legislation that adds requirements to provide services that utility customers do not value, want or need.
- Support legislation that ensures local ratemaking authority is preserved and remains meaningful.
- Support policies that recognize, support and credit the role of water conservation and use of efficiency in reducing greenhouse gas emissions.
- Support local control of groundwater uses and groundwater rights.
- Support local control for planning management and use of water supplies to address local needs and contribute to long-term sustainability.
- Support efforts that seek to bring federal sources of funding to California for water infrastructure development and renewable energy development through water management.
- Support cost effective water conservation programs and incentives that are funded by the state or federal government.
- Support flexible funding options that will help local communities upgrade and replace water and wastewater infrastructure.
- Support legislation for state and federal funding and permitting for the development of local water supplies and water conservation efforts, along with additional surface water and groundwater storage and recharge efforts