



**CITY MANAGER'S OFFICE**  
CITY OF NEWARK

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220 South Main Street · Newark, Delaware 19711  
302.366.7000 · Fax 302.366.7035 · [www.newarkde.gov](http://www.newarkde.gov)

VENDOR/PROPOSER NAME: \_\_\_\_\_

CITY OF NEWARK  
DELAWARE

REQUEST FOR PROPOSAL (RFP) NO. 20-02

LOBBYING AND INTERGOVERNMENTAL CONSULTANT SERVICES

CITY OF NEWARK  
DELAWARE

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LOBBYING AND INTERGOVERNMENTAL CONSULTANT SERVICES

NOTICE OF LETTING

The City of Newark, Delaware will accept proposals for RFP No. 20-02 (Lobbying and Intergovernmental Consultant Services) until 2:00 p.m. on Tuesday, September 29. Proposals will be publicly read aloud at that time in the Council Chamber of the Newark Municipal Center.

Proposals shall be submitted in PDF format via email to [purchasing@newark.de.us](mailto:purchasing@newark.de.us) by 2:00 p.m., prevailing time, on September 29, 2020. The subject line for this email shall read: "RFP 20-02: Proposal for Lobbying and Intergovernmental Consultant Services – [Vendor Name] Submission."

If email submittal is not feasible, ten (10) identical hard copies of the proposals may be sent by mail to the following address until 2:00 p.m. on September 29, 2020:

City of Newark  
Purchasing Division  
220 South Main Street  
Newark, DE 19711

Requests for information regarding this RFP must be submitted via email to [purchasing@newark.de.us](mailto:purchasing@newark.de.us) by 5:00 p.m. on Friday, September 18.

Copies of the RFP may be obtained on the City of Newark's website at [www.newarkde.gov/bids](http://www.newarkde.gov/bids).

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REQUEST FOR PROPOSAL (RFP) NO. 20-02

LOBBYING AND INTERGOVERNMENTAL CONSULTANT SERVICES

**A. PURPOSE AND INTENT**

As the third most populous municipality in the State of Delaware, the City of Newark has significant interest in maintaining a presence in the Delaware General Assembly (Legislative Hall) and other governmental settings at the County, State, and Federal level. Consequently, the City of Newark is seeking proposals from experienced individual(s) to provide lobbying services including, but not limited to, representation, information, professional advice, and support services.

This RFP shall serve to find a lobbying and intergovernmental consultant to provide these services for the City of Newark from January 1, 2021 to at least December 31, 2022. By mutual consent of the awarded vendor and the City, the service term may be renewed or extended for up to two (2) years through one-year extensions, not to exceed a total agreement term of four (4) years. This option shall be exercised only if agreed to in writing by both parties and approved by the City Manager and/or City Council where applicable.

**B. CITY BACKGROUND**

The City of Newark was chartered in 1758 and is approximately nine square miles. As of July 2019, the City's population was 33,515 residents. The City has a thriving downtown and Main Street, maintains an active economic climate, consistently exemplifies strong development activity, and has an abundance of top-rated parks and recreation programs and facilities. Newark is also home to the University of Delaware, which is currently the City's largest employer.

The City operates electric, sewer, stormwater, and water utilities for its service territories and staffs an Alderman's Court in the Newark Municipal Center (220 South Main Street; Newark, DE 19711). Newark operates using the Council-Manager form of government with a non-partisan elected Mayor and six Councilmembers. City Council meetings occur on the first four Mondays of each month, excluding City recognized holidays. For additional information about the City of Newark, the Mayor and Council, and other City departments and activities, please visit the City's website at [www.newarkde.gov](http://www.newarkde.gov).

## **C. SCOPE OF SERVICES**

The scope of services required by the City in connection with this RFP covers the entire spectrum of services that are customarily provided to governmental entities by lobbying and intergovernmental consultant firms. Specifically, the successful proposer will; in accordance with the highest legal, ethical, and professional standards; provide lobbying services to the City of Newark concerning matters before the Delaware General Assembly, as well as County and Federal legislative bodies, that potentially or assuredly impact the City of Newark. Lobbying efforts will come at the direction of City Council directly or via the City Manager. Below outlines the list of services and expectations for the chosen firm.

### **1. LIST OF SERVICES**

The list of services provided should include, but need not necessarily be limited to, the following:

- a. Personal and written contact with all State, County, and/or Federal legislators, as well as officials of the University of Delaware, pertaining to legislation and other initiatives agreed upon between the chosen lobbyist and the City of Newark.
- b. Attendance at public and University of Delaware hearings concerning issues pertinent to Newark initiatives.
- c. Attendance as requested by City Council or the City Manager at select Newark Council meetings, boards, and other committees that do not conflict with the General Assembly's session days (Tuesday, Wednesday, and Thursday from January to June excluding legislative and committee recesses).
- d. Verbal and other communication with Newark Council members as requested by City Council or the City Manager.
- e. Assistance in formulating strategies as conveyed from City Council or the City Manager concerning legislative initiatives impacting the City of Newark.
- f. Attendance as well as oral and written representation before State, County, and/or Federal legislative committee meetings, as well as University of Delaware meetings, pertaining to City operations and other City initiatives, including the State Joint Finance Committee and the Joint Committee on Capital Improvement.
- g. Attendance as well as oral and written representation before meetings and

committees of the State, County, and/or Federal Executive Branch when approved by City Council or the City Manager.

- h. Nonpartisan attendance at legislative political functions and fundraisers (subject to the successful proposer's budget constraints).
- i. With prior approval of City Council or the City Manager, serving on appropriate state and county boards and commissions as well as attendance at other Newark committee meetings that align with Newark's legislative agenda.
- j. Building and maintaining the City's lobbying network by cultivating and noting relationships with lobbyists and representatives of other organizations.

Please note that this list is intended as a general guide and is not to be a complete list of all work necessary to provide the requested services to a satisfactory degree. A successful proposer shall have a demonstratable knowledge and expertise to serve the unique needs of the city of Newark.

## **2. REPORTS AND PRESENTATIONS**

The successful proposer agrees to provide the following to and for the City of Newark:

- a. Regular, written, and/or verbal reports in a timely manner on all pertinent legislative matters. This will be provided, at a minimum, at one regularly scheduled City Council meeting per month when the legislature is not in session or at any other time requested by City Council. During the legislative session (January 1 through June 30), reports shall be provided, at a minimum, at two regularly scheduled City Council meetings per month; however, it may become necessary to provide additional reports to Council as requested. The awarded vendor shall be reasonably available for and should expect to attend City Council meetings every week in the month of June.
- b. Written and verbal planning and research projects for the City when requested by Council or the City Manager in compliance with the State Freedom of Information Act.

## **3. ETHICS STATEMENT**

- a. The successful proposer will not engage in any activities or conduct on behalf of the City of Newark that constitutes a conflict of interest regarding the government services offered by any competing government jurisdiction, agency, or firm. Also, the successful proposer will not engage in any activities or conduct on behalf of

the City of Newark that otherwise is not in the best interest of the City of Newark, the quality of life of its citizens, or its approved comprehensive plan. The conduct of the chosen lobbyist on behalf of Newark will avoid any appearance of impropriety.

- b. The governing ethics, rules, regulations, and procedures of the Delaware Public Integrity Commission will be adhered to and govern all actions by the chosen lobbyist on behalf of Newark.

#### **4. ADDITIONAL REQUIREMENTS AND INFORMATION**

- a. The contract for the Services shall commence on January 1, 2021 and end on December 31, 2022, unless the services term is extended by mutual agreement through one (1) or two (2) of the one-year extension options until December 31, 2023 or December 31, 2024. Payment to the successful proposer shall be made on a monthly or quarterly basis.
- b. The successful proposer shall be required to:
  - 1. Furnish all materials, equipment, supplies, supervision, transportation, technology, and other resources as necessary.
  - 2. Provide and perform all necessary labor.
  - 3. Execute and complete all specified work with due diligence, in accordance with best professional practice and the requirements, stipulations, provisions, and conditions of this RFP and the resultant agreement.
  - 4. Obtain any and all required licenses, permits, certificates of registration, or other approvals necessary or required by law or necessary to provide services to the City of Newark.
  - 5. Comply with all applicable laws, rules, regulations, ordinances, and policies of the State of Delaware and any rules of the Delaware General Assembly.

#### **D. PROPOSAL FORMAT AND REQUIRED CONTENT**

The submission requirements for this RFP are outlined below. Any proposal that does not comply with these instructions may be deemed non-responsive and may be rejected by the City.

Proposals shall include the following components:

## 1. PROPOSER QUALIFICATIONS AND EXPERTISE

The successful proposer will outline recent experience in providing legislative and intergovernmental services, or other related experience, before the legislative and executive branches of the State of Delaware, New Castle County, and Federal Government. Other relevant employment history shall be outlined here as well.

The successful proposer will provide the following information:

- a. Name, business address, telephone number(s), email address(es) of the entity and/or individual that will be the party to the proposed contract.
- b. Number of years serving as a lobbyist (please include any and all former firm names and years employed, if applicable).
- c. List of municipalities and other government entities currently or previously served, as well as samples of initiatives.
- d. Type of ownership (sole proprietorship, partnership, corporation, joint venture, or limited liability company—list state in which incorporated) and parent company, if applicable.
- e. Disclose whether the proposing entity, or any shareholder, member, partner, officer, or employee thereof is presently a party to any pending litigation or has received any threatened litigation or claim, excluding minor traffic matters.
- f. Submitted proposals shall be signed by an individual with authority to bind the proposer. If it is made by a partnership, it shall be signed with the partnership name and by a general partner with the full name and address of the general partner provided. If it is made by a joint venture or limited liability company, it shall be signed with the full name and address of each member thereof.
- g. Explanation of any exceptions to this RFP being requested. For each exception requested, cite the activity involved, the exception taken, and alternate language. If no exceptions are being requested, please state so.
- h. Provide copies of both previous and current client lists and a report of current or former clients whose interests may either coincide or conflict with the interests of the City. All proposers are advised that any and all legislative agenda, priorities, actions, and needs of the City shall take precedence over any other obligations (contractual or otherwise, direct or indirect). The City expects that the successful proposer shall refrain from undertaking any representation of other parties whose legislative interests are averse to those of the City. To ensure conflicts do not arise,

the awarded vendor shall be required to submit an updated client list to the City twice annually at the beginning and end of the State legislative session (January 1 and July 1 of each year of the agreement). The City reserves the right to determine, in its sole discretion, the existence of a conflict of interest or a potential conflict of interest.

- i. Provide a list of campaign contributions to ensure a conflict of interest does not exist.
- j. Description how being the lobbyist for the City of Newark will be of benefit to its citizens, government, and overall well-being.
- k. References, including all contact information, for services provided like those requested in this RFP. The City reserves the right to contact references, including those not provided by the proposer.
- l. State, in detail, specific experience and role in the subject areas listed below and provide examples of similar work performed for other clients. Additionally, please describe the scope and extent of any specialized area or issue of expertise. Experience and/or expertise at the County, State, and Federal level should be noted whenever applicable throughout the list below to show the breadth of knowledge the successful proposer can offer the City.
  - 1. Home Rule authority
  - 2. Charter changes
  - 3. State, County, and Federal budget processes including experience with the State Joint Finance and Capital Improvement Committees
  - 4. Payment in Lieu of Taxes (PILOT)
  - 5. Public Safety
  - 6. Networking
  - 7. Land Use/Zoning
  - 8. Water Resources
  - 9. Transportation initiatives
  - 10. Work Force/Economic Development
  - 11. Environmental initiatives
  - 12. Public Hearing participation
  - 13. Legislative relationships/familiarity
  - 14. Election Law
  - 15. Education/School District
  - 16. Outreach and Research
  - 17. Introduction of Legislation



## 2. ENGAGEMENT APPROACH/PROPOSER RESOURCES

The submitted proposal shall contain a description of how the proposer intends to provide the outlined services, including, but not limited to, a method or specific approach to client relations, problem-solving, coordinating and disseminating information, finding and building coalitions on specific legislative issues, coordinating input from the City where necessary, and advocacy. The proposal shall also describe the way the proposer will create and strengthen relationships between City personnel and legislators and legislative staff.

The proposer shall describe the resources applied to this project, including, but not limited to:

- a. A description of strategic relationships with other organizations (e.g., Delaware Municipal League of Local Governments, State Legislators, County Legislators, Federal Legislators, NCSL, CSG, etc.).
- b. A description of professional relationships with applicable State, County, and/or Federal elected officials demonstrating bipartisanship.
- c. Other unique, relevant resources.

## 3. PROPOSED RATE OF COMPENSATION

The City of Newark is weighing the effectiveness of part-time or full-time service. Whether the service needs noted above can be achieved with a part-time arrangement akin to a monitor and report engagement, or if it should retain its current full-time lobbyist engagement with the accompanying level of services is open for discussion. Based upon proposer assessment of the City of Newark, please submit proposed pricing for full-time and part-time levels of service.

The proposer shall provide a proposed budget, **marked as "Appendix A"**, detailing a comprehensive fee proposal that designates the total flat rate of compensation for a twelve-month term that includes compensation for any and all reasonable out-of-pocket costs and expenses, including, but not limited to, copying, messenger services, telephone and cell phone charges, postage, food, mileage expenses, and other transportation costs. It is expressly understood and agreed that the obligation of the City to make payments to the successful proposer shall only extend to monies appropriated annually by the City of Newark Mayor and Council and encumbered for the purposes of the Agreement. The City retains the right to terminate the agreement upon thirty (30) days written notice at any point throughout the agreement term.

## E. EVALUATION/SELECTION

The following section outlines the process and criteria by which each proposal will be reviewed by the Evaluation Committee, which will be comprised of the City's Mayor and six Councilmembers.

### 1. EVALUATION PROCESS & TIMELINE

- a. All proposals received by **the deadline of 2:00 p.m. local time on Tuesday, September 29, 2020** will be reviewed for responsiveness to the requirements of this RFP. Proposals deemed to be non-responsive may be rejected.
- b. The Newark City Council shall serve as the Evaluation Committee for this RFP. The Mayor and Councilmembers will evaluate all proposals found to be responsive to the requirements of this RFP. Each accepted proposal shall be evaluated and ranked by each member of City Council using the criteria outlined in the "Proposal Evaluation Criteria" section below.
- c. Following City Council's independent RFP review and vendor ranking, a discussion of the Evaluation Committee's vendor rankings shall be held at a public City Council meeting. **This discussion is scheduled for the City Council meeting on Monday, October 26, 2020.**
- d. If a proposer is not chosen through the initial ranking process or through further discussion at the October 26 City Council meeting, or if City Council would like to hear more about proposers' offerings in person, the top-ranked proposer(s) may be asked to attend an interview session conducted by City Council and the City Manager at a public City Council meeting. **This interview session is scheduled for the City Council meeting on Monday, November 9, 2020.** The City may conduct reference checks for the finalists ahead of City Council meeting interviews or at any time after receiving vendor submissions.
- e. If no decision is made following the interview session scheduled on November 9, a final follow-up discussion will be held at a public City Council meeting. **This final meeting is scheduled for the City Council meeting on Monday, November 23, 2020.**
- f. At any of the above noted City Council meetings, a Councilmember may make a motion to award services to a vendor for the proposed compensation amount. Council will vote to approve or deny the motion thereafter.

## 2. PROPOSAL EVALUATION CRITERIA

Proposals will be evaluated according to the following criteria by the Evaluation Committee. The City of Newark reserves the right to reject any or all proposals received and to award the contract for project services to the firm that the City of Newark believes will offer the best value for the scope of services.

The following are the criteria that the City's RFP Evaluation Committee (City Council) will use to initially rank the proposers and/or determine the selected proposer:

- a. Qualifications, reputation, and experience of the firm in connection with services related to the scope of services. **Point Range: 0-40**
- b. Lobbying/intergovernmental consultation engagement approach plan and proposer's access to necessary resources. **Point Range: 0-30**
- c. Responsiveness of the written proposal in clearly stating an understanding of the work to be performed, as outlined in the scope of services portion of this request for proposals. **Point Range: 0-20**
- d. Proposed rate of compensation, as outlined by the proposer through Appendix A. **Point Range: 0-10**

Please note that the City shall not be required to accept the lowest proposal in terms of cost, but instead shall have the right to select the most qualified proposer based on all the other evaluation criteria established. A holistic approach will be taken to determine the most efficient and effective vendor.

## F. SUBMISSION REQUIREMENTS & OTHER PROPOSAL INFORMATION

1. Requests for Information: Any questions concerning the technical aspects of the RFP, proposal submissions, or the proposal evaluation process should be directed to the City of Newark Purchasing Division via email ([purchasing@newark.de.us](mailto:purchasing@newark.de.us)). All questions must be submitted by 5:00 p.m. on Friday, September 18 to be answered by City staff. The City will answer any questions it deems necessary via addendum after the request for information deadline.
2. Proposal Changes or Withdrawals: Any proposal may be withdrawn, modified, and resubmitted prior to the bid opening date by written request, signed in the same manner and by the same person who signed the proposal.
3. Ownership of Material: All documents prepared and submitted pursuant to this RFP or contract shall be property of the City upon submittal and will be subject to staff

and public review and discussion in association with our public bidding and formal proposal process. Any information or documents deemed proprietary shall be so marked at time of submittal and limited to detail where the disclosure of contents could be prejudicial to competing offerors during the process of negotiation, and any commercial or financial information of a privileged or confidential nature.

4. Cancellation of RFP: The City of Newark reserves the right, at its sole discretion, to cancel this RFP in whole or in part prior to the execution of a contract.
5. Award of Contract: Any contract awarded under this RFP shall be made to the proposer who, in the sole judgment of the City, is best able to provide the full range of the services outlined. All proposals shall remain firm for one hundred twenty (120) calendar days after the opening of proposals.
6. Rejection of Proposals: The City reserves the right, at its sole discretion, to reject any and all proposals received and to waive informalities and minor irregularities, technical defects, or clerical errors in a proposal received, to accept any portion or all items in the proposal, and award the contract in whole or in part if it is deemed in the City's best interest.
7. Assignment: The firm shall not assign any interest in the contract and shall not transfer any interest in the same without the prior written consent of the City.
8. Compliance with Terms and Conditions of RFP: The successful proposer shall comply with all the specifications, terms, and conditions of this RFP, as outlined herein. Proposers are further required to complete/submit all information requested in this RFP.
9. Acceptance of Proposal Content: All or selected parts of the chosen proposal may become part of the contract if an award of contract is made at the sole determination of the City.
10. Interview and Contract Requirements: Proposers may be required to participate in one or more interviews upon request. This interview will be with the Evaluation Committee (City Council) at a public meeting. The successful proposer will be required to execute a contract with the City.
11. Approval: If City Council is required to approve the award of a contract based on this RFP, the selected firm may be required to attend the Council meeting to address any questions. Costs for attendance shall be incorporated into the bid.
12. Force Majeure Occurrence: Upon the occurrence of a force majeure event, the City of Newark shall immediately notify the awarded vendor. In this instance, the City shall be excused from any further financial or contractual obligations for as long as such

circumstances prevail. As used in this document, a “force majeure occurrence” means acts of God; acts of the public enemy; acts of the State and any other governmental entity in its sovereign or contractual capacity; fires; floods; epidemics or pandemics; quarantine restrictions; strikes or other labor disputes; freight embargoes; unusually severe weather; or other unusual event outside of the reasonable control of a party hereto that prevents a party to this Agreement from performing its contractual obligations.

13. Termination of Agreement: This agreement may be terminated by the City upon thirty (30) days written notice, given the following circumstances:
  - i. If the contractor fails to perform satisfactorily in accordance with the terms and conditions of the signed contract.
  - ii. If monies are not appropriated annually by the Mayor and Council for the purposes of this agreement.
  - iii. For any other reason as deemed necessary by City Council.
14. Advertisements: Any proposer submitting a bid will not use the name of the City in any advertisement without first obtaining the written consent of the City Manager.
15. EEO and Business Licenses: The proposer shall possess all required business or other licenses and shall be a fair and equal opportunity employer.
16. Noncollusion: The proposer shall not, either directly or indirectly, enter into any agreement, participate in any collusion, or otherwise take any action in restraint of free competitive bidding in connection with the agreement.
17. Term of Agreement: The initial service term will be for two (2) years beginning January 1, 2021 and concluding December 31, 2022. By mutual consent of the contracted firm(s) and the City, the service term may be renewed or extended for up to two (2) one-year extensions, not to exceed a total agreement term of four (4) years. This option shall be exercised only if agreed to in writing by both parties and approved by the City Manager and/or City Council where applicable.
18. Time of Completion and Liquidated Damages: The City will work with the selected firm to establish an agreed upon time schedule for the completion of each task prior to the issuance of individual purchase orders.

## **G. SUBMISSION INSTRUCTIONS**

The vendor's proposal shall be submitted in PDF format via email to [purchasing@newark.de.us](mailto:purchasing@newark.de.us) by 2:00 p.m. local time on September 29, 2020. The subject line for this email shall read: "RFP 20-02: Proposal for Lobbying and Intergovernmental Consultant Services – [Vendor Name] Submission."

In compliance with City policy, the Purchasing Division holds a strong preference toward paperless submissions. However, if proposals cannot be sent via email, ten (10) identical hard copies of the proposal may be submitted through certified mail or hand delivery by the time and date noted above. This submittal must be clearly marked with the information noted for the email subject line above. Mailed bids should be sent to the following address:

City of Newark  
Purchasing Division  
220 South Main Street  
Newark, DE 19711

The City is not responsible for late delivery caused by the United States Postal Service or private mail carriers/delivery services. Any proposal received after the deadline will not be considered for award.

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