



REQUEST FOR PROPOSALS

LEGISLATIVE CONSULTING SERVICES

DATE OF ISSUANCE:
NOVEMBER 22, 2022

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SECTION I. GENERAL BACKGROUND

INTRODUCTION

The Port Authority of Kansas City, Missouri (“Port KC”), a political subdivision authorized under Chapter 68, RSMo, is inviting registered Missouri lobbyists (each a “Proposer”) to submit their proposals (each a “Proposal”) for providing legislative consulting services for state legislative matters in Jefferson City, Missouri.

PORT KC BACKGROUND

Port KC’s mission is to grow the economy of Kansas City’s port district through transportation, global commerce and development.

Port KC possesses broad governmental and business enterprise powers for promoting economic development and job creation. The most important of these powers include the following:

- To acquire, own, construct, redevelop, lease, maintain, and conduct land reclamation, residential, commercial and mixed-use development, industrial parks, facilities, terminals, terminal facilities and any other type of port facility;
- To promote and expand inland and river port commercial throughput of cargo and freight;
- To identify and pursue redevelopment opportunities at blighted and historic preservation sites;
- To redevelop the Downtown Kansas City Riverfront to promote and develop new opportunities for residence, commerce and leisure; and
- To promote the full integration of multi-modal transportation assets to increase commercial opportunities locally, nationally and internationally.

INVITATION

Port KC is seeking the services of a registered Missouri lobbyist to provide comprehensive political consulting and lobbying services to Port KC with respect to state legislative matters in Jefferson City, Missouri. This RFP is an invitation by Port KC for Proposers to submit an offer, which may be subject to subsequent discussions and negotiations. It is not a request for a competitive bid. By submitting a Proposal, the Proposer agrees that the Proposer does not obtain any right in or expectation to a contract with Port KC, regardless of the amount of time, effort and expense expended by the Proposer. A Proposer shall be solely responsible and liable for any and all costs incurred by the Proposer.

MINIMUM QUALIFICATIONS

Any Proposer submitting a Proposal must have been registered as a lobbyist with the Missouri Ethics Commission for a period of not less than ten (10) years, and must be in good standing. Proposers not holding the required registration are ineligible and will not be considered.

TERM OF ENGAGEMENT

Port KC anticipates a five (5) year contract with the selected Proposer, subject to annual review and satisfactory performance. The final term of any contract will be subject to negotiation between Port KC and the selected Proposer. Any contract will include a right by Port KC to cancel the contract, in whole or in part, in the event Port KC's needs should change.

SECTION II. INSTRUCTIONS AND CONDITIONS

EXAMINATION OF ALL RFP DOCUMENTS AND REQUIREMENTS

Each Proposer shall carefully examine all RFP documents and thoroughly familiarize themselves with all RFP requirements prior to submitting a Proposal to ensure that Proposer's Proposal meets the intent and requirements of this RFP.

Before submitting a Proposal to Port KC, each Proposer shall be responsible for making all investigations and examinations that are necessary to ascertain any and all conditions and requirements that affect the requirements of this RFP. Failure to make such investigations and examinations shall not relieve the Proposer from Proposer's obligation to comply, in every detail, with all provisions and requirements of the RFP.

By submitting a Proposal to Port KC, Proposer certifies that Proposer has provided Port KC with written notice of all ambiguities, conflicts, mistakes, errors or discrepancies that Proposer has discovered in the RFP.

TIMELINE

The following timeline shall be applicable unless modified by Port KC pursuant to addendum to this RFP:

- RFP Issued: November 22, 2022
- Deadline for Questions: December 9, 2022 - 5:00 PM (CT)
- Due Date for Proposals: December 21, 2022 - 5:00 PM (CT)
- Port KC provides all Proposals to Selection Committee: December 22, 2022
- Selection Committee Shortlists the Proposals: December 2022
- Interviews of Shortlisted Proposers (if desired by Selection Committee): December 2022
- Contract Negotiations and Contract Execution: December 2022
- Services Commence: January 1, 2023

Questions. Any general questions, requests for clarification or notices of ambiguities, conflicts, mistakes, errors or discrepancies in this RFP must be submitted to info@portkc.com before **December 9, 2022 at 5:00 PM (CT)**. All questions, requests and notices will be routed from to the appropriate Port KC staff member(s) without further action by the inquirer. All questions and answers will be distributed anonymously, to all potential Proposers.

Proposers shall not contact individual Port KC staff members for purposes of discussing this RFP. Failure to follow this procedure may result in a Proposer's disqualification.

Submittal. Proposers shall submit one (1) electronic copy of their Proposal. Proposals must be submitted to info@portkc.com before **December 21, 2022 at 5:00 PM (CT)**. Any proposals, modifications, or revisions received by Port KC after that date and time will not be considered. It is the Proposer's responsibility to ensure timely receipt by Port KC at the location designated herein.

Notwithstanding anything herein to the contrary, Port KC reserves the right to change or extend any and all dates including the due date for Proposals for any reason and at any time, including after the Due Date for

SCOPE OF SERVICES

Services are anticipated to include those listed here, in addition to any others that Port KC may negotiate with the selected Proposer:

- Monitor all legislation filed in the Missouri General Assembly affecting Port KC.
- Provide weekly updates of legislation affecting Port KC to representatives or officers of Port KC as specified by Port KC's President & CEO or General Counsel.
- Establish and maintain a working relationship with elected and appointed state officials and their staffs on behalf of Port KC.
- Pursue the passage or defeat of legislation as outlined by Port KC, by representing Port KC in negotiations with governmental officials, legislators, and their staffs.
- Establish relationships with and lobby the appropriate state departments on behalf of Port KC.
- Coordinate all activities of Port KC at the Missouri State Capitol or in Jefferson City during the legislative session.
- Develop and arrange with Port KC for testimony at committee hearings to promote the legislative package of Port KC.
- Lobby for appropriations for the construction, maintenance and expansion of Port KC facilities in Kansas City, Missouri.

SELECTION PROCESS

Proposals will be evaluated by a selection committee of not less than three (3) Port KC staff members selected by Port KC's President & CEO (the "**Selection Committee**").

Upon receipt of the Proposals, the Selection Committee will review each Proposal to determine consistency with the requirements of this RFP, and may summarily reject any Proposals that are deemed non-responsive by virtue of their non-compliance or non-conformity.

The Selection Committee will develop a shortlist of the best Proposals. The Selection Committee may determine that interviews with one or more Proposers is necessary, but no Proposer will be entitled to an interview except upon request of the Selection Committee. During any

interviews, the Proposer will present their Proposal in keeping with the goals and criteria described in this RFP. The Selection Committee will then rank the shortlisted Proposals.

Port KC will enter into negotiations with the top ranked Proposer. In the event they are unable to agree upon terms, Port KC will proceed down the list by ranked order until such time as the terms of a contract have been successfully negotiated or Port KC elects, in its sole discretion, to terminate the RFP.

Any evaluation criteria or weighting of criteria is used only as a tool to assist in selecting the best Proposal. Evaluation scores or ranks do not create any right in or expectation to a contract with Port KC regardless of any score or ranking given to any Proposal. In other words, even if the Selection Committee gives a Proposal the highest rank, the Proposer still has no expectation of a contract with Port KC and Port KC may choose to contract with any other Proposer regardless of the score or rank of the other Proposer.

Port KC will develop the criteria for scoring and ranking Proposals and may change criteria and criteria weights at any time including after the due date for Proposals.

RESERVATION OF RIGHTS IN SELECTION PROCESS

The Selection Committee, in reviewing and ranking Proposals, and Port KC, in negotiating the terms of any contract with the ranked Proposers, may do any or all of the following:

- Interview none, one, some or all of the Proposers who submit Proposals;
- Discuss and negotiate anything and everything with any Proposer or Proposers at any time;
- Request additional information from any or all Proposers;
- Request a Proposer or Proposers to submit a new Proposal;
- Request one or more best and final Proposals from any or all Proposers;
- Accept and reject any Proposal in whole or in part;
- Require a Proposer or Proposers to make modifications to their initial Proposals;
- Reject all Proposals;
- Pick and choose services the combination of services desired;
- Expand or decrease the scope of services; and
- Expand or decrease the properties where the services are provided.

Without limiting the foregoing, Port KC reserves the absolute and unconditional right to reject any or all Proposals received in response to this RFP at any time prior to the execution of any contract. No Proposer obtains any right in or expectation to a contract with Port KC, regardless of the amount of time, effort and expense expended by the Proposer, and regardless of ranking. Proposer shall be solely responsible and liable for any and all costs incurred by Proposer.

DISPOSITION OF PROPOSALS

Port KC reserves the right to reject any and all Proposals, to accept portions of any Proposal(s), and to negotiate the terms of any Proposal(s) in determining whether to award any contract.

WAIVER OR MODIFICATION OF RFP REQUIREMENTS

Port KC, in its sole discretion, may waive or modify everything or anything contained in this RFP at any

time including after the Proposal due date. If Port KC modifies the RFP after the due date for Proposals, Port KC may, in its sole discretion, solicit new Proposals in an amended RFP from anyone or everyone regardless whether a person submitted a Proposal in response to the original RFP.

Port KC reserves the right to waive informalities or irregularities in Proposals, to accept or reject any or all Proposals, to cancel this RFP in part or in its entirety, and to re-solicit Proposals if it is in the best interest of Port KC as determined by Port KC in its sole discretion.

EVALUATION CRITERIA

The Selection Committee will evaluate the Proposals with respect to the following criteria, in addition to any others they may determine to be relevant:

1. The Proposer's capacity to undertake the services;
2. The Proposer's possession of the required registration with the Missouri Ethics Commission;
3. Overall quality of Proposer as shown by its previous experience with other political subdivisions and corporate clients;
4. The Proposer's experience in providing legislative consulting services;
5. The Proposer's familiarity with Port KC's mission and objectives; and
6. The proposed annual cost to Port KC and value in relation to services proposed to be provided.

FORM AND CONTENT OF PROPOSAL

Proposals shall be limited to no more than ten (10) single-sided 8.5x11 pages, inclusive of any attachments, shall utilize Times New Roman 12-point font, and shall be organized and tabbed as follows:

TAB A Business / Firm Profile and Legal Structure

TAB B Experience

TAB C Proposed Compensation Structure

All information requested or required to be provided by this RFP shall be provided under the applicable Tab.

SUBMITTAL OF PROPOSAL

Any incomplete Proposal may be rejected by Port KC or the Selection Committee.

By submitting a Proposal, Proposer agrees that Proposer's Proposal shall constitute a firm irrevocable offer to Port KC that Proposer shall not withdraw or modify without Port KC's approval for one hundred eighty (180) days after the Proposal due date. Proposer agrees that even if Port KC negotiates or makes a counter offer to Proposer on Proposer's original Proposal or any subsequent Proposal submitted by Proposer, Proposer grants to Port KC, in Port KC's sole discretion, the unconditional right for Port KC to accept Proposer's original Proposal and Port KC's negotiation or counter offer shall not be deemed to be a counter offer.

OWNERSHIP OF PROPOSALS

By submitting its Proposal, Proposer hereby agrees that Proposer's Proposal and any supplementary material submitted by the Proposer shall become property of Port KC.

CLOSED RECORDS

All Proposals including interviews, presentations and documents, and meetings relating thereto may remain closed records or meetings under the Missouri Sunshine Law until a contract is executed or until all Proposals are rejected by Port KC. If Port KC amends this RFP, Proposals submitted in response to the original RFP may remain closed records until a contract is executed or all Proposals submitted in response to the amended RFP are rejected.