

Notice of Request for Proposals

Notice is hereby given that the Office of Executive Director of the Oklahoma Pharmacists Association will receive sealed proposals at the **Oklahoma Pharmacists Association, 3000 E. Memorial, Edmond, OK 73013, until 4:00 PM CST on the 29th day of June, 2018 for:**

State Legislative Consultant and Lobbyist Services
for the period January 1, 2019 to December 31, 2019.

Proposals shall be made in accordance with the Request for Proposals, a copy of which may be obtained from the Office of Oklahoma Pharmacists Association at the above referenced address, and are made a part of this notice as though fully set forth herein. The office hours of the Oklahoma Pharmacists Association ("**OPhA**") are 8:30 AM to 5:00 PM Monday through Friday. The phone number is (405) 528-3338. The Fax Number is (405) 528-1417.

Proposals received after the stated time will be returned unopened to the Proposer. Proposals timely received shall be forwarded to the Legislative and Lobbyist Selection Committee to open and review.

OPhA reserves the unconditional right to waive formalities, irregularities and defects in any and all proposals, except as otherwise required by law. **OPhA** reserves the right to reject any and all proposals; to reject a portion of any or all proposals; to negotiate and execute or to not negotiate or execute a contract with any proposer; and to solicit new or different proposals. **OPhA** reserves the right to negotiate and/or contract with one or more proposers for all or a portion of any proposal or proposed services.

Debra Billingsley
Executive Director

REQUEST FOR PROPOSALS FOR STATE LEGISLATIVE CONSULTANT AND LOBBYIST SERVICES

I. Introduction

OPhA is a non-profit organization that endeavors to meet the needs of Oklahoma pharmacists through a variety of programs and meetings. Among those programs is the goal to keep Oklahoma's pharmacist informed of political and legislative matters that may have a direct and/or indirect impact upon the practice of pharmacy. **OPhA** membership is comprised primarily of pharmacists throughout the State of Oklahoma who voluntarily join the organization and pay annual dues. The organization also includes pharmacies and other individuals and pharmaceutical related corporations that have an interest in promoting and protecting the practice of pharmacy in Oklahoma. The organization elects various Council persons to serve on the Board and officers, including a President, who oversees the general operation of the Association and who makes appointments to various committees. The Executive Council is responsible for hiring an Executive Director as general manager of the Association. The Executive Director has hiring authority over the authorized support personnel.

OPhA has a Legislative Committee which each year identifies specific issues that **OPhA** will focus on at the State and national levels. The Legislative Committee is appointed by the President of **OPhA**. The Executive Director acts as a liaison between the Executive Council, the elected officers, the various committees, and the consultant lobbyist.

OPhA has for several years contracted with a Lobbyist and Legislative Consultant to counsel and advise **OPhA** in legislative matters and to prepare and present the Association's interests to the Governor, State Legislators and executive-level State Officials.

II. Scope of Services Required

The Legislative Consultant and Lobbyist (hereinafter "Consultant") shall work with the Executive Director, the **OPhA** President, the Executive Council, and the Legislative Committee, on the identification and prioritization of issues.

The consultant shall work with **OPhA** on pending legislation, regulations and any State governmental matters determined by **OPhA** to warrant such action. The consultant shall inform **OPhA** of issues that might impact the **OPhA** and the pharmacists of the Association. The consultant shall be available as requested by **OPhA** for consultation and the performance of specific tasks as related to State legislative and regulatory matters.

Specifically, the Legislative Consultant will perform the following services:

- A. Provide expert advice on the State legislative and governmental processes as they relate to legislation or other matters affecting **OPhA** and the pharmacists of the Association.
- B. Present **OPhA**'s position on State Legislative matters to State elected officials and to other persons as necessary to achieve **OPhA**'s desired objectives.

- C. Assist in the development of testimony, expert and other evidence, required for effective presentation of the position of **OPhA** on State Legislation affecting the **OPhA**.
- D. Provide regular reports to the Executive Director, as requested by the Executive Director, the **OPhA** President, the Executive Council or the Legislative Committee, as required to keep such individuals timely advised of developments with respect to State Government matters, other than legislation, assigned to the Consultant.
- E. Provide written reports to the Executive Director and the Executive Council, at least weekly during the State Legislative Session, on the status of legislative initiatives assigned to the Consultant.
- F. Attend meetings of the Legislative Committee and meetings with the Executive Director or Executive Council when requested.
- G. Continuously monitor State legislative activities to identify developments which affect the interests of **OPhA** and the pharmacists of the Association matters of concern and advise the Executive Director and the Executive Council providing his/her expert assessment of the action which should be initiated by the OPhA in each such case.
- H. Assist in determining the action to be taken by the Legislative Consultant to achieve the **OPhA's** desired objectives with respect to each assigned task.
- I. Work in cooperation with other pharmaceutical or healthcare related organizations to achieve **OPhA's** legislative objectives.

III. Terms and Conditions

- A. The Legislative Consultant and Lobbyist shall:
 1. Act as an independent contractor for **OPhA** and provide services for the Term of the Contract.
 2. Comply with all laws and legislative rules applicable to a professional person employed as a legislative consultant and lobbyist for an organization such as **OPhA** or to the activities undertaken in the performance of such services.
 3. Bear all expenses, costs, and charges incurred by the consultant in his/her performance of the work contemplated by the Contract.
 4. Defend, indemnify, and hold **OPhA** harmless with respect to any claims or actions asserted by any person against **OPhA** by reason of the actions of the Consultant.

- B. **Contract Term; Renewal:** The term of the initial Contract is twelve months from January 1, 2019 through December 31, 2019. The contract may be renewed from year to year. The term of any renewal shall be for one year (12 months). Any renewal shall be at the request of the consultant and with the formal approval of the Executive Council. The maximum time period for the initial contract plus any renewals is five years. At the time of any renewal, the **OPhA** may consider increasing the amount of the annual fee based on increases in the Consumer Price Index or demonstrated need relating to the scope of services.
- C. **Conflict of Interest.** The Legislative Consultant and Lobbyist may not represent any entities whose representation is in any way in conflict with the interests of the Oklahoma Pharmacist Association or the pharmacist of the Association. The Proposer must reveal any real or potential conflict of interest in his/her proposal. Failure to do so is cause for termination of any Contract entered into with **OPhA**.
- D. **Termination.** The Oklahoma Pharmacists Association reserves the right to terminate any contract with or without cause upon ten days written notice. Provided, however, that the Legislative Consultant is entitled to just and equitable compensation for any satisfactory work completed to the date of termination.
- E. **Assignment of Contract.** The Legislative Consultant and Lobbyist may not assign any interest, obligation, or benefit under or in the contract and shall not transfer any interest in the same without the prior written consent of **OPhA**.

IV. Fee:

Proposals submitted in response to this Request for Proposals must specify a proposed fee to be paid by **OPhA** to the Legislative Consultant and Lobbyist for consulting services. The proposed fee stated in the Proposal must be for twelve (12) months of legislative consulting service.

The proposed fee must be an all-inclusive, not-to-exceed, figure and include all out-of-pocket expenses, including all travel expenses expected to be incurred, by the Consultant in the performance of legislative consulting services for **OPhA**.

Regardless of the proposed 12-month fee, **OPhA** reserves the unconditional right to negotiate the actual fee amount to be paid to the successful proposer, which may be on additional terms not set forth in this proposal.

V. Selection Committee and Selection Process

The Selection Committee will be composed of the Executive Director and a Committee designated by the Council President.

Proposers may be required to make oral presentations. If oral presentations are scheduled, attendance is mandatory.

Proposers will be recommended for selection based on the following criteria:

1. Documented experience and success in providing similar services.
2. Responsiveness of the written proposal to the elements of the RFP.
3. Qualifications of the Proposer and the other key individuals associated with the Consulting and Lobbyist efforts, if any.
4. Fees.

Following the evaluation process, the Selection Committee will make a recommendation to the Executive Director and Executive Council. Proposers may be requested to meet with the Executive Council, prior to final approval of any negotiated contract.

OPhA reserves the right to award one contract, to award a contract based on a joint proposal, or to award contracts to two or more persons or firms with the understanding those so selected will work in concert in accomplishing **OPhA's** legislative objectives. **OPhA** reserves the right to reject any and all proposals or to award the contract to the next-most-qualified proposer if the successful proposer does not execute the contract within ten days. **OPhA** reserves the right to request clarification of information submitted and to request additional information from any or all of the proposers. The selection of the Legislative Consultant or Consultants and the decision to award a contract are made at the sole discretion and by formal decision of the Executive Director and the Executive Council.

VI. Consideration of Joint Proposals or Award of Two Contracts

OPhA may consider the option of awarding two contracts or awarding a contract based on a joint proposal. In its deliberations, the **OPhA** may consider the proposer's experience or credentials in effectively representing the **OPhA** based on political party affiliation, ability to work with members of the House or the Senate, or other reasonable divisions of effort that may best serve the interests of the **OPhA**. The decision as to whether or not to award a contract or contract on such a basis is solely at the discretion of the **OPhA**.

VII. Requirements for Submission of Proposal

Proposals must be timely submitted and be in accordance with the requirements stated in the Notice of Request for Proposals.

Proposals must follow the format provided below and must be clearly responsive to each item.

A complete and responsive proposal will consist of the following:

1. Proposal Cover Letter. Complete all entries. The proposer's fee amount must state an amount for twelve (12) months of services and must be inclusive of all costs for services and expenses.
2. Proposer's Resume. Provide a current resume. If the proposal is submitted by a law firm, provide the firm's name, address, principal partners, and general nature of the practice and provide resumes of those who will be assigned work under the contract.
3. Client List. Provide a list of all current clients Proposer represents for the purpose of legislative consulting and lobbyist services. If Proposer is a member of a firm or has associates who will work with the Proposer in representing **OPhA**, the name of the Associate(s) who will work with the Proposer in representing **OPhA**, the name of the Associate(s) and a list of his/her current legislative consultant clients must be provided.
4. Conflict of Interest Information or Statement. Provide a list of any clients whose representation by the Proposer or the Proposer's firm might present a conflict of interest with representation of **OPhA** or any of the pharmacists or pharmaceutical entities which may have an interest in matters related to the profession of pharmacy and a note of explanation as to the nature of the conflict. If no conflict of interest exists, provide a statement to that effect. Provide the same information or statement for any associate.
5. Responses to questions. Provide written responses addressing the topics listed below. State the letter and heading of each topic and provide complete response to each.
 - A. Scope of Services: Clearly define the nature and the scope of services you would provide.
 - B. Knowledge and Strengths: State and explain your areas of greatest knowledge and strength in working with the Oklahoma Legislature and why you could be of significant assistance to the **OPhA**.
 - C. Legislative Consulting Experience: State the number of years of experience you have as a paid legislative consultant. Describe your work as a consultant by listing each major client of the past five years by name, address, and phone number. For each client state dates services were provided to the client, legislative projects worked on, and major accomplishments.
 - D. Experience Representing Medical or Pharmaceutical Entities: State the particular experience and qualifications you have in representing the interests of professional organizations before the State Legislature.
 - E. Duties and Approach: In your own words, describe what you believe are the essential duties of a legislative consultant and your approach to this work.

- F. Elected Official Experience: List all elective offices held by title and dates of service, committees served on, important legislation worked on, and major accomplishments.
 - G. Registration: Provide a statement as to whether you are presently registered with the State as a lobbyist. If so registered, state the name under which you are registered. State how long you have been so registered.
6. References: List three professional references, with addresses and phone numbers, the **OPhA** can contact for information.

Joint Proposal Information: If this proposal is submitted by two or more persons or firms, list all persons or firms who will be participating and clearly define the roles of each. Each person or firm submitting the joint proposal must separately execute and submit a Proposal Submittal Statement and a Proposal Cover Letter and have responded to all of the elements of this Request for Proposals.

The original and four (4) copies of the Proposal must be submitted in a sealed envelope submitted to the Executive Director of OPhA.

Questions concerning the Request for Proposals may be directed to:

Debra Billingsley
Executive Director
Oklahoma Pharmacists Association
3000 E Memorial
Edmond, OK 73013
Phone: (405) 528-3338
Fax: (405) 528-1417