

REQUEST FOR QUALIFICATIONS

FEDERAL AND COMMONWEALTH OF VIRGINIA

GOVERNMENT RELATIONS AND LOBBYING SERVICES

The Norfolk Airport Authority (Authority) is requesting qualifications for Federal and Commonwealth of Virginia Government Relations and Lobbying Services for the lobbying year of November 1, 2021 to October 31, 2022. The Authority seeks responses from consultants with a proven track record in Federal and Commonwealth of Virginia government relations, advocacy and lobbying to assist in developing and successfully pursuing the Authority's legislative priorities. The Authority requires a well-managed and financially sound Consultant with demonstrated skills and technical ability, high levels of customer service, responsiveness and satisfaction, to meet the requirements outlined in this Request for Qualifications (RFQ).

The primary focus of the Consultant is to assist the Authority with its efforts to influence legislation, both in Congress and the General Assembly, to inform the Authority of proposed legislative actions that might benefit or harm the Authority, and to assist the Authority's communications with its Congressional Delegation and General Assembly Members.

BACKGROUND

The Authority was established on July 1, 1948, as a political subdivision of the Commonwealth of Virginia and an autonomous agency of the City of Norfolk. Its original name was Norfolk Port Authority, which was later changed to Norfolk Port and Industrial Authority and then to the current name of Norfolk Airport Authority. The Authority is governed by the Board of Commissioners of at least seven (7) but no more than nine (9) members appointed for four-year terms by the Norfolk City Council. The Authority is managed by a professional staff headed by an Executive Director who is appointed by the Board of Commissioners and serves at the pleasure of the Board.

On May 1, 1949 the Authority was given "supervision" responsibility for the operation and maintenance of what was then called the "Norfolk Municipal Airport" and what is now known as the "Norfolk International Airport". On January 1, 1950 Authority received full responsibility for the Airport's operation, maintenance and development. On December 16, 1999 the City of Norfolk conveyed the Norfolk International Airport Property to the Authority in consideration for the Authority's agreement to make equitable annual payments in lieu of taxes (PILOT) with the regulatory approval of the Federal Aviation Administration (FAA).

The Norfolk International Airport (Airport) provides air transportation services for the Hampton Roads region, the second largest metropolitan area in the Commonwealth of Virginia and the 36th-largest metropolitan area in the United States, as well as northeastern North Carolina. The airport occupies approximately 1,088 acres of land in the City of Norfolk approximately eight miles from Norfolk's downtown area. The Airport is classified by the FAA as a small-hub origin-and-destination airport and is ranked as the 79th busiest airport nationwide in terms of total passengers. The Airport is served by seven (7) commercial service passenger airlines and two (2) cargo service airlines. The Authority receives FAA and Virginia Department of Aviation (DOAV) grants for eligible capital improvement projects and purchases.

SCOPE OF SERVICES

The Consultant will report directly to the Authority's Executive Director and will be asked to brief the Board at their monthly meetings. It is anticipated that the specific tasks and responsibilities will be more specifically defined by the scope of services agreement between the Authority and the Consultant. The qualified Consultant must have the direct experience necessary to provide services that include, but are not limited to, the following tasks:

- **Monitoring:** Consultant shall serve as a reliable and consistent conduit of information to and from the Congress and the General Assembly; and monitor any legislation or Federal/Commonwealth events that may directly or indirectly impact the Authority. Consultant should work closely with the Executive Director and Board to assist in developing the Authority's legislative priorities. Consultant will make frequent contact with the Authority's Congressional Delegation and General Assembly members and their staff.
- **Bill Tracking:** Consultant shall track all bills and legislative actions that are determined to have an impact on the interests of the Authority.
- **Legislative Advocacy:** Consultant shall transmit the Authority's position on key legislative action to Congressional Delegation and General Assembly Members, as well as Federal and Commonwealth agencies as appropriate.
- **Coordination of Legislative/Regulatory Relationships:** Consultant shall work with the Authority in the coordination of a legislative/regulatory strategy that raises the awareness of issues relating to the Authority with its Congressional Delegation and General Assembly Members.
- **Enhance Intergovernmental Relationships:** Consultant will assist the Authority in the development of relationships with key Federal and Commonwealth legislators.

- **Establish an Active Presence:** Consultant shall actively establish a strong identity and presence in Washington D.C. and Richmond on behalf of the Authority.
- **Appropriations and Authorization Legislation:** Consultant shall coordinate meetings and other outreach with the Congressional Delegation and General Assembly Members in support of appropriation and authorization legislative action on funding that is beneficial for the Authority.

RFQ RESPONSE REQUIREMENTS

Consultants must provide the following information:

- Detailed description of the proposed governmental relations and lobbying activities during the contract year.
- Detailed description of how requirements of this RFQ will be met. The response should be presented in a format that corresponds to, and references, the sections outlined in the Scope of Work, and should be presented in the same order. The response should be a concise explanation of how the Scope of Work will be performed.
- A list of deliverables during the contract year.
- A list of personnel, including resumes, who will perform services and activities.
- Three (3) references with name, address, phone number and e-mail address of clients for which the Consultant has provided similar services.
- Submit at least five (5) examples of successful previous lobbying outcomes by the Consultant in the last five (5) years for a Commonwealth of Virginia commercial airport, municipality or political subdivision.
- A list of commercial airports, municipalities, and political subdivisions the Consultant has served within the previous twelve (12) months of the submission date.
- Name, address, telephone and e-mail address of the Consultant's lead individual to contact for further information regarding your response.

DUE DATE

Responses are due by **2:00 p.m. on Monday August 2, 2021** at the Office of the Executive Director, Norfolk Airport Authority, Norfolk International Airport, 2200 Norview Avenue, Norfolk, Virginia 23518. Please contact the Executive Director's Office at 757-857-3901 or e-mail swatts@norfolkairport.com should you require additional information.

SUBMISSION REQUIREMENTS

Please submit one (1) signed original and two (2) signed copies of the Consultant's response in a sealed package including the name, address, telephone number and e-mail address of the Consultant making the submittal. Submittals should be addressed to the Executive Director and clearly marked, "Sealed Response for the Norfolk Airport Authority's Government Relations and Lobbying Services RFQ". Also, an electronic copy of the signed response is to be sent to the attention of swatts@norfolkairport.com.

The submittals will become the sole property of the Norfolk Airport Authority.

SELECTION

The Authority staff will review all qualified submittals and will select Consultants to make a verbal presentation to the Norfolk Airport Authority Board of Commissioners, followed by an interview. The selection will be approved by the Board of Commissioners at a Public meeting.

The Authority reserves the right to waive technicalities or irregularities in submittals, and to reject any and all submittals or any part thereof. The Authority reserves the right to select the Consultant that the Authority, at its sole discretion, determines to best serve its interests.

FEDERAL AVIATION ADMINISTRATION CONTRACT PROVISIONS

Since the Authority is a recipient of Federal Aviation Administration (FAA) grants to fund certain eligible capital improvement projects or equipment purchases, the FAA requires that certain contract provisions be included in contracts entered into by an airport owner or sponsor. Accordingly, listed below are the FAA required contract provisions which will be incorporated into a contract with a Consultant for Government Relations and Lobbying Services.

1. Civil Rights – General

The Contractor agrees to comply with pertinent statutes, executive orders and such rules as are promulgated to ensure that no person shall, on the grounds of race, creed, color, natural origin, sex, age, or disability be excluded from participating in any activity conducted with or benefiting from federal assistance. This provision is in addition to that required by Title VI of the Civil Rights Act of 1964.

2. Title VI Clauses for Compliance with Non-Discrimination Requirements

- A. **Compliance with Regulations.** The Consultant will comply with the Title VI Pertinent Nondiscrimination Acts and Authorities, as they may be amended from time to time, which are herein incorporated by reference and made a part of this contract.
- B. **Nondiscrimination.** The Consultant, with regard to the work performed by it during the Contract, will not discriminate on the grounds of race, color, or national origin in the selection and retention of subcontractors, including procurements of materials and leases of equipment. The Consultant will not participate directly or indirectly in the discrimination prohibited by the Nondiscrimination Acts and Authorities, including employment practices when the Contract covers any activity, project, or program set forth in Appendix B of 49 CFR part 21.
- C. **Solicitations for Subcontracts.** In all solicitations, either by competitive or negotiation made by the Consultant for work to be performed under a subcontract, each potential subcontractor will be notified by the Consultant of their obligations under the Contract and the Nondiscrimination Acts and Authorities on the grounds of race, color, or national origin.
- D. **Information and Reports.** The Consultant will provide all information and reports required by the Acts, the Regulations, and directives issued pursuant thereto. The Consultant will permit access to its books, records, accounts, and other sources of information as may be determined by the Authority or the FAA to be pertinent to ascertain compliance with such Nondiscrimination Acts and Authorities and instructions.
- E. **Sanctions for Noncompliance.** In the event of the Consultant's noncompliance with the non-discrimination provisions of the Contract, the Authority will impose such sanctions as it or the FAA may determine to be appropriate, including, but not limited to: (i) withholding payments to the Consultant under the contract until the Consultant complies; or (ii) canceling, terminating, or suspending the Contract, in whole or in part.
- F. **Incorporation of Provisions.** The Consultant will include the provisions of Sections 2(A)-(E) above in every subcontract unless exempt by the Acts, the Regulations, and directives issued pursuant thereto.

3. Title VI List of Pertinent Nondiscrimination Acts and Authorities

During the performance of the Contract, for itself, its assignees, and successors in interest, the Consultant agrees to comply with the following non-discrimination statutes and authorities, including but not limited to:

- A. Title VI of the Civil Rights Act of 1964 (42 USC § 2000d et seq., 78 stat. 252) (prohibits discrimination on the basis of race, color, national origin).
- B. 49 CFR part 21 (Non-discrimination in Federally-assisted programs of the Department of Transportation – Effectuation of Title VI of the Civil Rights Act of 1964).
- C. Section 504 of the Rehabilitation Act of 1973 (29 USC § 794 et seq.), as amended (prohibits discrimination on the basis of disability); and 49 CFR part 27.
- D. The Age Discrimination Act of 1975, as amended (42 USC § 6101 et seq.) (prohibits discrimination on the basis of age).
- E. Airport and Airway Improvement Act of 1982 (49 USC § 471, Section 47123), as amended (prohibits discrimination based on race, creed, color, national origin, or sex).
- F. The Civil Rights Restoration Act of 1987 (PL 100-209) (broadened the scope, coverage and applicability of Title VI of the Civil Rights Act of 1964, the Age Discrimination Act of 1975 and Section 504 of the Rehabilitation Act of 1973, by expanding the definition of the terms “programs and activities” to include all of the programs and activities of the Federal-aid recipients, sub-recipients, and contractors, whether such programs or activities are Federally funded or not).
- G. The Federal Aviation Administration’s Non-Discrimination statute (49 USC § 47123) (prohibits discrimination on the basis of race, color, national origin, and sex).
- H. Executive Order 13166, Improving Access to Services for Persons with Limited English Proficiency, and resulting agency guidance, national origin discrimination includes discrimination because of limited English proficiency (LEP). To ensure compliance with Title VI, Consultant must take reasonable steps to ensure that LEP persons have meaningful access to your programs (70 Fed. Reg. at 74087 to 74100).

4. Federal Fair Labor Standards Act

All contracts and subcontracts that result from the Contract must incorporate the provisions of 29 CFR part 201, the Federal Fair Labor Standards Act (FLSA).

5. Certification Regarding Lobbying

The Consultant certifies by signing and submitting the Contract, to the best of his or her knowledge and belief, that:

No federal appropriated funds have been paid or will be paid, by or on behalf of the Consultant, to any person for influencing or attempting to influence an officer or employee of an agency, a member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with the awarding of any federal contract, the making of any federal grant, the making of any federal loan, the entering into of any cooperative agreement, and the extension, continuation, renewal, amendment, or modification of any federal contract, grant, loan, or cooperative agreement.

If any funds other than federal appropriated funds have been paid or will be paid to any person for influencing or attempting to influence an officer or employee of any agency, a member of Congress, an officer or employee of Congress, or an employee of a member of Congress in connection with a federal contract, grant, loan, or cooperative agreement, the undersigned shall complete and submit Standard Form-LLL, "Disclosure Form to Report Lobbying," in accordance with its instructions.

The undersigned shall require that the language of this certification be included in the award documents for all sub-awards at all tiers (including subcontracts, subgrants, and contracts under grants, loans, and cooperative agreements) and that all sub-recipients shall certify and disclose accordingly.

This certification is a material representation of fact upon which reliance was placed when this transaction was made or entered into. Submission of this certification is a prerequisite for making or entering into this transaction imposed by Section 1352, Title 31, U.S. Code. Any person who fails to file the required certification shall be subject to a civil penalty of not less than Ten Thousand and 00/100 Dollars (\$10,000.00) and not more than One Hundred Thousand and 00/100 Dollars (\$100,000.00) for each such failure.

6. Occupational Safety and Health Act

All contracts and subcontracts that result from this Contract incorporate by references the requirements of 29 CFR Part 1910 with the same force and effect as if given in full text. The Consultant must provide a work environment that is free from recognized hazards that may cause death or serious physical harm to the employee. The Consultant retains

full responsibility to monitor its compliance with the applicable requirements of the Occupational Safety and Health Act of 1970 (20 CFR Part 1910). The Consultant must address any claims or disputes that pertain to a referenced requirement directly with the U.S. Department of Labor – Occupational Safety and Health Administration.

7. Certification Regarding Tax Delinquency and Felony Convictions

The Consultant represents that it is not (i) a corporation that has any unpaid federal tax liability that has been assessed, for which all judicial and administrative remedies have been exhausted or have lapsed, and that is not being paid in a timely manner pursuant to an agreement with the authority responsible for collecting the tax liability; and (ii) a corporation that was convicted of a criminal violation under any federal law within the preceding twenty-four (24) months. The Consultant agrees that it will incorporate this provision for certification in all lower tier subcontracts.

8. Federal Immigration Law

At all times during the term of this Contract, the Consultant shall not knowingly employ any unauthorized alien, or knowingly permit with a subcontractor who knowingly employs or contracts with an unauthorized alien to perform work under the Contract. For purposes of the Section, an “unauthorized alien” shall mean any alien who is neither lawfully admitted for permanent residence in the United States nor authorized to be employed by either (i) Title 8, Section 1324a of the United States Code or (ii) the U.S. Attorney General. If the Consultant violates this provision, the Authority may terminate this Contract following notice to the Consultant and Consultant’s failure to cure its violation immediately following receipt of the Authority’s notice.

9. Veteran’s Preference

In the employment of labor (excluding executive, administrative, and supervisory positions), the Consultant must give preference to covered veterans as defined within Title 49 United States Code Section 47112. Covered veterans include Vietnam-era veterans, Persian Gulf veterans, Afghanistan-Iraq war veterans, disabled veterans, and small business concerns (as defined by 15 USC 632) owned and controlled by disabled veterans. This preference only applies when there are covered veterans readily available and qualified to perform the work in which the employment relates.

Robert S. Bowen, A.A.E.

Executive Director